Agenda

County of Inyo
Board of Supervisors

Board of Supervisors Room
County Administrative Center
224 North Edwards
Independence, California

All members of the public are encouraged to participate in the discussion of any items on the Agenda. Anyone wishing to speak, please obtain a card from the Board Clerk and indicate each item you would like to discuss. Return the completed card to the Board Clerk before the Board considers the item (s) upon which you wish to speak. You will be allowed to speak about each item before the Board takes action on it.

Any member of the public may also make comments during the scheduled "Public Comment" period on this agenda concerning any subject related to the Board of Supervisors or County Government. No card needs to be submitted in order to speak during the "Public Comment" period.

Public Notices: *(1)* In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 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 Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). *(2)* If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).
Note: Historically the Board does break for lunch, the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

July 10, 2012

9:00 a.m. ***INVOCATION*** by Supervisor Richard Cervantes

PLEDGE OF ALLEGIANCE

COMMENT **(Portion of the Agenda when Board takes comment from the public and County staff)**

1. ***PUBLIC COMMENT***
2. ***COUNTY DEPARTMENT REPORTS*** *(Reports limited to two minutes)*

DEPARTMENTAL **(To be considered at the Board's convenience)**

3. ***COUNTY ADMINISTRATOR - Emergency Services*** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.

4. ***SHERIFF*** – Request approval of a resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of the FY 2012 Homeland Security Grant Program Application."

5. ***PLANNING*** – Request approval of the Contract between the County of Inyo and BrightSource Development, LLC, for a General Plan Amendment and Zoning Reclassification for the Hidden Hills Solar Electric Generating Station site in Charleston View, for the period of July 10, 2012 through approval or disapproval of the application, in an amount not to exceed $247,401.06, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

6. ***PLANNING*** – Request Board identify projects for CAPP Block Grant Funds.

7. ***PLANNING*** – Request Board review the Draft DEIS Executive Summary on the Draft Environmental Impact Statement (DEIS) and Draft proposed amendment to the California Desert Conservation Area (CDCA Plan, for opening approximately 22,805 acres of Bureau of Land Management (BLM) federal mineral estate for geothermal energy exploration and development in Haiwee Geothermal Leasing Area; approve the correspondence to the BLM; and authorize the Chairperson to sign.

8. ***WATER*** – Request Board approve the resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing and Directing the Submission of an Application for Grant Funds from the State of California Department of Water Resources" and direct staff to prepare the necessary data and submit the necessary documents to apply for the grant funds.

TIMED ITEMS (Items will not be considered before scheduled time)

11:00 a.m. 9. ***WORKSHOP*** – The Board will conduct a workshop with Health and Human Services and Probation Departments staff regarding the Wrap Around Program.

1:15 p.m. 10. ***JOINT MEETING AGENDA*** – The Board of Supervisors will convene in a joint meeting with the Inyo County Planning Commission to consider the following:

A) ***WORKSHOP*** – The Board and the Planning Commission will conduct a workshop with Planning Department staff regarding the updated Zoning Code General Plan and provide input to staff.

CORRESPONDENCE - ACTION

11. ***NORTHERN INYO COUNTY LOCAL HOSPITAL DISTRICT*** – Request Board consolidate the District's General District Election with the Statewide General Election to be held on November 6, 2012.

12. ***EASTERN SIERRA ATV ADVENTURE TRAILS*** – Request Board join with Tehama County in its effort to prevent the Diversion of Off Highway Vehicle Trust Fund monies to address the State Parks budget shortfall.

BOARD MEMBERS AND STAFF REPORTS

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

13. ***PUBLIC COMMENT***

CLOSED SESSION

14. ***CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]*** – *County of Inyo v. Department of the Interior, et al.,* United States district court for the Eastern District Case No. 1:06-cv-1502-AWI-DLB.

15. ***CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(C)]*** – Decision whether to initiate litigation (one case).

16. ***CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]*** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: Labor Relations Administrator Sue Dishion, Information Services Director Brandon Shults, and Planning Director Josh Hart.

17. ***CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]*** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion.

18. ***CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]*** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion.

19. ***CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]*** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson.

20. ***CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].*** – Instructions to Negotiators re: wages, salaries and benefits – Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

21. ***CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]*** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

22. ***AUDITOR-CONTROLLER*** – Notice that in accordance with Section 26905 and 26921 of the Government Code and your orders of February 5, 1950 and January 3, 1956, an actual count of money in the hands of the Treasurer was made on June 29, 2012 and that the count showed the funds to be in balance, pending written verification of inactive accounts.

23. ***SHERIFF*** – Sheriff and Jail Overtime Report for the month of June 2012.

24. ***CALIFORNIA EMERGENCY MANAGEMENT AGENCY*** – Notification that U.S. Small Business Administration declared Inyo County a contiguous county disaster area as a result of freezing temperatures, high winds and excessive rain that occurred March 1, 2012 through April 30, 2012.

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
3

☒ Consent ☐ Departmental ☐ Correspondence Action ☐ Public Hearing
☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF July 10, 2012

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.

SUMMARY DISCUSSION: - During your August 5, 2008 Board of Supervisors meeting your Board took action to continue the local emergency, which was a result of the Inyo Complex Oak Creek Mud Flows. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a week-to-week basis. The recommendation is that the emergency be continued until the permanent diversions are in place. LADWP has notified your Board that the completion of the project is expected for sometime this fall. Therefore, it is recommended that your Board continue the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/ A

FINANCING: N/A

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: _____ Date_____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved:_____ Date_____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved:_____ Date_____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)_____ Date:_____
(The Original plus 20 copies of this document are required)

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
4

☒Consent ☐ Departmental ☐Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Disaster Services

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: FY2012Homeland Security Grant Program

DEPARTMENTAL RECOMMENDATION: Request Board approve a resolution entitled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of the FY2012Homeland Security Grant Program Application."

SUMMARY DISCUSSION: The Department of Homeland Security is offering the FY2012 Homeland Security Grant Program (HSGP), to provide funding to build and sustain planning capabilities in support of the National Preparedness Goal and National Priorities. If awarded, these monies would be used to purchase equipment and provide training to strengthen the County's catastrophic planning capabilities.

In late 2005, the federal government resolved to streamline efforts for States and Urban Areas in obtaining resources that are critical to building and sustaining capabilities to achieve the Interim National Preparedness Goal and implement State and Urban Area Homeland Security Strategies. As a result, the Department of Homeland Security adopted a risk- and need-based approach to allocating future funding for certain programs within HSGP. Their aim is to allocate and apply these resources to generate the highest return on investment and, as a result, strengthen national preparedness in the most effective and efficient manner.

The State has informed each operational area of the amount that is available in grant monies; Inyo County has a potential allocation of $64,160. The HSGP does not require a cash or in-kind match from the applicant. However, a requirement of the application process is for the governing body, the Board of Supervisors, to adopt a Resolution in support of applying for Homeland Security Grant monies.

ALTERNATIVES: Your Board could choose not to approve the Resolution, but this alternative is not recommended. The FY2012 HSGP monies would be a valuable resource to Inyo County and this grant does not require a cash or in-kind match from the County.

OTHER AGENCY INVOLVEMENT: City of Bishop and local Tribes.

FINANCING: If the grant application is approved, then a budget will be set up.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: — Date 6-25-12
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: Yes Date 6/27/12
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 7-2-12

RESOLUTION NO. 2012-____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AUTHORIZING THE SUBMITTAL OF THE FY2012 HOMELAND SECURITY GRANT PROGRAM APPLICATION

WHEREAS the need to enhance our emergency management system was recognized in the Governor's Executive Order (S-02-05) and demonstrated in the lessons learned from the Katrina and Rita disasters. The Homeland Security Grant Program provides an opportunity to achieve greater integration of these emergency management systems; and

WHEREAS the purpose of the Fiscal Year 2012Homeland Security Grant Program (FY12 HSGP) is to support comprehensive emergency management at the state, tribal and local levels and to encourage the improvement of mitigation, preparedness, response and recovery capabilities for all hazards; and

WHEREAS the HSGP supports efforts for States and Urban Areas in obtaining resources that are critical to building and sustaining capability to achieve the Interim National Preparedness Goal and implement State and Urban Area Homeland Security Strategies; and

WHEREAS funds provided under the HSGP may, and should be used to support activities that contribute to the grant recipient's capability to strengthen, prevent, prepare for, mitigate against, respond to and recover from emergencies and disasters, whether natural or man-made and funding will be used to purchase equipment and provide training to strengthen the County's catastrophic planning capabilities; and

WHEREAS the State of California Emergency Services has indicated that $64,160 may be available to the County in the FY12 Homeland Security grant monies; and

WHEREAS this Board finds that the County's receipt of such funding would be beneficial to the residents of Inyo County.

NOW, THEREFORE, BE IT RESOLVED that the Inyo County Board of Supervisors has reviewed and hereby approves application for State Homeland Security Program funding for approximately $64,160; and

BE IT FURTHER RESOLVED that the Inyo County Administrative Officer is authorized and directed to act on Inyo County's behalf in all matters pertaining to this grant award and for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted through the State of California.

PASSED AND ADOPTED by the Board of Supervisors of the County of Inyo, State of California, this 3rd day of July, 2012, by the following role call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Chairperson
Inyo County Board of Supervisors

ATTEST: Kevin D. Carunchio
Clerk of the Board

By: _____
Patricia Gunsolley, Assistant

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
5

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: Contract with BrightSource Development, LLC for the Provision of Environmental Review and Processing Services

DEPARTMENTAL RECOMMENDATION: Approve the Contract between the County of Inyo and BrightSource Development, LLC in an amount not to exceed $247,401.06 for the period from July 10, 2012 through approval or disapproval of the application for a General Plan Amendment and Zoning Reclassification for the Hidden Hills Solar Electric Generating Station site in Charleston View, and authorize the Chairperson to sign contingent upon obtaining the necessary signatures and adoption of future budgets.

SUMMARY DISCUSSION: Representatives of BrightSource Energy have submitted an application to the California Energy Commission (CEC) for two 250-megawatt solar thermal power plants adjacent to each other in southeast Inyo County.[1] The project site is about 5.1 square miles in area north of Old Spanish Trail just west of the Nevada border in Charleston View. The proposed power plant includes two approximately 750-foot towers each surrounded by 85,000 mirrors that focus sunlight on boilers at the top of the towers; this runs generators near the base of the towers to produce electricity. The project will also utilize natural gas to supplement heat generation. The electricity is expected to be conveyed to California via power lines through Nevada; the Bureau of Land Management's (BLM) Southern Nevada District Office is preparing an Environmental Impact Statement for the electric transmission line and a natural gas pipeline that will both serve the proposed project.

The CEC has exclusive permitting jurisdiction over the project pursuant to the Warren Alquist Act (Public Resources Code, Section 25000 et seq.). Its review process is a certified regulatory program under the California Environmental Quality Act (CEQA), which means that the environmental analysis the CEC undertakes as part of its permit process satisfies CEQA requirements. A committee consisting of two Commissioners and a Hearing Officer presides over the proceedings, with the full Commission rendering a decision based on the recommendation of the Committee.

The CEC has issued a Preliminary Staff Assessment for the project, and has requested comments by July 23, 2012. Staff is analyzing the PSA, and expects to provide draft comments to the Board for review on July 17, 2012. Under the current schedule, a final decision is anticipated later in 2012.

The County has participated extensively in the CEC process.[2] One of the issues of contention is that the project is inconsistent with the County General Plan and Zoning. BrightSource previously committed to submitting an application for a General Plan Amendment (GPA) and Zoning Reclassification (ZR), but

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1 Refer to the CEC's project website at http://www.energy.ca.gov/sitingcases/hiddenhills/ for more information about the proposal and the CEC's siting process.

2 Refer to http://inyoplanning.org/BrightSource.htm for information regarding the County's participation in the siting process.

expressed concerns about the County's standard liability provisions. To address these concerns, as well as payment to the County for processing and other matters, staff has negotiated a contract with BSE (attached). BrightSource has submitted an application for a GPA and ZR conditioned upon approval of this contract.

Staff recommends that the Board approve the contract to proceed with the GPA/ZR. Staff expects to move forward with the GPA/ZR process immediately, and hopes to schedule public meetings and hearings later in the summer and fall, in concert with the CEC process. Gruen Gruen + Associates and Greg James, Attorney at Law, have been assisting the County in its participation in the certification proceedings; this assistance will be necessary to process the GPA/ZR, and the scope of work includes an appropriate level of effort from both parties.

ALTERNATIVES: The Board could not approve the contract and not direct staff to provided services to BrightSource as outlined in the contract. The Board could also direct changes to the contract. These options are not recommended as staff and BrightSource have spent considerable effort negotiating the contract.

OTHER AGENCY INVOLVEMENT: CEC, BLM, and other federal and State permitting agencies; Sothern Inyo Fire Protection District, Death Valley Unified School District, and other agencies in southeast Inyo County that will be impacted by the project, and; local tribes.

FINANCING: Per the Contract, BrightSource will reimburse the County for its costs to complete the scope of work in the contract. Adequate funds are available in the Planning Department's Fiscal Year (FY) 2012-2013 Preliminary Budget (023800) in Object Code 5265 (Professional Services) to compensate the subcontracts necessary for the expected workload through budget approval in October. If funds are utilized from the Natural Resources Budget (010204) for the subcontracts, adequate funds are available in Object Code 5265 to compensate the subcontractors in the FY 2012-2013 Preliminary Budget. If this latter option is chosen, adequate funds are available in the Planning Department FY 2012-2013 Preliminary Budget to offset these costs in Object Code 5121 (Internal Charges). Funding for the remainder of the year will be evaluated through the budget approval process.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: ✓ Date 7-3-12
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: ✓ Date 7-3-12
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved:_____ Date_____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Date: 7-3-12

Attachment: Contract

AGREEMENT BETWEEN COUNTY OF INYO, AND BRIGHTSOURCE DEVELOPMENT, LLC. FOR THE PROVISION OF ENVIRONMENTAL REVIEW AND PROCESSING SERVICES

INTRODUCTION

WHEREAS, BrightSource Development, LLC of 1999 Harrison Street, Suite 2150, Oakland, CA 94612 ("Applicant") has submitted an Application for Certification ("AFC") to the California Energy Commission ("CEC") for the 500 megawatt Hidden Hills Solar Energy Generating System ("HHSEGS Project") which is located in the County of Inyo.

WHEREAS, Applicant has the need for the Environmental Review and Processing services of the County of Inyo ("County") in connection with its application for a general plan amendment and rezoning that is related to the HHSEGS ("Application").

WHEREAS, by this Agreement, Applicant and County intend to provide for the provision of environmental review and processing services of the County in connection with the Application, all as set forth in this Agreement.

AGREEMENT

THEREFORE, in consideration of the mutual promises, covenants, terms, and conditions hereinafter contained, the parties hereby agree as follows:

TERMS AND CONDITIONS

1. SCOPE OF WORK

The County shall provide to Applicant those services and work set forth in Attachment A, attached hereto and by reference incorporated herein. Attachment A describes the environmental review and processing services that will be performed by the County in connection with the Application and a budget for performing such review and services ("GPA Budget").

Work or services under this Agreement may be performed either by its own employees (hereinafter collectively referred to as "Employees or employees") or, upon approval of the Applicant, by one or more additional County Contractors ("County Contractors"). Applicant approves the use of County Contractors Gruen Gruen + Associates and Greg James, Attorney, to perform work or services under this Agreement. County has the right in its sole discretion to determine which employee(s) are qualified and capable, and to determine which employee(s) of those which are deemed qualified and capable, are to actually perform the work and services under this Agreement. Applicant has no right to designate, or require the work or services to be performed by, a particular County Department, class of County employees, or particular employee(s). Further, County need not obtain Applicant's approval prior to or after incurring any travel and/or per diem, or overtime expenses in performing work or services under this Agreement.

Services and work provided by the County under this Agreement will be performed by: (i) County employees; or (ii) County contractors hired by County in a manner consistent with the requirements and standards established by applicable federal, state, and County laws, ordinances, regulations, and resolutions. Such laws, ordinances, regulations, and resolutions include, but are not limited to, those which are referred to in this Agreement.

This Agreement is for the provision of environmental review and processing services in connection with the Application . Under the California Environmental Quality Act ("CEQA"), the CEC is the Lead Agency and County is a responsible agency, except for the exclusive jurisdiction of the Commission to certify the HHSEGS Project. (CEQA Guidelines section 15381; Public Resources Code section 25500). As a responsible agency, the County will consult with the CEC, will rely on the CEC's environmental document in acting upon the Application and will prepare and issue its

own findings regarding the General Plan Amendment and rezoning. Also, County shall provide information to, and consult with, the CEC concerning the County's laws, ordinances and regulations that are relevant to the HHSEGS project. Applicant is aware and agrees that, by entering into this Agreement, County makes no representation, promise, commitment, or agreement to Applicant or any other person that it will approve the Application, concerning which said review and processing services will be rendered; further, this Agreement shall not be construed as creating any such representation, promise, commitment, or agreement.

2. TERM

The term of this Agreement shall commence effective July 10 2012. This Agreement shall terminate and be of no further force or effect upon the approval or disapproval by County of the Application following a noticed public hearing. Notwithstanding the previous sentence, if the Application is approved by the County, the County shall have the obligation to timely file a notice of determination in accordance with Public Resources Code § 21152(a) and Applicant shall have the obligation to indemnify the County in accordance with Section 8 of this Agreement, both of which obligations shall survive a termination of this Agreement in accordance with this Section 2.

3. COUNTY COSTS, COUNTY CONTRACTOR COSTS AND CONSIDERATION

A. Obligation for Payment of County Costs for Processing General Plan Amendment Application.
The parties acknowledge and agree that reimbursement of the County for the reasonable costs of processing the Application is governed by the hourly rates for County employees and County Contractors set forth in Attachment B.

B. Calculation of Line Items in Budgets. The line items in the GPA Budget which correspond to work performed by the County employees and County Contractors shall be calculated in accordance with the following provisions:

a. Employee Hourly Rates/Special Commission Meeting Costs. A non-exclusive list of hourly rate costs (non-overtime), with fringe benefits, for County employees who may provide work and services under this Agreement, and the cost of special meetings of the planning commission are set forth on Attachment B. County will update this list as necessary so that it reflects any future changes in an employee's hourly rate and to add any employees not listed who will perform work or services under this Agreement. The total hourly rate cost for a County employee shall be the product of the number of hours (rounded up or down to the nearest 1/2 of an hour) which are worked by a County employee multiplied by the employee's hourly rate cost. Costs of fringe benefits shall be the number of hours that a County employee works (including overtime, if applicable, as set forth below), multiplied by the employee's hourly rate of pay, multiplied by forty percent (0.40).

b. Overtime. Where the circumstances of the services and work requested by Applicant under this Agreement require a County employee to work in excess of eight (8) hours per day or 40 hours per week (in the case of an 8 hour per day employee), or 7 hours per day or 35 hours per week (in the case of a seven hour per day employee), and County is obligated by law or contract to compensate the employee for such work at a rate of one and one half (1½) times their hourly rate of pay (hereinafter referred to as "overtime"), the hourly rate of pay for such overtime hours worked under this Agreement will be one and one half (1½) times the employee's hourly rate of pay, as set forth on Attachment B.

c. Travel Costs. Travel and per diem costs shall be the actual costs incurred by the County when an employee travels and/or incurs per diem expenses in performing work under this Agreement.

Actual costs to the County will be determined by the County policy then in effect that establishes travel and per diem reimbursement rates for County employees.

d. Special Costs. Special costs are those costs incurred by the County that have been approved in advance in writing by Applicant for the purchase of particular specialized equipment, supplies, tools and materials used by County in performing work or services under this Agreement.

e. Amount of Payment for Services and Work Performed by County. Although Inyo County is not the lead agency for the HHSEGS Project, in accordance with Inyo County Code Paragraph 15.08.020, Applicant shall pay all the County costs for the services and work performed by County employee(s) under this Agreement relating to processing of the general plan amendment and rezoning for the HHSEGS Project. The County's costs for these services and work shall be the sum of the following: (1) the total hourly rate costs (including overtime, if any) of the employees who performed the work or services, the cost of any special Water Commission or Planning Commission meetings conducted pursuant to this Agreement, and the costs of employees' fringe benefits as set forth in Attachment B, (2) special costs incurred by the County, (3) the costs of any travel incurred by employees while performing any work or services under this Agreement, and (4) the sum of the total hourly rate, fringe benefits, travel, and special costs, multiplied by 20% (this additional 20% is in lieu of the overhead factor determined by reference to the A-87 Countywide Cost Plan as approved by the California State Controller's Office).

f. Amount of Payment for Services and Work Performed by County Contractors. Applicant shall pay all of the County's costs for any County Contractor retained by the County to perform services or work under this Agreement relating to processing the general plan amendment and rezoning for the HHSEGS Project. The County's costs for these services and work shall be the actual cost to the County for the services.

C. Procedure for reimbursement of General Plan Amendment Costs: Project Fund. County shall establish a project fund in a segregated account (hereinafter referred to as "Project Fund") to hold and administer all funds provided by Applicant to County for the review and consideration of the Application pursuant to this Agreement. All costs incurred by County that arise from the review and consideration of the Application will be paid from the Project Fund subject to the terms of this Agreement. Any money deposited in the Project Fund shall be used for no purpose other than the payment of costs included in the GPA Budget; however, within sixty days following the termination of this Agreement and after payment has been made of all outstanding costs incurred by the County under the GPA Budget, any funds remaining in the Project Fund will be returned to Applicant. Applicant shall be entitled to all unexpended interest earned on funds deposited and held in the Project Fund. The Inyo County Administrator, or his designee, shall be responsible for insuring that all payments from Project Fund are made in the appropriate time and manner.

Subject to adjustments as provided in section 3.G, the maximum compensation payable by Applicant to the County for processing the Application shall be the amount set forth in the GPA Budget on Attachment A.

D. Deposit/Payments to County and County Contractors. Within 5 business days of the effective date of this Agreement, Applicant shall deposit with the County the sum of $50,000.00 which shall be held by the County in the manner set forth below and charged against to pay the estimated cost of services and work to be performed pursuant to this Agreement for the review and consideration of the Application outlined in Attachment A. County shall immediately deposit the funds into the Project Fund, which fund shall be replenished by Applicant as provided for in Section G(ii), below. Thereafter, between the first (1st) and fifteenth (15th) day of each succeeding month, County shall transfer to itself from the Project Fund amounts equal to any costs (plus overhead) incurred by the County from the first day of the preceding month through and including the last day of the preceding month for work or services performed by the County, for special costs incurred by the County, and for the costs of County Contractors retained by the County pursuant to Inyo County Code Paragraph 15.48.090, in accordance with this Agreement.

E. Statements. County shall submit to Applicant an itemized statement of the costs of all environmental review and processing services performed by the County in connection with the Application. The statements will include any special costs incurred by the County, and the costs of any County Contractor. The statement shall cover the period from the first (1st) day of the preceding month through and including the last day of the month. The statement will be submitted to Applicant by the fifteenth (15th) day of each month. These statements will identify the date on which the services and work were performed, describe the nature of the services and work, itemize any travel or special costs incurred by County during the period, provide copies of all County Contractor's invoices paid by the County during the period and itemize all transfers from the Project Fund during the preceding month.

F. Objections to a Transfer to County. County shall be entitled to transfer funds from the Project Fund, depending upon the budget charged for the expenses. Should Applicant object to any such transfer, Applicant shall submit to the County a written objection within ten (10) days of receiving the statement itemizing the transfer. The parties shall meet and confer to resolve any dispute within ten (10) business days following the day Applicant submits its written objection to the County. The objection shall identify the specific transfer and the basis for the objection. If the dispute is not resolved within the ten (10) day period, the County may cease processing the application and either party may submit the dispute to arbitration as provided in section 18. In the alternative, if the dispute is not resolved within the (10) day period, the Applicant may withdraw the application by providing written notice as set forth in Section 9.

G. Revision to Cost Estimate/Additional Funds. Concurrent with sending the itemized statement of costs every 30 days, the County shall advise the Applicant of any potential revision in the GPA Budget, including the need for additional funds. Within fifteen (15) days from the date such proposed revisions are received, the Applicant shall advise the County in writing by sending notice as provided in Section 17 of this Agreement whether the Applicant agrees or objects to the requested budget revisions. The parties acknowledge that the County's budget estimates provided in this Agreement are based on the Applicant's schedule anticipating completion of the CEC process no later than January 1, 2013. In the event the CEC process extends beyond January 1, 2013, the parties acknowledge that the extension may require revisions to the County's budgets and, thus, the maximum amount payable under this Agreement, as provided below.

(i) With respect to the GPA Budget and Project Fund, within 15 days of receipt of a statement describing a budget revision, Applicant may provide notice to the County, as provided by Section 17, whether Applicant objects to the amount of the County's proposed budget revisions. If Applicant does not provide notice of an objection to the proposed budget revisions within fifteen (15) days after receiving a statement describing the proposed revision, the budget revision will be deemed acceptable to Applicant. If the Applicant objects to a proposed budget revision, the parties shall meet and confer to resolve any dispute within ten (10) business days following the day Applicant submits to the County its written objection. If the dispute is not resolved within the ten (10) day period, the County may cease processing the application and either party may submit the dispute to arbitration as provided in section 18. In the alternative, if the dispute is not resolved within the (10) day period, the Applicant may withdraw the application by providing written notice as set forth in Section 9.

(ii) If, at any time, the Project Fund is depleted to an amount equal to or less than $10,000.00, County shall provide notice to Applicant of the amount that must be deposited sufficient funds to bring the Project Fund to a balance of $50,000.00. Within 15 days of receipt of the notice, Applicant shall deposit the funds with the County or shall provide notice to the County, as provided by Paragraph 17, that Applicant objects to the amount of the deposit requested by the County. If Applicant objects to the amount of the requested deposit, the parties shall meet and confer to resolve the dispute within ten (10) business days following the day Applicant submits to the County its written objection. If the dispute is not resolved within the ten (10) day period, the County may cease processing the application and either party may submit the dispute to arbitration as provided in section 18. In the alternative, if the dispute is not resolved within the (10) day period, the Applicant may withdraw the application by providing written notice as set forth in Section 9.

H. Pursuant to Section 1715 of the CEC Siting Regulations, the County will not be reimbursed under this Agreement for expenses incurred in advocating a position as a formal intervenor to the proceeding and should the

County file a petition to intervene in the CEC AFC proceeding for HHSEGS, the Applicant may withdraw this Application by providing written notice as set forth in Section 9.

I. Federal and State Taxes. Applicant will not withhold any federal or state income taxes or social security from any payments made by Applicant to County pursuant to this Agreement, unless otherwise required by law.

4. WORK PLANS, SCHEDULE

Prior to the execution of this Agreement, County and Applicant shall establish a mutually acceptable master time schedule, budget, and work plan for the performance of the work described in Attachments A. The schedule shall provide for the completion of all work within the time requirements of all applicable laws while providing sufficient time for review of work products by other agencies. A goal of the work plan will be to avoid duplication of effort by the involved County departments and by any County Contractors. Applicant understands that the performance of the work within the time limits of the schedule will require mutual cooperation and coordination between County and Applicant.

5. ADDITIONAL PROCEDURES AND OBLIGATIONS

A. The procedures that will be followed in preparing and processing the environmental document(s) necessary for completing the work under this Agreement are set forth in Attachments A.

B. The Inyo County Administrator at his/her discretion may establish a working group composed of the County Administrator, the Inyo County Counsel, the Director of the Planning Department, and such other County employees and County Contractors as are deemed necessary to review and consider the Application in accordance with Attachment A. The working group will meet as necessary, to provide internal staff communication and coordination in regard to the County's work on the Application.

C. Representatives of the County shall attend regular meetings with the Applicant, the CEC, with federal, state, regional, and local agencies, with concerned groups, and attend other meetings as necessary, for the purpose of processing the Application and work plan, receiving comments on the Application and fulfilling its responsibilities as a responsible agency with regard to the CEC's environmental document. County will notify Applicant of any meetings that are scheduled in regard to the Application. County will immediately notify Applicant of any matter raised by a federal, state, regional, or local agency that may require significant changes to the Application, or that may result in County incurring significant additional costs pursuant to this Agreement.

D. County shall make the final determination as to the accuracy, inclusion, deletion, or revision of any material, (including all issues, data, analyses, and conclusions) relating to the documents the County prepares for processing the Application.

E. Any determination by the planning commission or the County Board of Supervisors as to whether the Application will be approved shall be based upon the whole of the record including the environmental document, recommendations of the county departments, testimony from public hearings, and all relevant written evidence submitted on the Application.

F. If the County intends to enter into contracts with County Contractors, the planning department will:

(1) Prepare and circulate a request for qualifications to appropriate County Contractors for the preparation of the environmental document.

(2) Select a County Contractor to assist the planning department as set forth in Chapter 15.48 of the Inyo County Code, and consistent with the Inyo County Purchasing and Contracting Policy and Procedures Manual.

(3) Manage the preparation of the environmental document(s), which will include all evaluations required to be performed pursuant to the California Environmental Quality Act, and Title 15 of the Inyo County Code. The preparation of the environmental document will proceed according to the work plan described in Paragraph 4 and Attachment A. The work plan will include provisions for the analysis of the direct, indirect and cumulative effects mitigation and alternatives of the Application.

(4) The planning department will prepare all necessary documents and notices for planning commission and board of supervisors use in rendering decisions on the environmental document for the Application.

(5) The planning commission shall serve as the Environmental Review Board of the County with the responsibility for the County's compliance with CEQA and for certification of the adequacy of the environmental document(s) for the Application.

(6) The planning department will perform additional services in regard to the Application as may be requested by the Inyo County Planning Commission or the Inyo County Board of Supervisors.

6. STATUS OF PARTIES

All acts of County, its agents, its County Contractors, officers, and employees, relating to the performance of this Agreement, shall be performed as independent contractors, and not as agents, officers, or employees of Applicant. Applicant has no authority to bind or incur any obligation on behalf of County. County has no authority or responsibility to exercise any rights or power vested in the Applicant. No agent, officer, or employee of the County is to be considered an employee of Applicant. This Agreement shall not, under any circumstances, be construed or considered to create an employer-employee relationship or a joint venture between County and Applicant. County shall determine the method, details, and means of performing the work and services to be provided by County under this Agreement. County shall be responsible to Applicant only for the responsibilities and work specified in this Agreement, and, except as expressly provided in this Agreement, shall not be subjected to control with respect to the physical action or activities of Applicant in fulfillment of this Agreement. Applicant, its agents, officers, and employees are not, and at all times during the term of this Agreement shall not, represent or conduct themselves as employees of County. County shall not be relieved of any of its obligations or liabilities under this Agreement by reason of any subcontract and shall be responsible for the acts and omissions of County Contractors in their performance of the obligations under this Agreement to the same extent as if such acts and omissions were performed or made by County.

7. WARRANTY OF ELIGIBILITY

Applicant warrants that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency.

8. DEFENSE AND INDEMNIFICATION

A. Applicant shall defend, indemnify, and hold harmless County, its agents, officers and employees, but not its County Contractors, from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with the approval or disapproval of the Application by County.

Applicant's obligations to defend, indemnify, and hold the County, its agents, officers, and employees, but not its County Contractors, harmless applies to any actual or alleged personal injury, death, or damage or destruction to

tangible or intangible property, including the loss of use. Applicant's obligation under this paragraph extends to any claim, damage, loss, liability, expense, or other costs which is caused, or alleged to be caused, in whole or in part by any act or omission of Applicant, its agents, employees, suppliers, consultants, or any one directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

B. Applicant shall defend, indemnify, and hold harmless County, its agents, officers and employees, but not its County Contractors, from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the County's acts or omissions with regard to its compliance with CEQA, with regard to the preparation and processing of the environmental document and with regard to the decision based thereon concerning the Application. Specifically, Applicant's obligation to defend, indemnify, and hold the County harmless extends to any suit or challenge by any party to this Agreement, or any third party, against the County which contests the legality or adequacy of the environmental document or the County's compliance with the requirements of CEQA. Should Applicant fail to defend, indemnify, and hold harmless County, County may discontinue the defense of any such litigation. Nothing in this Agreement shall be construed to waive or diminish either party's right, or the right of a non-party, to challenge any decision, or defend any challenge, arising out of the CEQA process.

(1) Applicant's obligations to defend, indemnify, and hold the County, its agents, officers and employees, but not its County Contractors, harmless under the provisions of this paragraph shall include, but not be limited to:

a. the costs of any judgments or awards against the County for damages, losses, litigation costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of the environmental document and/or County's compliance with CEQA or other laws;

b. the costs of any settlement representing damages, litigation costs, and attorney's fees to be paid to other parties arising out of a suit or challenge contesting the adequacy of the environmental document and/or the County's compliance with CEQA or other laws.

(2) In the event any such suit or challenge is brought, the County shall promptly notify the Applicant of the proceeding, and the County shall consult and cooperate with Applicant in the defense of the suit or challenge as provided in the following paragraph. If the County fails to promptly notify the Applicant of the proceeding, or to cooperate in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

As to any judgments, awards or settlement costs described in (1)(a) and/or (1)(b) above, County will proceed in good faith and with reasonable diligence to achieve a settlement or other disposition of the same which will minimize, to the extent reasonably practicable, Applicant's costs of defense and indemnification of County under this Agreement. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant; however, if Applicant disapproves a proposed settlement, Applicant's obligation to defend, indemnify and hold harmless shall remain in full force and effect. In the event Applicant requests County's approval for a settlement of a suit or challenge on terms acceptable to plaintiff, and the County refuses Applicant's request, County shall be solely responsible for any attorney's fees and costs incurred from the date of County's refusal and, in the event any judgment or award exceeds the amount of the settlement proposed by Applicant and accepted by the plaintiff but then rejected by County, County shall be responsible for the excess amount.

C. Applicant's obligations to defend, indemnify, and hold the County, its agents, officers and employees harmless under the provisions of this paragraph are not limited to, or restricted by, any policy of insurance or contract limit.

D. Except as provided in paragraphs A and B, and to the extent permitted by law, County shall defend, indemnify, and hold harmless Applicant, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, or resulting from, the breach by County of this Agreement or active negligence, or wrongful or intentional acts of County,

its officers, or employees. County does not by this Agreement waive any claim-filing requirement established by the California Government Code.

9. WITHDRAWAL OF APPLICATION

As provided in Sections 3(F), (3)(G)(i), (3)(G)(ii) or (3)(H), Applicant may withdraw this Application by giving to County written notice of withdrawal. Upon receipt of notice of withdrawal, County shall terminate all contracts with County Contractors and make final payment from the Project Fund to such County Contractors in accordance with the GPA Budget. County also shall make final payment to itself for any other unpaid costs incurred by the County in providing services or work under this Agreement in accordance with the GPA Budget. Within sixty (60) days of the withdrawal, County shall pay to Applicant any funds remaining in the Project Fund after the County has paid all County Contractors, all costs incurred for work or services performed by County employees, and all special costs in accordance with the GPA Budget, at which time this Agreement shall be of no further force or effect, including, but not limited to, the indemnification provisions of Section 8, above.

10. ASSIGNMENT

Applicant may not assign its rights or delegate its duties or any part thereof under this Agreement without prior written authorization from the County, but such authorization may not be unreasonably withheld. Notwithstanding the foregoing, Applicant shall have the right, without the consent of County, to assign, pledge or otherwise transfer in whole or part, its rights and obligations under this Agreement to an entity that is controlled by, or under common control with, Applicant, or to any partner, joint venture or in connection with any debt or equity financing of Applicant's project; and County agrees to enter into such direct agreements and other documents as may be reasonably be required or requested by Applicant in connection with such assignment, pledge or transfer. Other than in the context of an assignment made for collateral purposes in connection with any debt or equity financing, any assignee of Applicant under this Agreement shall agree in writing to be bound by all of the terms, covenants and conditions of this Agreement.

11. DEFAULT

If either party should fail to comply with the other terms and conditions of this Agreement, the other party may declare default and notify the "defaulting" party in writing of the facts constituting such default. Upon making such written notification, the defaulting party will have thirty (30) calendar days to cure such default. A party shall be deemed to cure the default if within the time period set forth herein, the defaulting party begins and thereafter diligently continues to completion curing such default. Service of a notice of default on the defaulting party and allowance of the thirty (30) calendar day period for the defaulting party to commence with diligence to cure such default shall be a condition precedent to the bringing of an arbitration action based upon such default.

12. WAIVER OF DEFAULT

Waiver of any default by either party to this Agreement shall not be deemed to be waiver of any subsequent default. Waiver of any breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach, and shall not be construed to be a modification of the terms of this Agreement unless this Agreement is modified as provided in Section 16, below.

13. CONFIDENTIALITY

In the course of performance of this Agreement, the parties agree to comply with all provisions of federal, state, and county laws, regulations, and ordinances providing that information and records must, as the case may be, be disclosed, made accessible or kept or maintained as privileged, restricted, or confidential records. Subject to the foregoing sentence, each party agrees that it will not divulge to third parties, without the written consent of the other party, any information obtained from or through such party, or developed or obtained by such party, in connection with the performance of this Agreement.

14. SEVERABILITY

If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction, or if it is found in contravention of any federal, state, or county statute, ordinance, or regulation, the remaining provisions of this Agreement, or the application thereof, shall not be invalidated thereby, and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

15. ATTORNEY'S FEES

If either of the parties hereto brings an action or proceeding against the other, including, but not limited to, an action to enforce the Agreement, the prevailing party in such action or proceeding shall be entitled to receive from the other party all reasonable attorney's fees and costs incurred in connection therewith.

16. AMENDMENT

This Agreement may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the parties hereto, if such amendment or change is in written form and executed with the same formalities as this Agreement, and attached to the original Agreement to maintain continuity.

17. NOTICE

Any notice, communication, amendments, additions, or deletions to this Agreement, including change of address of either party during the terms of this Agreement, which Applicant or County shall be required, or may desire, to make, shall be in writing and may be personally served, or sent by prepaid first class mail to, the respective parties as follows:

County of Inyo:

PLANNING DEPARTMENT
P.O. Drawer L
168 North Edwards
Independence, California 93526

Applicant:

BrightSource Development, LLC
c/o BrightSource Energy, Inc.
1999 Harrison Street, Suite 2150
Oakland, CA 94612
Attn: General Counsel

18. ARBITRATION.

Any dispute arising out of this Agreement that is not resolved by the parties will be resolved by arbitration conducted by a private arbitration service under the laws of the State of California. Venue for any arbitration will be in Inyo County, California. Any arbitration will be governed by the rules of evidence and procedure then in effect in the Inyo County Superior Court. The arbitrator will have the power and discretion to permit discovery under the California Code of Civil Procedure and will award reasonable costs and expenses, including attorneys' fees, to the prevailing party. The award of the arbitrator may be entered as a judgment in any court of competent jurisdiction.

19. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless the same be in writing executed by the parties hereto.

[*The next page is the signature page*]

**AGREEMENT BETWEEN COUNTY OF INYO,
AND
BRIGHTSOURCE DEVELOPMENT, LLC.
FOR THE PROVISION OF ENVIRONMENTAL REVIEW
AND PROCESSING SERVICES**

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS THIS _____ DAY OF _____.

COUNTY OF INYO:

By: _____

Date: _____

APPLICANT:

BrightSource Development, LLC

**By: BrightSource Energy, Inc.,
its sole member.**

Name: Stephen Udey

Title: SVP US Development

Date: June 25, 2012

APPROVED AS TO FORM AND LEGALITY:

_____
County Counsel

APPROVED AS TO ACCOUNTING FORM:

_____
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

_____
Personnel Services

APPROVED AS TO RISK ASSESSMENT:

_____
County Risk Manager

ATTACHMENT A

AGREEMENT BETWEEN COUNTY OF INYO AND BRIGHTSOURCE DEVELOPMENT, LLC FOR THE PROVISION OF ENVIRONMENTAL REVIEW AND PROCESSING SERVICES

Scope of Work
General Plan Amendment/Zoning Reclassification
Hidden Hills Solar Energy Generating System

Upon submittal of an application from Applicant, the County will process a General Plan Amendment/Zoning Reclassification per County and State requirements for the proposed Hidden Hills Solar Energy Generating System. The County will coordinate with the applicant and the California Energy Commission (CEC) throughout the process. This scope of work relies on the CEC's review process for compliance with the California Environmental Quality Act (CEQA).

The scope of work involves the following four phases.

1. Preliminary Review
2. Consultation with CEC
3. Laws, ordinances, regulations and standards
4. Public Outreach
5. Planning Commission Review/Hearing
6. Board of Supervisors Review/Hearing

Through the process, County staff will coordinate with Applicant and CEC staff, including participating in conference calls and other electronic communication; providing information, research, and technical assistance; responding to requests for input and soliciting technical assistance from other affected agencies; facilitating community contacts and information dissemination; and, coordinating permitting/processing and legal strategy.

Preliminary Review

The submitted documents will be reviewed for compliance with County regulations and State law. Background information will be evaluated, in coordination with the CEC process, and additional information may be gathered. Any missing information will be identified and reported to Applicant. Once all of the required information has been provided, the application may be deemed complete for processing. Consultation with Native American tribes will be initiated and processed pursuant to SB18.

Consultation with CEC

As a responsible agency but for the exclusive jurisdiction of the Commission, the County will consult with CEC as provided in CEQA Guidelines section 15096.

Laws, Ordinances, Regulations and Standards

The County will provide information to, and consult with the CEC concerning the County's laws, ordinances, regulation and standards that are applicable to the project.

Public Outreach

Community contacts will be identified and preliminary outreach undertaken, and relevant local agencies will be consulted. Subsequently, a community meeting will be held to solicit input.

Planning Commission Review/Hearing

Once the preliminary public engagement is completed and all necessary information has been gathered, the results will be analyzed and presented to the Planning Commission for a recommendation to the Board of Supervisors. Draft and final staff reports will be prepared, and a hearing will be scheduled, noticed, and held.

Board of Supervisors Review/Hearing

The results of the Planning Commission hearing will be evaluated and presented to the Board of Supervisors for action. Draft and final staff reports will be prepared, and a hearing will be scheduled, noticed, and conducted. A Notice of Decision and Notice of Determination (if necessary) will be prepared and processed.

GPA BUDGET

GPA Budget is set forth in the attached Excel Spreadsheet. The GPA Budget estimates costs and expenses through December 31, 2012, based on Applicant's proposed schedule to the California Energy Commission. In the event the CEC process extends past January 1, 2013, the parties shall revise the GPA budget as set forth in this Agreement.

07/03/2012 16:24 FAX 760 873 5695 COUNTY COUNSEL → CO CO INDP 001

Exhibit A - GPA Budget
GPA/ZR
Phase

	Inyo County Staff										
	KC	RK	DC	JH	BH	Other	Subtotal	Greg James	Gruens	Expenses	Total
Rate	$106.24	$98.00	$98.00	$66.23	$76.88	$50.00					
Preliminary Review											
Review Application	1	1	4	8	2	4	$1,480	$200	$500		$2,180
In/Complete Letter	1	1	2	4	1	1	$792	$400	$250	$50	$1,492
Coord. w/ Bright Source Staff	2	2	8	8	2	4	$2,076	$200	$500	$50	$2,826
Coord. w/ CEC Staff	1	1	8	8	4	4	$2,026	$150	$500	$50	$2,726
Data Collection/SB18 Outreach	4	8	16	40	24	32	$8,871	$2,500	$5,000	$1,500	$17,871
Public Outreach											
Prel. Outreach/Meeting Prep	4	2	6	12	6	24	$3,665	$1,000	$15,000	$1,000	$20,665
Coord. w/ Bright Source Staff	1		4	8	4	4	$1,536	$500	$1,000	$50	$3,086
Coord. w/ CEC Staff	1	1	4	8	4	4	$1,634	$500	$1,000	$50	$3,184
Public Meeting	12	12	12	12	12	48	$7,744	$2,000	$5,000	$2,500	$17,244
Planning Commission											
Data Collection	4	8	16	32	24	24	$7,941	$2,500	$5,000	$1,000	$16,441
Coord. w/ Bright Source Staff	2	2	6	10	4	4	$2,166	$1,000	$1,000	$50	$4,216
Coord. w/ CEC Staff	2	2	6	10	4	4	$2,166	$1,000	$1,000	$50	$4,216
Draft Staff Report	2	2	8	16	8	16	$3,667	$2,000	$3,000	$100	$8,767
Final Staff Report	1	1	4	8	2	12	$1,880	$1,000	$2,000	$50	$4,930
Hearing	6	6	6	6	6	24	$3,872	$2,000	$5,000	$250	$11,122
BOS											
Data Collection	4	8	16	32	24	24	$7,941	$2,500	$5,000	$1,000	$16,441
Coord. w/ Bright Source Staff	2	2	6	10	4	4	$2,166	$1,000	$1,000	$50	$4,216
Coord. w/ CEC Staff	2	2	6	10	4	4	$2,166	$1,000	$1,000	$50	$4,216
Draft Staff Report	2	2	8	16	8	16	$3,667	$2,000	$3,000	$100	$8,767
Final Staff Report	1	1	4	8	2	12	$1,880	$1,000	$2,000	$50	$4,930
Hearing/Final Docs	10	10	16	24	8	32	$7,415	$2,500	$6,000	$250	$16,165
Subtotal	65	74	166	290	157	301	$76,752	$26,950	$63,750	$8,250	$175,702
Crossover Tasks from CEC Scope											
Coord. w/ BS Staff	4	2	8	8	8	16	$3,350	$250.00	$2,500.00	$50.00	$6,149.84
Research	4		4	8	12	40	$4,269	$500.00	$10,000.00	$250.00	$15,019.36
Staff Mtgs.	8	4	16	16	8	80	$8,485	$1,000.00	$10,000.00	$500.00	$19,984.64
Prepare Draft Report	2	2	8	8	4	12	$2,630	$500.00	$15,000.00	$500.00	$18,629.84
Prepare Final Report	1	1	4	4	2	8	$1,415	$250.00	$10,000.00	$250.00	$11,914.92
Subtotal	19	9	40	44	34	156	$20,149	$2,500.00	$47,500.00	$1,550.00	$71,698.60
Total	84	83	206	334	191	457	96901.06	$29,450.00	$111,250.00	$9,800.00	$247,401.06

ATTACHMENT B

AGREEMENT BETWEEN COUNTY OF INYO AND BRIGHTSOURCE DEVELOPMENT, LLC FOR THE PROVISION OF ENVIRONMENTAL REVIEW AND PROCESSING SERVICES

HOURLY RATES (NON OVERTIME) OF COUNTY PERSONNEL INCLUDING BENEFITS:

POSITION	HOURLY RATE WITH FRINGE BENEFITS
Office of County Counsel:	$98.00 per hour (Flat Rate)
Planning Department:	
Planning Director	$65.08 per hour
Senior Planner	$49.06 per hour
Associate Planner	$45.76 per hour
Planning Coordinator	$32.89 per hour
Special Planning Commission Meeting	$ 750 per meeting
Special Water Commission Meeting	$ 750 per meeting
County Auditor:	$65.00 per hour
Greg James, Attorney at Law:	$150.00 per hour
Gruen Gruen + Associates:	$350.00 per hour

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
6

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for XX a.m. ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: Clean Air Projects Program (CAPP) Block Grant Funds

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors: Identify projects for CAPP Block Grant funds.

SUMMARY DISCUSSION:

In December 2011 the Clean Air Projects Program (CAPP), a program administered and funded through the Great Basin Unified Air Pollution Control District (GBUAPCD) and the Los Angeles Department of Water & Power (LADWP), respectively, notified Inyo County that approximately 5 million dollars in funding was available to fund clean air projects within the Air District, with the stipulation that the projects must be implemented by December 31, 2013.

As a result, Inyo County submitted a formal proposal to CAPP staff in February of this year for funding of a number of County projects, the majority of which were through Public Works (see Attachment #1). In May of this year, CAPP staff notified the County that two projects had been approved for funding: $450,000 to the Roads Department for two new street sweepers, and $149,000 to the Integrated Waste Management Program for a new watering truck at both the Lone Pine and the Sunland landfills (projects #21 & 22 on Attachment #2).

In addition to the above funding, in March of this year the County was also notified that it was approved for $185,460.00 dollars in CAPP Block Grant funds. Such Block Grant funds have been made available to Inyo, Mono, and Alpine counties, as well as the town of Mammoth Lakes, and are based on area population (i.e., $10 per capita). These funds are available immediately for the County's use toward projects, with some stipulations (see Attachment #3) – chief of which are indicating acceptance of the funds by signing the CAPP agreement (i.e., Attachment #3), providing a description and cost estimate for each funded project, using funds only toward projects which "will or could result in real and local air quality improvements," and using funds by December 31, 2013.

As a result, staff is seeking the Board's direction on which projects to nominate for CAPP Block Grant funding. Staff can suggest a number of possibilities:

- Nominate five Public Works projects which were not picked up for funding in the initial February 2012 CAPP funding proposal: this would include five projects totaling $102,000.00 (projects #1-5 on Attachment #1).

- Nominate a reduced version of the "Alternative Fueling Stations/Fleet Retrofit" project: the County's initial nomination of this project required funding of close to 2.5 million dollars. However, a feasibility study for the project could be funded for approximately $50,000.00.
- Nominate a Public Works project not picked up for funding in the initial February 2012 CAPP funding proposal, if the County could supply the remaining project funds: project #11 on Attachment #1 (i.e., snow blowers) would require $600,000 - $1,200,000 to fund. For example, if the County nominated the purchase of just one snow blower at a cost of $600,000.00, and used the entire available CAPP Block Grant funds of $185,460 towards its purchase, then the County would need to supply matching funds of $414,540.00 by December 31, 2013 (i.e., $600,000 - $185,460 = $414,540.00).
- Circulate a request for project proposals to all County Departments and/or the public as a way of generating new project ideas that could then be nominated for funding.

ALTERNATIVES:

- Do NOT approve the requested actions.
- Return to staff with direction

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

Funds will be provided by GBUAPCD through the CAPP Block Grant program, with additional/matching funding potentially by the County, depending on projects selected.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)*
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Joshua Hart Date: 7-3-12

Attachments:

1.) Inyo County CAPP Project Proposal Budget (for Public Works projects)
2.) May 15, 2012 letter from Clean Air Projects Program (CAPP)
3.) March 9, 2012 letter from Clean Air Projects Program (CAPP)

BOARD OF SUPERVISORS PACKET

ATTACHMENT #1

INYO COUNTY CAPP PROJECT PROPOSAL BUDGET

WORK ITEM	DESCRIPTION	QUANTITY	UNIT	INPUT	UNIT COST	TOTAL COST	GRANT REQUESTED	MATCHING FUNDS*	NOTES
	PROPOSED HEATING EQUIPMENT								
1	FAU heaters, Statham Hall, Lone Pine	2	EA	135,000 btu	$ 10,000	$ 20,000			original install 1975
2	FAU heaters, Statham Hall, Lone Pine	1	EA	150,000 btu	$ 10,000	$ 10,000			original install 1975
3	FAU heaters, Statham Hall, Lone Pine	1	EA	215,000 btu	$ 30,000	$ 30,000			original install 1975
4	FAU Heater, Legion Hall, Independence	1	EA	200,000	$ 5,000	$ 5,000			original install 1986
5	Unit Heater, Legion Hall, Lunch Rm, Upstairs	2	EA	40,000	$ 1,000	$ 2,000			original install 1954
6	Hydronic Propane Boiler, Courthouse Annex, Independence	1	EA	1,190,000 btu input	$ 35,000	$ 35,000			original install 1964
7	**TOTAL PROPOSED HVAC UPGRADES**					**$ 102,000**	**$ 86,700**	**$ 15,300**	
8									
9	**PROPOSED ROAD EQUIPMENT**								
10	Street Sweeper	2	EA		$ 275,000	$ 550,000			Replaces 1961 & 1971 Year Models
11	Snow Blower	2	EA		$ 600,000	$ 1,200,000			Replaces 1954 Year Model
12	**TOTAL PROPOSED ROAD EQUIPMENT**					**$ 1,750,000**	**$ 1,487,500**	**$ 262,500**	
13									
14	**TOTAL PROPOSAL**					**$ 1,852,000**	**$ 1,574,200**	**$ 277,800**	

* Matching funds are approximately 15% of project costs.

INYO COUNTY
CAPP Project Proposal
Budget

APPENDIX B

BOARD OF SUPERVISORS PACKET

ATTACHMENT #2

cc: Josh

Clean Air Projects Program

a joint project of Great Basin Unified Air Pollution Control District and Los Angeles Department of Water & Power

RECEIVED
2012 MAY 21 PM 4:35
INYO COUNTY
ADMINISTRATOR
CLERK OF THE BOARD

May 15, 2012

Kevin Carunchio, CAO
Inyo County
PO Drawer N
168 N. Edwards Street
Independence, CA 93526

Dear Kevin,

Thank you for the Clean Air Project proposal you submitted for an "Alternative Fueling Stations and Fleet Retrofit" in the amount of $2,407,000. Because of the large number of requests received, we regret to inform you that your proposal was not selected for CAPP funding recommendations. As you know, there were significantly more requests than money and unfortunately more than half of the submissions cannot be funded.

Specific to your proposal which requested a lion's share of the available funds, the selection panel felt there were too many uncertainties and chose projects that reduced significantly more local air emissions per dollars spent (emphasizing the Owens Valley Planning Area) through established and proven support networks and processes.

Nonetheless, your application is very compelling and your vision is laudable. We strongly recommend a considered feasibility study to help in your quest for funding. Hopefully this process will start you in that direction. You will also remain on the CAPP mailing list - unless you request otherwise - and will be notified if additional funds become available. Thank you very much for your efforts toward moving the region ahead into cleaner, alternative fuel choices.

The selection panel's recommendation to fund 22 projects throughout the Great Basin will be considered for approval by the Air District's Governing Board at their meeting in Bridgeport on May 24 at 10:30 a.m. I am enclosing the list of recommended projects for your information. Please contact me directly if you would like more feedback or have questions regarding specific evaluation points and the selection process, or if you would like to discuss how you might continue your pursuit of funding.

Email: capp@gbuapcd.org
Fax: 760.924.2287
Phone: 760.914.0388

Sincerely,

Lisa Isaacs

Lisa Isaacs, Administrator
Clean Air Projects Program
P.O. Box 100 – PMB 331
Mammoth Lakes, CA 93546-0100

	Recommended Project Applicant	OVPA?	Applicant Type	Project Title	Project's District Location	$ Award Amount	Cost-sharing %	Air P. Type	Direct / Indirect	Funded Project Brief
Non-GBUAPCD Agency Member Projects										
1	Boulder Creek Resort / Jaque & Art Hickman	YES	local-owned private business	Paving Unpaved Interior Roads	Inyo County	100,000	25	PM10	Both	Paving approximately 50,000 ft2 of unpaved interior dirt roadways for popular, open to the public, year-round visitor services complex; to include some interpretive education. Will result in locally-significant dust control in OVPA and beyond. (Lifespan ~30 years)
2	Hunter Road Neighbood Association / John Bard	YES	private residential asso.	Hunter Road Dust Mitigation Project	Inyo County	195,000	6	PM10	Direct	Paving approximately 31,6802 ft2 of unpaved, Inyo County-owned road in the OVPA's Alabama Hills. Will result in several tons of OVPA neighborhood dust controlled annually as wall as improve road safety considerations. (Lifespan 20 years)
3	Inter-Agency Visitor Center / K.C. Wylie	YES	Public land mgmt. agency partnership (DWP-owned land)	Dust Abatement to Improve Air Quality at the Eastern Sierra IAVC	Inyo County	100,000	2	PM10	Direct	1) Restoring 2 acres of native alkali meadow at IAVC construction site to control dust emissions in OVPA & improve native habitat; 2) 'rock mulch ground cover' in front of IAVC to reduce local dust, improve indoor air quality and complete new center's landscaping. (Lifespan 20 - 40 years)
4	Lone Pine Chamber of Commerce / Kathleen New	YES	Nonprofit Chamber of Commerce (DWP-owned land)	Pavement of Lone Pine Chamber of Commerce Rear Parking Lot	Inyo County	70,000	13	PM10	Direct	Paving ~11,000 ft2 of existing downtown dirt parking lot, including landscaping. Will reduce measurable amounts of Lone Pine & OVPA dust and improve existing parking conditions for downtown residents, employees and visitors. (Lifespan 20 years "with minimum care")
5	Lone Pine Future Famers of America / Brenda Lacey	YES	Public education partnership (DWP-owned land)	Lone Pine Future Farmers of America School Farm	Inyo	106,000	55	PM10	Both	1) Reveg. 7 acres of native pasture and driveway gravel; 2) capping dirt driveway & parking area @ school farm; 3) Covering bare land around athletic field w/ vineyard, garden, orchard & gravel paths. Projects cumulatively reduces many tons of OVPA dust. (Lifespan est. 20+ years)
6	Lone Pine Film History Museum / Chris Langley	YES	Nonprofit Museum (DWP-owned land)	Parking Lot Paving, Landscaping and Interpretation Improvements	Inyo	155,000	30	PM10	Direct	Paving, striping, bumper-guard installation and landscaping of existing dirt parking area of ~51,000 ft2. Will significantly reduce dust emissions at popular OVPA museum and provide better parking conditions for all visitors to the area. (Lifespan est. 25+ years)
7	Lone Pine Unified School District / Camille Cervantes	YES	Lone Pine School District (DWP-owned land)	Lone Pine Sports Complex Paving Project	Inyo	420,000	9	PM10	Direct	Paving ~66,700 ft2 of unpaved parking area surrounding existing Lone Pine Sports Complex providing youth sports and community activities. Will significantly reduce dust emissions and improve air quality for athletes, spectators and nearby community residents (Lifespan est. ~30 years)
8	Southern Inyo Healthcare District / Lee Baron	YES	Public hospital	Paving and System Replacement	Inyo	500,000	0	PM10	Direct	Paving 58,378 ft2 of unpaved parking area in OVPA at Lone Pine hospital's rear entrance, accessing Emergency Room, Lab, Radiology and physical therapy. Helipad is nearby. Will significantly improve indoor & outdoor hospital air quality, as well as patient health. (Lifespan est. 30 years)
9	Eastern Sierra Transit Authority / Jill Batchelder	Part	JPA - Public Transit	Promotion of Public Transportation in Inyo and Mono Counties	Inyo & Mono counties	47,000	0	X	Indirect	Providing 5 bike racks and 3 automatic chain sets for ESTA's established Commuter Vanpool Program. Increased services and public outreach will increase ridership and lessen 'vehicle miles traveled' and related emissions between Lone Pine and Mammoth. (Lifespan 7 years)

	Recommended Project Applicant	OVPA?	Applicant Type	Project Title	Project's District Location	$ Award Amount	Cost-sharing %	Air P. Type	Direct / Indirect	Funded Project Brief
10	Inyo Mono Advocates for Community Action / Darren Malloy	Part	Nonprofit Community Services	Home Heating Emissions Reduction Program	Inyo, Mono & Alpine	1,455,000	???	PM10	Both	Replacing approximately 450 non-EPA compliant wood-burning stoves with cleaner heating appliances, and home-weatherization services to increase home heating efficiencies. Will result in direct reductions of PM10 emissions from old stoves and improve local air quality (Stove lifespan ~30 years)
11	Centennial Livestock / Mark Lacey	NO	Local-owned Private Ranch	Bridgeport Arena Dust Control Project	Mono County	45,000	19	PM10	Direct	Install new, automated water system (with existing water supply) to control dust emissions at popular Bridgeport rodeo arena. Will improve in-town local air quality and health for all users and spectators of this popular, community venue. (Lifespan est. ~30 years)
12	Bishop Creek Farm / Steve Baldwin & Bruce Wiley	NO	locald private business (DWP-owned land)	Clean Farm, Clean Air Initiatives	Inyo County	23,000	28	X	Indirect	1) Purchase & convert old diesel tractor to electric motor-driven; 2) build two wind tunnels to expand growing season; 3) purchase refrigeration system to keep produce fresh. Project will drive electric motor technology, help expand local food production and reduce demand for trucked-in food. (Lifespan est. 20 years)
13	Friends of Eastern Sierra Gardens / Mary McGurke	NO	Nonprofit Public Garden	Bishop Community Garden	Inyo County	25,500	50	PM10+	Both	Covering 1/4 acre bare dirt plot with plants, waterwise irrigation and pathways, effectively reducing existing dust source in downtown Bishop; creating demonstration garden to educate local residents and provide locally-grown food for local use. (Lifespan est. ~ 20+ years)
14	Yribarren Ranch / Ron Yribarren	NO	Local-owned Private Ranch	Yribarren Ranch Rodeo Arena Dust Mitigation Project	Inyo County	1,400	~50	PM10	Direct	New water pump for use with rodeo arena dust control system. Arena is used by high school rodeo team. Will significantly reduce dust when arena is used, improving air quality for all users, as well as nearby Bishop communities. (Lifespan est. ~15 years)
15	Bishop Paiute Tribe / Toni Richards	NO	Tribe	Reducing Fugitive Dust on the Bishop Paiute Reservation	Inyo County	62,000	17	PM10+	Both	Surfacing ~40,000 ft2 of dirt parking area around Tribal offices & health care facilities, and landscaping area with children from Bishop tribe's educational program. Will significantly reduce local dust and associated impacts on health-impaired patients as well as educate local children. (Lifespan est. ~20 years)
				Non-Agency Subtotal		**3,304,900**				

Town of Mammoth Lakes projects

16	Town of Mammoth Lakes / Ellen Clark	NO	Town Govt.	Air Quality Management Plan Update	TOML	50,000	20	X	Indirect	Updating the TOML's 1990 Air Quality Management Plan for Air District's approval. (Lifespan est. ~15 years)
17	Town of Mammoth Lakes / Ellen Clark	NO	Town Govt.	PM10 Street Sweeper Purchase	TOML	200,000	20	PM10	Indirect	Purchasing new PM10-compliant street sweeper to decrease local PM10 air pollution caused by road cinders and other emissive dust. Will improve air quality and other related considerations. (Lifespan est. ~20 years)
				Mammoth Lakes Subtotal		**250,000**				

	Recommended Project Applicant	OVPA?	Applicant Type	Project Title	Project's District Location	$ Award Amount	Cost-sharing %	Air P. Type	Direct / Indirect	Funded Project Brief
Alpine County projects										
18	Alpine County Community Development Dept / Brian Peters	NO	Alpine County Govt.	New Truck/Snow Blower for Alpine County Road Maintenance	Alpine County	325,000	20	PM10; NOx; CO	Direct	New snowplow truck w/ blower to replace existing old equipment. Will significantly reduce equipment emissions, improve employee comfort and safety and improve county road safety, including emergency response. (Lifespan 30 years)
				Alpine County Subtotal		**325,000**				
Mono County projects										
19	Mono County Public Works / Jeff Walters	NO	Mono County Govt.	Mono County Heavy Equipment Fleet Upgrades	Mono County	300,000	4	PM10; CO; NOx; +	Direct	Replacing 1958 snow blowers with smaller and more efficient, trackless snow blowers. Will significantly reduce associated engine emissions, and increase operator comfort, safety and efficiency, as well as road safety. (Lifespan 15 years)
20	Mono County Public Works / Joe Blanchard	NO	Mono County Govt.	Road Shop Exhaust Pollution Removal Systems	Mono County	50,000	14	PM10; NOx; CO	Both	Exhaust removal/filtration equipment for county maintenance facilities. Will capture direct tailpipe emissions and indirectly reduce heating propane by allowing shop doors to remain closed and keep heat in. Will also increase workplace comfort and safety. (Lifespan est. 20+ years)
				Mono County Subtotal		**350,000**				
Inyo County projects										
21	Inyo County / Paul Hancock	Part	Inyo County Govt.	Inyo County Road Equip. Emissions Reduction Project	Inyo	450,000	15	PM10; NOx; CO	Direct	Replacing old street sweeping equipment with 2 new vehicles. Will improve air quality with increased, more efficient use in OVPA and beyond. Driver comfort and safety will also improve w/ new equip. in addition to road safety. (Lifespan 30 - 40 years)
22	Inyo County Integrated Waste Mgmt. Program / Jeff Ahlstrom	Part	Inyo County Govt.	Landfill Equipment Upgrades	Inyo	149,000	0? (15?)	PM10; NOx; CO	Direct	Replacing old water trucks with new ones at Bishop Sunland and Lone Pine landfills. Will reduce associated engine emissions, improve driver comfort and safety, and increase truck efficiency for controlling dust. (Lifespan est. 30 years)
				Inyo County Subtotal		**599,000**				
				OVPA Subtotal		**1,646,000**				
				Partial OVPA Subtotal		**1,752,000**				
				GRAND TOTAL		**$ 4,828,900**				
				AMT. AVAILABLE		**4,830,000**				
				Over/Under		1,100				

BOARD OF SUPERVISORS PACKET

ATTACHMENT #3

Joan
Doug

Clean Air Projects Program

a joint project of Great Basin Unified Air Pollution Control District
and Los Angeles Department of Water & Power

RECEIVED
2012 MAR 13 AM 11: 51
INYO COUNTY
ADMINISTRATOR
CLERK OF THE BOARD

March 9, 2012

Mr. Kevin Carunchio
Chief Administrative Officer
Inyo County
168 North Edwards Street
P.O. Drawer N
Independence, CA 93526

Kevin

Dear Mr. Carunchio,

Please find enclosed the Clean Air Projects Program 'Block Grant Guidelines and Agreement' for your immediate attention. It is our pleasure to make these funds available to your agency as a member of the Great Basin Unified Air Pollution Control District's Governing Board.

As noted in the CAPP Block Grant Agreement, we have been authorized to provide these block grant funds to you as soon as we 1) receive a signed agreement from you or another authorized agency representative, and 2) receive a request for payment for a qualifying project(s), including project description and anticipated costs (see 5th Agreement point).

Please do not hesitate to contact me at any point if you have questions or would like to discuss the block grants or the Clean Air Projects Program as a whole.

Email: capp@gbuapcd.org
Telephone: 760-914-0388

Thank you very much for your time and interest.
Sincerely,

Lisa Isaacs

Lisa Isaacs, M.S.
Administrator, Clean Air Projects Program
P.O. Box 100 – PMB 331
Mammoth Lakes, CA 93546-0100

Clean Air Projects Program

a joint project of Great Basin Unified Air Pollution Control District and Los Angeles Department of Water & Power

CAPP Block Grant Guidelines

March, 2012

At its February 6, 2012 meeting, the Governing Board of the Great Basin Unified Air Pollution Control District (District) approved CAPP block grants for payment to the four agencies represented on the Board. As such, ten dollars per person ($10/capita) is now available to each agency, as determined by 2010 census data:

Inyo County: 18,546 X $10 = **$185,460.**

Mono County: 14,202 - TML population = 5,968 X $10 = **$59,680.**

Alpine County: 1,175 X $10 = **$11,750.**

Town of Mammoth Lakes: 8,234 X $10 = **$82,340.**

To be eligible for payment, a qualified agency representative must agree and adhere to the following guidelines:

- CAPP Block Grant funds are payable one time only and must be spent by December 31, 2013.
- CAPP Block Grant funds must be spent on projects that will or could result in real and local air quality improvement.
- CAPP Block Grant funds may be used to comply with existing air quality regulations and requirements.
- CAPP Block Grant funds may not be used to backfill previous expenditures, including any owed reimbursements.
- Prior to disbursing any CAPP Block Grant funds to a participating agency, the agency must provide CAPP administration with a brief project description, including estimated costs.
- Following the District Air Pollution Control Officer's approval of project description, project funds will be paid to the agency for immediate use as approved.
- If the total balance of an agency's awarded amount is not committed, payments may be made incrementally with remaining amounts payable upon request and approval.

CAPP Block Grant Guidelines - continued

- All project expenditures financed by CAPP Block Grants must be tracked by the participating agency for general reporting purposes. Brief project summaries must be provided to CAPP bi-annually and following the conclusion of the project's full implementation.
- CAPP Administration reserves the right to contact relevant agency staff for more frequent, informal updates and reporting if necessary.
- Participating agencies agree to provide the District with all program cost and expense information as requested by the District.
- Any unspent CAPP Block Grant funds remaining after December 31, 2013 shall be returned to the District to fund competitive air pollution reduction projects.

Please complete, sign and date below and provide original to CAPP Administrator.

Participating District Agency: _____

Agency Representative's Name: _____

Agency Representative's Title: _____

Agency Representative's Signature: _____

Date: _____

Clean Air Projects Program
Lisa Isaacs, ***Administrator***
P.O. Box 100 – PMB 331
Mammoth Lakes, CA 93546-0100
760.914.0388

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
7

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: DRAFT Environmental Impact Statement (DEIS) and DRAFT proposed amendment to the California Desert Conservation Area (CDCA) Plan, for opening approximately 22,805 acres of Bureau of Land Management (BLM) federal mineral estate for geothermal energy exploration and development in the Haiwee Geothermal Leasing Area.

DEPARTMENTAL RECOMMENDATION: Review the DRAFT DEIS Executive Summary and authorize the Chairperson to sign correspondence to the Bureau of Land Management.

SUMMARY DISCUSSION: The Haiwee Geothermal Leasing Area (HGLA) Draft Environmental Impact Statement evaluates five alternatives. These include a No Action and No Plan Amendment alternative 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, leasing approximately 4,460-acres of federal mineral estate for geothermal energy testing and development.

A pending non-competitive geothermal leasing application could be approved consistent with the terms and conditions of the current CDCA Plan. If a lease application is approved, geothermal energy development would be assessed under a separate National Environmental Policy Act (NEPA) document.

The Planning department sent comments regarding the Notice of Intent (NOI) to prepare the DEIS, in November 2009. Most of staff's comments on the NOI are addressed in the DEIS, with the exception of coordination pursuant to the Federal Land Policy and Management Act (FLPMA) of 1976. The lack of attempt by the BLM to coordinate with the County has been restated in the current comments.

Comments regarding the DEIS are due by August 2, 2012. Staff has prepared a draft response for the Board's consideration (Attachment 1). It is primarily focused on potential socioeconomic, impacts to public services, land use, and planning issues.

OTHER AGENCY INVOLVEMENT: Kern and San Bernardino counties, the Department of Defense, China Lake, and other affected agencies.

ALTERNATIVES: The Board may consider directing changes to the correspondence or not submitting correspondence. Not submitting comments to the DEIS is not recommended as this is the appropriate means for your Board to address the BLM's plans to open the Haiwee Geothermal Leasing area to exploration and possible development.

FINANCING: General funds are utilized to monitor federal planning efforts.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)*
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

_____ Date: 7/2/12

Attachments:

1. Draft Correspondence
2. DEIS Executive Summary[1]

[1] You can find the entire DEIS at:
http://www.blm.gov/ca/st/en/fo/ridgecrest/haiwee_geothermal.html

July 10, 2012

Peter Godfrey, California Desert District
Bureau of Land Management (BLM)
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553

Mr. Godfrey,

With regard to the Haiwee Geothermal Leasing Area: Draft Environmental Impact Statement (DEIS), the Inyo County Board of Supervisors would like to thank the BLM for the opportunity to comment. Overall, the County supports the development of geothermal energy within our borders and has compiled the following comments.

- In Section 1.5.13 (pg. 1-18) Inyo County Water Policy is addressed. In addition to this, Inyo County Code, Chapter 18.77: *Regulation of Water Transfers Undertaken Pursuant to Water Code Section 1810, Sales of Surface Water or Groundwater by the City of Los Angeles, and the Transfer or Transport of Water from Groundwater Basins Located in Whole or in Part Within*, needs to be included.

- In Section 3.6.1 (pg. 3-30) General Plan policies WR-1, WR-2 and WR-3 are described, in addition to these Inyo County Code, Chapter 18.77: *Regulation of Water Transfers Undertaken Pursuant to Water Code Section 1810, Sales of Surface Water or Groundwater by the City of Los Angeles, and the Transfer or Transport of Water from Groundwater Basins Located in Whole or in Part Within,* needs to be included.

- Section 3.7.1, (pg. 3-55) addresses Applicable Regulations and Plans, Policies/Management Goals. There is no mention of the Inyo County Agriculture Advisory Board. They should be consulted, especially with regard to 3.7.2.1 – Invasive, Non-Native Species, for related programs.

- Section 3.13, (pg. 3-106 – 3-110) this section should include language addressing the County's General Plan chapter 8.4, Policies on Mineral and Energy Resources.

- It is unclear which parcels are privately owned from Figure 3.16-1 (pg. 3-118). It would be helpful if this illustration is made clearer and an additional illustration of the General Plan designations for each of the privately owned parcels is added. Although the actual exploration and development of geothermal resources in the area may not be conducted on the privately owned parcels, they can still be affected by these activities.

- Section 3.18.2 (pg. – 3-123) states that due to the rural setting and a lack of a diverse system of roads . . . the scope of the analysis limited to US 395 and SR 190, we disagree with the lack of analysis of local roads. Please include an analysis of County roads that

may be impacted, especially Coso-Gill Station road that is mentioned in 3.18.2. This analysis needs to include any road improvements that may be necessary due to exploration and development of geothermal resources in the area.

- In Section 3.19.3.1 (pg. 3 – 130) you can get updated population totals for the County and the CDPs from the 2010 Census. American Community Survey data is also now available for Inyo County and the CDP's. And, specifically, on pg.3-132 the reference to Inyo County's population not growing in the past decade is incorrect if you look at the actual 2000 and 2010 Censuses. Inyo County's population was 17,945 in 2000 and 18,546 in 2010 indicating the population grew 3.3% over the last decade.

- We appreciate your thorough analysis of Socio-Economics and Impacts to Public Services. However, in Chapter 4, Environmental Consequences: Impacts to Public Services, on page 4-157 it states that given the very low population impacts described for the HGLA, correspondingly low impacts on public services can be expected. We would like to point out that with a very low population, impacts, even at a low level, will be felt more greatly than if they are experienced in a densely populated area. More specifically, since Inyo County does have a low population, its public service supplies are not well equipped for increases, however small they may seem. We would like to see this issue better addressed.

- In Chapter 4, Environmental Consequences: Impacts to Public Revenues, page 4-158, in light of the uncertainties that have been discussed with regard to geothermal lease payments, which leads to the questionable ability of geothermal energy projects paying for themselves, how will the additional costs to Inyo County for services, including but not limited to police, fire, water and sanitary services, be mitigated?

- We are still concerned about coordination pursuant to the Federal Land Policy and Management Act (FLPMA) of 1976. To date, no one from the BLM has contacted the County to discuss joint Federal/State environmental reviews to expedite future geothermal projects as we suggested in our comments to the NOI issued in 2009.

Again, the Inyo County Board of Supervisors would like to thank you for the opportunity to comment. Please keep us up to date as the project moves forward. If you have additional questions please contact Please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or by email at kcarunchio@inyocounty.us

Sincerely,

CC:
Board of Supervisors, Inyo County
Kevin Carunchio, County CAO
Randy Keller, County Counsel
Joshua Hart, Inyo County Planning Director
Bob Abbey, BLM
Jim Kenna, BLM
Regional Council of Rural Counties
California State Association of Counties

EXECUTIVE SUMMARY

INTRODUCTION

The United States Department of the Interior, Bureau of Land Management (BLM) has prepared this Draft Environmental Impact Statement (EIS) and Draft Proposed Amendment to the California Desert Conservation Area (CDCA) Plan to evaluate the feasibility and potential environmental impacts of opening for lease approximately 22,805 acres of federal mineral estate for geothermal energy exploration and development. This Draft EIS analyzes the potential impacts of opening public lands to geothermal leasing and potential development of federally-owned geothermal resources in the Haiwee Geothermal Leasing Area (HGLA) in southwestern Inyo County, California. The HGLA is located east of the Inyo National Forest, west of the China Lake Naval Air Weapons Station, South of the South Haiwee Reservoir, and north of Little Lake. The BLM has the delegated authority to issue geothermal leases on federal mineral estate; specifically these federal mineral resources administered by the BLM.

A geothermal lease is for the conversion of geothermal energy into electric power. The BLM is authorized to enter into these leases as the manager of the geothermal resources included in the federal mineral estate. Leasing geothermal resources by the BLM vests with the lessee an exclusive right to future exploration and to produce and use of the geothermal resources within the lease area subject to existing laws, regulations, formal orders, and the terms, conditions and stipulations in or attached to the lease form or included as conditions of approval in permits. Lease issuance alone does not authorize any ground-disturbing activities. To explore for or develop geothermal resources, site-specific approval is required for any planned activities. Such approval could only be acquired following site and project specific National Environmental Policy Act (NEPA) and other environmental review.

PURPOSE OF AND NEED FOR ACTION

The purpose and need for amending the CDCA Plan is to establish a management framework for appropriate exploration and development of geothermal resources, based upon evaluation of the various social, land use, and environmental resources within the HGLA. The BLM's purpose and need for approving the pending lease applications for approximately 4,500 acres of federal mineral estate is to facilitate appropriate exploration and development of geothermal resources in the HGLA, consistent with the BLM's management of other important resources in the HGLA.

More specifically, the purpose of the action is to consider the role of geothermal energy and its use in responding to policy directives and congressional direction regarding (1) development of clean renewable energy, (2) meet the increasing energy demands of the nation, (3) reducing reliance on foreign energy imports, (4) reduce greenhouse gas emissions, and (5) improving national security. The purpose also includes responding to the increasing interest in geothermal leasing opportunities on federal land by "prescreening" land in the Haiwee geothermal leasing area.

The purpose includes support of Executive Order 13212, the Energy Act of 2005, Secretarial Order 3285, and California State's Renewable Portfolio Standards (RPS) Policy. In May of 2001, then-President Bush signed Executive Order 13212, Actions to Expedite Energy-Related Projects, which directed executive departments and agencies to increase production and transmission of energy in an environmentally safe manner. Congress passed the Energy Policy Act of 2005, which encourages the leasing and development of geothermal resources on federal lands and requires the Secretary of the Interior to establish a program for reducing the backlog of geothermal lease applications by 90 percent by August 8, 2010. The Secretary of the Department of the Interior issued Order 3285 to establish the development of renewable energy as a priority for the department. The State of California has adopted an aggressive RPS policy that demonstrates a commitment to shifting its electrical generation portfolio to the production and use of renewable energy sources. California's RPS requires that 20% of energy generated and distributed in the state is from renewable energy sources by the year 2010; by the year 2020, that requirement grows to 33%

The need for federal action and this EIS arises from three non-competitive lease applications that are currently pending with BLM for approximately 4,460 acres of federal mineral estate within the proposed HGLA. These applications were submitted prior to the passage of the Energy Act of 2005 and continue to be part of the backlog of applications that need to be acted upon. In evaluating these applications a need was also identified to allocate a broader area of designated lands (see Figures 1.1-3 and 2.2-1) as closed, open, or open with constraints to geothermal leasing. This need was accompanied by the need to consider appropriate constraints, stipulations, best management practices, and procedures to conserve resources and other uses that may be proposed for consideration by the BLM in the future.

The need for action includes consideration of a Plan Amendment to the CDCA Plan 1980 as Amended to classify the land in the HGLA as suitable or unsuitable for geothermal leasing. The Plan Amendment, if necessary, would be consistent with the determination to allocate specific lands within the HGLA as closed, open, or open with constraints to geothermal leasing.

DOCUMENT SCOPE AND LEASING AREA

This EIS analyzes the potential environmental, social, and economic effects of several alternatives. The document has been prepared in accordance with the National Environmental Policy Act (NEPA), Council of Environmental Quality's (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations 1500-1508), the Department's regulations for implementing NEPA (43 CFR Part 46), and the Federal Land Policy and Management Act (FLPMA, Public Law 109-58) and its implementing regulations.

The HGLA consists of an estimated 21,233 acres of BLM administered public surface lands and approximately 1,572 acres of mineral estate where the surface lands are not federally owned; this area also includes the area subject to three pending geothermal lease applications for approximately 4,460 acres of BLM administered public lands. The lands considered for geothermal leasing are located in the Mount Diablo Meridian (see Appendix I) and generally occupy all or portions of the following 37 sections:

Township 21 South, Range 37 East, Sections 11-14, 23-26, 35-36
Township 21 South, Range 38 East, Sections 7-10, 15, 17-22, 27-34
Township 22 South, Range 37 East, Sections 1-2, 11-12
Township 22 South, Range 38 East, Sections 5-8

This document will allow BLM to classify the lands within the HGLA as to suitability for geothermal leasing. This document does not allow or authorized any ground disturbing activities. Any potential disturbance would need further evaluation under NEPA and other applicable authorities prior to the BLM making a decision regarding a specific proposed plan.

SCOPING

The Notice of Intent (NOI) for the HGLA was published in the Federal Register on September 11, 2009. The NOI also announced that the leasing of public lands will require an amendment to the CDCA Plan. Scoping documents were sent to members of the public listed on the BLM's mailing list as well as to organizations, groups, and individuals requesting copies of the materials.

The BLM conducted four public scoping meetings between October 13 and October 20, 2009, in Lone Pine, Bishop, Ridgecrest and Death Valley, California. During the scoping process, BLM received 14 comment letters and numerous verbal comments at the scoping meetings. Comments were made by members of the public, Native American Tribes, interest groups, and agency representatives. These comments related to geothermal development impacts on air quality, water resources in Rose Valley, endangered species, recreation,

agriculture, water well owners, population and housing in Inyo County, spiritually important Native American Sites, and the Coso Hot Springs. Additional comments related to potential land management plan conflicts, suggestions of alternatives, the potential need for upgrade of transmission lines or substation construction, the preservation of geothermal reservoirs, potential wastewater and heat and emission hazards to the public, noise generation levels, and transportation of construction materials and workforce.

Comments also included inquiries about the cumulative impacts of other geothermal projects in close proximity to the Haiwee area, and the conformance of the project with the CDCA Plan, the Northern and Eastern Mojave Plan, and the West Mojave Plan.

With the release of this Draft EIS, a Notice of Availability will be published in the Federal Register, and a 90-day comment period will commence. During this period, BLM will conduct formal public meetings in order to obtain additional comments from interested parties, and to discuss the analysis in this Draft EIS.

ALTERNATIVES

Alternative A: Open the Entire HGLA for Geothermal Leasing

All BLM administered public lands within the proposed HGLA would be deemed as suitable and open to geothermal exploration and leasing under this alternative. The CDCA Plan would be amended to classify all land within the HGLA open to geothermal leasing. The three pending geothermal lease applications would be authorized.

Groundwater extraction for consumptive use during exploration, development, and project operations activities may be allowed for some leasing applications, to the extent that groundwater use, in combination with all other authorized groundwater uses, does not exceed the safe yield or recharge rate to the Rose Valley Aquifer as specified by stipulation and other restrictions.

Alternative B: Close the Entire HGLA to Geothermal Exploration and Development

BLM administered public lands located within the HGLA would be closed to geothermal leasing and the CDCA Plan would be amended to close the land within the HGLA to geothermal leasing under this alternative. Consequently, the pending geothermal applications would be denied.

Alternative C: Open the HGLA to Geothermal Exploration and Development with No Surface Occupancy Allowed in Sensitive Areas (Preferred Alternative)

All BLM administered public lands within the proposed HGLA would be identified as open and available for geothermal exploration, development, and leasing under this alternative. Specific acreage within the HGLA would be identified as available for geothermal development, but subject to no surface occupancy restrictions to protect sensitive resources. The sensitive resources area restriction is defined by stipulation and is largely expressed by the recognized Mojave ground squirrel core habitat. The CDCA Plan would be amended to find all land within the HGLA as suitable for geothermal development. The three pending geothermal lease applications encompass lands both within and outside of the sensitive resources area and would be authorized, subject to these limitations.

Groundwater extraction for consumptive use will be prohibited or strictly controlled by stipulation throughout the entire HGLA.

Alternative D: Selective Closure of Sensitive Resource Areas within the HGLA for Geothermal Exploration and Development

Specific acreage within the HGLA would be identified as open and available for geothermal development. Other, separate areas within the HGLA would be identified by stipulation as closed and unavailable for geothermal development in order to protect sensitive resources. The sensitive resource area is largely expressed by the Mojave ground squirrel core habitat. The CDCA Plan would be amended to identify the sensitive resource area within the HGLA as closed and unavailable to geothermal development. The CDCA Plan would also be amended to classify the balance of the land within the HGLA as suitable for geothermal development. The three pending geothermal lease applications would be authorized, with modifications

Groundwater extraction for consumptive use will be prohibited or strictly controlled by stipulation throughout the entire HGLA.

Alternative E: No Action

This alternative would not change the current management of the BLM administered public lands within the HGLA. The CDCA Plan would not be amended and the pending applications for geothermal development would be denied.

REASONABLY FORESEEABLE DEVELOPMENT SCENARIO

The BLM has prepared a Reasonable Foreseeable Development (RFD) scenario as a basis for analyzing environmental impacts resulting from potential future leasing and development of federal geothermal resources within the HGLA. There is currently no direct data on which to base the RFD scenario, such as known temperature gradient wells or deep exploration wells within the area. Most of the HGLA, however, is within the Coso Known Geothermal Resource Area (KGRA), an area term no longer in wide use. The KRGA recognizes the potential for a geothermal resource largely due to related geologic features and structures. The Coso geothermal field is also within the KGRA and located approximately three miles southeast of the easternmost boundary of the HGLA. The Coso field is used as an analog for evaluation of geothermal resource potential within the HGLA. The Coso geothermal field is located on the China Lake Naval Air Weapons Station in proximity to the project area. The Coso geothermal field currently produces approximately 200 megawatts (MW) of electricity from a total of nine 30 MW geothermal turbine/generators. The Coso field is located in an area of relatively recent volcanic activity. This volcanic activity included intrusion of magma to shallow depths, thereby providing an accessible heat source for the geothermal field. There is likelihood that the HGLA may have a similar resource.

For the purpose of the RFD, it will be assumed that the productive areas will be less prolific than in the Coso geothermal field, the resource will be deeper, and more wells will be required per MW than in the Coso geothermal field. The RFD also assumes that two 30 MW power plants would be constructed, each of which would operate for 30 years. A total of 15 production wells and seven injection wells would be drilled over the 30-year operational life period in order to maintain the 30 MW of net production at each power plant. It was assumed that the RFD scenario could occur on any land within the HGLA, regardless of surface or mineral ownership. Total disturbance from the two plants was estimated to be 384 acres during construction and then 276 acres during operation.

ENVIRONMENTAL CONSEQUENCES

Designating lands for geothermal leasing potential, amending the CDCA Plan to allow for leasing and development, and authorizing geothermal leases do not result in any direct impacts as defined by CEQ regulations, which state that such effects "are caused by the action and occur at the same time and place" (40 CFR 1508.8). It is reasonable, however, to foresee that real impacts could occur if the BLM issues geothermal leases, but that those impacts would not occur until a separate BLM action authorized development following that lease issuance, at some point in the future. Therefore, the analysis in the Draft EIS addresses both direct and indirect impacts based on the foreseeable actions associated with leasing for development which would include exploration, drilling, and utilization. These impacts have been analyzed for the entire HGLA based on the RFD scenario. Additional site specific analysis would be conducted during the permitting review process for subsequent proposed

exploration, drilling, and utilization activities. General impacts from a proposed exploration, drilling, or utilization action could potentially occur to the following resources and uses:

- **Air Quality and Climate**: Short-term increase in air emissions associated with construction of the geothermal power plants. Minimal emissions are associated with operation of a geothermal power plant and therefore such development and operation are likely to have a beneficial impact in reducing emissions and greenhouse gases on a more regional level;

- **Noise**: Minor short term impacts in proximity of drilling and other activities in addition to minor long term impacts associated with operations;

- **Topography, Geology, Seismicity**: Minimal impacts to geology, including 384 acres of surface disturbance, and a local minor seismicity hazard associated with injection wells;

- **Soils**: Disturbance of 384 acres expected from the Reasonably Foreseeable Development would include compaction, but is less than 2% of the available acres. This would go along with some minor long-term loss of soils;

- **Water Resources**: Short-term impact during exploration and development activities;

- **Biological Resources**: Long-term loss of vegetation and habitat associated with roads and other surface disturbance. This could impact several special-status species such as the Mojave Ground Squirrel and the Desert Tortoise;

- **Cultural Resources**: Impacts would be minor or negligible due to the ability to redesign or modify projects to avoid significant disturbance;

- **Paleontology**: No adverse impacts would be expected due to the low probability of occurrence;

- **Visual Resources**: Variable long-term impact from the presence of the power plants and associated infrastructure such as wells, access roads, and power lines. Variability ranges from low to high impacts based on the point of view and the locations of the potential power plants;

- **Lands and Realty**: Impacts would be low based on recognition of existing use classifications and prior existing rights;

- **Public Health and Safety**: Impacts are expected to be low based on BLM lease conditions and applicable requirements;

- **Energy and Mineral Resources**: Potential for impacts is considered low, since geothermal development is not incompatible with mining operations;

- **Wild Horses and Burros**: There is a low expectation of occurrence due to adherence with applicable laws, regulations, and requirements;

- **Grazing**: Impacts are considered low and limited to the loss of lands available for other uses (384 acres expected from the Reasonably Foreseeable Development). There are two grazing allotments present in the HGLA with each having only about 3% to 4% of their respective allotment found within the HGLA;

- **Recreation**: Short term impacts from construction and long term impacts in the immediate vicinity of any development facilities would be low overall. It would include loss of acreage, road use conflicts, and visual impacts, but would be offset by potentially better access through new road construction;

- **Special Designations**: The potential for impacts is considered low due to consideration of current regulations and requirements;

- **Traffic / Transportation**: Impacts to traffic and transportation would be considered low since any expected increase in traffic would be a negligible increase in the regional traffic flow;

- **Socioeconomics**: Potential impacts include an increase in employment, economic benefits, and public revenue, along with other potential impacts such as the decrease in available housing and public services. These are expected to be low and short-term.

Many of the ground disturbing impacts associated with biological resources, cultural resources, earth resources, water resources, and water quality can be appropriately mitigated or avoided through site specific BMPs, stipulations, and siting designs. These can be identified during analysis performed for the evaluation of specific proposed leasing and development actions. Appropriate mitigation measures, such as avoidance and no surface occupancy, could be implemented as part of the proposed action to reduce these impacts.

Cumulative effects associated with geothermal development would be minor in nature, mainly due to the limited number of other past, present and reasonably foreseeable projects

within the planning area. Proponents of several other energy developments have applied for right-of-way grants or proposed projects within the HGLA. This is analyzed in detail in the Cumulative Effects section of Chapter 4.

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

8

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Water Department

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: Resolution authorizing submittal of an application for Local Groundwater Assistance Grant funds

DEPARTMENTAL RECOMMENDATION:

The Water Department requests (1) your Board authorize the County of Inyo to make application to the California Department of Water Resources for grant funds by adopting the attached resolution, and (2) direct staff to prepare necessary data and submit necessary documents to apply for such grant funds.

SUMMARY DISCUSSION:

The Water Department proposes to apply to the California Department of Water Resources (DWR) for grant funds to through the DWR's Local Groundwater Assistance (LGA) Program, funded through Proposition 84. The grant will fund eight new groundwater monitoring wells in Middle Amargosa Valley, California Valley, Pahrump Valley, and Mesquite (Sandy) Valley groundwater basins. The proposed work will satisfy a number of groundwater monitoring needs in the southeast portion of the County, as described in the attached project description. The grant application is due July 13, 2012. The Water Department is assembling materials for the application; attached is a project description, work plan, and budget.

The grant application requires "a copy of documentation, such as a resolution adopted by the applicant's governing body, designating an authorized representative to file an application for LGA Grant and to execute a grant agreement with the California Department of Water Resources on behalf of the County of Inyo." Staff has prepared the attached resolution to provide the required documentation.

ALTERNATIVES:

Do not adopt the authorizing resolution and direct staff to discontinue preparation of grant application materials.

OTHER AGENCY INVOLVEMENT:

California Department of Water Resources

FINANCING:

No matching funds or other financial commitment is required.

APPROVALS	
COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: _____ Date_____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved:_____ Date_____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved:_____ Date_____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)_____ Date: 7/3/2012
(The Original plus 20 copies of this document are required)

RESOLUTION NO. 2012-____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AUTHORIZING AND DIRECTING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES

WHEREAS, the State of California, under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code (PRC) Section 75001 et seq.), is providing financial assistance in the form of Local Groundwater Assistance Grants to further the objectives of the Act; and

WHEREAS Inyo County is a participant in the California Statewide Groundwater Elevation Monitoring Program (CASGEM) which provides groundwater level monitoring data for selected basins within Inyo County to the California Department of Water Resources as part of the CASGEM program; and

WHEREAS Development of a groundwater level monitoring and reporting program to support participation in the California Statewide Groundwater Elevation Monitoring (CASGEM) Program is an eligible project for Local Groundwater Assistance Grant financial assistance.

NOW, THEREFORE, BE IT RESOLVED THAT THE INYO COUNTY BOARD OF SUPERVISORS HEREBY:

1. Pursuant and subject to all of the terms and provisions of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code (PRC) Section 75001 *et seq.*), authorizes the County of Inyo to make application to the California Department of Water Resources to obtain a grant to install monitoring wells in selected basins in Inyo.

2. Authorizes Robert Harrington, Director of the Inyo County Water Department or his designee, to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with California Department of Water Resources.

PASSED AND ADOPTED by the Board of Supervisors of the County of Inyo, State of California, this __th day of June, 2012, by the following role call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Marty Fortney, Chairperson
Inyo County Board of Supervisors

ATTEST: Kevin D. Carunchio
Clerk of the Board

By: _____
Patricia Gunsolley, Assistant

Project Description: Groundwater Monitoring wells in Middle Amargosa Valley, California Valley, Pahrump Valley, and Mesquite Valley Groundwater Basins

Goal: The goal of this project is to establish a network of monitoring wells in the southeastern region of Inyo County. These wells will be in four groundwater basins: Pahrump Valley, Middle Amargosa Valley, California Valley, and Mesquite Valley. This project supports multiple local, state, interstate, and federal needs: this network will support compliance with monitoring requirements under the California Statewide Groundwater Elevation Monitoring Program (CASGEM), support ongoing and necessary research, provide monitoring for the Amargosa Wild and Scenic River corridor, provide data relevant to transboundary (California/Nevada) groundwater management, and create facilities for monitoring hydrologic impacts of burgeoning solar development in the region.

Background: In this region, groundwater basins are thought to be connected by interbasin flow through intervening mountain blocks where the mountain blocks comprise permeable carbonate rocks. Because of the potential for interbasin flow, pumping activities in a basin can potentially affect groundwater flow in neighboring basins; therefore, monitoring, management, and mitigation measures need to be coordinated between basins.

In the Amargosa River Basin and Pahrump Basin, groundwater is already over-allocated. Although pumping does not currently take place at the full amount entitled to by groundwater-rights holders, considerable impacts to the groundwater reservoir and associated springs could occur should those water rights holders eventually fully exercise their water rights. Groundwater usage within the Northern Amargosa River Basin has steadily increased over the past 25 years, and the addition of a new industry to the area (solar power generation) will likely provide additional pressure on the groundwater resource. Also as groundwater usage increases in the Northern Amargosa River Basin, it is conceivable that groundwater flow into the Middle Amargosa River Basin could decrease. In the Pahrump Valley, located between the likely recharge area for the carbonate-rock aquifer that feeds the California portion of the basin and the discharge areas along the Amargosa River, pumping peaked at more than 40,000 acre-feet per year (AFY) in the 1960s and 1970s, and is slightly less than 20,000 AFY today.

In 2009, the Amargosa River between Shoshone and the terminus of the Amargosa Canyon received Wild and Scenic status through an act of Congress. As a result, the U.S. Bureau of Land Management (BLM) is developing a management plan for the Wild and Scenic portion of the River. The Amargosa Conservancy, in association with cooperating groups such as the BLM and The Nature Conservancy have been conducting hydrologic investigations to gain a better understanding of the California portion of the Amargosa River Basin. It is essential that hydrogeologic characterization of the California portion of the Basin take place in order for that management plan, and its associated management recommendations, to have a firm basis, and to assure that monitoring is conducted in a meaningful way to identify potential impacts to the river and its feeder springs before irreversible impacts from future groundwater development occur.

The California Statewide Groundwater Elevation Monitoring Program (CASGEM) was created as part of the 2009 Comprehensive Water Package (SBX7-6, Groundwater Monitoring). SBX7-6, established a statewide program to collect groundwater elevations and make them publically available. SBX7-6 legislation provides that groundwater elevations in all 515 groundwater basins identified in California Department of Water Resources (DWR) Bulletin 118 will be monitored in a manner sufficient to determine seasonal and long-term trends in groundwater elevation. All or part of 38 groundwater basins are within Inyo County. In December, 2010, Inyo County applied to DWR to be the monitoring

entity for Rose Valley, and was subsequently designated as the monitoring entity. Los Angeles Department of Water and Power is the monitoring entity for Owens Valley. To date, none of the other groundwater basins in the County have designated monitoring entities.

CASGEM provides that certain local entities may assume responsibility for monitoring and reporting groundwater elevations. Eligible monitoring entities are watermasters, groundwater management agencies, water replenishment districts, local agencies managing groundwater pursuant to a groundwater management plan, local agencies managing a basin pursuant to an integrated regional water management plan, a county, or a voluntary cooperative groundwater monitoring association. If no prospective monitoring entity comes forward to assume responsibility for a monitoring area, DWR will assume responsibility and eligible monitoring entities with jurisdiction in the monitoring area may lose eligibility for state water grants and loans.

Need: The circumstances described above indicate that new groundwater monitoring facilities in these basins are necessary and timely:

1. Few monitoring wells exist in this region. The USGS NWIS data base of groundwater wells identifies few wells in this region. Discussions with USGS, USBLM, and the Amargosa Conservancy indicate interest in establishing a monitoring program and new monitoring wells are needed to inform studies and manage groundwater in the region.

2. No monitoring entity has yet been identified for the California Statewide Groundwater Elevation Monitoring Program (CASGEM) for these basins. The CASGEM program identifies a number of eligible monitoring entities, but in this sparsely populated and largely undeveloped region, none of the potential monitoring entities exist except Inyo County. In order for Inyo County to apply for monitoring entity status, the County desires to be assured that facilities exist to fulfill CASGEM monitoring requirements.

3. State and federal policies promote development of renewable energy projects, and with its abundant solar resources and undeveloped land, the Mojave Desert is an attractive target for solar energy development. One project, the Hidden Hills Solar Energy Generating Station, in the California portion of Pahrump Valley is currently (June, 2012) in the staff review stage of the California Energy Commission permitting process. In the Nevada portion of Pahrump Valley, four other projects are in various stages of planning. Projects have also recently been proposed in the Nevada portion of the Middle Amargosa basin, and the Bureau of Land Management is currently conducting environmental review of transmission facilities to support these projects. Burgeoning solar development with its accompanying groundwater use may affect the groundwater system in the southeast part of Inyo County. In order to assure adequate identification pre-project baseline conditions, it is imperative that groundwater monitoring facilities be established and monitoring begin prior to construction and operation of these power plants.

4. In 2009, the Omnibus Public Lands Management Act designated a portion of the Amargosa River as a wild and scenic river. Flows in the wild and scenic reach of the Amargosa River are sustained by groundwater discharge to springs and to the river. Establishing groundwater monitoring in these basins will allow hydraulic head gradients to be tracked over time, and provide early-warning of whether groundwater extraction is affecting the river. Discussions with BLM staff indicate that the BLM is favorable to installation of monitoring wells on BLM land.

5. In the Nevada portion of Pahrump Valley, the Nevada State Engineer has declared that the groundwater basin is in overdraft, and pumping in the Nevada portion of the basin potentially can affect groundwater elevations in the California portion of the basin.

6.

Proposed well installations: The project area and locations of planned monitoring wells are shown on Figure 1. Table 1 gives approximate locations of each proposed well.

Table 1. Approximate location, groundwater basin, and land owner for proposed wells.

Location description	Section	Groundwater basin	Land Owner
N. end Chicago Valley	Sec. 20 T24N R8E	M. Amargosa	BLM
Above Resting Spring	Sec. 6 T21N R8E	M. Amargosa	BLM
S. of Eagle Mt.	Sec. 3 T23N R6E	M. Amargosa	BLM
Mid Chicago Valley	Sec. 20 T22N R8E	M. Amargosa	BLM
Head of Willow Creek	Sec. 27 T20N R8E	California	Amargosa Conservancy
Tule Spring	Sec. 18 T20N R9E	California	BLM
Pahrump Valley	Sec. 7 T20N R10E	Pahrump	BLM
Mesquite/Sandy Valley	Sec. 19 T20N 12E	Mesquite	BLM

Well installations will be according to State well construction regulations and overseen be licensed drillers and registered geologists. The approximate locations given in Table 1 and Figure 1 will be refined by working with land owners to assure drilling equipment access and to address any concerns land owners may have.

Inyo County will coordinate with the Amargosa Conservancy, Bureau of Land Management, US Geological Survey, and California Department of Water Resources to ensure that the data generated by this project will be used in ongoing studies of groundwater resources in the region and fulfill CASGEM groundwater monitoring and reporting requirements.

Relation to groundwater management plan: Inyo County's groundwater ordinance (Ordinance 1004) and Resolution 99-43 comprise the part of the County's groundwater management plan that is relevant to this region. Ordinance 1004 requires that a groundwater transferor obtain a conditional use permit from the County, and as a condition of the permit, hydrogeological and related environmental impacts be identified, and based on such evaluation, monitoring, management, and mitigation measures be identified for groundwater transfer projects. Resolution 99-43 establishes the County's water policy to "protect the County's environment, citizens and economy from adverse effects caused by activities relating to the extraction and use of water resources and to seek mitigation of any existing or future adverse effects resulting from such activities." The requirement in Resolution 99-43 that the County's environment and economy be protected, and the reliance of Ordinance 1004 on monitoring as a prerequisite for effective management highlight the need for a groundwater elevation monitoring network in this region.

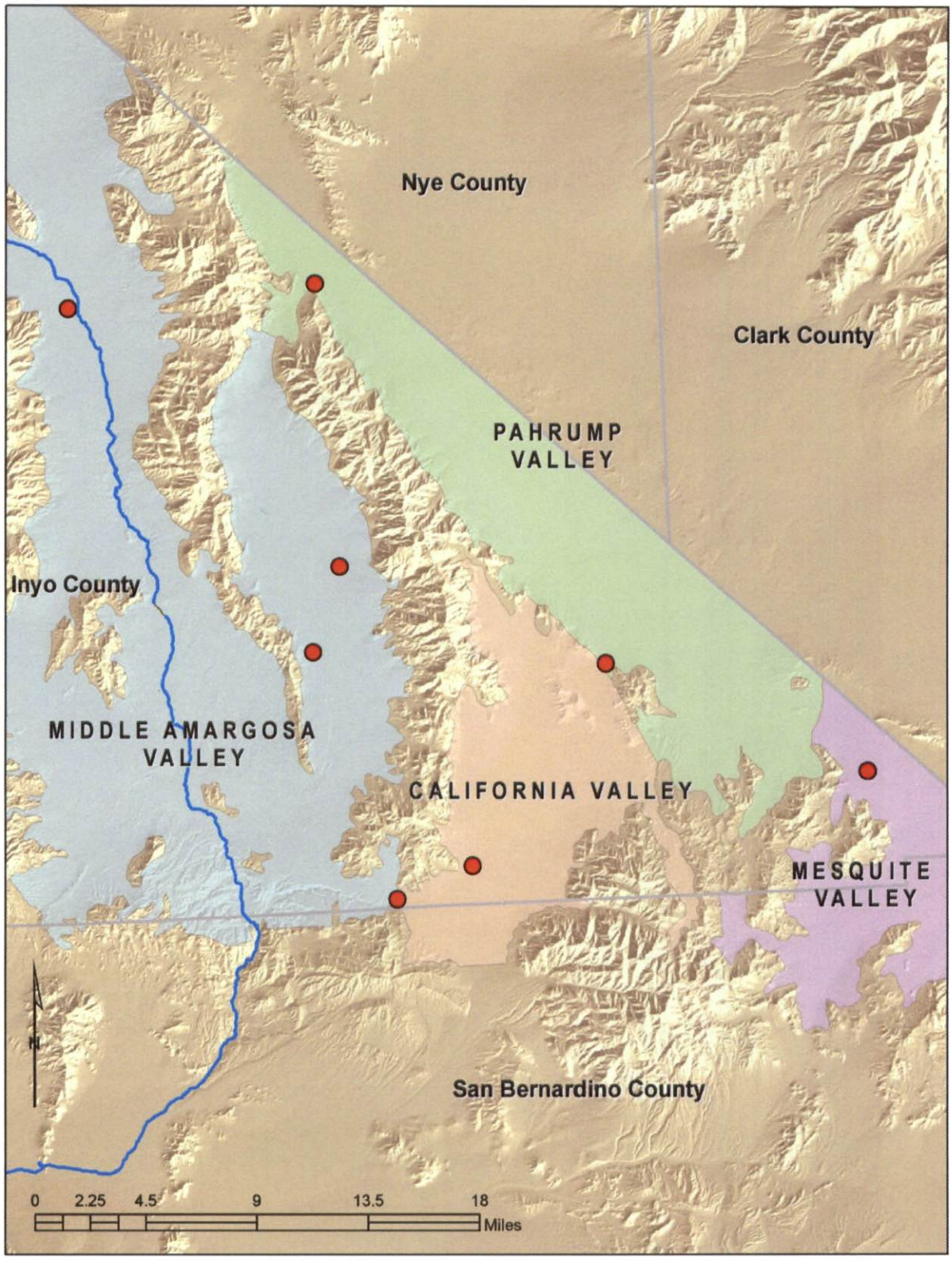

Figure 1. Proposed locations for new monitoring wells (red). Amargosa River is shown in blue.

Work Plan: Groundwater Monitoring wells in Middle Amargosa Valley, California Valley, Pahrump Valley, and Mesquite Valley Groundwater Basins

Technical Scope of Work: The following tasks are recommended as important initial steps toward developing a groundwater elevation monitoring network in southeastern Inyo County . The tasks consist of:

- Installation of 8 piezometers / groundwater monitoring wells (wells);
- Geochemical sampling of the eight wells;
- Placement of continuous groundwater-level recording instrumentation; and,
- Continued periodic groundwater elevation for one year subsequent to well installation.

This scope includes the installation of eight monitoring wells shown in Figure 1. Table 1 gives the location and ownership of proposed wells.

Table 1. Approximate location, groundwater basin, and land owner for proposed wells.

Location description	Section	Groundwater basin	Land Owner
N. end Chicago Valley	Sec. 20 T24N R8E	M. Amargosa	BLM
Above Resting Spring	Sec. 6 T21N R8E	M. Amargosa	BLM
S. of Eagle Mt.	Sec. 3 T23N R6E	M. Amargosa	BLM
Mid Chicago Valley	Sec. 20 T22N R8E	M. Amargosa	BLM
Head of Willow Creek	Sec. 27 T20N R8E	California	Amargosa Conservancy
Tule Spring	Sec. 18 T20N R9E	California	BLM
Pahrump Valley	Sec. 7 T20N R10E	Pahrump	BLM
Mesquite/Sandy Valley	Sec. 19 T20N 12E	Mesquite	BLM

Background: The Amargosa River Basin, which spans two states, three counties and one National Park, exists as one of the most important desert waterways in the southwestern United States. Both the groundwater and surface water in the basin support a unique and diverse ecosystem, while also supporting human needs through domestic, agricultural, wildlife, stock-watering, mining and other industrial uses. As the river is a groundwater-fed surface water body, relatively small variations in the groundwater surface elevation can have considerable effects on the ability for the river to maintain surface flow. While the Nevada portion of the basin has been well-studied, primarily as a result of hydrologic studies centered on the Nevada Test Site and the Yucca Mountain Project, the California portion of the basin has seen little in the way of regional hydrogeologic monitoring or investigations.

Objectives: The following tasks will provide Inyo County and the cooperating organizations associated with Amargosa Conservancy's Amargosa River Hydrologic Survey, the greatest benefit in accomplishing the goals of developing a greater understanding of the region's hydrologic system, while establishing a long-term groundwater monitoring network protective of the resources present and satisfying of CASGEM monitoring requirements.

Tasks: Task description and cost estimates for well installation and initial monitoring.

Task 1 – Permitting and Pre-field Activities, $22,424

This task includes all activities related to the acquisition of permits for each drilling location and other pre-field activities including:

- Health and Safety
- Drilling site access assessment and USA (underground service alert) pre-marking
- Permitting / agency interfacing
- Subcontractor scheduling

Permits for the installation of each monitoring well will be obtained from up to three organizations, depending on the location of proposed well. Each well will need an installation permit from Inyo County Environmental Health Department. Additionally, if the well is located on BLM lands, which most wells will be, a permit from the BLM will be required. There is no cost associated with the BLM permitting process, but a significant amount of time will be needed to compile and submit the information required by the BLM. BLM generally needs one to two months to process permits, so this process should be started as soon as possible. Finally, if the well is within a California Department of Transportation (CalTrans) right of way, an encroachment permit from that agency will be needed at a cost of $492 for each drilling location. The well location will be chosen such that private access agreements will not be required. Of note is that the location Middle Amargosa Valley has already been permitted by Inyo County, Caltrans, and BLM.

Health and safety (H&S) includes the preparation of a site specific H&S plan, and the acquisition of any items needed for the implementation of the drilling aspect of the job. These activities will have minimal costs as an H&S plan for the previous well installation work can be modified for this work.

Each of the proposed drilling locations will be visited prior to the submittal of permits. The visits will determine the final locations of each well site based on the suitability for drill rig access. If possible, this visit will be coordinated with representatives of each of the permitting agencies in order to get real time feedback on the proposed well locations. Each proposed well location will be marked for USA utility location services.

Task 2 – Well Installation, $171,798

Each well will be constructed using four-inch diameter PVC casing and screen. At the surface, the well casing will stick up approximately two and a half feet above the surface and will be encased in a lockable steel monument set in concrete. Each well will be developed following installation. Following development, water samples will be collected from each well and analyzed for the following constituents:

- Metals (Sb, As, Be, B, Cd, Cr, Cu, Fe, Pb, Li, Mn, Se, Si, Ag, Sr, Tl, Zn)

- Cations (Ca, Mg, Na, K)
- Anions (SO4, NO3, Cl, F)
- Alkalinity, Hardness, Total Dissolved Solids, Specific Conductance

There is a significant amount of uncertainty in the depth to water at each proposed drilling site. In order to achieve project success in the face of such uncertainty, drilling costs have been biased toward finding water at deeper depths. The well installation activities are expected to span a period of between two and three weeks.

Task 3 – Monitoring, $39,052

This task includes the installation of data logging pressure transducers in each new well and ongoing monitoring of the wells to download the data and to maintain the loggers. Following completion of all wells, transducers will be purchased (given the uncertainty in depth to water at these locations they will need to be custom built for each well) and installed. The transducers will be checked and downloaded on a monthly basis for the first two months following their installation. From then on, the transducers will be checked and downloaded on a bimonthly basis. The downloaded data will be appended to data files for each well and checked for anomalies which might indicate a transducer fault or other problems with the data collection process. Monitoring will continue for at least one year following the installation of the transducers.

Task 4 – Analysis and Reporting, $16,675

Following the installation, development and sampling of the monitoring wells, a well construction report will be prepared detailing all activities including the sampling results. The report will include all permits, soil and well installation logs, water level and quality data obtained from well development, and laboratory reports from the groundwater sampling.

Following each transducer data download event, all data will be compiled into a single excel spreadsheet. Following the completion of one year of data downloads, a letter report will be completed and summarizing monitoring network operation and analysis of observations.

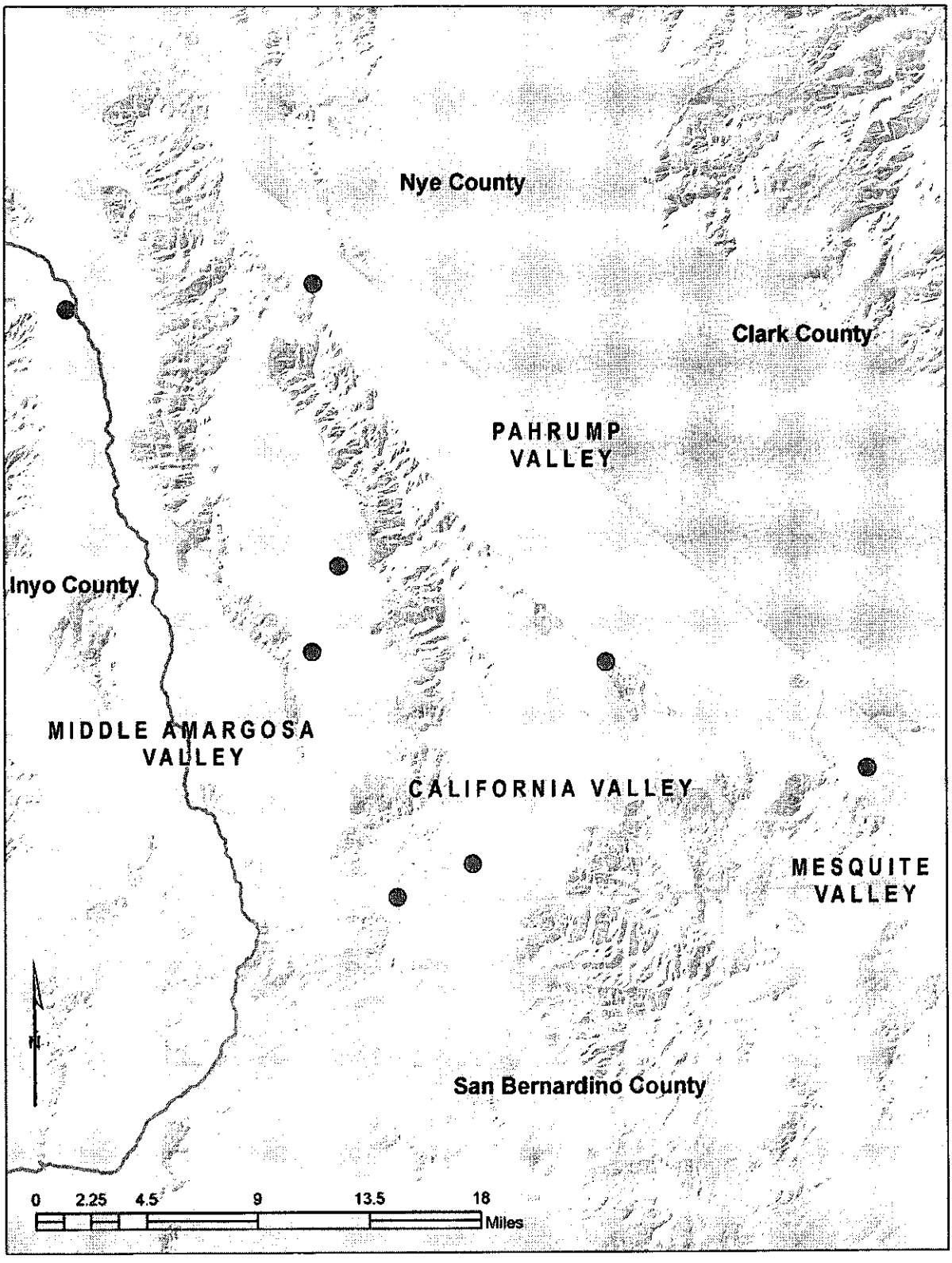

Figure 1. Locations of proposed monitoring wells.

Budget

Task 1	Permitting and Prefield				
		Unit	Rate	Quantity	Cost
	Principal	Hour	$160	30	$4,800
	Senior	Hour	$130	60	$7,800
	Field Assistance	Hour	$70	16	$1,120
	Admin	Hour	$70	30	$2,100
	Inyo County Well Permit	each	$140	8	$1,232
	CalTrans Encroachment Permits	each	$492	2	$1,082
	Travel	lump	$1,800	1	$1,980
	Per Diem	day	$300	2	$660
	Misc Expenses	lump	$1,000	1	$1,100
	Health and Safety	lump	$500	1	$550
				Subtotal	$22,424
Task 2	Well Installation				
		Unit	Rate	Quantity	Cost
	Principal	Hour	$160	6	$960
	Senior	Hour	$130	130	$16,900
	Field Assistance	Hour	$70	20	$1,400
	Admin	Hour	$70	40	$2,800
	Drilling Contractor	Lump	$117,900	1	$129,690
	Well Development	Lump	$10,700	1	$11,770
	Laboratory Analysis	each	$275	9	$2,723
	Travel	lump	$2,500	1	$2,750
	Per Diem	day	$150	15	$2,475
	Misc Expenses	lump	$300	1	$330
				Subtotal	$171,798
Task 3	Monitoring				
		Unit	Rate	Quantity	Cost
	Principal	Hour	$160	20	$3,200
	Senior	Hour	$130	30	$3,900
	Field Assistance	Hour	$70	140	$9,800
	Admin	Hour	$70	30	$2,100
	Transducers/Loggers	Lump	$15,029	1	$16,532
	Travel	lump	$1,800	1	$1,980
	Per Diem	day	$300	3	$990
	Misc Expenses	lump	$500	1	$550
				Subtotal	$39,052
Task 4	Analysis and Reporting				
		Unit	Rate	Quantity	Cost
	Principal	Hour	$160	20	$3,200
	Senior	Hour	$130	80	$10,400
	Field Assistance	Hour	$70	0	$0
	Admin	Hour	$70	40	$2,800
	Misc Expenses	lump	$250	1	$275
				Subtotal	$16,675
				Total	$249,949

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
10

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☒ Scheduled Time for 1:00 p.m. ☐ Closed Session ☐ Informational

FROM: Planning Department

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: Workshop for Zoning Code/General Plan Update – Zoning Reclassification No. 2012-01/General Plan Amendment No. 2012-01

DEPARTMENTAL RECOMMENDATION: Conduct a joint workshop with the Planning Commission regarding the updated Zoning Code/General Plan and provide input to staff.

SUMMARY DISCUSSION: One of the follow-up actions from the 2001 General Plan was to update the Zoning Code. Staff worked with Willdan to prepare updated Zoning Code sections, which were provided for review by the Board and the Planning Commission in a series of workshops last year. Staff incorporated this input into a comprehensive Zoning Code update and has prepared a related General Plan update. After this final review by the Board and the Planning Commission, staff plans to incorporate any additional input and begin the public outreach process followed by environmental review.

A summary of the major changes to the Zoning Code is included in Attachment 1, the draft Zoning Code update is included in Attachment 2, and the draft Zoning maps are included in Attachment 4.[1] Attachment 3 includes the use classification matrix updated per previous input and additional analysis, which will be incorporated into the Zoning Code at the end of the process. Outstanding major issues regarding the Zoning Code are discussed below.

Attachment 5 describes the changes to the General Plan and provides background information required by State law. Attachment 6 includes the draft General Plan update (including the draft General Plan land use diagrams).[2] An overview of the changes proposed to the General Plan is provided below.

Outstanding Zoning Code Issues

Several major outstanding issues remain from the workshops last year. Staff has addressed these in the draft updates as discussed below.

Code Enforcement: Staff had recommended that Zoning Code Enforcement remain status quo, with enforcement limited to forwarding unresolved complaints to the District Attorney. However, the Board and Commission expressed an interest in exploring options to strengthen the Code

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1 The existing Zoning Code may be reviewed online at http://www.qcode.us/codes/inyocounty/, and the existing Zoning Maps are available for review in the Planning Department offices.

2 The existing General Plan Policy Documents and land use diagrams may be viewed online at http://inyoplanning.org/general_plan/index.htm. The Background, Issues/Alternatives, Draft/Final Environmental Impact Report, and other information from the 2001 General Plan update effort are available for review at the Planning Department offices.

Enforcement process. The current draft proposes to create a Code Enforcement Committee with the power to levy fines, and transfer enforcement to the Office of County Counsel.

C-3 Zoning District: the consultant had recommended that the Administrative and Professional Offices (C-3) Zoning District be merged into the General Commercial (C-1) or Highway Service and Tourist Commercial (C-2) Zoning Districts. Early County input into this issue was positive. However, upon further reflection, the C-3 zoning district provides for a limited commercial zone to provide primarily for more sensitive office uses. Therefore, the current proposal maintains the C-3 Zoning District.

C-4 and M-2 Zoning Districts: The consultant recommended that the Heavy Commercial (C-4) and Light Industrial (M-2) Zoning Districts be merged due their similarity in the existing code. Staff, the Commission, and the Board discussed this issue and after several iterations agreed that the C-4 and M-2 Zoning Districts be combined. The permitted and conditionally permitted uses in these districts have been substantially expanded relative to the existing zoning, primarily because staff previously recommended that more uses in the C-4 Zoning District be permitted due to its intensive commercial nature. Staff recommends maintaining the existing General Plan land use designations for properties in the existing C-4 and M-2 Zoning Districts, but could investigate merging the designations or selectively reclassifying specific parcels. Consideration could also be given to not merging the Zoning Districts and/or limiting the permitted/conditionally permitted uses more similarly to the existing Code.

Definitions: definitions are provided based on the updated Zoning Code. These have been crafted based on a mix of the existing definitions, those previously recommended by the consultant, and previous input. It is requested that the Board and the Commission review these in more detail than previously.

Modifications: staff has included a finding for Modifications that "development of the property absent the Modification would be unduly constrained." If more stringent findings of hardship are desired, it is suggested that an alternative procedure be formulated to allow for accommodating people with disabilities and parking standard reductions.

Special Event Permit: The Board and Commission expressed concern about the consultant's recommendations for special events, including the permit requirement and number of events. The current proposal includes exceptions from the permit requirement and expands the number of permitted events.

Animal Maintenance: Concern has been raised regarding animal maintenance. Based on the Board's direction, staff presented the issue to the Agricultural Resource Advisory Committee, which recommended that the regulations remain unchanged. Minor clarifications are proposed to make the regulations more clear.

Noise: staff worked with the Sherriff to identify a qualitative standard for noise control per California Penal Code Section 415. The proposal only regulates noise generated in and received in R zone districts; this could be expanded to all zone districts, or a subset thereof. If a quantitative standard is desired, staff recommends 70 dB(A) CNEL in residential zones from off-site sources measured at the property line.

Parking: staff identified parking/loading space and aisle width requirements for the Zoning Code, as these are not included in the Building Code. Staff will coordinate with County Counsel and the Public Works Department to address issues with on-street parking in an alternative venue.

Zoning Maps: staff has prepared a user friendly set of zoning maps (Attachment 4) in a format consistent with the General Plan land use diagrams. Staff has cross-referenced the zoning maps maintained in the Planning Department with data from the County's Geographic Information System (GIS) and zoning reclassifications process since the late 1980s, and is working on a second round of crosschecking. Once adopted, the paper maps will match the GIS data. No substantive changes to the zoning maps are proposed, except as proposed as part of the Zoning Code Update to (1) merge the One Family Residential (R-1) and Single Residence Mobile Home Combined (RMH) Zone Districts and (2) merge the C-1 and M-2 Zone Districts.

Commercial Parking Lots: an issue has arisen recently regarding the aesthetics of commercial parking lots. Minimal development standards are proposed in the draft Code for commercial parking lots. The County could consider more prescriptive development standards, such as required paving, landscaping, or buffers; standards could also be developed through a conditional use permit process on a site-specific basis. An overlay or other tool could be considered to provide for more oversight of commercial parking facilities in specific areas as well. However, due to the rural nature of the County, staff recommends that development standards be limited as currently proposed.

Storage Containers: in the preliminary draft Code, a proposal was presented to restrict cargo storage containers to Commercial and Industrial Zone Districts, except Central Business, with a Temporary Occupancy Permit. This proposal seemed acceptable to the Board and the Commission. However, it has been the County's practice to permit cargo storage containers in all Zones, except CB. The current proposal reflects this latter practice.

Military Operations Area Overlay: Representatives of the Department of Defense have requested that the County consider a Military Operations Overlay to provide for project review within the Overlay by the Military and notice to people living or developing within the Overlay (refer to Attachment). Input from the Board and Commission is requested.

Overview of Changes Proposed to the General Plan

Minor changes to the General Plan are proposed to address the Zoning Code Update, changes to State law since 2001, and other desirable changes. Due to the County's rural character and lack of change since 2001, these modifications are relatively insubstantial, and are described in more detail in Attachment 5. The following summarizes the changes.

- The most noticeable change is a reformat, elimination of extraneous editorial and cross-referencing, and updating the implementation schedule.
- Substantive changes include providing more flexibility for noise and agricultural resources; reflecting the updated Zoning Code; providing for climate change, and; eliminating certain aesthetic and scenic highway goals, policies, and implementation measures.
- No changes are proposed to the Housing Element, as this would require approval by the State, the Element was updated in 2009, and the next update cycle is approaching in 2014.

- Minor changes are proposed to the Safety Element, which will require review by the State.
- Due to its recent update, no changes are proposed to the Government Element.

Staff has prepared a user friendly set of Land Use Diagrams (refer to Exhibit A in Attachment 6). These maps incorporate amendments processed since 2001. Staff has also cross-referenced the maps with the GIS and worked to better define the Agricultural (A) land use designation, and is working on a second round of cross-checking.

Outstanding Issues Not Resolved by this Update

Several major issues are not addressed by this update, primarily due to their complexity. In a number of instances, staff believes the General Plan land use designations and zoning for particular properties may not be compatible. Correcting this issue at a County-wide scale would require a great deal of analysis and discretion. Also, complicated environmental review might be required to incorporate the Renewable Solar and Wind Energy General Plan land use designation overlay (previously approved but rescinded due to litigation), and a clarified General Plan definition for net and gross acreage (also previously amended but rescinded due to litigation). Staff recommends that these issues be addressed in the future when greater resources are available.

Next Steps

Staff plans to incorporate comments from the workshop into the Zoning Code and General Plan and begin public outreach. For the preliminary community engagement, staff plans to first offer to meet with interested organizations and community groups, such as the chambers of commerce, to describe the update and solicit input. Following the initial public engagement, staff plans to hold more formal public meetings in Bishop, Big Pine, Independence, Lone Pine, and Tecopa/Shoshone. Once these have been completed, staff plans to update the documents and begin working on the environmental review phase, which will include additional opportunities for public input. Lastly, the Commission and the Board will review and consider the final documents, which will incorporate input from the environmental review phase.

ALTERNATIVES: The Board and Planning Commission may consider directing staff to consider variations to Zoning Code and/or the General Plan.

OTHER AGENCY INVOLVEMENT: None directly; other County departments and/or outside agencies may be affected during implementation.

FINANCING: Resources from the County's general fund are being utilized for staff to process the updated Zoning Code and General Plan. Funds for Willdan to assist preparing the draft Zoning Code were allocated from geothermal royalties by operating transfer to the General Fund/Planning Department budget. Additional resources will be necessary to implement and enforce the new regulations; it would be difficult to quantifiably predict these costs at this time, although they are expected to be relatively minor and can be absorbed by existing resource allocations.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)*
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

Date: 6-11-12

Attachments

1. Zoning Code Update Summary
2. Draft Zoning Code
3. Permitted/Conditionally Permitted Uses Matrix
4. Draft Zoning Code Maps
5. General Plan Update Summary
6. Draft General Plan Update (including Land Use Diagrams)
7. Military Operations Overlay Request

Attachment 1
Summary of Inyo County Zoning Code Update
June 2012

This document provides an overview of the major substantive changes proposed to the Inyo County Zoning Code. For other issues not addressed, either minimal or no change is proposed.

Background

The County adopted a comprehensive update to the General Plan on December 11, 2001. One of the follow-up actions from the General Plan was to update the Zoning Code. Staff worked with Willdan to prepare updated Zoning Code sections, which were presented to the Planning Commission and Board of Supervisors in a series of workshops in 2011. Staff incorporated input from these workshops into a comprehensive Zoning Code update.

The existing Zoning Code is a component of the Inyo County Code (ICC) in Title 18, and is divided into approximately 35 sections in a relatively standard linear format. It appears as if the Code began as a modified pyramid zoning scheme, with industrial and commercial zoning being more permissive than residential zoning, but has become customized over time. The Code begins with general provisions and definitions, and then moves to Zone Districts, and then special Zone Districts and standards (such as signs, water transfers, and small wind energy conversion systems), and lastly to general regulations and procedures. The existing Zoning Code may be viewed online at http://www.qcode.us/codes/inyocounty/.

General Plan Direction

The 2001 General Plan recommended a number of changes to the Zoning Code, including regarding the following issues:

- Reflect goals, policies, and implementation measures of the Land Use Element
- Implementation of projects and measures from the Long-term Water Agreement
- Undergrounding of utilities
- Financing capital facilities and expanded services
- Recycling
- Streamlining
- Second unit development standards
- Scenic resources
- Airport land use compatibility (including noise)
- Erosion control and grading
- Establish minimum park standards
- Incorporate new identified avalanche standards
- Limit maximum slope and maximum average slope that can be built on
- Noise standards
- Construction noise

Based on the input from 2011, these have been carried forward, already completed, altered as appropriate, or discarded if unneeded.

The 2009 update to the Housing Element commits the County to address homeless shelters, second dwelling units, supportive and transitional housing and residential care facilities in residential zones, single-room occupancy hotels, exceptions to zoning and building ordinances for people with disabilities, and updated second unit standards. These have been incorporated into the draft Zoning Code.

Overview

The Zoning Code has been reformatted to address issues in a more logical structure than the existing format. A reorganization of the Zoning Code is proposed into the following chapters:

Chapter 1 – Administration
Chapter 2 – Permits and Approvals
Chapter 3 – Special Zone Districts
Chapter 4 – Residential Zone Districts
Chapter 5 – Commercial Zone Districts
Chapter 6 – Industrial Zone Districts
Chapter 7 – Combining and Overlay Zone Districts
Chapter 8 – Development Standards
Chapter 9 – Signs
Chapter 10 – Parking and Loading

The following summarizes the more substantive changes proposed to the Zoning Code by Chapter.

Chapter 1 (Administration)

Chapter 1 provides basic administration of the Zoning Code. This Chapter lays out the duties of the Planning Director and the Planning Commission, describes the General Plan and the Zoning Districts, and provides definitions.

Zone Districts: the existing Zone Districts are largely carried over, with the exception of the following:

- The Residential (R) Zone Districts are proposed to be renamed to more standard classifications.
  - The existing One Family (R-1) and Single Residence or Mobilhome Combined (RMH) Zone Districts are proposed to be merged into the Single Family Residential District (R-1).
  - The R Zone Districts are expanded to include RR-0.5-Starlite Estates and Rural Residential (RR).
- The Heavy Commercial (C-4) and Light Industrial (M-2) Districts are proposed to be merged into the Light Industrial/Manufacturing/Heavy Commercial (M-2) District, an Industrial Zone District.
- The Industrial (M) Zone Districts are renamed to better reflect the proposed permitted/ conditionally permitted uses.

Code Enforcement: a new procedure is proposed for code enforcement cases that cannot be resolved at a staff level. The procedure creates a Code Enforcement Committee to be responsible for holding

hearings and levying fines. Enforcement is proposed to be transferred from the District Attorney to County Counsel.

Definitions: the definitions have been separated into land use classifications and general definitions. The definitions have been crafted based on the existing definitions, staff's experience, those suggested by Willdan, and input from the 2011 workshops. The land use classifications are now standardized, and generalized land use classification definitions are provided for broad classifications (such as Light Commercial) with specialized definitions provided for land uses that may be treated differently across Zone Districts due to their unique characteristics (such as Motel).

Determination of Use: a new Determination of Use procedure is proposed, which allows the Planning Director to determine if a use not defined by the Code is similar to other uses in the Code. Currently, several of the Zoning Districts permit the Planning Commission to make this determination, and a similar procedure is permitted by ICC Section 18.81.020. The new proposed Determination of Use section will streamline this procedure.

Chapter 2 (Permits and Approvals)

This Chapter provides for detail about how applications are processed. Subsections are provided for a variety of entitlements, appeals, hearings and notices, and details regarding application procedures.

Acceptance of Conditions: a new procedure is proposed for many of the permits requiring the applicant to submit an acceptance of conditions. This procedure is common in many jurisdictions to provide proof that the applicant has consented to the conditions for the permit.

Findings: findings are specified for a number of the permit types. These findings have been updated and/or are included anew.

Automatic Expiration of Variances and Conditional Use Permits: the current automatic expiration of Variances and Conditional Use Permits is deleted – instead, the term will be specified through the permit.

Modifications: a new section for Modifications is proposed to allow for specified alterations to certain development standards, such as minor setback reductions, parking standard relief, and accommodation for people with disabilities. The Planning Director would be the decision-maker for Modifications.

Temporary Occupancy Permits: the Code currently is silent regarding Temporary Occupancy Permits, but does provide for temporary uses in ICC Section 18.78.190. The proposed new section would provide for Temporary Occupancy Permits for a wider variety of temporary uses, as well as procedures and standards.

Special Event Permits: the Code currently allows temporary uses pursuant to ICC Section 18.78.190. Special Event Permits would largely replace and expand procedures for these types of events.

Non-conforming Uses/Structures: The proposed Code would substantially clarify and enhance the existing Code's treatment of non-conforming uses and structures. Clearer differentiation between non-conforming uses and structures would be provided. Additionally, the Planning Commission could approve, conditionally approve, or disapprove the moving, alteration, enlargement, extension, or

reconstruction of non-conforming uses and/or structures pursuant to a conditional use permit (CUP) process, if not otherwise permitted.

Permitted/Conditionally Permitted Uses

The proposed permitted and conditionally permitted uses by Zone District are included in the matrix in Attachment 3. These use classifications have been standardized across Zone Districts. At the end of the process, the matrix will be incorporated into Chapter Nos. 3-6. The following summarizes the changes per Zone District.

Open Space (OS): minimal changes are proposed. Housing types per the Housing Element update are proposed, as well as clarifying the types of commercial, public, and quasi public uses that may be developed.

Rural Residential (RR), Starlite Estates (RR-0.5), and Single-Family Residential (R-1): minimal changes are proposed. Housing types per the Housing Element update are proposed to be added.

Duplex (R-2) and Multi-Family Residential (R-3): minimal changes are proposed. Housing types per the Housing Element update are proposed to be added. Commercial parking is proposed to be added as a conditionally permitted use.

Commercial Business (CB): minimal changes are proposed, although the use classifications have been standardized with the other districts. Outdoor sales and dining are proposed to be permitted by right; currently, they are conditionally permitted.

General Commercial (C-1): minimal changes are proposed, although the use classifications have been standardized with the other districts.

Highway Services and Tourist Commercial (C-2): minimal changes are proposed. Emergency shelter is added as a permitted use per the Housing Element update. Outdoor sales and dining are proposed to be permitted by right; currently, they are conditionally permitted.

Administrative and Professional Offices (C-3): minimal changes are proposed, although the use classifications have been standardized with the other districts.

Commercial Recreation (C-5): the permitted and conditionally permitted uses have been expanded to clarify the uses that may be developed.

General Industrial, Manufacturing, and Extractive (M-1): minimal changes are proposed, although the use classifications have been standardized with the other districts.

Light Industrial/Manufacturing/Heavy Commercial (M-2): the existing M-2 and C-4 Zone Districts are proposed to be combined; the uses have been substantially expanded to accommodate uses from the previous iteration for the C-4 zone district.

Public (P): the uses have been expanded substantially to specifically address public and quasi public uses.

Chapter Nos. 3 (Special), 4 (Residential), 5 (Commercial), and 6 (Industrial) Zone Districts

The existing Zone Districts are presented and reformatted, as modified as discussed previously. The Zone District purposes have been enhanced, and development standards tables are provided as applicable for ease of use. The permitted and conditionally permitted use tables will be added later in the process; they are now presented in the matrix discussed previously (Attachment 3).

Chapter 7 (Combining and Overlay Zone Districts)

The existing Overlay Districts are presented in one chapter; in most instances minimal changes are proposed. For all, the definitions have been relocated to Chapter 1.

- Language in the Airport Hazard (AH) Overlay has been modified to require approval by the Federal Aviation Administration and Caltrans prior to any action on a CUP.
- The Planning Director is given more authority to make minor changes to approved Precise Plans (PP).
- The General Plan EIR requires that an engineering study be prepared for parcels within an avalanche runout zone that demonstrates that either (1) the property is not subject to avalanche or (2) that adequate protection against avalanche is provided; this language has been incorporated into the Snow Avalanche Hazard (SAHO) Overlay.
- For the Architectural Design Control (D) Overlay, the existing language is unclear regarding the involvement of the Planning Commission in design review. The language has been modified to better reflect current practice, as well as clarify the Architectural Design Review Board's determination.

Chapter 8 (Development Standards)

The existing Code's development standards have been largely carried forward, with minor changes. A variety of additions are included, such as short-term rentals in single-family Zone Districts and right-to-farm provisions. The existing Code's provisions for water transfer, wireless communications, and small wind energy systems have been included; the definitions for these sections have been relocated to Chapter 1.

Accessory Structures: this section is expanded and clarifies regulations for accessory structures. A different set of regulations is proposed for the R/OS Zone Districts and other Districts.

Fences and Walls: the maximum height for fences and walls is increased from three and one-half feet to four feet in the front yard. A different set of regulations is proposed for the R/OS Zone Districts and other Districts.

Lighting: qualitative lighting standards are proposed, with an exception for flags.

Noise: qualitative noise standards are proposed based on the Penal Code, with time limits for certain construction activities.

Trash Receptacle Screening: qualitative screening and capacity requirements for trash receptacles are specified for the R-3, C, and M Zone Districts.

Storage: requirements for storage have been expanded to limit storage in front and corner-side yard setbacks and on vacant parcels.

Right-to-Farm: new requirements are included to preclude nuisance determinations for certain agricultural operations.

Maintenance of Animals: the current regulations have been carried forward with clarifying language regarding breeding and training for dogs and cats, as well as for egg laying by chickens.

Short-term Rental in Specified Residential Zones: the County enforces a policy precluding rentals in R Zone Districts for less than 30 days. This has been codified for the R-1, R-2, R-3 and RR-0.5-Starlite Estates Zone Districts.

Emergency Shelter: occupancy limits and staffing requirements are provided for emergency shelters.

Chapter 9 (Signs)

The existing sign standards are largely carried over, and minimal changes are proposed. Classes of signs not meeting Code standards may be permitted with a CUP; currently, a variance would be required. The amortization schedule and non-conforming sign standards (ICC Section 18.75.060) are eliminated so that non-conforming signs may be treated the same as other non-conforming uses and structures.

Chapter 10 (Parking and Loading)

The parking and loading requirements have been standardized. Standards for parking space dimension and aisle widths are provided.

Attachment 2

Draft Zoning Code

Inyo County

Prepared by Inyo County Planning Department with assistance of Willdan Engineering

June 2012

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Chapter 1
Administration

18.01.010 PURPOSE AND INTENT

The Board of Supervisors has established these standards, guidelines, and procedures to protect and promote the public health, safety, convenience, and welfare of present and future citizens of the County, specifically to:

1. Implement the goals, objectives, policies, and programs of the General Plan and to manage future growth and change in accordance with that Plan;

2. Protect the physical, social, and economic stability and vitality of residential, commercial, industrial, public, institutional and open space uses within the County to assure their orderly development;

3. Reduce or eliminate hazards to the public resulting from potentially inappropriate location, use, or design of buildings and other improvements;

4. Attain the physical, social, and economic advantages resulting from comprehensive and orderly land use and resource planning.

18.01.020 AUTHORITY

The authority for the regulations contained in this Title is based on Section 7, Article XI of the California Constitution, the provisions of the California Planning and Zoning Law (Division 1 of Title 7 of the California Government Code) which provide for the regulation of the intensity of land use and the adoption of standards for the regulation of population density, and the police power granted to municipalities by the laws of the State of California.

18.01.030 APPLICABILITY

All land, buildings, and structures within the County shall be used only as hereinafter provided. Except as specified in Title 21, no use of land, and any use, construction, maintenance, operation, reconstruction or enlargement of any building or structure shall be allowed unless permitted under the express provisions of this Title or by other applicable ordinances of the County.

1. Private Projects

    a. No land, building, or structure shall be used, constructed, altered, or maintained except in conformance with the provisions of this Title.

b. No use that requires a permit or approval under the provisions of this Title shall be established or operated until the permit or approval is finally granted, and all conditions of the permit or approval have been complied with.

c. No use that requires a permit or approval under the provisions of this Title shall be established or operated in violation of, or contrary to, any terms and conditions of the granted permit or approval.

d. No building or structure, or any part of an existing building or structure, may be constructed or altered in such a way as to cross a property line.

2. Public Projects

Unless otherwise exempted, federal, state, city and any other governmental projects shall be subject to the provisions of this Title, including projects operated by any combination of these agencies, or by a private person for the benefit of any such governmental agency.

3. Legal Procedure

Any building or structure erected or maintained, or any use of property contrary to the provisions of this Title, is hereby declared to be unlawful and a public nuisance, and the County Counsel, Code Enforcement Officer, District Attorney, or other authorized official may immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoinment thereof, in the manner provided by law; and may take such other steps, and may apply to such court or courts as may have jurisdiction to grant such relief to abate or remove such building, structure or use and restrain and enjoin any person from setting up, erecting or maintaining such building or structure, or use of any property contrary to the provisions of this Title (it shall be the right and duty of every citizen to participate and assist County Officials in the enforcement of the provisions of this Title).

18.01.040 ENFORCEMENT

1. The County Administrator, County Counsel, District Attorney, Planning Director, Code Enforcement Officer, Building Official, Public Works Director, or their designee, any duly authorized law enforcement officer, and any official charged with the issuance of licenses and permits shall enforce the provisions of this Title.

2. All officials and employees of the County vested with the authority or duty to issue permits shall conform to the provisions of this Title and shall not issue a permit, certificate or license for uses, purposes, buildings or structures in conflict with the provisions of this Title. Any such permit, certificate or license issued in conflict with the provisions of this Title shall be null and void.

3. Whenever an authorized official is notified in writing that a violation of this Title exists on any property located within the County, he or she shall notify the property owner on

which the violation is located and direct that the violation be abated in a manner consistent with this Title.

4. Remedies

All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person, hereunder, shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof.

5. Continuing Violations

A continuing violation of this Title is deemed a separate violation for each and every day that such violation exists.

18.01.050 GENERAL PENALTY

Except as otherwise provided in this Title, any person violating any provisions or failing to comply with any of the mandated requirements of this Title shall be investigated by the Planning Director and, if a violation does exist, the Planning Director shall notify the owner of the property involved to show cause why the violation should not cease. If the violation should continue beyond a reasonable period of time required for abatement, typically three months, the violation shall then be forwarded to a Code Enforcement Committee.

1. The Code Enforcement Committee consists of the Planning Director, Public Works Director, and County Administrator, or their designee(s). The Committee shall meet as needed to review code enforcement violations. Such meetings shall be open to the public.

2. If a violation has been investigated by the Planning Director, and the property owner notified, and the violation has not been corrected, the Planning Director shall forward relevant information to the Code Enforcement Committee for review. The Committee will provide notice to the property owner of its scheduled review of the violation at least ten (10) days prior to meeting to considering the violation. The Committee will consider all of the information presented by the Planning Director, the property owner, and other interested parties. Unless the Committee finds that no violation exists or extraordinary circumstances warrant additional time to correct the violation, the property owner will be required to pay a $1,000.00 fine. In the event the Committee finds that additional time to correct the violation is warranted, the Committee shall identify a reasonable period of time to correct the violation, which shall be reported to the property owner. If the violation is not corrected within the specified time period, the Committee shall meet again upon ten (10) days notice to consider the violation anew.

If the violation continues beyond a reasonable time, typically three months from the decision of the Code Enforcement Committee, the violation shall be referred to the Office of County Counsel for further action.

18.01.060 CONFLICTING REGULATIONS

The provisions of this Title are not intended to interfere with or void any easements or legally established covenants or other existing agreements that are more restrictive than the provisions of this Title. Except where the express provisions of this Title or the context hereof amend any existing ordinance, nothing in this Title shall be deemed to repeal any other ordinances relating to the properties and areas affected hereby.

18.01.070 CLARIFICATION OF AMBIGUITIES

If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Title, or if ambiguity exists with respect to matters of height, yard requirements, area requirements, or district boundaries as set forth herein, it shall be the duty of the Planning Director to ascertain all pertinent facts and issue an interpretation of such ambiguity. The Planning Director's interpretation, which shall be documented along with an explanation of said interpretation, is subject to the appeal process as defined by Section [redacted] of this Title.

18.01.080 COUNTY TO BE HELD HARMLESS

Any person, organization, or entity who obtains or files an application to obtain a permit or approval pursuant to this Title shall hold the County harmless from any liability, including any claims of the applicant arising out of the issuance of the permit or approval, or the denial thereof, or arising out of any action by any person seeking to have a granted permit or approval held void by a court of law.

18.01.090 DETERMINATION OF SIMILAR USE

1. Application:

   When a proposed use of property is not expressly authorized as a permitted use, or as a conditional use by the regulations of the applicable zone district, an application may be submitted to the Planning Department for a land use interpretation to determine whether or not the proposed use is similar to those uses permitted or conditionally permitted in the applicable zone district.

2. Basis for Determination of Similar Use:

   The determination of similar use shall constitute a ministerial action. In making a determination of similar use, the Planning Director, or the Planning Commission acting on referral or appeal, shall determine that a proposed use is similar to a use or uses expressly authorized in the applicable zoning district or districts if the proposed use meets the following criteria:

a. The use resembles or is of the same basic nature as a use expressly authorized in the applicable zone district in terms of the following:

1) The activities involved in or equipment or materials employed in the use.

2) The effects of the use on the surrounding area, such as traffic impacts, noise, dust, odors, vibrations, and appearance.

b. The use is consistent with the stated purpose of the applicable district.

18.01.100 GENERAL PLAN

The County shall adopt and maintain a General Plan in accordance with the requirements of California Government Code Section 65000 et seq. and applicable General Plan Guidelines prepared by the California Office of Planning and Research.

1. Consistency with the General Plan

a. No use of land, buildings, or structures for which a discretionary application is required pursuant to this Title is to be approved for processing under this Title unless it is consistent with the General Plan or a concurrent General Plan amendment request. In any discretionary case where there is a conflict in regulations between this Title and the General Plan, the General Plan shall prevail.

b. All land divisions within the County and changes or amendments to land use classifications, districts or zoning regulations, and conditional use permits, variances, and development agreements shall be consistent with the General Plan and all applicable specific and/or precise plans.

c. A proposed use or approval is consistent, pursuant to subsections a. and b. above, with the General Plan when the following conditions exist:

1) The proposed use is allowed in the land use designation in which the use is located, as shown by the Land Use Diagram, and as described in the text of the General Plan;

2) The proposed use is in conformance with the goals, objectives, policies, programs, and guidelines of the elements of the General Plan and the intent thereof; and

3) The proposed use is to be established and maintained in a manner which is consistent with the elements of the General Plan and all applicable provisions contained therein.

2. Determinations of Consistency with the General Plan

The Planning Director shall have the responsibility to prepare reports and make determinations as to the conformity of discretionary applications and requests pursuant to this Title.

3. Administration of the General Plan

The Planning Director shall have the responsibility to investigate and make recommendations to the Planning Commission and/or Board of Supervisors regarding reasonable and practical means for implementing the General Plan or any element thereof, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and for the efficient and effective expenditure of public funds relating to the subjects addressed in the General Plan.

18.01.110 ZONE DISTRICTS

1. Districts – Created

In order to provide a uniform basis for regulating the use of land, buildings, and structures, and to establish minimum site development regulations and performance standards applicable to sites within the County, the County is hereby divided into the following zone districts:

Special Zone Districts
Planned Unit Development (PUD) Zone District
Public (P) Zone District
Open Space (OS) Zone District

Residential (R) Zone Districts
Rural Residential (RR) Zone District
Rural Residential Starlite Estates (RR-0.5) Zone District
Single Family Residential (R-1) Zone District
Duplex (R-2) Zone District
Multiple Family Residential (R-3) Zone District

Commercial (C) Zone Districts
Central Business (CB) Zone District
General Commercial (C-1) Zone District
Highway Services and Tourist Commercial (C-2) Zone District
Administrative and Professional Offices (C-3) Zone District
Commercial Recreation (C-5) Zone District

Industrial (M) Zone Districts
General Industrial, Manufacturing, and Extractive (M-1) Zone District
Light Industrial/Manufacturing/Heavy Commercial (M-2) Zone District

In addition, the following combining and overlay districts may be combined or overlain with the above zone districts.

Architectural Design (D) Combining Zone District
Snow Avalanche Hazard Overlay (SAHO) Zone District
Airport Height (AH) Overlay Zone District
Precise Plan (PP) Combining Zone District
Density Bonus (DB) Overlay Zone District

2. Determination of Zone District Boundaries

a. Wherever a lot or site is divided by a boundary between differing districts, the regulations applicable within each district shall apply to each portion of the site within that district.

b. The following rules shall apply for determining the boundaries of any district on the Zoning Map:

1) Where boundaries are indicated as approximately following street and alley lines or other identifiable property or boundary lines, such lines shall be construed to be the district boundary. Where boundaries are indicated as within a street or alley, the centerline thereof shall be construed to be the district boundary;

2) In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the Zoning Map;

3) A symbol or symbols indicating the classification of property on the Zoning Map shall in each instance apply to the whole of the areas within the Zoning District boundaries;

4) Where the public street, alley, or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned street, alley or right-of-way adjacent to that abutting property, as determined by the Planning Director.

3. Zoning Maps

The boundaries of the zone districts established by this Title are not included in this Title but are shown on the Official Zoning Maps maintained by the Planning Department. The Official Zoning Maps, and all notations, references, and other information shown thereon, shall be as much a part of this Title as if the matters and information set forth on such maps were all fully described herein. Unless otherwise specified herein, the Zoning Maps shall identify minimum parcel size.

18.01.120 PLANNING COMMISSION

Pursuant to the provisions of Government Code Section 65100 and Ordinance No. 188 of the County Code, there is established a Planning Commission for the County. It is the duty of the Planning Commission to assure the proper administration of this Title, and the Commission shall have the power to establish such policies, rules, and regulations not in conflict with State or federal law as are necessary for that purpose.

18.01.130 PLANNING AGENCY

Pursuant to Section 65100 of the Government Code, the Planning Agency for the County shall consist of the Board of Supervisors, Planning Commission, and County staff acting under authority of this Title.

18.01.140 PLANNING DIRECTOR

This Title shall be administered by the Planning Director whose responsibilities include the following functions which may be carried out by authorized subordinate employees.
The Planning Director shall receive and review all applications for permits and approvals pursuant to this Title. Processing includes:

1. The certification of completed applications;
2. Responsibility for completion of appropriate documentation under the California Environmental Quality Act;
3. The establishment of a permanent file;
4. Giving and posting of public notices;
5. Collection of applicable fees;
6. Preparation of reports;
7. Processing of appeals;
8. Presentation of staff reports to the Planning Commission and the Board of Supervisors; and
9. Interpret the Zoning Ordinance.

18.01.150 CHALLENGES TO COUNTY ACTIONS

Any action or proceeding to attack, review, set aside, void, or annul any decision of the County pursuant to this Title shall not be maintained by any person unless the action or proceeding is

commenced within ninety (90) calendar days after the date of the decision as provided in Section 1094.6 of the Code of Civil Procedures of the State, or as otherwise prescribed by law.

18.01.160 SEVERANCE

If any Section, subsection, subpart, or provision of this Title or the application thereof to any person, property or circumstance is held invalid, the remainder of this Title and the application of such to other persons, properties or circumstances shall not be affected thereby.

18.01.170 DEFINITIONS – PRINCIPAL LAND USE CLASSIFICATIONS

The following land use classification definitions and those set forth throughout this Title shall apply when interpreting the intent or meaning of the requirements and guidelines of this Title for principal land use classifications.

1. Open Space Land Use Classifications

    a. Orchards/Vegetable/Field Crops/Nurseries/Gardens – growing and breeding of crops in orchards, fields, nurseries, and gardens for purposes of limited private use. This designation does not include commercial agricultural operations or retail sales of agricultural products.

    b. Agriculture (Light) – tilling of soil, raising of crops, horticulture, livestock, dairying or animal husbandry (including cattle, llamas, alpacas, horses, sheep, pigs, poultry, and other similar animals), including all uses customarily incidental thereto but not including slaughterhouses, fertilizer works, bone yards or plants for the reduction of animal matter or any other industrial or agricultural use similarly objectionable because of noise, odor, smoke, dust, or fumes. This classification includes farms and ranches for orchards, vineyards, field and truck crops, nurseries, greenhouses, vegetables, flower gardening and other enterprises carried on in the general field of agriculture, including agricultural activities directly related to the farm or such as the repair and maintenance of farm and ranch equipment operated on the property; farm and ranch vehicles used on the property; and vehicles used to haul farm and ranch products produced on the property. This does not include retail sales.

    c. Agriculture (Heavy) – agricultural and related commercial and/or industrial uses that may be objectionable because of noise, odor, smoke, dust, or fumes, such as dairies and feed lots. Commercial and/or industrial uses are limited to agricultural products from the property or adjacent properties under the same ownership.

    d. Equestrian Facility – public or private stables, roping arenas, riding academies, and other similar complexes designed to showcase equine and similar animals.

e. Golf Course – public or private facility intended primarily for the game of golf, including accessory commercial facilities for patrons of the golf course such as restaurant, retail, personal service, and other limited commercial operations.

f. Hunting/Fishing Preserve – public or private facility or open space dedicated to hunting and/or fishing. This does not include any other Commercial Recreation.

g. Kennel, Small – parcel or dwelling where four (4) or fewer cats and dogs over four (4) months old are kept, including for limited training and/or breeding purposes.

h. Mining – includes surface and subsurface mining operations and means all or any part of the process involved in the extraction of minerals. Mining also includes but is not limited to: On-site crushing, sorting, distillation, retorting or leaching; production and disposal of mining waste, and; prospecting and exploratory activities when the removal or displacement of material, including overburden, exceeds a total of more than one thousand (1,000) cubic yards and/or results in surface disturbances exceeding one (1) acre at any one (1) location or on any single claim.

i. Pack Station/Stables – facilities and lands intended to accommodate equine and/or similar animals for private and commercial packing and other off-site activities. This does not include Equestrian Facility or other Commercial Recreation.

j. Ranch, Commercial – this includes Agriculture (Light) and Agriculture (Heavy) with limited commercial operations, such as accessory retail, lodging, restaurant, and alcohol sales. This does not include Commercial Recreation, such as stadia, race tracks, theaters, or other facilities designed to accommodate more than one hundred (100) people at any time.

k. Wilderness – lands designated wilderness pursuant to the Wilderness Act of 1964 [Public Law 88-577 (16 U.S. C. 1131-1136)] and subsequent related legislation, policies, and/or procedures.

2. Residential Land Uses

a. Boarding House – a building where meals or lodging or both meals and lodging are provided for compensation for four or more unrelated persons primarily for the purpose of everyday living. This does not include uses such as motel, hotel, restaurant, rest home, convalescent home, home for the aged, transitional housing, residential care facilities, or other similar and/or related uses.

b. Caretaker Residence – an accessory use to a commercial operations where a business owner or employee thereof lives within the business premises or in a residential building on the same property for the purpose of caring for the property and business.

c. Duplex – two single-family homes on the same property, either attached or detached.

d. Farmworker Housing – temporary or permanent structures intended to provide shelter for agricultural laborers on a seasonal basis.

e. Mobile Home/Recreational Vehicle Park – an area of land where two or more mobilehome and/or recreational vehicle sites are rented, or held out for rent, to accommodate mobilehomes and recreational vehicles used for human habitation.

f. Residential Care Facility (6 or fewer) – licensed group homes and residential care facilities with six (6) or fewer residents with disabilities. "Six or fewer persons" does not include the operator, the operator's family, or persons employed as staff.

g. Residence, Multi-family – a building or group of buildings on the same parcel that contain three (3) or more dwelling units.

h. Residence, Single-family – a building or group of buildings on the same parcel that contain one dwelling unit, including a mobilehome but not a recreational vehicle.

i. Second Dwelling Unit – a dwelling unit meeting the requirements of Section [redacted] which provides complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation and which is located on the same parcel as an existing single-family residence.

j. Supportive Housing – housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community, as defined in California Health and Safety Code Section 50675.14.

l. Transitional Housing – buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some redetermined future point in time, which shall be no less than six (6) months, as defined in California Health and Safety Code Section 50675.2.

3. Commercial Land Use Classifications

a. Alcohol Sales – the sale for on- or off-site consumption of alcoholic beverages, such as beer, wine, and/or spirits, regulated by the California Department of Alcohol Beverage Control. This does not include distribution of alcoholic beverages.

b. Animal Hospital/Veterinarian – facility for the veterinary treatment of diseased animals, including boarding and kennel facilities for animals being treated, but not including an animal shelter.

c. Auto/Boat/RV/Motorcycle/Airplane Sales – indoor or outdoor facilities for the display, rental, and sales of automobiles, trucks, off-highway vehicles, recreational vehicles, motorcycles, airplanes, helicopters, and other similar machines primarily utilized for transport. This includes outdoor sales, but does not include outdoor repair work. Repair work is limited to incidental minor repair of the vehicles being displayed, rented, or sold on the premises.

d. Bail Bonds – a facility where sureties, pledges of money, property, or other valuables are collected as bail for the appearance of persons accused in a court of law.

e. Bed and Breakfast – a house, or portion thereof, where short-term lodging rooms and meals are provided and the operator lives on the premises or in adjacent premises.

f. Child Care – a building, structure, or private residence where care, protection and supervision are provided, on a regular schedule to at least seven (7) children, including children of the adult provider.

g. Commercial, Heavy – commercial retail and service uses with moderate off-site impacts. Examples include the following: food preparation for off-site distribution and consumption, welding and machine shop, carpenter shop with exterior working areas, assay facilities (including limited ore processing), laboratories, printing presses, internet routing, and exterior lumber yards.

h. Commercial, Light – commercial retail and service uses with limited off-site impacts. Examples include the following: retail stores, such as those selling baked goods, books, stationery and packaging, confections, drugs, pharmaceutical products, dry goods, flowers and gifts, groceries (fruit, vegetables, meat, delicatessen, etc.), garden supplies, hardware, plumbing, appliances, jewelry, apparel, shoes, electronics, antiques, furniture, second-hand goods, and sporting goods; services, such as a bank, clothes/shoes cleaning/pressing and repair (including tailor), mail and package delivery, photography/music studio, carpenter shop (enclosed), fortunetelling, clairvoyance or astrology, locksmith, interior decoration, desk-top publishing, internet access, and copying.

i. Commercial Recreation – facilities providing recreation for a fee. Examples include stadia, race tracks, circuses, carnivals, movie theaters, theatrical venues, dance clubs, arcades, and convention centers.

j. Distribution Center/Freight Forwarding – facility the primary purpose of which is to sort and route goods via truck or other transport for off-site distribution.

k. Drive-in/through – permanent facility to sell goods or services to people in vehicles, such as food and drinks.

l. Gun Club/Shooting Range – facility the primary purpose of which is provide for a place to practice shooting guns, rifles, and other weapons.

m. Hotel/Motel/Lodge/Resort/Spa – a building or group of buildings containing individual sleeping units, designed for or used temporarily by tourists or transients for a fee.

n. Kennel, Large – any lot or premises on which five (5) or more dogs or cats over four (4) months old are kept.

o. Manufactured Home Sales – facility where manufactured homes, including mobile homes, are displayed for sale.

p. Massage Parlor – an establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person licensed by the State. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

q. Mixed Use – a residential use in a building where a commercial use exists on the ground or lower levels of the building and the residential use exists on the levels above, or to the rear of, the commercial use. Mixed use requires that a minimum of fifty percent of the usable floor area on the ground level must be utilized for commercial use.

r. Mortuary/Crematorium – facility where deceased humans are prepared for burial, including facilities for cremation, but not including cemeteries.

s. Nursery (Retail) – retail establishment the primary purpose of which is to sell plants for off-site distribution and replanting.

t. Office – building or complex that contains professional commercial areas primarily for business purposes with limited customer visitors. Examples include business offices for finance, insurance, real estate, surveyors, engineers, researchers, website development, call centers, and legal specialists.

u. Outdoor Sales/Dining – retail sales and serving food and drinks to patrons outdoors.

v. Parking (Commercial) – provision of parking for a fee.

w. Personal Services – human care services such as a barbershop, beauty parlor, and salon, but not including a massage parlor.

x. Recycling Center – facility where products are brought by the general public to be recycled.

y. Repair, Vehicles/Equipment (Interior) – a facility the primary purpose of which is the repair of vehicles (including cars, trucks, boats, recreational vehicles, and airplanes), equipment, electronics, and other devices in a fully enclosed building.

z. Repair, Vehicles/Equipment (Exterior) – a facility the primary purpose of which is the repair of vehicles (including cars, trucks, boats, recreational vehicles, and airplanes), equipment, electronics, and other devices in a partially enclosed building or outdoors.

aa. Restaurant – facility where food and drink is prepared primarily for on-site consumption. Accessory entertainment and dancing is included.

bb. Recreational Vehicle-Trailer Park/Campground – facility where areas are rented for transient purposes to recreational vehicles and their occupants and/or for outdoor camping.

cc. Service/Gas Station – facility the primary purpose of which is to distribute energy to vehicles, including gasoline, diesel, propane, natural gas, and electricity. Minor repair work and servicing of vehicles is included.

dd. Shopping Center – a complex of commercial uses on one parcel or adjacent parcels under similar ownership greater than 25,000 square feet.

ee. Single Room Occupancy Hotels – a facility where lodging is provided on a permanent or semi-permanent basis, including provision of meals.

ff. Truck Stop – any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or other petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities.

gg. Warehousing/storage – facility or complex where goods, items, and/or materials, are stored on a permanent or semi-permanent basis, including storage containers

and self-storage warehouses, but not including distribution centers, freight forwarding, and other uses the primary purposes of which are related to distribution.

4. Industrial/Manufacturing Use Classifications

   a. Animal Processing/Slaughterhouse – facility to slaughter animals, process animals for slaughter and/or preparation for distribution (either live or as foodstuff), and keep significant numbers of animals in close quarters for processing.

   b. Beverage Industries, including bottling – facility to prepare and process fluids for off-site consumption, such as breweries, wineries, bottling plants, and soft-drink and juice producers, but not including microbreweries, wine tasting, or other facilities that primarily cater to on-site consumption.

   c. Industrial/Manufacturing, Heavy – heavy industrial and manufacturing uses that result in potentially significant off-site impacts, including large power, chemical, and petroleum plants; hazardous materials processing; railroad yards; and, milling minerals and ores.

   d. Industrial/Manufacturing, Light – light industrial and manufacturing uses with limited potential off-site impacts, such as food processing, assembly lines and production facilities with limited use of hazardous materials, and laboratories.

   e. Junk-Salvage Yard/Wrecking – an area occupying, or areas occupying collectively, two hundred (200) or more square feet of the area of any parcel or lot, upon which the following occurs: junk is present, kept, or stored including, but not limited to, automobiles or other machinery kept, stored, or present on the parcel(s) or lot(s) for wrecking, salvaging, or dismantling purposes, including the dismantling or wrecking of used motor vehicles or recreational vehicles, or the storage, sale, or dumping of dismantled or partially dismantled, obsolete or wrecked vehicles or their parts; waste, discarded or salvaged materials are stored or handled, including automobile wrecking yard, house wrecking yard, used lumberyard and storage of salvage materials of all kinds, but not including space used for the storage of used vehicles or machinery in operable condition, and the processing of used or salvaged materials as part of a lawfully existing manufacturing operation on the same premises.

5. Institutional/Public/Quasi-Public Use Classifications

   a. Airport – includes heliport and means any area of land or water designated and set aside for the landing and takeoff of aircraft and utilized or to be utilized in the interest of the public for such purpose. Military airports are excluded from this definition.

   b. Animal Shelter – facility to care for abandoned and diseased animals.

c. Cemetery – land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

d. Club/lodge (Non-Commercial) – non-profit facility for members and their guests to recreate.

e. College/University/Trade-Tech School – lands, facilities, and complexes for post-secondary education, including accessory commercial, residential, and dining facilities, but not including Commercial Recreation.

f. Convalescent Home/Residential Care (more than 6) – a building, other than a Hospital, which is used to provide, under the supervision of a licensing agency of the State, living quarters and non-medical care of one or more aged or infirm persons, and not involving residence on the premises of either a trained nurse or physician.

g. Emergency Shelter – housing with minimal supportive services for homeless persons that is limited to occupancy of six (6) months or less by a homeless person.

h. Government and Quasi-Public Buildings and Uses – facilities and complexes devoted to governmental and quasi-governmental purposes of recreational, religious, cultural, scientific, and a public service nature, excluding exterior storage, repair yards, and warehouses.

i. Hospital – a building to which persons are admitted for overnight stay or longer for the diagnosis or care or treatment of human illness or the prevention thereof, including convalescent home, sanitarium, nursing home and maternity home.

j. Hydroelectric – facilities to produce energy from the flow of water, including associated structures such as diversion structures, penstocks, generating facilities, and electrical distribution systems.

k. Landfill – facilities or lands accommodating solid waste, hazardous waste, liquid waste, debris, and/or other refuse.

l. Library/Museum/Cultural Center – non-profit facility providing opportunities to showcase cultural, literary, scientific, or other endeavors, including accessory performance, assembly, and commercial operations, but not including Commercial Recreation.

m. Park/Recreation (Non-Commercial) – non-profit public and private park and recreation, such as open space, play grounds, ball fields, community centers,

gymnasia, country clubs, swimming pools, and/or other open space and recreational facilities.

n. Religious Institution/Facilities – churches, synagogues, mosques, and other religiously-oriented facilities and lands and accessory educational, assembly, and commercial uses, but not including Commercial Recreation.

o. School – educational facilities, lands, and associated development for teaching pre-school, kindergarten, primary, and secondary education.

p. Transfer Station – facility to collect and transfer waste and debris for disposal elsewhere.

q. Transit Station – facilities to accommodate transit operations, such as train and bus stations.

r. Utilities (neighborhood) – minor utility infrastructure primarily intended to serve neighborhoods, such as linear and nodal facilities for electrical, telecommunications, water, sewer, and other services and utilities, including small electrical substations, lift stations, communication hubs, transit shelters, and fire and police stations.

s. Utilities (major) – significant utility infrastructure, including electrical transmission lines and distribution hubs, sewer/water treatment plants, major communications facilities and associated towers, and reservoirs.

18.01.180 DEFINITIONS – GENERAL

The following definitions and those set forth throughout this Title shall apply when interpreting the intent or meaning of the requirements and guidelines of this Title.

1. Abutting, Adjoining, Adjacent – having district boundaries or lot lines in common; however, where properties would have had lot lines in common except for the existence of an alley, the lot lines of those properties are considered to be abutting, adjoining, or adjacent.

2. Accessory Building – a building which is subordinate to, and the use of which is incidental to, that of the main building or the principal use on the same lot.

3. Accessory Use – a use incidental and subordinate to the principal use of the premises, which does not alter the characteristics of the use considered as a whole and as related to other uses permitted in the same district.

4. Affordable Housing Development – a housing development of a minimum of five dwelling units where:

a. ten (10) percent of the total dwelling units in a common interest development are reserved for moderate income households, or
b. ten (10) percent or more of the units are reserved for occupancy by lower income households; or
c. five(5) percent or more of the units are reserved for occupancy by very low income households.

5. Airport Elevation – the highest point of an airport's usable or designated runway as established by the county surveyor.

6. Airport hazard – any structure, tree, or use of land which obstructs the airspace required for the flight of aircraft in landing and takeoff at an airport, or which otherwise constitutes a hazard to air navigation.

7. Airport Land Use Commission – the County Planning Commission and two (2) at large members with aviation expertise appointed by the Board of Supervisors.

8. Alley – a public thoroughfare, for the use of pedestrians and/or vehicles, which affords only a secondary means of access to the abutting property.

9. Alternative Design – the design or configuration of a wireless communications facility such that it is not readily recognizable as communications equipment.

10. Ancillary Facilities – all of the buildings, structures, cabinets, vaults, and equipment associated with or required for operation of wireless communications facilities and systems including, without limit, repeaters, equipment housing, fencing, ventilation, and other mechanical equipment; this term shall be interpreted broadly in the administration of this Title.

11. Antenna – any exterior apparatus designed or intended for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless communications signals, or other communication signals; a parabolic dish antenna used for satellite communications is not included within this definition.

12. Apartment – a room, suite of rooms in a Multi-family Residence, or a room above a detached garage with separate cooking facilities, designed for, intended for, suitable as a residence for, and/ or occupied by one family.

13. Applicant – any person or entity, including local, state and federal government agencies, who seeks or who has applied for issuance of any permit or approval required by this Title, regardless of whether that person has already received a permit or approval pursuant to this Title.

14. Aquifer – a geological unit of stratified drift capable of yielding usable amounts of water.

15. Aquifer Recharge Area – an area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

16. Area Median Income – the median household income for the county as determined by the Department of Housing and Community Development pursuant to Health and Safety Code Sections 50079.5 and 50105.

17. Area, Parcel – the net area of a parcel after land devoted to streets, roads, and utilities is deducted from the gross parcel area.

18. Awnings (Canopies) – roof-like covers that project from the wall of a building for the purpose of shielding a doorway or window from the elements.

19. Banner (or flag or Pennant) - any cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to any structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the state of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.

20. Basement (Cellar) – a story partly or wholly underground and having more than one-half (½) of its height below the average level of the adjoining ground. A basement, when designed for, or occupied by dwellings, business or manufacturing, shall be considered a story.

21. Billboard – a sign in excess of fifty (50) square feet of sign area that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

22. Block – the property abutting on one side of a street between two nearest intersecting streets, railroad right-of-way or other natural barrier; provided, however, that where a street curves so that any two curves thereof form an angle of one hundred twenty degrees or less measured on the lot side, each curve shall be construed as an intersecting street.

23. Breezeway – a covered or roofed area between structures, usually open at two ends.

24. Building – any structure built for the support, shelter or enclosure of persons, animals, fowls, chattels or property of any kind.

25. Building Frontage – that building elevation that fronts on a public street where customer access to the building is available.

26. Building Height – the vertical distance from the average finished ground level of the site to the highest point of the structure.

27. Business Frontage – that portion of a building frontage occupied by a single tenant space having a public entrance within the building frontage. For businesses located on the

interior of a building without building frontage, the building elevation providing customer access shall be considered the business frontage.

28. Building Site – the land area, consisting of one or more lots or parcels of land under common ownership or control, to be considered as the unit of land occupied by a main building or buildings and accessory buildings, or by a principal use and uses accessory thereto, together with all the yards, parking spaces and other open spaces required by this title.

29. Canopy – refer to Awning.

30. Carport – a permanent roofed structure with no more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

31. Centerline – the centerline of a street as referred to in this Title means the right-of-way centerline as established by the County Surveyor, by the California Department of Transportation, or if no such centerline has been established and in any case in which the foregoing definition is not applicable, the Planning Commission shall designate the centerline.

32. Child Care Facility – for purposes of the DB Overlay, a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school-age child care centers.

33. Co-location – the placement of two (2) or more wireless communications facilities in the same or proximate location or on the same support structure.

34. Concessions – regulatory incentives or concessions as specified in California Government Code Sections 65915(1) to include, but not be limited to, the reduction of site development standards or zoning code requirements, direct financial assistance, approval of mixed use zoning in conjunction with the housing development, or any other regulatory incentives which would result in identifiable, financially sufficient, and actual cost avoidance or reductions that are offered in addition to a density bonus.

35. Condominium – a building, or group of buildings, in which units are owned individually, and the structure, common areas and the facilities are owned by all the owners on a proportional, undivided basis.

36. Copy – words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

37. Court – an open, unoccupied space, other than a yard, on the same lot with a building or buildings and which is bounded on two or more sides by such building or buildings.

38. Dairy – any premises in which milk is produced for sale or distribution and where three or more cows or goats are in lactation.

39. Density – the number of individual dwelling units per net acre.

40. Depth, Parcel – the distance between the midpoints of the front and rear property lines.

41. Dwelling Unit – a room or suite of rooms designed for or used as a residence and constituting a separate and independent housekeeping unit including a kitchen or cooking facilities, including mobile and manufactured homes, but not including a boardinghouse or club, or a hotel or motel.

42. Edge of Roof – on a pitched roof, the lowest portion of the fascia board covering the roof rafters, or if no fascia board exists, the lowest point of the roof rafters. On a flat roof, the top of the parapet wall or three (3) feet above the roof deck, whichever is less.

43. External Illumination – the lighting of an object from a light source located a distance from the object.

44. Extraction – the process of withdrawing groundwater by pumping or other controlled means.

44a. Family – an individual, or two (2) or more persons related by birth, marriage, or adoption or registered domestic partners, or of not more than six (6) persons living together who constitute a bond fide single-family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a motel, hotel, boarding house, or institution of any kind.

45. Fence or Wall – any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

46. Flag – refer to Banner.

47. Floor Area Ratio (FAR) – the ratio of the gross building square footage on a lot to the net square footage of the lot (or parcel). For example, on a lot with ten thousand (10,000) net square feet of land area, a FAR of 1.00 will allow ten thousand (10,000) gross square feet of building floor area to be built on the lot or parcel, regardless of the number of stories in the building [e.g. five thousand square feet (5,000) per floor on two (2) floors or ten thousand (10,000) square feet on one floor]. On the same ten-thousand (10,000) square-foot lot, a FAR of 0.50 would allow five thousand square (5,000) feet of floor area, and a FAR of 0.25 would allow two thousand five hundred (2,500) square feet of building floor area on the lot.

48. Garage, Private – an accessory building or an accessory portion of the main building designed and/or used for the shelter or storage of vehicles of the occupants of the main building.

49. Grand Opening – a promotional activity not exceeding thirty (30) calendar days in length used by newly established businesses, within two (2) months after initial occupancy, to inform the public of their location and services available to the community, and does not mean an annual or occasional promotion by a business.

50. Groundwater – all water below the surface of the earth within the zone below the water table, in which the soil is completely saturated with water, excluding subsurface water that flows in known and definite channels.

51. Groundwater Basin – a groundwater reservoir, defined on the basis of geological and hydrological conditions.

52. Groundwater basin located in whole or in part within Inyo County – the following groundwater basins identified in California Department of Water Resources Bulletin 118-80, "Ground Water Basins in California":

Table 1.A
Groundwater Basins in Whole or in Part In Inyo County of Inyo

Basin Name	Basin Number
Owens Valley	6-12
Black Springs Valley	6-13
Fish Lake Valley	6-14
Deep Springs Valley	6-15
Eureka Valley	6-16
Saline Valley	6-17
Death Valley	6-18
Wingate Valley	6-19
Middle Amargosa Valley	6-20
Pahrump Valley	6-28
Mesquite Valley	6-29
Searles Valley	6-52
Indian Wells Valley	6-54
Coso Valley	6-55
Rose Valley	6-56
Darwin Valley	6-57
Panamint Valley	6-58
Fish Slough Valley	6-60
Cameo Area	6-61
Race Track Valley	6-62
Hidden Valley	6-63
Marble Canyon Area	6-64
Cottonwood Spring Area	6-65
Lee Flat	6-66
Santa Rosa Flat	6-68
Cactus Flat	6-70
Coles Flat	6-72

Basin Name	Basin Number
Wild Horse Mesa Area	6-73
Harrisburg Flats	6-74
Wildrose Canyon	6-75
California Valley	6-79
Middle Park Canyon Valley	6-80
Butte Valley	6-81
Spring Canyon Valley	6-82
Furnace Creek Area	6-83
Greenwater Valley	6-84
Gold Valley	6-85
Rhodes Hill Area	6-86

53. Guest House – a detached accessory building containing living quarters for use by temporary guests of the occupant of the dwelling on the same premises, which contains no kitchen or cooking facilities and is not rented or otherwise used as a dwelling unit.

54. Guy Wires – wire or cable used to support a tower.

55. Hedge – a series of plants, shrubs or other landscape material, so placed as to form a physical barrier or enclosure.

56. Height – the vertical distance above the ground, measured in feet or meters, of a structure, tree, natural or manmade object.

57. Height, Ground-mounted Wireless Communications Facilities – the distance between the lowest natural undisturbed ground surface at the base of the facility and the top of the facility or the top of the highest antenna or piece of equipment attached thereto, whichever is greater; for building-mounted wireless communications facilities, "height" means the distance between the top of the building on which the facility is mounted and the top of the facility or any or screening structure, whichever is higher. In determining whether a building-mounted facility exceeds or will exceed the height limitations of the zoning district in which it is or will be located, the height of the facility is the combined height of the building and the facility and/or screening structure.

58. Height, System – the total height of the small wind energy conversion system, including the wind turbine blades.

59. Height, Tower – the height above grade of the fixed portion of the tower for a small wind energy conversion system, excluding the wind turbine blades.

60. Home Occupation – an occupation, profession, activity, or use that is clearly a customary, incidental and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

61. Housing Agency – an agency approved by the Planning Commission to administer agreements with the applicant/developer to ensure the availability of affordable housing units for target households.

62. Illuminated – when used in reference to signs governed by this title, means giving forth direct artificial light, and shall not refer to any light cast upon a sign from an outside source.

63. Inflatable Device – an object that is blown up with air or other gas.

64. Informational Kiosks – are signs that may provide information concerning the location of businesses in a pedestrian-oriented business area as well as a surface for affixing handbills, posters and flyers. "Directory boards" are signs that provide information concerning the location of businesses in a pedestrian-oriented business area.

65. Junk – any worn-out or discarded material that may be turned to some use including, but not limited to, surplus materials, secondhand material, any damaged, discarded, obsolete, salvaged, scrapped, worn-out, wrecked or dismantled object, thing or material composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, metal, plaster, plaster of pans, rubber, wool, terra cotta, cotton, cloth, canvas, organic material, or other substance requiring reconditioning or rebuilding in order to be used for its original purpose, any iron, wire, aluminum, copper, lead, rags, paper, bags, lumber, empty bottles, bones, parts of bicycles, tricycles, baby carriages, automobiles, and other vehicles or machinery, dismantled in whole or in part, kept, stored, located, situated or piled in public view, and all other similar personal property ordinarily or customarily defined or classified as "junk," "scrap," or "salvage" kept, stored, located, situated or piled in public view.

66. Kitchen – any room, all or any part of which is designed and/or used for cooking and the preparation of food.

67. Land – surface of the earth, including soil, rock, and water.

68. Landing Area – the area of an airport used or to be used for landing, takeoff or taxiing of aircraft.

69. Living Area – the interior habitable living area of a dwelling unit, including a basement and/or an attic therein, but not including a garage or any accessory structure.

70. Loading Space – an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle which is loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

71. Lot – a parcel of real property which is one or more of the following:

a. Shown with a separate and distinct number of designation on a plat recorded in the office of the County Recorder; or
b. Delineated upon a record of survey, lot split, or subparceling map approved pursuant to Title 16 of this code; or
c. Containing an area not less than required for the district in which it is located and abutting at least one public street and held under separate ownership.

72. Lot, Corner – a lot at the intersection of two street lines which intersect at an angle not greater than one hundred twenty (120) degrees.

73. Lot, Key – a lot with the side line coinciding with the rear lot line of one or more other lots.

74. Lot Line – any of the boundary lines of a lot. A street lot line is the lot line abutting a street. Either street lot line of a corner lot may be designated by the Planning Director to be the front lot line. A through lot line has two front lot lines. The lot line or lines generally opposite the front lot line constitute the rear lot line. All other lot lines are side lot lines. When two or more lots are combined into one building site, the boundary lines of the building site shall be deemed to be lot lines.

75. Lot, Through – a lot other than a corner lot which has frontage on two parallel or approximately parallel streets.

76. Lower Income Household – a household whose total income does not exceed eighty (8) percent of the area median income.

77. Main Building – a building in which is conducted a principal use of the lot upon which it is situated. Every dwelling in an R district is a main building.

78. Mechanical equipment – machinery accessory to a principle use to provide for onsite activities, such as heating, ventilation, and air conditioning (HVAC) equipment, evaporative coolers, pool equipment, irrigation equipment, water heaters, wells, and propane tanks.

79. Meteorological Tower – a facility consisting of a tower and related wind-measuring devices, which is used solely to measure winds preliminary to construction of a noncommercial wind energy conversion system.

80. Moderate Income Household – a household whose total income does not exceed one hundred ten (110) percent of the area median income.

81. Monopole – a type of tower or structure supporting a wireless communications facility or facilities that is self-supporting and made of a single shaft of wood, steel, concrete, or other material and a platform or racks for the placement of panel antennas.

82. Mount – the structure or surface upon which a wireless communications facility is mounted, and includes the following types of mounts:

    a. Building-mount: A mount in which the facility is placed on the roof or side of a building;
    b. Ground-mounted: A mount in which the facility is mounted on the ground;
    c. Structure-mounted: A mount in which the facility is mounted on or in a structure other than a building.

83. Multiple tenant building – a development consisting of two (2) or more separate uses or tenancies that share either the same parcel or structure and use common access and parking facilities.

84. Nameplate – a sign affixed against the wall of a dwelling which serves exclusively to designate the name, or the name and occupation of a person residing therein.

85. Outbuilding – an Accessory Building.

86. Overdraft – the withdrawal of groundwater from a groundwater basin in an amount in excess of the amount of water that recharges the basin over a period of years during which water supply conditions approximate average, and which, if continued over time, could eventually cause the groundwater supply to be exhausted, cause subsidence, cause the water table to drop to a level below where groundwater pumping is no longer economically feasible, or cause a detrimental change in water quality.

87. Owner – the property owner listed on the most recent roll of the County Assessor.

88. Parcel – refer to Lot.

89. Parking Space (Automobile) – space within a public or private parking area or a building for the temporary parking or storage of one automobile.

90. Person – any human, and any corporation, partnership, association, public entity, municipality, and any other entity with legal existence under California law.

91. Personal Wireless Service Facility – a facility for the provision of personal wireless services (PCS) as that term is defined in the Telecommunications Act of 1996.

92. Principal Use – any use which is not clearly qualified as accessory to another use on the same premises.

93. Property – refer to Lot.

94. Property Frontage – the side of a parcel or development site abutting on a public street. Where the parcel is a corner lot, the property frontage is each side of the parcel or development site abutting on a public street.

95. Recharge – flow of water to groundwater storage from precipitation, infiltration from streams, irrigation, spreading basins, and other sources.

96. Residence, Group – a facility or complex providing housing for unrelated people and typically having shared kitchens and bathrooms, such as single-room occupancy hotels, group homes, boarding houses, and prisons.

97. Recreational vehicle – means a vehicular type portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreational, camping, and travel use and including but not limited to travel trailers, camping trailers, truck campers, and self-propelled motor homes. All the above noted vehicles are subject to state vehicular code licensing procedures.

98. Right-of-Way – area dedicated for street and utility purposes.

99. Road – refer to Street.

100. Runway – the paved or prepared surface of an airport landing area designated for the landing or takeoff of aircraft.

101. Senior Citizen Housing Development – a housing development of either:

    a. a minimum of five (5) dwelling units where fifty (50) percent or more of the units are reserved for occupancy by at least one person sixty-two (62) years of age or older, or
    b. a minimum of thirty-five (35) units where fifty (50) percent or more of the units are reserved for occupancy by at least one person fifty-five (55) years of age or older.

102. Setback – refer to Yards.

103. Sign – an object, device display or structure, or part thereof, situated outdoors or indoors, which is used to identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected image. Sign does not include official flags of the United States, the state of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations; athletic scoreboards, or the official announcements of or signs of government.

104. Sign, Abandoned – any sign that advertises a business, lessor, owner, product, service or activity that is no longer located on the premises where the sign is displayed.

105. Sign Alteration – any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

106. Sign, Animated or Moving – a sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement. A flashing sign shall not be considered an animated or moving sign.

107. Sign Area – the entire area within the perimeter of a sign defined by a continuous line composed of right angles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed.

108. Sign, Awning or Canopy – a sign that is either attached to, affixed, or painted on an awning or canopy and not exceeding fifty (50) square feet in sign area.

109. Sign, blade/bracket – a small, pedestrian-oriented sign [i.e., less than four (4) square feet] that projects perpendicular from a structure (blade sign) or is hung beneath a canopy (bracket sign).

110. Sign, business identification – a sign that serves to identify only the name, address, and lawful use of the premises upon which it is located and provides no other advertisements or product identification.

111. Sign, Cabinet (Can Sign) – a sign that contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be illuminated.

112. Sign, Changeable Copy – a sign designed to allow changing of copy manually.

113. Sign, Channel Letter – three-dimensional individually cut letters or figures, illuminated or unilluminated, affixed to a structure.

114. Sign, Civic Event – a temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar noncommercial organization.

115. Sign, Combination – a sign incorporating any combination of the features of pole, projecting and roof signs.

116. Sign, Community and Historical – a sign which identifies local communities or points of historical interest, including identification signs of nonprofit community service organizations.

117. Sign, Contractor or Construction – a sign that states the name of the developer and contractor(s) working on the site and any related engineering, architectural or financial firms involved with the project.

118. Sign, Convenience – a sign that conveys information (e.g., restrooms, no parking, entrance) or minor business identification for directional purposes only, is designed to be viewed by pedestrians and/or motorists, and does not exceed six square feet in sign area per sign face.

119. Sign, Directory – a sign listing the tenants of a multiple tenant structure or center and located within said structure or center.

120. Sign, Double-faced – a sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes.

121. Sign, Electronic Reader Board Sign or Electronic Graphics – a sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. A time and/or temperature sign shall not be considered an electronic graphics sign.

122. Sign, Flashing – a sign that contains an intermittent or sequential flashing light source. An animated or moving sign shall not be considered as a flashing sign.

123. Sign, Freestanding Bracket – a small pedestrian-oriented sign mounted on the ground using one or more posts or having a solid monument-type base and not exceeding six square feet in sign area per sign face.

124. Sign, Future Tenant Identification – a temporary sign that identifies the names of future businesses that will occupy a site or structure.

125. Sign, Governmental – any sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or regulation.

126. Sign Height – the vertical distance from the uppermost point used in measuring the area of a sign to the average grade immediately below and adjoining the sign.

127. Sign, Illegal – any of the following:

    a. A sign erected without first obtaining a permit and complying with all regulations in effect at the time of its construction or use;

    b. A sign that was legally erected but whose use has ceased because the business it identifies is no longer conducted on the premises;

    c. A sign that was legally erected but which later became nonconforming and then was damaged to the extent of fifty percent or more of its current replacement value;

    d. A sign that is a danger to the public or is unsafe; or

e. A sign that pertains to a specific event that has not been removed within five (5) days after the occurrence of the event.

128. Sign, Internally Illuminated – a sign whose light source is either located in the interior of the sign so that the rays go through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign.

129. Sign, memorial – a sign, tablet or plaque memorializing a person, event, structure or site, not exceeding six (6) square feet in sign area.

130. Sign, Monument – a permanent sign where the entire bottom of the sign is affixed to the ground, not to a building, and not exceeding six (6) feet in height.

131. Sign, Neon – a sign containing glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

132. Sign, Off-site Advertising – a sign advertising a use, facility, service, or product that is not located, sold, or manufactured on the same premise as the sign.

133. Sign, Off-site Directional – a sign limited to directional messages for a commercial use, publicly owned facility or emergency facility, excluding real estate signs; not exceeding six (6) feet in sign area.

134. Sign, Permanent – a sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

135. Sign, Pole (Pylon or Freestanding Sign) – a sign mounted on a free-standing pole or other support so that the bottom edge of the sign face is six (6) feet or more above finished grade.

136. Sign, Political – a sign promoting, advertising, or identifying a political party, candidate, or ballot measure for a future election.

137. Sign, Portable – a sign that is not permanently affixed to a structure or the ground (e.g., A-frame or sandwich-board signs) and which does not exceed twelve (12) square feet in sign area per sign face.

138. Sign, projecting – a sign that protrudes in a V-shape from the top of the ground floor over the sidewalk, like a traditional theater marquee.

139. Sign, Promotional – a sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

140. Sign, Real Estate – a sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

141. Sign, Rider – a small sign attached as a rider to a real estate sign that provides limited information about the property.

142. Sign, Roof – a sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the highest point of building with a flat roof, the eave line of a building with gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

143. Sign, Sale or Lease – a sign which serves exclusively to indicate, with pertinent information, the offer to sell, rent or lease the real property, or the building or premises thereon, upon which it is located.

144. Sign, Special Event/Banner – a temporary sign or banner that is intended to inform the public of a unique happening, action, purpose, or occasion (i.e., grand opening or community event).

145. Sign, Tall Wall – a sign with a sign area in excess of fifty (50) square feet painted or attached to the exterior wall of a building.

146. Sign, Temporary – any sign intended to be displayed for a limited period of time, not to exceed thirty days, and capable of being viewed from any public right-of-way, parking area or neighboring property.

147. Sign, Temporary Political – a sign which encourages a particular vote in a scheduled election and is no larger than thirty-two (32) square feet in sign area.

148. Sign, Three-dimensional – any sign with a depth or relief on their surface greater than six inches.

149. Sign, Time and/or Temperature – a sign that accurately display the current local time and/or temperature, usually through arrays of small electric lights, and upon which no commercial advertising or other message appears.

150. Sign, Vehicle – a sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

151. Sign, Wall – sign with a sign area of fifty (50) feet or less that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

152. Sign, Window – a sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view, and is located within three (3) feet of the window, is considered a window sign for the purpose of calculating the total area of all window signs.

153. Small Wind Energy Conversion System – a facility consisting of a tower, wind turbine generator with blades, guy wires and anchors, and associated control and conversion electronic equipment to convert wind movement into electricity, and that is incidental and subordinate to another use on the same parcel. A facility shall be considered a small wind energy conversion system only if it supplies electrical power solely for on-site use. However, when a parcel on which a small wind energy conversion system is installed also receives electrical power supplied by a utility company, any excess electrical power generated by the small wind energy conversion system, and not then needed for on-site use, may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use. No net revenue to the owners shall be produced by such excess electrical power generation.

154. Stand, Roadside – a small structure to provide an area to sell agricultural and related goods along a roadway, but outside of the right-of-way.

155. Story – that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. The basement or cellar shall not be considered a story unless the upper surface of the floor above is more than six (6) feet above the average level of the highest and lowest points of the ground surface immediately adjacent to the exterior walls of the building.

156. Street – any public or private thoroughfare with a width of twenty feet or more, which affords a primary means of access to abutting property.

157. Street Line – the boundary line between a street and abutting property.

158. Structural Alterations – any change in the supporting members of a structure such as the bearing walls or partitions, columns, beams or girders.

159. Structure – anything constructed or built, an edifice or building of any kind, or any piece or work artificially built up or composed of parts joined together in some definite manner.

160. Surface Water – water in lakes, streams, ponds, rivers or reservoirs.

161. Swimming Pool – in- or above-ground container not within a building holding water having a depth of eighteen (18) inches or more for purposes of swimming and recreating, including Jacuzzis, hot tubs, whirlpools, and spas.

162. Use – the purpose for which land or building or structure is designed, arranged or intended, or for which it is occupied, maintained, let or leased.

163. Very Low Income Household – a household whose total income does not exceed fifty (50) percent of the area median income.

164. Visible – likely to be noticed by a person of average height walking on a street or sidewalk.

165. Wall – refer to Fence.

166. Water Table – the surface or interface between the zone where the soil is completely saturated with water and the zone where the soil is not completely saturated with water.

167. Water Transfer or Transport – the conveyance of water via aqueduct, ditch, pipeline, flume, natural water course or tanker truck from one area to another:

a. pursuant to Water Code Section 1810 et seq., or
b. pursuant to a sale to the city of Los Angeles, or an acquisition by the city of Los Angeles by means other than a sale, of surface water or groundwater extracted or diverted from within Inyo County, or
d. that involves movement of groundwater extracted from a groundwater basin located in whole or in part within the boundaries of Inyo County for use in an area outside of the groundwater basin, or
e. that involves movement of groundwater extracted from within Inyo County from a groundwater basin partially located within Inyo County for use in an area within the same basin, but outside the boundaries of Inyo County.

168. Window Area – an area that is shall be computed by calculating each window pane or panel. The area shall be separate for each building face, and for each window. A group of window panes or panels may be considered one window if they are adjoining on the building face and are less than six inches apart.

169. Width, Parcel – the horizontal distance between the side lot lines measured along a line parallel to the front lot line and distant therefrom by a distance equal to the required depth of front yard on the lot.

170. Wind Turbine Generator – the component of a small wind energy conversion system that transforms mechanical energy from wind into electrical energy.

171. Wireless Communications – any personal wireless services, as that term is defined in the Federal Telecommunications Act of 1996, including FCC-licensed commercial wireless telecommunications services such as cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed to provide wireless communications services; the term does not include services of any amateur

radio facility owned and operated by a federally-licensed amateur radio station operator or used exclusively for "receive-only" antennas, nor does it include noncellular telephone service.

172. Wireless Communications Facility – a facility designed and/or used for the purpose of transmitting, receiving, or relaying voice and/or data signals from various wireless communication devices and includes any transmission tower, antenna, or other facility designed or used for that purpose. For purposes of this Title, amateur radio transmission facilities, facilities operated exclusively as part of a public safety network, and facilities used exclusively for the transmission of television and/or radio broadcasts are not "wireless communications facilities.

173. Yard – a space on the same lot with a building or structure which is open and unobstructed, except as otherwise provided in this title, from the ground upward. Neither landscaping nor ordinary outdoor furnishings shall be deemed to obstruct a yard, nor shall any underground structure or part of an underground structure which extends less than eighteen inches above the ground level.

174. Yard, Front Setback – an area extending across the front of the lot between the main building and the front lot line; depth of the required front yard to be measured horizontally from the nearest part of the main building toward the nearest point of the front lot line.

175. Yard, Rear Setback – an area extending across the full width of the lot between the main building and the rear lot line; depth of the required rear yard to be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

176. Yard, Side Setback – an area between a main building and a side lot line, extending from the front yard, or front lot line, to the rear yard; width of the required side yard to be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

Chapter 2
Permits and Approvals

18.02.010 PURPOSE AND INTENT

These provisions are intended to prescribe the procedure for filing applications for permits, appeals, amendments, and approvals when required or permitted by this Title. These provisions will provide the framework by which applications will be determined to be complete and permitted to be filed.

18.02.020 DEVELOPMENT REVIEW PROCESS

This section establishes and explains the processes and procedures that must be followed, and the application types required to be filed with the Planning Department, before new land uses or modifications of existing land uses can be legally initiated.

1. The County shall maintain appropriate processes and procedures to ensure that proposed development projects are afforded an adequate and impartial review in accordance with County ordinances, resolutions, policies and standards.

2. Before issuing a building permit for certain project types identified per administrative procedures or the Building Code, the Building Official shall require that the proposal be approved as to zoning by the Planning Director. Upon payment of appropriate fees, the Planning Director shall review the application within a timely manner to determine if the application is consistent with this Title.

3. Whenever a discretionary application that is inconsistent with the General Plan and/or this Title is filed, that inconsistency shall be noted as part of the application. In addition, filing of a General Plan Amendment and/or zone change to make the original application consistent shall be filed concurrently.

4. The approving authority for the original discretionary application may deny the application or approve it, conditioned upon obtaining the necessary change in zoning to eliminate the inconsistency prior to recordation of a final map in the instance of a division of land or prior to filing of any applications for construction permits if a division of land is not involved.

5. Nothing in this Title shall establish rules and regulations in conflict with State or federal law.

6. Nothing in this title shall limit or interfere with the temporary use of any property as a public voting place.

18.02.030 GENERAL PLAN AMENDMENT

1. Purpose and Intent

   As conditions within the County change it may, from time to time, become necessary to amend the General Plan to enhance its effectiveness. In addition, State law requires that the General Plan be periodically reviewed and updated. The purpose of this section is to provide a method for amending the General Plan.

2. Authority

   The Board of Supervisors may amend all or part of the General Plan, or any element thereof. All zone districts, specific plans (for which a development agreement or vesting subdivision or parcel map has not been adopted), and any other plans of the County that are affected by a General Plan amendment, and which by law must be consistent with the General Plan, shall be reviewed and amended concurrently, to ensure consistency between the General Plan and implementing zoning, specific plans, and other plans.

3. Restriction on Number of Amendments

   Elements of the General Plan shall be amended no more frequently than permitted by State law

4. Initiation of amendments to the General Plan

   An amendment to the General Plan or any element thereof may be initiated by any of the following actions:

   a. A request made and approved by the Planning Commission;

   b. A request made and approved by the Board of Supervisors;

   c. An application from a property owner or his/her authorized agent pertaining to property owned by the applicant;

   d. An application from any affected party, provided that such application involves only revisions to the goals, objectives, policies, and implementation programs of the General Plan; or

   e. A request made by the Planning Director.

5. Authority and Hearings

Authority for approval of General Plan amendments shall be vested in the Board of Supervisors. The Planning Commission shall forward recommendations to the Board of Supervisors regarding General Plan amendments.

a. Planning Commission Review

1) Following receipt, in proper form, of a completed amendment application or request from the Planning Director, Planning Commission, and/or Board of Supervisors, and appropriate environmental review, a public hearing before the Planning Commission shall be noticed and held.

2) The Planning Commission shall make a written recommendation on the proposed amendment to the Board of Supervisors to approve, approve in modified form, or disapprove.

b. Board of Supervisors Review and Action

A public hearing before the Board of Supervisors shall be noticed and held after a recommendation is made by the Planning Commission to approve a proposed General Plan amendment. Prior to Board of Supervisors action, any substantial modification proposed by the Board of Supervisors that was not previously considered by the Planning Commission shall first be referred to the Planning Commission for consideration and recommendation, if required by law. Failure of the Planning Commission to report within 45 calendar days, or as required by law, or within the time period set by the Board of Supervisors shall be deemed a recommendation for approval.

6. Required Findings

An amendment to the General Plan shall not be approved unless all of the following findings are made:

a. The proposed amendment is consistent with the goals, objectives, policies, and programs of the General Plan, or the General Plan as revised by the proposed amendment, and will not result in any internal inconsistencies within the General Plan; and

b. The proposed amendment will not adversely affect the public health, safety, or general welfare; and

c. The proposed amendment is consistent with the purposes and intent of this Title, unless such amendment proposes to change, supplement, or alter any part of this Title, whereas said amendment must be consistent with all applicable sections including these findings; and

d. Other findings, as applicable, including findings pursuant to the California Environmental Quality Act.

18.02.040 AMENDMENTS TO ZONE DISTRICTS AND OTHER PROVISIONS

1. Purpose and Intent

This section establishes the procedures for amending zone district regulations and boundaries as well as other provisions of this Title. The amendment process is necessary to provide and ensure consistency between this Title, the General Plan and State law, to increase the effectiveness of this Title, and to improve clarity in implementing General Plan goals, objectives, and policies.

2. Initiation of Amendments to Zone Districts and Other Provisions.

An amendment to zone districts or other provisions of this Title may be initiated by any of the following actions:

a. A request made and approved by the Planning Commission;

b. A request made and approved by the Board of Supervisors;

c. A request made by the Planning Director;

d. An application from a property owner, or his/her authorized agent pertaining to property owned by the applicant; or

e. An application from any affected party, provided that such application involves only revisions to the text of this Title and does not require redistricting of properties for which the affected party is not the owner or the authorized representative of the owner.

3. Authority

Authority for approval of amendments to this Title, including amendments to the Official Zoning Map, shall be vested in the Board of Supervisors. The Planning Commission shall forward recommendations to the Board of Supervisors regarding such amendments.

a. Planning Commission Review

1) A public hearing before the Planning Commission shall be noticed and held within the time limits specified by State law, after an initiated

application is deemed complete and after appropriate environmental review.

2) The Planning Commission shall recommend approval, approval in modified form, or denial of the proposed zone amendment to the Board of Supervisors.

b. Board of Supervisors Review and Action

A public hearing before the Board of Supervisors shall be noticed and held within the time frame specified by State law after a recommendation by the Planning Commission to approve a proposed amendment to this Title or to the official zoning map. The Board of Supervisors may approve, approve with modifications, or disapprove any proposed amendment. Prior to Board of Supervisors action, any modification not previously considered by the Planning Commission may first be referred to the Planning Commission for a recommendation. Failure of the Planning Commission to report within 45 calendar days, or within the time period set by the Board of Supervisors shall be deemed a recommendation for approval.

4. Required Findings

All of the following findings shall be made prior to adoption of any amendment to this Title, including amendments to the official zoning map.

a. The proposed change of zone or text revision is consistent with the goals, objectives, policies, and programs of the General Plan and is necessary and desirable to implement the provision of the General Plan; and

b. The proposed change of zone or text revision will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern; and

c. The proposed change of zone or text revision is consistent with the purpose and intent of the remainder of this Title not under consideration; and

d. Other findings, as applicable, including findings pursuant to the California Environmental Quality Act.

18.02.050 CONDITIONAL USE PERMIT

1. Purpose and Intent

A conditional use permit is intended to control the establishment of those uses that have some special impact or uniqueness, such that their effect on the surrounding environment

cannot be determined in advance of the use being proposed for a particular location. The conditional use permit application provides for the review of the location and design of the proposed use, configuration of improvements, potential impact on the surrounding area from the proposed use, and the evaluation of the use. The review also determines whether the proposed use should be permitted by weighing the public need for and benefits to be derived from the use against any adverse impact it may cause.

2. Authority

Authority for approval of conditional use permits shall be vested in the Planning Commission.

3. Application

An application for a conditional use permit shall be filed with the Planning Department in a manner prescribed by the Planning Director.

4. Public Hearing

The decision-making body shall consider each application for a conditional use permit at a noticed public hearing.

5. Findings

Following review and consideration of an application, the decision-making body may approve a conditional use permit application in whole or in part, with or without conditions, provided a written decision is prepared which contains the findings of fact upon which the decision is based. In preparing this written decision, all of the following findings of fact must be made in an affirmative manner;

a. The proposed use is permitted within the subject zone district pursuant to all applicable provisions of this Title, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the County; and

b. The proposed use would not impair the integrity and character of the zone district in which it is to be established or located; and

c. The site is suitable for the type and intensity of use or development proposed; and

d. There are adequate provisions for water, sanitation, public utilities and services to ensure public health and safety; and

e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity; and

f. Other findings, as applicable, including findings pursuant to the California Environmental Quality Act.

6. Conditions of Approval

In granting a conditional use permit, the decision-making body may require that the use and development of the property to substantially conform with the site plan, architectural drawings, statements submitted in support of the application, and with such modifications thereof as may be deemed necessary to protect the public health, safety, and general welfare and to secure the objectives of the General Plan. The decision-making body may also impose such other conditions as may be deemed necessary to achieve these purposes, including, but not limited to, the following matters:

a. Requirements for setbacks, yard areas, and open spaces.

b. Fences, walls, buffers, and screening.

c. Parking, parking areas, and vehicular ingress and egress in addition to the minimum requirements of this Title.

d. Landscaping and maintenance of landscaping and grounds.

e. Regulation of signs.

f. Control of noise, vibration, odors, and other potentially dangerous or objectionable elements.

g. Limits on hours of operation or duration of approval.

h. Time period within which the proposed use shall be developed.

i. Requirements for street improvements and dedications.

j. Building design and elevations.

k. Such other conditions as may be determined to assure that development will be in accordance with the intent and purposes of this Title.

l. Reasonable guarantees of compliance with required conditions, such as a deed restriction or requiring the applicant to furnish security in the form of money or surety bond in the amount fixed by the administering agency.

m. Requirements for periodical review by the Planning Commission, and such other conditions as the Planning Commission may deem necessary to ensure compatibility with surrounding uses, to preserve the public health, safety, and welfare, and to enable the Planning Commission to make the findings required by this Title.

7. Acceptance of Conditions

A conditional use permit shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the applicant and returned to the Planning Department and no appeal, consistent with the provisions of this Title has been filed.

8. Revisions/Modifications

Requests to revise or substantially modify an approved conditional use permit may be requested by the applicant or the Planning Commission.

a. Revisions/Modifications Requested by Applicant.

A revision or substantial modification to an approved conditional use permit including, but not limited to change in conditions, expansions, intensification, location, hours of operation, or change of ownership, may be requested by an applicant. The applicant shall supply necessary information as determined by the Planning Director to indicate reasons for the requested change. The requested revision or modification shall be processed in the same manner as the original conditional use permit.

b. Review by the Planning Commission.

The Planning Commission may periodically review any conditional use permit to ensure that it is being operated in a manner consistent with conditions of approval or in a manner not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity. If, after review, the Planning Commission deems that there is sufficient evidence to warrant a full examination, a public hearing date shall be set and noticed. At such public hearing, the Planning Commission may modify or revoke the conditional use permit pursuant to the provisions of this Title.

18.02.060 MODIFICATIONS TO STANDARDS

1. Modifications

The Planning Director may administratively approve requests for modification to certain standards of this Title subject to the following:

a. Minor parking lot improvements.

b. Up to thirty percent (30%) of parking and loading space requirements.

c. Up to fifty percent (50%) of front yard setback requirements.

d. Up to forty percent (40%) of side yard setback requirements, but no closer than three (3) feet from the property line.

e. Up to twenty-five percent (25%) of rear yard setback requirements, but no closer than five (5) feet from the property line.

f. Up to ten percent (10%) of area requirements, excluding lot area and dimension requirements.

g. Up to ten percent (10%) of the maximum building coverage requirements.

h. Up to ten percent (10%) of maximum gross floor area requirements.

i. Up to twenty percent (20%) above height limitations, except for fences.

j. Reasonable accommodation for people with disabilities.

2. Notice

At least 10 (ten) days prior to making a decision regarding a Modification, the Planning Director shall issue a notice describing the application and the anticipated date of the decision. The notice shall be distributed as specified by Section [redacted], except that no hearing shall be required.

3. Decision

The Planning Director shall consider an application for a Modification to determine if the application meets the requirements, make findings, and render a decision either approving or disapproving the requested Modification. Upon making a decision regarding a Modification, the Planning Director shall issue a Notice of Decision approving or disapproving the requested Modification. The Planning Director may impose conditions to ensure that the application meets the requirements, specify a time period to complete the application, or otherwise.

4. Findings

If approving a Modification, the Planning Director shall find development of the property absent the Modification would be unduly constrained.

5. Acceptance of Conditions

A Modification shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the applicant and returned to the Planning Department and no appeal consistent with the provisions of this Title has been filed.

18.02.070 VARIANCE

1. Purpose and Intent

The purpose of a variance is to provide for equity in use of property, and to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this Title.

2. Authority

The authority to grant a variance, as defined herein, shall be vested with the Planning Commission. A variance from the terms of the regulations of this Title shall be granted only when it is demonstrated that the strict application of the zoning regulations deprives such property of privileges enjoyed by other properties in the general vicinity and in the same zone district due to special circumstances applicable to the property in question, including size, shape, topography, location or surroundings. Consequently, a variance to a zoning regulation prescribed by this Title may be granted with respect to development standards including, but not limited to, walls, fences, screening and landscaping, width and depth, coverage, front, side, and rear yards, height of structures, usable open space, and on-street and off-street parking and loading facilities.

3. Required Findings

The decision-making body shall make all the following findings in a decision to grant a variance request:

a. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship, excepting financial hardships, not otherwise shared by others within the surrounding area or vicinity; and

b. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply

generally to other properties in the vicinity and under the same zoning classification; and

c. That the strict interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification; and

d. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification; and

e. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

f. That the granting of the variance is consistent with the objectives and policies of the General Plan and the intent of this Title.

g. Other findings, as applicable, including findings pursuant to the California Environmental Quality Act.

6. Conditions

In granting a variance, the decision-making body may require that the use and development of the property to substantially conform with the site plan, architectural drawings, statements submitted in support of the application, and with such modifications thereof as may be deemed necessary to protect the public health, safety, and general welfare and to secure the objectives of the General Plan. The decision-making body may also impose such other conditions as may be deemed necessary to achieve these purposes, including, but not limited to, the following matters:

a. Requirements for setbacks, yard areas, and open spaces.

b. Fences, walls, buffers, and screening.

c. Parking, parking areas, and vehicular ingress and egress in addition to the minimum requirements of this Title.

d. Landscaping and maintenance of landscaping and grounds.

e. Regulation of signs.

f. Control of noise, vibration, odors, and other potentially dangerous or objectionable elements.

g. Limits on hours of operation or duration of approval.

h. Time period within which the proposed use shall be developed.

i. Requirements for street improvements and dedications.

j. Building design and elevations.

k. Such other conditions as may be determined to assure that development will be in accordance with the intent and purposes of this Title.

l. Reasonable guarantees of compliance with required conditions, such as a deed restriction or requiring the applicant to furnish security in the form of money or surety bond in the amount fixed by the administering agency.

m. Requirements for periodical review by the Planning Commission, and such other conditions as the Planning Commission may deem necessary to ensure compatibility with surrounding uses, to preserve the public health, safety, and welfare, and to enable the Planning Commission to make the findings required by this Title.

7. Acceptance of Conditions

A variance shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the applicant and returned to the Planning Department and no appeal consistent with the provisions of this Title has been filed.

8. Revisions/Modifications

Requests to revise or substantially modify an approved variance may be requested by the applicant, including, but not limited to change in conditions. The applicant shall supply necessary information as determined by the Planning Director to indicate reasons for the requested change. The requested revision or modification shall be processed in the same manner as the original variance.

18.02.080 DEVELOPMENT AGREEMENT

Development agreements may be entered into and implemented by the County pursuant to requirements of Title 20 of the County Code.

18.02.090 TEMPORARY OCCUPANCY PERMIT

1. Temporary occupancy permits are required and may be issued for the uses and structures specified. The Planning Director shall review and act upon all requests for temporary occupancy permits, or extensions thereof. The Planning Director shall approve, conditionally approve, or deny any such applications subject to the findings and standard conditions set forth in this Chapter.

2. Those uses subject to a temporary occupancy permit include the following:

   a. Temporary real estate offices on the site of an approved subdivision where lots, or lots and houses are being offered for sale.

   b. Model home(s) on any lot within a tentatively approved subdivision consistent with the provisions of the County's Subdivision Ordinance.

   c. Construction trailers, commercial cargo/storage containers, temporary office buildings, and security personnel offices on construction sites for which a project has been approved and a building permit or grading permit has been issued by the County, subject to the provisions of this Chapter.

   d. On-site contractor's yard during the construction phase of an approved project for which a building permit or grading permit has been issued.

   e. Mobilehome or trailer occupied for security purposes during the construction phase of a project.

   f. Commercial cargo/storage containers ("Containers") may be placed by a temporary occupancy permit in every Zoning District excepting Central Business, subject to the following conditions.

      1) Said containers shall be adequately screened from view from any street highway, or adjacent property in a manner consistent with the provisions of this Title.

      2) One such Container shall be permitted for each seven thousand five hundred (7,500) square feet of property up to a maximum of four (4) such Containers.

      3) Said Container(s) shall not be placed in a manner that will interfere with any required vehicular parking or maneuvering area(s) designated for the property.

4) In no instance may said Container(s) be placed on a parcel of land other than as an accessory/subordinate use to an existing and permitted primary land use, except as specified in Section [redacted].

5) Any container that has been located on a parcel of land for a period of ten (10) years or more, upon the effective date of this ordinance, may so remain and shall not be required to comply with the requirements of this Chapter unless a change of occupancy occurs or permits are issued by the County to expand, renovate, or improve the property or any structures on the property. In this instance, the requirements listed in subsections 1 thru 4 above shall apply.

6) Storage of items not meeting the requirements of Section [redacted].

3. Temporary occupancy permits shall first be issued for a period of time not to exceed twelve (12) months. Extensions to such permits may be granted for additional periods of time each of which shall not exceed twelve (12) months. Temporary occupancy permits shall comply with the procedures, findings and conditions specified by this Title.

a. A temporary occupancy permit shall not be extended for a period of time that exceeds five (5) years from the date the temporary occupancy permit was first issued.

b. The Planning Commission and/or Board of Supervisors, upon appeal, may approve such permits or extensions for shorter periods of time subject to conditions, if deemed necessary.

c. Prior to issuing a temporary occupancy permit for an extension or renewal for the last allowed period of time, the permittee shall submit to and obtain approval by the Planning Director, as applicable, a plan to replace the subject temporary use with a legally established permanent use.

d. A temporary use or structure that does not have a valid and current permit is hereby declared to be a public nuisance, subject to the enforcement provisions of this Title and other applicable laws.

e. A change of ownership or operator of a use or structure, subject to a temporary occupancy permit, or a change of structure or modification of the structure or use allowed on a parcel subject to a temporary occupancy permit shall not affect the time periods established by this Chapter to allow such temporary uses or structures.

f. When the last period of time allowed for a temporary occupancy permit by this Chapter has lapsed, the temporary occupancy permit and any extension thereof

shall be considered void and no new or additional temporary occupancy permits may be issued or reinstated for the temporary use or structure that was previously permitted.

4. Acceptance of Conditions

A temporary occupancy permit shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the applicant and returned to the Planning Department and no appeal consistent with the provisions of this Title has been filed.

5. Cancellation of a Temporary Occupancy Permit

a. Noncompliance with the conditions set forth in approving the temporary occupancy permit shall be grounds for the Planning Director to cancel and void any such temporary occupancy permit.

b. The Planning Director shall give notice of such an action to the permittee. The permittee may appeal such a decision to the Planning Commission by filing an appeal consistent with the provisions of this Title.

18.02.100 SPECIAL EVENT PERMIT

1. Purpose and Intent

A special event permit is intended to allow for the short-term placement of activities on private property with appropriate regulations so that such activities will be compatible with the surrounding areas.

2. Authority

Authority for approval of special event permits shall be vested with the Planning Director. A special event permit shall not be required for events that occur in theaters, meeting halls, or other permanent public assembly facilities. A special event may be subject to additional permits, other County department approvals, licenses, and inspections as required by this Title or any other applicable laws and regulations.

3. Permitted Special Events

Table 2.A below identifies those special events subject to the issuance of a special event permit.

Table 2A
Special Event Criteria

Uses	Zones	Days per Year	Occurrences Per Year
Non-commercial tent meeting	All Zones	48	48
Commercial circus with tent	Public, Commercial, and Industrial	20	4
Commercial or non-commercial carnival, fair, concert, exhibit, festival, or similar event outdoors or in temporary enclosure(s)	Public, Commercial, and Industrial	20	6
Commercial and non-commercial holiday sales, such as pumpkin or Christmas tree sales, and incidental sales of Christmas lights, tree stands and decoration, but excluding gift items	Public, Open Space, Commercial, and Industrial	30	4

4. Criteria for Special Event Permit Issuance

The Planning Director shall consider the following criteria in rendering its decision relative to a special event permit application:

a. The operation of the requested special event at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;

b. The proposed site is adequate in size and shape to accommodate the special event without being materially detrimental to the use and enjoyment of other properties located adjacent to and in the vicinity of the site;

c. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the special event will or could reasonably be expected to generate; and

d. Adequate temporary parking to accommodate vehicular traffic to be generated by the special event will be available either on site or at alternate locations acceptable to the Planning Agency.

5. Conditions of Approval

In approving an application for a special event permit, the Planning Agency may impose conditions that are deemed necessary to ensure that the permit will be applied in accordance with the criteria outlined above. These conditions may involve any factors affecting the operation of the special event, and may include, but are not limited to:

a. Provision of temporary parking facilities, including vehicular ingress and egress;

b. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination of adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases, and heat;

c. Regulation of temporary buildings, structures, and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards;

d. Provision of sanitary and medical facilities;

e. Provision of solid waste collection and disposal;

f. Police and fire concerns;

g. Provision of security and safety measures;

h. Regulation of signs;

i. Regulation of operating hours and days, including limitation of the duration of the special event to a shorter time period than that requested;

j. Submission of a performance bond or other surety device to assure that any temporary facilities or structures used for the proposed special event will be removed from the site within a reasonable time following the event and that the property will be restored to its former conditions;

k. Submission of a site plan indicating any information required by this Chapter;

l. A requirement that the approval of the requested special event permit is contingent upon compliance with this Title and with other applicable provisions of other ordinances;

m. Other conditions that will ensure the operation of the proposed special event in an orderly and efficient manner and in accordance with the intent and purpose of this Chapter; and

n. Liability insurance of the type and in the amount required by the County.

6. Notice

At least 10 (ten) days prior to making a decision regarding a Special Event Permit, the Planning Director shall issue a notice describing the application and the anticipated date of the decision. The notice shall be distributed as specified by Section [redacted] except that no hearing shall be required.

7. Acceptance of Conditions

A special event permit shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the applicant and returned to the Planning Department and no appeal consistent with the provisions of this Title has been filed.

8. Cancellation of a Special Event Permit

a. Noncompliance with the conditions set forth in approving the special event permit shall be grounds for the Planning Director to cancel and void any such special event permit.

c. The Planning Director shall give notice of such an action to the permittee. The permittee may appeal such a decision to the Planning Commission by filing an appeal consistent with this provisions of this Title.

9. Exceptions

The following uses and activities are exempt from the permit requirements of this subsection.

a. Non-commercial gatherings or parties in compliance with County noise regulations;

b. Up to six (6) days per year per parcel in R zones of garage sales, non-commercial outdoor gatherings or parties with temporary tents or play equipment, and/or other similar temporary outdoor activities, uses, and structures common in residential neighborhoods in compliance with the Building Code, County noise regulations, and other relevant rules and regulations;

c. Temporary outdoor uses, activities, and structures associated with an established permitted, conditionally permitted, and/or legal non-conforming uses in non-R zones consistent with the Building Code, County noise and environmental health regulations, and other applicable rules and regulations. Examples include, but are not limited to, outdoor retail sales and dining in C zones, commercial gatherings or parties in C and I zones, and laydown of equipment, shipments, and other materials prior to storage in C and I zones; and

d. Events licensed pursuant to Section 5.12.

e. Public voting places.

18.02.110 NON-CONFORMING USES AND STRUCTURES

1. Purpose

This section is intended to limit the number and extent of non-conforming uses by regulating their enlargement, reestablishment after abandonment, and the alteration or restoration after destruction of the structures they occupy. In addition, this section is intended to limit the number and extent of non-conforming structures by prohibiting their being moved, altered, or enlarged in a manner that would increase the discrepancy between existing conditions and the standards prescribed in this Title.

2. Applicability

Except as provided in Section [redacted], this section shall apply to any site, structure, or use (including signage) that was legally established, but does not conform to the provisions of this Title as originally adopted or as may be amended from time to time. "Non-conforming" refers to a legally established use that is not permitted by the applicable zone or a legally established structure that, by its size, architecture or location does not meet the standards of the applicable zone, or any combination thereof. Non-conforming uses and structures do not include legally established lots that do not meet dimensional requirements.

3. Discontinuation of Non-conforming Use

Whenever a non-conforming use has been discontinued for a continuous period of one hundred eighty (180) days or more, the non-conforming use shall not be re-established, and the use of the structure or site thereafter shall be in conformity with the regulations for the zone district in which it is located, provided that this section shall not apply to the use of a non-conforming single family dwelling located in a zone district that permits single family dwellings or to legally established non-conforming lots of record. Discontinuation shall include termination of a use regardless of intent to resume the use.

4. Continuation and Maintenance

a. Any non-conforming structure or use may be continued and maintained for the periods of time hereinafter set forth provided that there are no structural alterations, except as hereinafter provided:

1) Agricultural crops shall not be subject to the provisions of this Chapter;

2) Agricultural uses that involve permanent structures shall be subject to the provisions of this section; however, such uses shall be permitted to make

any changes or improvements that are required by any State law or County ordinances, including structural alterations that are necessary as a part thereof.

b. Any structure for which a building permit has been legally issued, and on which substantial construction has been performed in reliance thereon on the site before approval of an amendment to the regulation or ordinance making the use or structure non-conforming, may be continued in accordance with the plans and specifications upon which the permit was issued, subject to the limitations of this section.

c. A property containing a legally established structure that does not conform with applicable development standards for front yards, side yards, rear yards, height, floor area of structures, or open space for the district in which the property is located, shall be deemed to be a non-conforming structure, and may be used and maintained as provided herein.

d. Routine maintenance and repairs may be performed on a non-conforming use, structure, or sign, provided that the aggregate costs of the work done in any period of twelve (12) months on minor alterations or replacement of interior walls, fixtures, or plumbing shall not exceed twenty-five percent (25%) of the assessed value of the building, use, or sign for the first year in which the work was done. Estimates for this purpose shall be reviewed and approved by the Building Official and shall be based on the minimum cost of construction in compliance with the most currently adopted County Building Code.

5. Alterations and Enlargements of Non-conforming Uses and Structures

a. Except as provided in Subsections (d) and (e) and Section [redacted], a non-conforming use shall not be moved, altered, or enlarged unless required by law, or unless the moving, alteration, or enlargement will result in the elimination of the non-conformity.

b. Except as provided in Subsections (d) and (e) and Section [redacted], a non-conforming use shall not be enlarged or extended in such a way as to occupy any part of the structure or site or another structure or site that it did not occupy at the time it became a non-conforming use, or in such a way as to displace any conforming use occupying a structure or site.

c. Except as provided in Subsection (d) and (e) and Section [redacted], a non-conforming structure shall not be altered or reconstructed so as to increase the discrepancy between existing conditions and the standards for front yard, side yard, rear yard, height of structures, distances between structures, or usable open

space prescribed in the regulations for the zone district in which the structure is located.

d. The Planning Commission may approve, conditionally approve, or disapprove the moving, alteration, enlargement, extension, or reconstruction of non-conforming uses, structures, and/or signs pursuant to the conditional use permit process.

e. A dwelling in any R district which is nonconforming only with respect to a deficiency in yard dimensions or in parking spaces may be structurally altered or enlarged, provided that any addition or enlargement shall not increase the non-conformity, and the number of dwelling units in the structure shall not be increased.

6. Restoration of a Damaged Use/Structure

a. Except as provided in Subsection (b), whenever a non-conforming use, structure, or sign is destroyed to the extent of fifty (50) percent or less by fire, calamity, or act of God, the structure may be restored and the non-conforming use may be resumed, provided that restoration is started within one year and diligently pursued to completion. Except as provided in Subsection (b) and Sections [redacted], when the destruction exceeds fifty (50) percent, or the structure is voluntarily razed or is required by law to be razed, or the use is discontinued or required to be discontinued, the structure shall not be restored except in full conformity with the regulations for the zone district in which it is located, and the non-conforming use shall not be resumed. The extent of damage shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be reviewed and approved by the Building Official and shall be based on the minimum cost of construction in compliance with the most currently adopted County Building Code.

b. Notwithstanding Sections [redacted], a non-conforming dwelling that is damaged or destroyed by fire, explosion, act of God, or of the public enemy shall be permitted regardless of the extent of destruction, provided that such restoration or reconstruction has equal to or less floor area and a similar building footprint and height as the destroyed non-conforming dwelling, that such restoration is permitted by the building code of the County, and is started within one year and diligently prosecuted to completion.

18.02.120 APPLICATION FILING

1. Purpose and Intent

These provisions are intended to prescribe the procedure for filing applications for permits, appeals, amendments, and approvals when required or permitted by this Title.

2. Application Forms

Requests for permits, appeals, amendments, approvals, and other actions required or permitted by this Title shall require that a completed application on a form provided by the Planning Department be submitted to the Planning Department in addition to any other materials, reports, dimensions, plans, or other information required to take an action on the application.

3. Determination of Completeness

No application shall be processed pursuant to this Title prior to the determination by the Planning Department staff that the application is complete. A completed application shall consist of:

a. The application form with all applicable information included on, or attached to the form;

b. Additional information, reports, dimensions drawings and other material specified on the application form;

c. A description of how the proposed project or requested action is consistent with the goals, objectives, policies, programs, and other provisions of the adopted General Plan and the requirements of this Title;

d. Any other information or forms required for implementation of the California Environmental Quality Act pursuant to State Guidelines and Title 15;

e. Payment in full of the required fees for processing the application and submittal of the Fee Agreement;

The Planning Director shall determine in writing the completeness of the application, and shall transmit this determination to the applicant within the time limits and in such form and content and with respect to such types of project applications as established by applicable State law and County regulation.

The statutory time periods for processing any applications pursuant to this Title shall commence upon the date the application is accepted as complete, as provided in the State law relative to review and approval of development projects.

4. Additional Information

Notwithstanding procedures established in this Chapter for determination of completeness, the Planning Director may request the applicant to submit additional information in the course of processing the application if such information could not have been anticipated as necessary to the original application. Such a request to clarify, amplify, correct, or otherwise supplement submitted information shall not invalidate the original determination that the application was complete at the time the determination was originally made. The Planning Director may request any additional information needed to prepare adequate environmental documentation pursuant to State Guidelines Implementing the California Environmental Quality Act and Title 15.

5. Fees

Fees shall be collected as specified by Chapter 3.60 of this Code. The Board of Supervisors may waive fees for applications or appeals.

6. Who May File An Application

Unless otherwise specified in this Title, applications for permits and approvals pursuant to this may be made only by the affected property owner or the property owner's authorized agent or representative.

7. Consideration of Concurrent Applications

An application which is dependent on approval of a change of zone or other enabling application(s) shall be processed concurrently with such enabling application(s). The approval authority for such dependent application shall be vested with the body authorized to approve the enabling application(s).

8. Environmental Review

No permit or approval shall be granted pursuant to this Title prior to the completion of applicable environmental review as required by State guidelines implementing the California Environmental Quality Act and Title 15.

9. Time Limit for Approving Applications

a. Unless otherwise specified, when required by State law, action shall be taken on projects requiring the preparation and certification of an Environmental Impact Report, within one year of the date the application was accepted as complete.

b. Unless otherwise specified, when required by State law, final action shall be taken on projects that are exempt from the provisions of California Environmental Quality Act or that require the adoption of a Negative Declaration within one hundred five (105) days of the date that the application was accepted as complete.

c. Extension of the time limit for action on an application, as specified in the above paragraphs, may be granted if mutually agreed upon by the applicant and Planning Director.

10. Inactive Applications

If an application has been inactive for a substantial period of time, typically six (6) months, the Planning Director may administratively close the application.

18.02.130 PUBLIC HEARING AND NOTIFICATION PROCEDURES

1. Purpose

This section defines procedures for conducting public hearings for applications pursuant to this Title unless otherwise specified in this Title or State law. The purpose of this section is to ensure public awareness and full open public discussion and debate regarding proposed actions pursuant to this Title.

2. Public Hearing Date

Where required by State law, and unless otherwise specified in this Title, a public hearing on any application shall be scheduled before the Planning Commission and/or Board of Supervisors on the earliest appropriate date.

3. Notice of Hearings

a. Notice of public hearings shall be given as required by law by all of the following methods:

1) Publication in a newspaper of general circulation within the County at least ten (10) calendar days prior to the public hearing;

2) Mailing at least ten (10) calendar days prior to the public hearing, to all owners of property within a distance of three hundred (300) feet from the exterior boundaries of the property involved in the application. For this purpose, the last known name and address of each property owner as contained in the records of the latest equalized County Assessor rolls shall be used;

3) Mailing at least ten (10) calendar days prior to the public hearing, or delivering at least ten (10) calendar days prior to the public hearing, to each local agency expected to provide essential services or facilities to the

project whose ability to provide those facilities and services may be significantly affected;

4) Mailing at least ten (10) calendar days prior to the public hearing, or delivering at least ten (10) calendar days prior to the public hearing, to the owner of the subject real property or to the owner's duly authorized agent, and to the project applicant and the applicant's authorized representative, if any;

5) Mailing at least ten (10) calendar days prior to the public hearing, to any person who has filed a written request with the Planning Director and has provided the Planning Director with a self-addressed stamped envelope for that purpose.

6) Any other means prescribed by law, or desired by the County.

b. Exceptions

1) If the number of owners to whom notice is to be mailed or delivered is greater than one thousand (1,000), in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one eighth page in at least one newspaper of general circulation in the County at least ten (10) days prior to the hearing.

2) For a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, notice shall also be given, as required by law, by mail to each tenant of the subject property and, in addition to notice of the time and place of the public hearing, shall include notification of the tenant's right to appear and to be heard.

c. The Planning Director may require that additional notice of the hearing be given in any other manner deemed necessary or desirable to ensure that all notice requirements provided by law for the proposal are complied with.

d. All notices of public hearings shall include a description of the project and the identity of the hearing body or officer(s), shall describe the property, the date, time and place of the scheduled hearing, a statement that application and associated documents and environmental review are available for public inspection at a specified location, and the manner in which additional information and/or testimony may be received.

e. Any failure to give notice as required by this Title or any irregularity in connection therewith or in any procedure required by this Title shall not invalidate

the proceedings if there shall have been compliance with minimum requirements of California State law.

4. Conduct of Public Hearings

   a. Public hearings held pursuant to the provisions of this Title shall be held according to such public hearing rules as the Planning Commission and Board of Supervisors may, from time to time, adopt by resolution.

   b. The Chairperson of the Planning Commission or the Board of Supervisors may require that witnesses be sworn, prior to providing testimony at the Planning Commission or Board of Supervisors public hearing, respectively.

   c. At any public hearing held pursuant to this Title, the hearing body may order the hearing to be continued by publicly announcing the time and place of continuance, and no further notice thereof shall be required.

18.02.140 APPROVAL TO EXTEND WITH LAND

Unless otherwise specified, all permits and approvals granted pursuant to this Title shall run with the land, and shall continue to be valid upon a change of ownership of the site or structure to which it applies.

18.02.150 NOTICE OF DECISION

Upon a decision being rendered for any land use application, the Planning Director shall issue a Notice of Decision documenting the approval (with or without conditions) or denial or the application, any specific conditions imposed, expiration of the approval (if applicable), instructions for appeal, and other information deemed relevant, as well as the Acceptance of Conditions Form, if required.

18.02.160 EFFECTIVE DATE OF DECISION

A decision that is subject to appeal shall not become effective for fifteen (15) calendar days following the action by the appropriate decision making body in order to allow time for the filing of an appeal of the decision.

18.02.170 LAPSE OF APPROVALS AND EXTENSIONS OF TIME

1. Projects not subject to the Subdivision Map Act and/or not involving County Building Permits.

Approvals for projects not subject to the Subdivision Map Act and/or not involving County building permits shall lapse and become void twelve (12) months from the approval date, unless one or more of the following circumstances exist:

a. Otherwise specified in this Title,

b. A different expiration date is specifically established as a condition of approval to the extent permitted by law,

c. A valid building permit is in effect in reliance upon the approved entitlement and substantial construction has commenced and is diligently pursued toward completion, and/or

d. The property has been occupied and the approved use fully commenced.

2. Extension of Time

a. Authority

An extension of time may be granted for projects approved under this Title, where substantial construction has not yet commenced or has not yet been completed or where the property has not yet been occupied and the approved use not fully commenced. Approvals for extension of time may be considered without a public hearing and except as specified in the next sentence may only be granted by the original approving authority. If the Board of Supervisors was the original approving authority, the Planning Commission shall be the approving authority for the extension.

b. Submittal of Extension Requests

1) Extension requests for projects not subject to the Subdivision Map Act and/or not involving County building permits shall only be considered if filed with the Planning Department prior to expiration.

2) A subdivider may request an extension for projects subject to the Subdivision Map Act by written application to the Planning Director in accordance with the provisions of the Subdivision Map Act, the County's Subdivision Ordinance, and this Title.

c. Circumstances Under Which Extensions May Be Granted

An extension of the approval of a project may be granted only if it is found that granting of an extension will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

18.02.175 EFFECT OF DENIAL

No application for a variance, conditional use permit, General Plan Land Use Diagram Amendment, Zoning Map Amendment, modification, temporary occupancy permit, or special event permit shall be submitted within one year from the date of the final order of denial, except on grounds of new evidence or proof of changed conditions found to be valid by the decision-making body.

18.02.180 APPEALS

1. Appeal of Action

   a. Any person may appeal a decision of the Planning Director to the Planning Commission where the Planning Director's decision would otherwise be final.

   b. Any person may appeal a decision of the Planning Commission to the Board of Supervisors where the Planning Commission's decision would otherwise be final.

   c. Any member of the County Board of Supervisors may appeal a decision of the Planning Director or the Planning Commission where the decision would otherwise be final. In this case, no fee shall be required.

2. Filing of Appeals

   Appeal application forms shall be made available at the office of the Planning Department to all persons wishing to appeal an action included in this Title. Appeal applications shall be filed with the Planning Department within fifteen (15) calendar days following the date of action for which an appeal is made unless otherwise provided in this Title. If the last day to file falls on a holiday or on a Saturday or Sunday, the following business day shall be deemed the last day to act. Appeals requiring the Board of Supervisors consideration will be forwarded to the Clerk of the Board of Supervisors by the Planning Director.

3. Appeal Hearings

   Public notice of an appeal hearing shall be given in the manner in which the original notice was given.

4. Appeals – Action of the Planning Commission or Board of Supervisors

   The Planning Commission or Board of Supervisors at the conclusion of the hearing on any appeal filed pursuant to this Title may sustain, modify, or overrule the action of the Planning Director or Planning Commission in the matter, or may refer any such matter

back to the Planning Director or Planning Commission. The final order of the Board of Supervisors on any such appeal shall be effective forthwith.

5. Effective Date of Appealed Actions

Except as otherwise provided for in this Title, an action that has been appealed shall not become effective until a final determination is made by the appellate body and all opportunities for appeal have been exhausted.

18.02.190 REVOCATION OF PERMITS

1. Purpose and Intent

In order to protect the public health, safety and welfare, and in order to enforce the provisions of this Title, it may, from time to time, become necessary to revoke a previously authorized approval or approved permit. The purpose of this section is to provide a process for revoking approvals or permits to protect the public health, safety and welfare, as well as the rights to due process of permit holders within the County.

2. Authority

Authority to revoke permits or approvals issued pursuant to this title shall be vested with the Planning Commission. A public hearing shall be required prior to any revocation of permits or approvals. Notwithstanding the above, the Building Official shall have the authority to revoke building permits pursuant to the provisions of the Uniform Building Code.

3. Required Findings

A permit or approval subject to revocation pursuant to the provisions of this Section may be revoked by the decision-making body if any one of the following findings is made:

a. That the permit or approval was obtained by misrepresentation or fraud; or

b. That the use for which the permit or approval was granted has ceased, and was suspended for six or more consecutive calendar months; or

c. That the conditions of the permit or approval have not been met or the permit or approval granted is being or has been exercised contrary to the terms of the permit or approval or in violation of any statue, ordinance, law, or regulation; or

d. That the public health, safety and welfare can be served only by revocation.

4. Notification and Time Limits for Correction

a. The Planning Director shall notify the holder of the permit of approval in writing of a decision to initiate a pending revocation, shall state specifically the reasons for the proposed revocation, and shall provide a period of thirty (30) calendar days for the holder to correct or show substantial progress toward correcting the defect(s) that serve as the basis for the proposed revocation. In the event said defects are not corrected within thirty (30) calendar days from the date the notice is mailed, or substantial progress is not made during said thirty (30) day period and diligently continued until fully corrected, a public hearing date before the Planning Commission shall be set.

b. In taking action to revoke a permit, the Planning Commission shall have the discretion to set the effective date of the revocation in order to allow the permit holder adequate and appropriate time in which to make necessary corrections.

18.02.200 APPLICATION FOR MULTIPLE APPROVALS

Whenever applications are made to the County for multiple approvals for a single development, such as but not limited to zone changes, general plan amendments, subdivision of land, conditional use permits, and variances, and the ultimate decision-making body for one or more of the applications is the Board of Supervisors, all the individual applications shall be reviewed by the Planning Commission with recommendations to the Board of Supervisors for the consideration and action, even if the Planning Commission would have otherwise been the decision-maker for one or more of the applications.

Chapter 3
Special Zone Districts

18.03.010 PLANNED UNIT DEVELOPMENT (PUD) ZONE DISTRICT

Provisions are made in this section for the adoption by ordinance of more specific plans for the regulation of building, structures and the uses of land, in certain areas herein designated as planned unit developments (PUD). When adopted by the Board of Supervisors in conformance to the procedures and subject to the limitations herein set forth, the zoning regulations governing the area included in a PUD shall be those contained directly or by reference in the ordinance adopting the same, in lieu of any differing regulations imposed by this chapter upon the district or districts in which the PUD is located.

1. Intent

The objective of these provisions is to secure a fuller realization of the General Plan of the County and of the purposes of this title than that which would result from the application of the district regulations. It is intended to be applied only to areas, under single or unified ownership or control, which are sufficiently large to allow for overall planning and design in detail so as to secure to the community, the future occupants and the developer, values and amenities greater than those likely to be achieved by the relatively inflexible provisions necessary to regulate the successive development of individual lots by numerous different owners.

2. Limitation of Application.

The procedure set forth in this chapter for the adoption of a PUD shall not apply to any site having a gross area of less than four acres, being either in one ownership or the subject of a joint application filed by all the owners or agents of property therein. The procedure shall not be used unless the proposed development is properly related to the General Plan. Where concurrent subdivision or subparceling into individual lots or the dedication of any streets is involved, conformity to related ordinances of the county is required, and this procedure shall be concurrent with and supplementary thereto.

3. Preapplication Conference

Before filing any application for a PUD, the prospective applicant shall submit to the Planning Director preliminary plans and sketches and basic site information for consideration and advice to the applicant as to the relation of the proposal to general developmental objectives to be attained in the area, and as to the policies of the Planning Commission with reference thereto.

4. Stage Development

The preapplication conferences shall be related to and include an exchange of information concerning the whole of the area owned or controlled and intended by the applicant to be developed under the PUD procedure, even though such development is intended to proceed by

stages with separate sections being made the subject of separate and successive applications for adoption as PUDs.

5. Application

Every application for a PUD shall be filed in conformance to this section and shall be accompanied by the following:

a. A general development plan showing the proposed land ownerships, the uses, dimensions and locations of all proposed structures and of areas reserved for vehicular and pedestrian circulation, open spaces, landscaping, recreation, schools or other public uses;

b. Architectural drawings and sketches showing the design and character of the proposed uses and their relation to one another;

c. Tables showing the total number of acres and their distribution by use, and the percentage of the whole designated for dwellings of different types, nonresidential uses, streets, off-street parking, public uses and usable open spaces;

d. A time schedule for the proposed development, with evidence of the intent and ability of the applicant to carry out the plan;

e. Evidence of the concurrent submission of a tentative subdivision map, where either is involved, as required by this code;

f. Such other pertinent information as the Commission may require to complete its evaluation of the intent and impact of the proposal.

6. Findings Required

After the conclusion of the hearing on an application for a PUD, the Planning Commission shall not recommend approval of the proposal unless it finds that the PUD as applied for is or may be conditioned to be in full conformance to the general purposes of this Title, and in particular that:

a. The location, design and proposed uses are compatible with the character of existing development in the vicinity;

b. The plan will produce internally an environment of stable and desirable character, and minimize traffic congestion on surrounding or access streets;

c. The proposed development will be well integrated into its setting, without excessive earth moving or grading or the destruction of desirable natural features;

d. Provision is made for both public and private open spaces, at least equivalent to that required by the superseded district regulations;

e. Suitable provision is made, where appropriate, for schools, parks and playgrounds, and for the protection and maintenance of private areas reserved for common use; and

f. There is reasonable assurance that the applicant intends and will be able to proceed with the execution of the project without undue delay.

7. Limitation of Residential Density.

Any increase in the number of dwelling units beyond that which would be permitted under the superseded district regulations shall be limited to that which the commission finds to be fully compensated for by the quality and distinction of various elements of the architecture and the site plan, including:

a. The character and magnitude of the provision for both undeveloped and developed common open spaces;

b. The reduction through efficient design of the total acreage needed for adequate vehicular circulation;

c. Dedications for public use, if any; and

d. The general excellence of the design as a whole, including among other criteria, the provisions for landscaping, the treatment of pedestrian ways and areas for recreational use, optimum relation to topography and other natural features, and variety of building form and location.

8. Commission Action

At the public hearing on an application for a PUD, the Commission shall review the plan and supporting information and may disapprove the application or may make a report to the Board of Supervisors, recommending that the subject area be reclassified as submitted, or subject to additional conditions. The Commission may, before disapproving the application, take action permitting the applicant to revise and resubmit the plan for further review. A final order of disapproval by the Commission shall also be reported to the board of supervisors.

9. Board Action

The Board of Supervisors, upon receipt of a report from the Planning Commission relating to an application for a PUD, shall take action thereon either approving the application with or without conditions or denying the application. The adoption of the PUD shall constitute a reclassification of the subject property, pursuant to this section. Concurrently with its adoption, the Board shall require of the applicant such guarantees as may be appropriate to ensure the accomplishment of any public improvements, such grants of easement and development rights, and such arrangements for maintenance of common open spaces as are relevant in the case.

10. Conformance required.

After adoption, and prior to the issuance of any building permit, a final development plan shall be prepared, and a final subdivision map or lot split map recorded, if either is involved, as required by this code. The final development plan shall conform to the ordinance adopting the PUD and shall show to scale all buildings, off-street parking facilities, landscaping, finished grades and such other detail as will suffice to indicate conformance to all the features, conditions and characteristics upon which the approval was predicated. The final plan shall be recorded, and a notation of reference thereto shall be made forthwith upon the zoning map. No permit shall thereafter be issued for any building, structure or use except in substantial conformance to the said final plan. A violation of any part of the plan or of any condition of the approval shall constitute a violation of this title. The Board may, however, by resolution extend any specified time limit, for starting or completing the development of any stage thereof, upon the showing of good faith and effort to comply therewith and failure to so comply by reason of conditions beyond control of the applicant for such extension.

18.03.020 PUBLIC (P) DISTRICT

1. Purpose and Intent

It is the purpose of this Section to provide regulations that implement those goals, objectives and policies of the General Plan and to assure the availability and adequacy of lands suitable for future public, quasi public and institutional facilities, uses and activities.

2. Use Regulations

Table 3.A identifies those land uses or activities that may be permitted or conditionally permitted in each P zone district.

Table 3.A
Permitted/Conditionally Permitted Use Within Public Zone District

Legend

P Permitted subject to Consistency Assessment

C Permitted Subject to approval of a Conditional Use Permit

Table

3. Accessory Uses

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this

Title. These accessory structures and uses include, but are not limited to, outbuildings, signs, swimming pools, fences, hedges, walls, mechanical equipment, storage, and animal maintenance.

4. Site Development Standards

The minimum property development standards for all land, buildings, and structures constructed or placed within the P zone district shall be equivalent to the requirements of the zone district(s) of adjacent properties. When there is a conflict between adjacent zone districts and the P zone district, the Planning Director shall make the final determination as to the applicable development standards to be applied. Structures and buildings that do not meet the development standards may be approved with a Conditional Use Permit.

18.03.030 Open Space (OS) Zone District

1. Purpose and Intent

   a. The purpose of this Section is to provide a zone classification for those areas designated by the County General Plan for agricultural uses, State and federal lands, recreation, and other similar designations in order to encourage the protection of mountainous, hilly upland, valley, agricultural, potential agricultural, fragile desert areas, and other mandated lands from fire, erosion, soil destruction, pollution, and other detrimental effects of intensive and incompatible land use activities.

   b. It is the intent of this Section to establish standards for land uses that will protect and preserve the environmental resources, scenic, natural features, and open space character of the County, while also providing for agricultural development and protection of existing agricultural areas from urban development or residential subdivisions.

   c. It is also the intent of this Section to preserve agricultural areas and open space around the more intensive urban areas of the County, while providing for compatible multiple uses of nonagricultural lands which are principally held by federal and other public agencies.

2. Use Regulations

Table 3.A identifies those land uses or activities that may be permitted or conditionally permitted in each C zone district.

Table 3.A
Permitted/Conditionally Permitted Uses within the Open Space Zone District

Legend

P Permitted subject to Consistency Assessment

C Permitted Subject to approval of a Conditional Use Permit

Table

3. Accessory Uses

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this Title. These accessory structures and uses include, but are not limited to, outbuildings, barns, corrals, garages, signs, swimming pools, fences, hedges, walls, mechanical equipment, storage, home occupations, agricultural structures and uses, and animal maintenance.

Roadside stands, not exceeding four hundred (400) square feet in gross floor area in total, for the sale of agricultural produce grown on the parcel or adjacent properties under the same ownership may be permitted as an accessory use in the OS zone district.

3. Development Standards

Table 3.C lists the specific development standards in the OS zone district.

Table 3.C
Development Standards in Open Space Zone District

Minimum Parcel Area	40 acres, unless a greater minimum is depicted on the official Zoning Map
Minimum Parcel Width	500 feet
Front Yard Setback	50 feet
Side Yard Setback	50 feet
Rear Yard Setback	50 feet
Maximum Height (Primary Structures)	2 ½ stories of 30 feet
Maximum Building Height (Farm and Ranch Buildings)	60 feet
Maximum Height (Accessory Structures)	2 stories or 25 feet
Minimum Distance Between Buildings	10 feet

Chapter 4
Residential Zone Districts

18.04.010 PURPOSE AND INTENT

The General Plan outlines goals, objectives, and policies regarding the character of residential land uses and development. It is the purpose of this Chapter to provide regulations that implement those goals, objectives and policies that will assure availability of a wide range of residential housing opportunities and dwelling unit types to meet the needs of present and future residents of all socioeconomic groups in the Residential (R) zone districts.

It is also the intent of this Chapter to ensure adequate light, air, privacy, and open space for each dwelling, minimize traffic congestion, avoid overloading of utilities resulting from the construction of buildings of excessive bulk or number in relation to the surrounding land area, protect residential properties from objectionable noise, illumination, unsightliness, odors, smoke and other deleterious influences; and facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.

18.04.020 RESIDENTIAL ZONE DISTRICTS

1. Starlite Estates (RR-0.5) Zone District

It is the intent and purpose of the Starlite Estates (RR-0.5) zone district to provide suitable areas and appropriate environment for low density, single-family rural residential uses where certain agricultural activities can be successfully maintained in conjunction with residential uses. The RR-0.5 zone is intended to be applied to the area known as Starlite Estates and adjoining private lands which may be without fully developed services.

2. Rural Residential (RR) Zone District

The primary purpose of the Rural Residential (RR) zone district is to provide suitable areas and appropriate environments for low density, single family rural residential and estate type uses where certain agricultural activities can be successfully maintained in conjunction with residential uses on relatively large parcels. The RR zone district is intended to be applied to the areas outside the urban communities of the County which are generally without fully developed services and where individual residences are expected to be largely self-sustaining, particularly for water and sewage disposal.

3. Single Family Residential (R-1) Zone District

The primary purpose of the Single Family Residential (R-1) zone district is to provide for and protect the atmosphere and lifestyle associated with detached, single family residential neighborhoods and to provide space in suitable locations for additional development of this kind, with appropriate community facilities.

4. Duplex (R-2) Zone District

The primary purpose of the Duplex (R-2) zone district is to protect established neighborhoods of such dwellings and to provide space suitable in appropriate locations for additional housing development of single family dwelling units as well as duplexes.

5. Multiple Family Residential (R-3) Zone District

The primary purpose of the Multiple Family Residential (R-3) zone district is to provide a zone classification for those areas designated for multiple residential developments beyond that permitted by the R-2 zone district. This zone district is intended to provide locations for multiple-housing developments such as apartments, townhouses, condominiums and mobilehome parks with enhanced amenities, such as common open space.

5. Residential Densities

The actual density that may be attained in a residential district shall be determined by the residential land development review process and public hearings as set forth on the Official Zone Map of the affected district and the General Plan Land Use Diagram. The Planning Director, Planning Commission, and/or Board of Supervisors shall have the authority to reasonably condition, or recommend, as the case may be, proposed residential development to ensure that appropriate transitions are provided and that the proposed development is compatible with adjacent residential land uses, both existing and proposed.

18.04.030 USE REGULATIONS

Table 4.A identifies those land uses or activities that may be permitted or conditionally permitted in each R zone district.

Table 4.A
Uses Permitted Within Residential Zone Districts

Legend

P Permitted Subject to Consistency Assessment

C Permitted Subject to Approval of a Conditional Use Permit

Table 4.A
Permitted/Conditionally Permitted Uses Within Residential Districts

Table

15.04.040 ACCESSORY USES

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this Title. These accessory structures and uses include, but are not limited to, outbuildings, guest units and cottages that do not contain a kitchen, garages, signs, swimming pools, fences, hedges, walls, mechanical equipment, storage, home occupations, gardens, and animal maintenance.

In the RR zone district, rooming and boarding is permitted as an accessory uses to not more than three (3) persons.

In the R-1 and R-2 zone districts, not more than one (1) room in a dwelling unit shall be rented to a lodger, and no room shall be rented more than two (2) persons.

18.04.050 SPECIFIC DEVELOPMENT REGULATIONS

Table 4.C lists development standards specific to the R Zoning Districts.

Table 4.C
Development Standards in Residential Zone Districts

	RR-0.5	RR	R-1	R-2	R-3
Minimum Parcel Area *(Refer to Note Nos. 1 and 2)*	0.5 acres	1 acre	5,800 square feet	6,500 square feet	10,000 square feet
Minimum Parcel Width	100 feet	125 feet	50 feet	50 feet	75 feet
Front Yard Setback *(Refer to Note Nos. 2, 3, and 4)*	25 feet	50 feet	25 feet	25 feet	15 feet
Side Yard Setback *(Refer to Note Nos. 2, 3, and 4)*	5 feet	20 feet	5 feet	5 feet	5 feet for each story
Rear Yard Setback *(Refer to Note Nos. 2, 3, and 4)*	25 feet	30 feet	20 feet	20 feet	15 feet
Maximum Height (Primary Structures)	2½ stories or 30 feet	2½ stories or 30 feet	2½ stories or 35 feet	3 stories or 40 feet	3 stories or 40 feet
Maximum Height (Accessory Structures)	2 stories or 25 feet	2 stories or 25 feet	20 feet	2 stories or 25 feet	2 stories or 25 feet
Minimum Distance Between Buildings	10 feet	10 feet	10 feet	10 feet	10 feet
Residential Density	As specified by General Plan				

1. Minimum parcel area may be modified on the official Zoning Map.
2. R-3 Zone: Minimum parcel size may be modified by conditional use permit. Front yard – 15 feet except when abutting an R-1 and R-2 zone, then 25 feet, unless adjacent property has a nonconforming structure – then the front yard shall be the same as the adjacent developed property. Side Yard: 5 feet for each story, 0 feet for accessory buildings but 5 feet on one side. Rear Yard: 15 feet, 0 feet for accessory buildings.
3. In an R-1 Zone District an existing dwelling may be enlarged by an extension so as to occupy not more than 30 percent of the area of a required rear yard, provided that no building after extension shall exceed 35 feet in height or be less than five feet from any lot line. An existing garage located in a side or rear yard may be connected to a main building by an addition if it is located not less than five feet from any lot line and is used exclusively to provide automobile parking space.

4. Darwin Townsite Special Yard Standards: For nonconforming parcels created prior to the adoption of Ordinance No. 943 Sect. 4 (Part) adopted in 1994, which have less area than required under applicable parcel size requirements of the RR zone district, R-1 yard standards may be substituted for the RR zone yard standards. Creation of new parcels shall not be construed to be the date of merger if any, but the date of original creation of these parcels.

Chapter 5
Commercial Zone Districts

18.05.010 PURPOSE AND INTENT

1. The General Plan outlines goals, objectives, and policies regarding the character and location of commercial uses and development within the County. It is the purpose of this Chapter to provide regulations which implement those goals, objectives and policies, and which assure the availability of commercial uses within the County. Development in Commercial (C) zone districts should be conveniently located, efficient, attractive, and designed in a manner that ensures safe and convenient commercial activity, in order to serve the retail and service needs of County residents and businesses, as well as visitors.

2. It is the further intent of the regulations contained in this Chapter:

    a. To provide appropriately located areas for retail stores, service establishments, and commercial commodities and services required by residents of the County and the surrounding market area;

    b. To encourage the concentration of commercial and office uses for the convenience of the public, and to secure mutually beneficial relationships to one another;

    c. To provide adequate space to meet the needs of commercial development, including off-street parking and loading areas;

    d. To minimize traffic congestion and to avoid the overloading of utilities by regulating the construction of buildings of excessive size relative to the land uses in the County;

    e. To protect commercial properties from noise, odor, smoke, unsightliness, and other objectionable influences incidental to industrial uses; and

    f. To promote high standards of site planning, architecture and landscape design for commercial developments within the County.

18.05.020 COMMERCIAL ZONE DISTRICTS

1. Central Business (CB) zone district

The purpose of the CB zone district is intended to provide maximum flexibility by allowing combinations of commercial and multiple family residential uses on the same parcel of land. However, the primary land use in the CB zone district is to provide for a variety of small commercial retail, service and office uses. This zone district is generally reserved for properties located in the County's downtown areas.

2. General Commercial (C-1) Zone District

The primary purpose of the General Commercial (C-1) zone district is to provide suitable lands and locations for various retail, service, office and general commercial activities to serve a large segment of the County's commercial needs.

3. Highway Service and Tourist Commercial (C-2) Zone District

The Highway Service and Tourist Commercial (C-2) zone district is established to provide space for highway and tourist related enterprises adjacent to major routes of travel. It is further the intent of this zone district to prevent the impairment of safe and efficient movement of traffic and to encourage attractive development, compatible with adjacent land uses.

4. Administrative and Professional Offices (C-3) Zone District

The intent and purpose of the Administrative and Professional Offices (C-3) zone district is to provide a limited commercial zone for offices for professional services and those business activities that are related to professional type services and will be compatible with professional service type uses.

5. Commercial Recreation (C-5) Zone District

The intent and purpose of the Commercial Recreation (C-5) zone district is to provide a zone for commercially operated recreational activities, including resorts, lodges, motels, restaurants, general stores, campgrounds, mobilehome parks, recreational vehicle campgrounds, service stations, dude ranches and other uses oriented primarily to the traveler and tourist.

18.05.030 USE REGULATIONS

Table 5.A identifies those land uses or activities that may be permitted or conditionally permitted in each C zone district.

Table 5.A
Permitted/Conditionally Permitted Uses within Commercial Zone Districts

Legend

P Permitted subject to Consistency Assessment

C Permitted Subject to approval of a Conditional Use Permit

Table

18.050.40 ACCESSORY USES

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this Title. These accessory structures and uses include, but are not limited to, outbuildings, garages, signs, swimming pools, fences, hedges, walls, landscaping, irrigation, and mechanical equipment.

18.05.050 SITE DEVELOPMENT STANDARDS

1. General Requirements

Table 5.C lists development standards specific to the C zone districts.

Table 5.C
Development Standards in Commercial Zone Districts

	CB	C-1	C-2	C-3	C-5
Minimum Parcel Area *(Refer to Note Nos. 1 and 2)*	10,000 square feet	10,000 square feet	10,000 square feet	7,500 square feet	5 acres
Minimum Parcel Width	50 feet	75 feet	75 feet	60 feet	350 feet
Minimum Parcel Depth	n/a	n/a	100 feet	n/a	100 feet
Front Yard Setback *(Refer to Note No. 3)*	0	0	25 feet	0	25 feet
Side Yard Setback *(Refer to Note No. 3)*	0	0	0	0	20 feet
Rear Yard Setback *(Refer to Note No. 3)*	0	0	0	0	20 feet
Maximum Height (Primary Structures) *(Refer to Note Nos. 4 and 5)*	3 stories or 40 feet	3 stories or 40 feet	3 stories or 40 feet	3 stories or 40 feet	2½ stories or 30 feet
Maximum Height (Accessory Structures) *(Refer to Note Nos. 4 and 5)*	2 stories or 25 feet	3 stories or 40 feet	3 stories or 40 feet	3 stories or 40 feet	2 stories or 25 feet
Minimum Distance Between Buildings	n/a	n/a	n/a	10 feet	10 feet
Residential Density	As specified by General Plan				
Maximum Floor Area Ratio					

1. Minimum parcel area may be modified on the official Zoning Map.
2. Parcels within the CB zone district with less than 10,000 square feet that exist as of the effective date of Ordinance No. 1128 comply with the minimum parcel area requirement.
3. R Zone District Adjacency Exceptions in CB, C-1, C-2, and C-3 Zone Districts: where a parcel in the CB, C-1, or C-2 zone district abuts an R zone district and no public right-of-way for a street or alleyway lies between the C zone district and R zone district, the rear and/or side yard setback(s) in the CB, C-1, and C-2 zone district directly abutting the R zone district shall be as specified for the R zone district. In the C-3 Zone District, if the parcel directly abuts an R zone district, then the required side yard setback shall be the same as the abutting R zone district.
4. R Zone District Adjacency Exception in CB Zone District: where a CB zone district abuts an R zone district and no public right-of-way for a street or alleyway lies between the CB zone district and the R zone

district, the maximum permitted height shall be average of the CB zone district and the directly abutting R zone district.

5. R Zone District Adjacency Exception in the C-1 and C-2 Zone Districts: in C-1 or C-2 zone districts within 50 feet of an R zone district, the maximum height shall be 20 feet.

Chapter 6
Industrial, Manufacturing, and Heavy Commercial Zone Districts

18.06.010 PURPOSE AND INTENT

1. The General Plan outlines the goals, objectives and policies establishing the character and location of heavy commercial, manufacturing, and industrial land uses within the County. It is the purpose of this Chapter to provide regulations that implement those goals, objectives, and policies that assure the availability of a solid and diversified economic base that is capable of offering a wide range of employment opportunities to the residents of the County by provision of the Industrial, Manufacturing, and Heavy Commercial (M) zone districts.

2. The provisions of this Chapter are intended to ensure that specific, well-defined patterns of industrial, manufacturing, and heavy commercial activities are established which are compatible with the surrounding land uses, provide adequate access to the regional transportation network, and accommodate the employment and personal needs of workers and business visitors which meet the service needs of local businesses.

3. It is the further intent of the provisions of this Chapter to:

    a. Preserve appropriate areas for industrial, manufacturing, and heavy commercial uses and protect these areas from intrusion by residential and other incompatible land uses;

    b. Protect adjacent land uses from noise, odor, dust, smoke, truck traffic, fire, explosion, radiation and other potential hazards and objectionable influences associated with certain industrial, manufacturing, and heavy commercial uses;

    c. Provide adequate open space around industrial, manufacturing, and heavy commercial structures to protect them from hazards and to minimize the impact of industrial plants on nearby residential or commercial districts; and

    d. Minimize traffic congestion and avoid overloading utilities by regulating the construction of buildings and structures of excessive size relative to the size of the parcel.

18.06.020 INDUSTRIAL, MANUFACTURING, AND HEAVY COMMERCIAL ZONE DISTRICTS

1. General Industrial, Manufacturing, and Extractive (M-1) Zone District

The intent and purposed of the General Industrial, Manufacturing, and Extractive (M-1) zone district is intended to provide space in suitable locations in the County for all types of

manufacturing, warehousing, processing, mining, ore reduction, and mineral development activities, provided such activity minimizes pollution of any human or natural resource.

2. Light Industrial/Manufacturing/Heavy Commercial (M-2) Zone District

The intent and purpose of Light Industrial/Manufacturing/Heavy Commercial (M-2) zone district is to provide for suitable and appropriate areas for light, less intense, small scale industrial and manufacturing activities, research and development, distribution, multi-tenant industrial and manufacturing uses, a limited amount of outdoor storage or activities, administrative support, offices, and intensive commercial activities.

18.06.030 USE REGULATIONS

1. Table 7.A identifies those land uses or activities that may be permitted or conditionally permitted in each C zone district.

Table 6.A
Permitted/Conditionally Permitted Uses within Industrial/Manufacturing/Heavy Commercial Zone Districts

Legend

P Permitted subject to Consistency Assessment

C Permitted Subject to approval of a Conditional Use Permit application

Table

18.060.40 ACCESSORY USES

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this Title. These accessory structures and uses include, but are not limited to, outbuildings, barns, corrals, garages, signs, swimming pools, fences, hedges, walls, mechanical equipment, storage, agricultural structures and uses, and animal maintenance.

18.06.050 SITE DEVELOPMENT STANDARDS

1. General Requirements

Table 6.C lists development standards specific to the M zone districts.

Table 6.C
Development Standards in Industrial/Manufacturing/Heavy Commercial Zone Districts

	M-1	M-2
Minimum Parcel Area (*Refer to Note No. 1*)	20,000 square feet	10,000 square feet
Minimum Parcel Width	100 feet	50 feet
Front Yard Setback (*Refer to Note No. 2*)	25 feet	0 feet
Side Yard Setback (*Refer to Note No. 2*)	10 feet	0 feet
Rear Yard Setback (*Refer to Note No. 2*)	10 feet	0 feet
Maximum Height (Primary Structures) (*Refer to Note No. 3*)	2½ stories or 40 feet	3 stories or 40 feet
Maximum Height (Accessory Structures) **(Refer to Note No. 2)**	2½ stories or 40 feet	2 stories or 25 feet
Minimum Distance between Buildings	n/a	10 feet
Residential Density	As specified by General Plan	
Maximum Floor Area Ratio		

1. Minimum parcel area may be modified on the official Zoning Map.
2. R Zone District Adjacency Exception in M-2 Zone District: where an M-2 zone district abuts an R zone district and no public right-of-way for a street or alleyway lies between the M-2 zone district and R zone district, the rear yard setback(s) in the M-2 zone district directly abutting the R zone district shall be 20 feet and the side yard setback(s) in the M-2 zone district directly abutting the R zone district shall be 5 feet for each story. Setbacks for mobilehomes in the M-2 zone district shall be the same as in the R-1 zone district.
3. R Zone District Adjacency Exception in M-1 Zone District: where the M-1 zone district abuts an R or C zone district, no building, structure, chimney, or other facility within five hundred (500) feet of an R or C zone district boundary shall exceed thirty-five (35) feet or two and one-half (2½) stories in height. The height limit in the M-1 zone district may be exceeded with approval of a conditional use permit.

2. Land uses within the M zone districts shall meet the provisions of this Title and all applicable local, state, and federal hazardous materials legislation.

3. Land uses within the M zone districts shall be planned, developed, conducted, and operated so that smoke, fumes, dust, odors, liquids, and other wastes of any kind are confined and/or purified to control pollution of air, soil, and water to meet the standards and requirements of the County and minimize the threat to the public health and welfare and aesthetic value of the County.

Chapter 7
Combining and Overlay Districts

18.07.010 ARCHITECTURAL DESIGN (D) COMBINING ZONE DISTRICT

1. Purpose and Intent

   a. The Architectural Design or "D" Combining zone district may be combined with any other land use district in order to assure a generally harmonious architectural design to all buildings, landscape features and uses within certain designated districts of the County.

   b. The Board of Supervisors finds that it is in the public interest for the County to be beautiful, and to preserve and express architecturally and through the use of appropriate building materials, colors and design the historical high-desert culture of the County. This Board of Supervisors finds further that such architectural expression is in the public interest since it will enhance the tourism-based economy of the region. This District is not to be construed as a rigid means for controlling the style of buildings, but rather as a device for encouraging those property owners requesting to be within D district to produce the best architectural-landscape design interpretation of the climate, natural environment, regional identity, and way of life of the people of this County. It is the intent of this Chapter to preserve and enhance the historical western design and appearance of commercial buildings and structures in the County while providing to each owner and/or operator thereof in complying with this Chapter the freedom and flexibility to choose among a range of designs, materials and colors.

2 Architectural Design Review Board

   a. There is created by this Chapter an Architectural Design Review Board (Board) to be composed of five persons appointed by the chairman with the consent of a majority vote of the Board of Supervisors. Each appointee shall be a qualified person capable of exercising sound and fair design judgments.

   b. The members shall be:

      1) A qualified licensed architect;

      2) The Director of the County Department of Public Works;

      3) A member of the Planning Commission or a professional city or regional planner;

      4) A member of the Chamber of Commerce representing the town or locale in which the D district has been designated recommended jointly to the

Board of Supervisors by that Chamber of Commerce and the Planning Commissioner representing the supervisorial district in which the D district has been designated;

5) A member of the public residing in the town or locale in which the D district has been designated, recommended jointly to the Board of Supervisors by the Chamber of Commerce representing that town or locale and the Planning Commissioner representing the supervisorial district in which the D district has been designated;

6) In the event the D district is designated in an area which is not represented by a chamber of commerce, the Planning Commissioner representing the supervisorial district in which the D district has been designated shall select the members required to be appointed by this Chapter from the owners of businesses in and the residents of that area, respectively, and shall recommend those persons to the Board of Supervisors.

c. Each Architectural Design Review Board may prepare and adopt guidelines for implementing design review.

d. Each member shall serve a term of two years, without compensation, except that two of the original appointees shall serve one year and three others shall serve three-year terms.

3. Review of Building Plans Required

a. Prior to the issuance of a building permit for any new construction or development or for major modifications to the exterior of existing structures in an area within a designated D district building plans, including accurate elevations of each facade and sufficient detailing of exterior materials, shall be submitted to the Architectural Review Board for a determination whether or not the proposed construction, development or modification is architecturally acceptable.

b. The Architectural Review Board, in making its determination, shall be governed by the following criteria:

1) No building shall be permitted, the design or exterior appearance of which, is of such unorthodox or abnormal character in relation to the surroundings as to be unsightly or offensive to generally accepted taste;

2) No individual building shall be permitted the design or exterior appearance of which is so identical with those adjoining as to create excessive monotony and drabness. In applying this standard to attached buildings or row buildings to apartment groupings or commercial and industrial centers, the overall composition and aesthetic effect shall be considered;

3) No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades and presents an attractive appearance to the public and to surrounding properties;

4) No building shall be permitted to be sited on the property in a manner which would unnecessarily destroy or substantially damage the natural beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in that area; or which would unreasonably affect adversely the beauty and general enjoyment of existing residences on adjoining properties;

5) As used above, the terms "exterior appearance" and "exposed facade" include the color(s) of the building, structure, development or modification under consideration by the Architectural Review Board.

6) The decision of the Architectural Design Review Board is appealable to the Planning Commission, as provided for in Section [redacted].

4. Approval of Building, Site and Operational Plans

a. Where Required. In the case of certain uses, the character of which could have substantial adverse effect upon the surrounding environment and general character of the County, by reason of the appearance of the structures, arrangement or use of the land, the Planning Director may refer such uses to the Planning Commission to review and approve building, site and operational plans as a qualifying condition to their permissibility,.

b. Use by Right Not Infringed. Such required approval shall be limited solely to reasonable compliance with design, location, color and operational requirements and shall not involve the basic permissibility of the use where such use is permitted by right.

c. Criteria. In determining the acceptability of the building, site or operational plans, the Planning Commission shall take into consideration the following factors as well as any others they deem appropriate:

1) The general design and appearance of any structures in terms of generally accepted standards of good taste and particularly in terms of the relationship and effect upon surrounding properties;

2) The relationship of structures and uses to each other and to the site, with particular consideration of traffic flow, access, screening of parking and storage areas, and general appearance;

3) The character of the operation in terms of its impact upon traffic facilities, sewage disposal, water supply, and environmental character, with particular consideration of the control of any possible noise, dust, odor or other undesirable operating characteristic.

5. Form of Submittal

Before issuing a building or an occupancy and zoning use permit, the necessary building, site and operational plans shall be submitted to the Architectural Review Design Board and/or the Planning Commission for consideration. Such plans shall be in reasonable detail to enable the Architectural Review Design Board and/or the Planning Commission to properly evaluate them and shall specifically include the following:

a. A site plan of the property accurately dimensioned showing the location of all existing and proposed structures and uses;

b. General building plans including either elevations or perspective drawings showing the exterior appearance;

c. A statement describing the basic operational characteristics of the proposed use.

6. Architectural Board not Supplanted

The approval required by this Chapter may be a prerequisite to the determination by the Planning Commission as to the acceptability of the use proposed, but does not supplant the requirement for specific approval by the Architectural Review Board as to appearance of any proposed structures.

18.07.020 SNOW AVALANCHE HAZARD (SAHO) OVERLAY ZONE DISTRICT

1. Intent and Purpose

The intent and purpose of this Section is to provide a mechanism (overlay zone) to advise current and future property owners within officially designated snow-avalanche-hazard areas of the potential for snow avalanches.

2. Principal, Accessory and Conditional Uses

The uses permitted in the SAHO district are the uses authorized in the district which is combined with SAHO district

3. Development Standards

All of the listed development standards, as designated in the district with which the SAHO is combined, shall be the same as the underlying district except as specifically stated in Section [redacted].

4. Implementation

   a. Upon completion and acceptance of a snow-avalanche-hazard study prepared by a qualified and recognized snow-avalanche specialist, the County shall apply the SAHO to properties identified as within the potential snow-avalanche area.

   b. The SAHO shall encompass those areas designated as historical snow-avalanche areas and potential snow-avalanche areas (one hundred-year-frequency). Whenever possible, the SAHO shall conform to existing property lines, unless the subject property is of such size or configuration to warrant only a portion of the property to be so designated.

   c. Within sixty (60) days of the application of any SAHO zone to property, the County Planning Department shall send by certified mail to the current property owner, as shown on the latest tax assessment roll, a notification of snow-avalanche-hazard. The certified mail receipt shall be kept on file in the office of the County Planning Department.

   d. Within sixty days of the application of any SAHO zone to property, the County Planning Department shall record, in the office of the County Recorder, a notification of snow-avalanche-hazard. The recorded notification of snow-avalanche-hazard shall be deemed sufficient notification of future property owners within the designated SAHO zone.

5. Additional Development Standards

   The following additional development standards are imposed on those properties or those portions of properties located within a SAHO:

   a. Avalanche protective, deflective and preventive structures, devices or earthwork which threaten to deflect avalanches toward property of others, or otherwise threaten to increase the danger to persons or property are prohibited.

   b. Prior to new development of habitable structures and/or other structures as determined by the Building Official, a competent engineer with expertise in avalanche hazards shall prepare and submit for approval one of the following:

      1) A study demonstrating that the development will not be impacted by avalanche hazards.

      2) A study demonstrating that avalanche protections and design features will adequately protect the structures from avalanche hazards and will not increase potential impacts to other properties or structures. Such protections and design features must be installed prior to occupancy.

6. Amendment

Any property owner within the SAHO may request a rezoning out of the SAHO. In so doing, the rezoning application must be accompanied with a report prepared by a County-approved recognized and qualified snow-avalanche-hazard expert that demonstrates that the SAHO currently mapped and zoned on the property either does not exist or should be adjusted. If approved, and the entire property is removed from the SAHO, the County Planning Department shall record, within thirty days, a notice in the office of the County Recorder rescinding the recorded notification of snow-avalanche-hazard on the subject property.

18.07.030 AIRPORT HAZARD (AH) OVERLAY DISTRICT

1. Purpose and Intent

a. The airport hazard overlay district, designated AH, is established to prevent the creation of airport hazards, thereby protecting the lives and property of users of the various County airports and the occupants of the land in the vicinity of the County airports. The Board of Supervisors finds it necessary to provide height and land use regulations in the vicinity of County airports to protect and promote the health, safety, and general welfare of the inhabitants of the County pursuant to the state law. The AH district shall be in addition to the underlying zone district regulations with which it is established.

b. The provisions of this title have been revised to incorporate the "Policy Plan and Airport Comprehensive Land Use Plans" that were adopted by the County Airport Land Use Commission, in December 1991, pursuant to Section 21670 et seq. of the State of California Public Utilities Code.

2. Surfaces and Zone

The AH district consists of five surfaces and one zone for the purpose of airport zoning. Each of the surfaces as defined in this Section and as depicted on the Zoning Map establish the height limitations necessary to accomplish the intent of the AH district. The surfaces and zones of the AH district shall be as follows:

a. Primary Surface. The primary surface is a surface longitudinally centered on the runway. When the runway has a specifically prepared hard surface, the primary surface extends two hundred feet beyond each end of the runway; but when the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The elevation of any point of the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is two hundred fifty feet for all runways at all airports except for the nonprecision runways at Bishop and Lone Pine Airports where the width is five hundred feet.

b. Approach Surface. The approach surface is a surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of one thousand two hundred fifty feet, at five thousand feet in length with an approach slope of 20:1, for that end of all runways at all public use airports in the County except for those nonprecision instrument runways at Bishop and Lone Pine Airports where the approach surface expands uniformly, from the primary surface, to a width of three thousand five hundred feet, at ten thousand feet in length with an approach slope of 34:1.

c. Transition Surface. These surfaces extend outward and upward at right angles to the runway center line and the runway centerline extended at a slope of 7:1 from the sides of the primary surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface extend a distance of five thousand feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

d. Horizontal Surface. The horizontal surface is a horizontal plane one hundred fifty feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is five thousand feet for all runways in the County except for those nonprecision runways at Bishop and Lone Pine Airports where the radius of each arc is ten thousand feet.

e. Conical Surface. The conical surface is a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of four thousand feet.

f. Runway Protection Zone. The runway protection zone is the land area which lays under the approach surface from the end of the primary surface for a distance of one thousand feet for all runways at all public use airports in the County except for those nonprecision runways at Bishop and Lone Pine Airports where the distance is one thousand seven hundred feet.

3. Establishment

In order to implement the purposes of this Chapter, the AH district described by this Chapter shall be shown and delineated on the Zoning Map. The AH district shall be drawn to scale and is established on and around each of the following public use airports located within the county:

a. Bishop Airport;

b. Independence Airport;

c. Lone Pine Airport;

d. Shoshone Airport;

e. Trona Airport;

f. Death Valley National Monument Airport (Furnace Creek);

g. Death Valley, Stovepipe Wells Airport.

4. Use Restriction Generally

No use may be made of land within the AH district which would create electrical interference with radio communication, make it difficult for pilots to distinguish between airport lights and other lights, create glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise endanger the landing, takeoff or maneuverability of the aircraft.

5. Height Restrictions

Except as otherwise provided in this Chapter, no structure, manmade or natural, shall be erected, altered or expanded in any portion of the AH district to a height in excess of the height limit established by each surface, as defined in this Chapter and as shown on the Zoning Maps. The datum plane for measurement of such height limits shall be based on the airport elevation.

6. Use Restrictions in Runway Protection Zone and Under Approach Surfaces

Except as otherwise provided in this Chapter, no use which would result in a man-made structure or natural object shall be permitted in that portion of the AH district known as the runway protection zone, as defined in Section [redacted] and as shown on the zoning maps. Furthermore, except as otherwise provided in this Chapter, no use which would result in a concentration of people, public or private, shall be permitted on property lying within that area outside of the runway protection zone and comprising of the balance of the approach surface as defined in Section [redacted] and as shown on the zoning maps. Additionally, residential development shall be limited to no more than four single-family dwellings per acre within this area. An occupancy potential of twenty-five (25) or more persons shall be considered a concentration of people for the purposes of this Chapter.

7. Conditional Use Permit Required

a. Before that portion of any nonconforming structure which exceeds height limitations established by this Chapter may be structurally altered and before any

nonconforming structure or natural growth may be replaced, reconstructed, allowed to grow higher or replanted, a conditional use permit must be approved by the Planning Commission authorizing such structural alteration, replacement, reconstruction or change. Those portions of an existing nonconforming structure or natural growth below the height limitations established in this Chapter shall not be affected by the provisions of this Chapter. Minor repair or alteration of nonconforming structures pursuant to Section [redacted] shall not require a conditional use permit provided the repair or alteration does not exceed the applicable height limitations.

b. Pursuant to Section [redacted] no structure or man-made or natural object shall be permitted to exceed the established height limits of the AH district surfaces without first securing a conditional use permit from the Planning Commission. Except as otherwise provided in this Chapter the conditional use permit process and procedures shall be as set forth in Section [redacted] of this Title.

c. Pursuant to Section [redacted], no structure may be erected in the runway protection zone or use made of land lying within any portion of the approach surface which would result in a concentration of people without first securing a conditional use permit from the Planning Commission. Except as otherwise provided in this Chapter the conditional use permit process and procedures shall be that contained in Section [redacted] of this Title.

d. Issuance of any use or conditional use permit for development of any land use whatsoever, located within any area defined within Section [redacted] and as shown on the Zoning Maps, shall be subject to the grant of an aviation easement to the County.

8. Referral to Federal Aviation Administration (FAA)

In all cases where a conditional use permit is required pursuant to this Chapter the applicant shall be referred to the Federal Aviation Administration (FAA) for their review and approval pursuant to the requirements of Part 77 of the Federal Aviation Regulations. The application may also be referred to the State of California, Division of Housing and Transportation, Department of Transportation, Division of Aeronautics. The conditional use permit application shall include a copy of the FAA's findings, conclusions and conditions pursuant to the Part 77 review and this Chapter. No action shall be taken by the County until evidence has been produced indicating the FAA's Part 77 review requirements have been satisfied.

9. Conflicting Regulations

If there is conflict between this Chapter and any other ordinances or regulations applicable to the same area or parcel of land, whether the conflict is with respect to the height of structures or trees, the use of land, or any other matter, and whether such other regulations were adopted by the County or by some other public agency, the more

stringent regulations shall govern or prevail. Additionally, a collation between this Chapter and standards contained within the noise element of the County's General Plan and the Noise Section of this Title is required. In all cases, the standards and requirements of Part 77 of the Federal Aviation Regulations administered by the FAA shall be held as the minimum necessary to prevent hazards to aviation.

18.07.040 PRECISE PLAN (PP) COMBINING ZONE DISTRICT

1. Establishment and Purpose

There is established a combined land use district known as a precise plan district. The precise plan district consists of those regulations set forth in this chapter, together with the specific regulations in the district which is combined with the precise plan district as incorporated in this district.

The purpose of the precise plan district is to assure that yards, open space, structures, parking, loading facilities, landscaping, streets and similar uses and developments of land within the district will be located in accordance with an approved precise plan providing for compatible developments within the district and a compatible relationship with developments in adjoining districts.

2. Precise Plans

a. At the time of the application for rezoning, the applicant shall file eight copies of the proposed precise plan drawn to scale and prepared by a licensed architect, landscape architect, civil engineer or land surveyor, which proposed precise plan shall precisely indicate:

1) Parcel dimensions in distances and bearings;

2) All existing and proposed buildings and structures (location);

3) Yards and open spaces between buildings;

4) Enclosures, walls, fences (location, height and materials);

5) Off-street parking (location, number of spaces, dimensions of parking area and internal circulation pattern);

6) Access (pedestrian, vehicular, service, points of ingress and egress, internal circulation, design and improvements);

7) Signs (location, size and height, types of materials, text and lighting);

8) Loading (location, dimensions, number of spaces and internal circulation);

9) Open storage areas (location and use);

10) Landscaping (location of all existing trees twenty feet or higher, proposed landscaping plan indicating location and type of trees, shrubs and ground covers);

11) Lighting (location and general nature);

12) Street dedications and improvements;

13) Such other data as may be required under the circumstances of each application to permit the Planning Commission to properly consider the application.

b. Planning Commission Approval of Precise Plan

No person may build or construct in a Precise Plan Combining Zone District until the precise plan is approved by the Planning Commission.

c. Modification of Approved Precise Plan

The Planning Director may administratively make minor changes to the precise plan if the change is not contrary to the purpose and intent of the approved precise plan or if the change is consistent with the underlying zoning district.

d. Uses Permitted

The uses permitted in the Precise Plan Combining zone district are the uses authorized in the district which is combined with the Precise Plan Combining zone district. If the proposed use requires the issuance of a land use permit, the approval of a precise plan is deemed approval of the land use permit.

e. Yard Requirements

The front, rear and side yard requirements in the Precise Plan Combining zone district is that front, rear and side yard requirements which are shown upon the approved precise plan.

f. Lot Requirements

The area, width and depth requirements of the lot in a Precise Plan Combining zone district are those areas, width and depth requirements established for the land use district which is combined with the Precise Plan Combining zone district.

g. Height Limitations

The height limit in the Precise Plan Combining zone district is the height limit established for the land use district which is combined with the Precise Plan Overlay zone district.

18.07.060 DENSITY BONUS (DB) OVERLAY DISTRICT

1. Purpose and Intent

   a. The Density Bonus or "DB" districts are established as overlay zones to provide for increases in housing densities to provide affordable and adequate housing for all residents of the County. The DB district consists of those regulations set forth in the underlying zoning district, except where modified in this section.

   b. The intent and purpose of this chapter is to allow the County to work together with housing agencies and the private sector and offer appropriate incentives to encourage development of additional affordable housing as provided by Section 65915 et seq. of the Government Code.

   c. Nothing in this chapter is intended to limit the authority of the county to exercise its police powers to protect the public health, safety and welfare of its citizens through any of the provisions of the county subdivision and zoning ordinances (Titles 16 and 18 of this code), except as specifically required by Sections 65589.5 and 65915 of the Government Code.

2. Applicability

   The DB overlay shall be applied when the applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus award, that contain at least any one of the following:

   a. Five (5) percent of the total units for very low income households;

   b. Ten (10) percent of the total units for lower income households;

   c. Ten (10) percent of the total dwelling units in a common interest development, as defined in Section 1351 of the Civil Code, for moderate income households, provided that all units in the development are offered to the public for purchase. The initial occupants of the moderate income units that are directly related to the receipt of the density bonus must be persons and families of moderate income, and the units must be offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code;

   d. A senior citizen housing development;

e. A donation of land to the county sufficient to provide housing for very low income households in the amount of ten percent of the number of residential units proposed for development, subject to Section [redacted].

3. Principal, Accessory and Conditional Uses

The principal, accessory and conditional uses in the DB district are the same as the uses authorized in the zoning district which is combined with the DB district.

4. Density

The maximum building density for any affordable housing development or senior citizen development shall be as follows or as required by statute, whichever is less:

a. For developments providing very low income housing, a twenty (20) percent base density bonus plus a two and one-half (½) percent supplemental increase over that base for every one percent increase in very low income units above five percent. The maximum density bonus allowed is thirty-five (35) percent;

b. For developments providing lower income housing, a twenty (20) percent base density bonus plus a one and one-half (½) percent supplemental increase over that base for every one percent increase in lower income units above ten percent. The maximum density bonus allowed is thirty-five (35) percent;

c. For common interest developments providing moderate income housing, a ten (10) percent base density bonus plus a one (1) percent increase over that base for every one percent increase in moderate income units above ten (10) percent. The maximum density bonus allowed, including supplemental increases, is thirty-five (35) percent;

d. For developments, providing senior citizen housing, twenty percent (20); and

e. For donation of land in accordance with subsection [redacted], a fifteen (15) percent base density bonus plus a one percent supplemental increase over that base for every land donation that provides a one (1) percent increase in housing for very low income households. The density bonus shall be in addition to bonuses awarded in subsections A through D of this section, to a combined maximum of thirty-five percent (35).

5. Donation of Land

An applicant for a tentative subdivision map, parcel map, or other residential development approval, may receive a density bonus for the donation of land to the County, or to a developer approved by the Planning Commission, subject to the following conditions:

a. The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application;

b. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than ten percent of the number of residential units of the proposed development;

c. The transferred land is at least one (1) acre in size or of sufficient size to permit development of at least forty (40) units, has the appropriate General Plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure;

d. The transferred land and the affordable units shall be subject to deed restrictions ensuring continued affordability of the units as required by statute;

e. The transferred land shall be within the boundary of the proposed development or, with approval of the planting commission, within one-quarter (¼) mile of the boundary of the proposed development.

6. Child Care Facility

When an applicant proposes to construct affordable housing that conforms to the requirements of this section and includes a child care facility that will be located on the promises of, as part of, or adjacent to the project, the Planning Commission shall approve, subject to all conditions required by Section 65915 of the Government Code, either of the following:

a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility;

b. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

7. General Provisions

a. The density bonus shall be a density increase over the otherwise maximum allowable residential density under this title and the applicable land use element of the General Plan as of the date of application.

b. All density calculations resulting in fractional units shall be rounded up to the next whole number.

c. The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan Amendment, zoning change, or other discretionary approval.

d. The county shall not apply any development standard that would have the effect of precluding the construction of a housing development meeting the requirements of Section [redacted] (Applicability).

e. Upon request by the applicant, the county shall not require that a housing development provide a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds one onsite parking space for zero to one bedrooms, two onsite parking spaces for two to three bedrooms, or two and one-half onsite parking spaces for four and more bedrooms.

8. Building Site Area/Parcel Size

The minimum building site area/parcel size for any affordable housing or senior citizen development pursuant to this chapter shall be reduced to be consistent with the maximum building density under Section [redacted]. The minimum required width of parcels shall remain as specified in the underlying zoning district.

9. Density Bonus Concessions – Generally

In addition to the eligible density bonus percentage described above, an applicant may request concessions in connection with its application for a density bonus as follows:

a. One concession for housing developments that include at least five (5) percent of the total units for very low income households, at least ten (10) percent for lower income households, or at least ten percent (10) for moderate income house-holds in a common interest development;

b. Two concessions for housing developments that include at least ten (10) percent of the total units for very low income households, at least twenty (20) percent for lower income households or at least twenty (20) percent for moderate income households in a common interest development;

c. Three concessions for projects that include at least fifteen (15) percent for very low income households, at least thirty (30) percent of the total units for lower income households, or at least thirty (30) percent for persons or families of moderate income in a common interest development.

10. Density Bonus Concessions – Yards

Where concessions are required to meet affordability targets mandated by Section 65915 of the Government Code, the minimum yard requirements are as follows:

a. In an R-l, R-2 or RMH district the minimum yard requirements shall be as follows:

1) Depth of front yard, twenty (20) feet;

2) Depth of rear yard, ten (10) feet;

3) Depth of side yards, three (3) feet.

b. In an R-3 district the minimum yard requirements shall be as follows:

1) Depth of front yard, five (5) feet, except where the front yard is utilized to provide required parking;

2) Depth of rear yard, five feet (5); zero (0) feet for accessory buildings;

3) Depth of side yard, five (5) feet; zero (0) feet for accessory buildings;

4) Distance between buildings on the same property, ten (10) feet.

11. Denial of Request for Concessions

The Planning Commission shall grant concession(s) requested by the applicant unless the Planning Commission makes a written finding, based upon substantial evidence, of either of the following:

a. The incentive or concession is not required in order to provide for affordable housing costs or affordable rents. The applicant shall be required to prove that a concession is required to make the housing economically feasible.

b. The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of sub-division (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and if the planning commission determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower and moderate income households.

12. Plot Plan and Development Plan Required

Any application for the DB overlay zone shall be in the form and method prescribed by the Planning Director and accompanied by plot and development plans necessary to determine compliance with the purpose, intent and development standards prescribed by the DB overlay. The development plans shall contain sufficient cost and market data based upon the land cost per dwelling unit to assure any density bonus concessions granted are necessary to attain the affordability targets mandated by Section 65915 of the Government Code.

13. Management Contract Required

a. Before any permit to construct is issued in the DB overlay zone, a project management plan in the form of a written contract and deed restrictions shall be executed by and between the applicant, housing agency and county. The contract and deed restrictions shall be a recorded document approved by the county counsel as to form and content, and shall set forth sales, resales and rental restrictions to ensure that designated units remain available as affordable or senior citizen units, as applicable, for the term of the project as required by Section 65915 of the Government Code.

b. The management plan shall provide for the housing agency to ensure the financial or age eligibility of applicants for purchase/rental of the affordable housing or senior citizen units for the term of the project. If requested by the housing agency, the management plan shall provide for reimbursement by the applicant of the costs to the housing agency of administering the management plan.

14. Approval Required, Subject to Standards

As provided by Section 65915 of Government Code, when a developer submits a complete application for a DB overlay, the Planning Commission shall approve the application, unless it documents through findings that the affordable housing or senior citizen development as proposed would have a specific adverse impact upon the public health and safety, and there is no feasible method to satisfactorily mitigate or avoid the impact without rendering the development unaffordable to moderate income, lower income or very low income households.

15. Location of Bonus Units

As provided by Government Code Section 65915, the location of density bonus units within the housing development may be at the discretion of the developer; however, the bonus units shall be reasonably dispersed throughout the development, shall contain on average the same number of bedrooms as the bonus units in the development, and shall be compatible with the design or use of the remaining units in terms of exterior appearance, materials and quality finish.

18.07.070 MOBILEHOME (MH) OVERLAY ZONE

1. Purpose

It is the intent and purpose of this chapter to provide flexibility as to the use of mobilehomes as a single-family residential dwelling in various areas of Inyo County. The Mobilehome (MH) overlay zone is intended to enable the County to selectively permit mobilehomes depending on circumstances and the character of existing development, and planning studies indicating the appropriate type of mobilehome use in various areas of Inyo County. The MH overlay zone is expected to be applied in the rural communities, special service centers, and other residential areas of Inyo County.

2. The following are the principal permitted uses of the MH overlay zone which shall be in addition to those established by the zone district which the MH overlay zone is combined with: a mobilehome, complying with the provisions of Title 25 of the Administrative Code, may be used as a single-family dwelling.

Chapter 8
Development Standards

18.08.010 PURPOSE AND INTENT

It is the purpose and the intent of the general development standards to ensure that land uses and development will contribute to and be compatible with existing and future development in the surrounding vicinity in a manner which will enhance the quality of life for County residents, employers and visitors, and to identify land uses and activities which possess the potential to cause deleterious effects to the community in which they are located, and to subject such uses to specific regulations with the intent of minimizing, to the extent practical, these deleterious effects. It is further intended, that all proposed development subject to discretionary review is consistent with the goals, policies, objectives and implementation programs of the General Plan and that in the zone districts in which these land uses are permitted, they are conducted in a manner which is consistent with the protection of the public health, safety, and welfare. The standards contained in this Chapter apply throughout the County in each zone district and, as appropriate, for all land uses and development.

18.08.020 APPLICABILITY

The provisions of this Chapter shall apply to any land division or land use application which authorizes, or would authorize by its approval, new construction, new land uses, or the substantial modification of an existing structure or land use, unless otherwise specified by this Title. The provisions of this Chapter shall apply in addition to all applicable standards or regulations for the zone district in which the use or structure is located.

18.08.030 STATE AND FEDERAL LAWS

Nothing in this Title shall establish rules and/or regulations in conflict with State or federal law.

18.08.040 ENCROACHMENTS INTO YARDS

The following features of a building may project into a required yard to the extent specified:

1. Cornices, eaves, or other architectural features which do not increase the volume enclosed by the building may project but not to exceed two (2) feet.

2. An uncovered stair, landing, deck, balcony, or porch which does not extend above the level of the ground floor, except for a protective railing, may project not more than six (6) feet into a front or rear yard, and not more than three (3) feet into a required side yard, but shall not be less than thirty (30) inches from any side lot line.

18.08.050 ACCESSORY STRUCTURES

1. Accessory Structures within R and Open Space Zone Districts

a. Accessory Structure

Except as provided below, all accessory structures, whether attached or detached, shall meet all site development standards applicable to the main structure as required by the zone district in which the main structure is located.

b. Canopies/Patio Covers

Canopies/patio covers or roofs attached to the main building or connecting the main building to an accessory building, may extend into a required rear or interior side yard, provided that the portions of such structures extending into the yard:

1) Shall not exceed fifteen (15) feet in height, project closer than thirty (30) inches to an interior side lot line, project closer than thirty (30) inches to a rear lot line where the rear yard setback is five (5) feet, or project closer than five (5) feet to a rear lot line where the rear yard setback is in excess of five (5) feet.

2) Shall be entirely open on at least three (3) sides excluding the necessary supporting columns, except that a roof connecting a main building and an accessory building shall be open on two (2) sides.

c. Ground Mounted Mechanical Equipment

Ground mounted equipment, including but not limited to air conditioning compressors, evaporative coolers and pool equipment, if fully enclosed, may be permitted in any rear or interior side yard setback. If fully enclosed, said equipment may project a maximum of four (4) feet into the required rear yard setback, and a maximum of two (2) feet into the required interior side yard setback, but shall be prohibited from projecting into the required front or street side yard setbacks. Propane tanks and wells may be located in any required yard subject to building code and environmental health requirements, provided they are screened from public rights-of-way.

d. Roof Mounted Mechanical Equipment

All roof mounted mechanical equipment, including but not limited to air conditioning compressors, evaporative coolers and pool equipment shall be located, when practical, on the rear portion of the roof ridgeline in such a manner as to be screened from public streets.

e. Detached Accessory Structures

1) A detached accessory structure may be located within an interior side yard or rear yard, provided that when such a structure is located closer than five (5) feet to an interior side or rear lot line, appropriate fire walls shall be installed if required by the Building Official. In no case, however, shall an accessory structure be located closer than thirty (30) inches to an interior side property line or to a rear property line.

2) Accessory buildings shall have a maximum height of twenty (20) feet, unless another height is specified elsewhere in this Title.

f. Projections into Yards

Porches, steps, and other architectural features, such as eaves, awnings, fireplaces, chimneys, balconies, stairways, wing walls, and bay windows may project a maximum of thirty (30) inches into any required front, rear, or side setback area.

2. Accessory Structures in Other Districts

a. Accessory structures shall not be located within the "Front Yard," as defined in Section [redacted] of this Title.

b. In any nonresidential District, accessory structures shall meet all of the setback requirements for the associated main buildings.

c. Eaves, roof projections, awnings, and similar adjacent architectural features may project into the County or Caltrans right-of-way subject to receiving an approved encroachment permit from the County Public Works Director or Caltrans.

d. Fireplaces, chimneys, bay windows, balconies, fire escapes, exterior stairs and landings, and similar architectural features may project into required building setback areas a maximum distance of thirty (30) inches, provided that all such features in any one setback shall not occupy more than twenty five (25) square feet of that required building setback area.

e. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features may exceed the height limit of the land use district in which it is located by not more than twenty five (25) percent, provided that such feature shall not be used for habitable space and appropriate screening is provided for mechanical equipment when possible.

f. Ground and wall mounted equipment incidental to industrial, commercial, or office development shall be appropriately screened with walls, fencing, landscaping, and/or other appropriate materials to obscure views of the equipment from public rights-of-way. Such equipment shall not be located in front of a

building and any screening provided shall be architecturally compatible with adjacent architecture and materials.

g. Roof-mounted equipment shall be used only for the building upon which it is mounted.

h. Roof-mounted equipment shall be screened from public view to the extent practicable, as follows:

1) All roof screens must be solid and continuous. Equipment may be covered by continuous grills or louvers provided such grills or louvers are architecturally compatible with the proposed or existing building.

2) Roof screens shall be sheathed in a matching or complimentary material to the exterior building material and may include metal panels, aluminum, copper, ceramic tile, or other surface as approved by the Technical Advisory Committee.

3) Mechanical plants and distribution networks shall be located in a manner that is compatible with the affected building.

3. Swimming Pools

A swimming pool is a permitted accessory use in any zone district; provided, however, that no swimming pool shall be located in a required front yard, or be nearer than three (3) feet to any fence or building wall.

18.08.060 FENCES AND WALLS

1. Residential and Open Space Districts

a. In any required front yard or street side yard of a reversed corner lot, a wall or fence shall not exceed four (4) feet in height.

b. A wall or fence not more than six (6) feet in height, as measured from the adjacent grade on the same parcel may be maintained elsewhere on the lot.

2. Other Districts

a. Within any required front building setback area, wall or fences shall not exceed four (4) feet in height. However, walls or fences may be permitted up to a maximum height of five (5) feet provided that the portion of the fence or wall above forty (40) inches in height is ninety (90) percent light-emitting wrought iron or other similar material.

b. Walls and fences shall not exceed six (6) feet in height elsewhere except with an approved conditional use permit.

c. Walls for the purpose of screening commercial and industrial activities from more sensitive land uses, and for sound attenuation, may be required by the Planning Director as a condition of approval for commercial or industrial development. The height, placement and design of such walls shall be determined based on the required sound attenuation and/or need for visual screening to ensure consistency with General Plan policies and performance standards. In some instances, site specific conditions may require maximum fence and/or wall height requirements above these standards in order to meet the provisions of this paragraph.

3. The limitations of this section shall not apply where a greater height is required by any other ordinance. A protective fence enclosing any public property or an open area for a swimming pool shall not be subject to said limitation, if constructed of wire or steel mesh capable of transmitting at least ninety (90) percent light.

18.08.070 EXCEPTIONS TO HEIGHT LIMITATIONS

The height limitations of this Title shall not apply to chimneys, church spires, flag poles, or amateur radio antennae.

18.08.080 LIGHTING

Outdoor lighting shall be directed downward and utilize low-energy, shielded light fixtures. Limited upward lighting of flags may permitted, provided that the lighting is shielded and of sufficiently low-intensity to minimize light overspill.

18.08.090 NOISE HAZARDS

1. Loud and unreasonable noise between the hours of 10:00 p.m. and 6:00 a.m. generated from any R zone district shall not result in malicious and/or willfull disturbance in any R zone district.

2. Construction activities within 500 feet of any R zone district shall be limited to the hours of 6:00 a.m. to 10:00 p.m. Monday through Saturday. No construction shall occur on Sundays or federal holidays within 500 feet of any R zone district. Owners and occupants performing work on their property and agricultural activities are exempt from these requirements.

18.08.100 REFLECTIVE MATERIAL

Roofing materials which will be visible to the public from adjacent streets or property shall be of a non-reflective composition, unless approved by a conditional use permit.

18.08.110 TRASH SCREENING REQUIREMENTS IN R-3, C, AND M ZONE DISTRICTS

Outdoor trash receptacles in R-3, C, and M zone districts shall be of sufficient size to accommodate the trash generated by the uses on the parcel(s) being served. All outdoor storage of trash, garbage, refuse, recyclables, and other items or material intended for discarding or collection shall be screened from public view.

18.08.120 STORAGE

The following outdoor storage regulations shall apply in addition to any other standards and requirements of the various districts established by this Title:

1. No sales, rentals, repair work, dismantling, or servicing of any motor vehicle, trailer, airplane, boat, loose rubbish, garbage, junk, or building materials shall be permitted in any front or street side yard of any property in any R zone district for more than 30 days.

2. In any R zone district, no portion of any vacant or undeveloped parcel, or a parcel where no primary use exists, shall be used for storage of the items listed above for more than 90 days.

3. In the R-1 and R-2 zone districts, not more than a total of four (4) of the following units shall be stored on any lot visible from neighboring properties or a public right-of-way: sports camper, boat, recreational vehicle, camp car, or mobile sports or recreational apparatus. Any combination of individual units shall not exceed four (4) in number, nor shall there be an aggregate of more than two (2) of any single type of unit.

4. Building materials for use on the same parcel or building site may be stored on the parcel or building site during the time for construction on the premises.

5. Except in recreational vehicle parks or as otherwise authorized, no habitation of recreational vehicles is permitted.

18.08.130 DESIGN REVIEW APPROVAL FOR MOBILEHOMES

Prior to the issuance of any building permits for the installation of a mobilehome or for any structural addition to an existing mobilehome in any R zone district which requires compliance with this section and is not subject to the MH (mobilehome) overlay zone, a plot plan and architectural elevations drawn to scale with sufficient detailing of exterior materials shall be submitted to the Planning Director for review and approval. In approving the plans, the planning director shall insure that the mobilehome or structural addition complies with the following minimum standards to ensure architectural compatibility with other residential structures in the area.

1. The mobilehome shall be installed on a permanent foundation and satisfy all requirements of the Inyo County Building Official.

2. The mobilehome shall comply with all requirements of Chapter 14.12 of this code, the mobilehome code.

3. The mobilehome shall have a minimum three-to-twelve (3:12) pitch roof and a minimum eaves overhang of twelve (12) inches. A six (6) -inch minimum width fascia board shall run along the top of all roof gables.

4. Roof materials shall consist of either composite shingles, pressure-treated wood shake shingles, clay tile, or an equivalent material as determined by the Planning Director.

5. Siding materials of all exposed facades shall consist of a textured material such as stucco, brick or wood or an equivalent material as determined by the Planning Director.

18.08.140 RIGHT-TO-FARM PROVISIONS

1. Intent

It is the intent of this Section to conserve, protect, and encourage the development, improvement, and continued viability of agricultural land and industries for the long-term production of food and other agricultural products; support the economic well-being of the County's residents; balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy, or use land within or adjacent to agricultural areas; and reduce the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.

2. Applicability

All agricultural activities, operations, facilities, or appurtenances thereof shall comply with the provisions of this Chapter and with the applicable provisions of the zone district in which the land use is located.

3. Protection from Nuisance

a. No agricultural activity, operation, facility, or appurtenances thereof shall be, or become a nuisance if the following standards are met:

1) The agricultural use is conducted or maintained for commercial purposes; and

2) The agricultural use is conducted in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality; and

3) The agricultural use has been in operation for more than three (3) years and was not a nuisance at the time it began.

b. This Section shall not invalidate any provision contained in the Government Code of the State of California associated with agricultural activities, if such activities, operation, facility, or appurtenances thereof, constitutes a nuisance, public or private, as specifically defined or described in any such provision.

c. This Section is not to be construed to modify or abridge State law, as set out in the California Civil Code relative to nuisances, but rather to be utilized in the interpretation and enforcement of the provisions of County ordinances and regulations.

18.08.150 MAINTENANCE OF ANIMALS

1. The maintenance of animals in R-1, R-2, and R-3 zone districts on lots of one-half (½) acre or more, and in all other zone districts regardless of lot size, shall be permitted as an accessory use so long as such use complies with all other State and County requirements and ordinances.

2. The maintenance of animals in R-1, R-2, and R-3 zone district less than one-half (½) acre is permitted as an accessory use subject to the following conditions:

   a. Breeding, training, and keeping of up to four (4) adult domestic pets such as dogs and cats is permitted.

   b. Except as specified in Section [redacted], no animals of any kind shall be bred, raised, maintained or slaughtered for any commercial purpose.

   c. No large livestock or large farm animals, such as horses, mules, donkeys, or cattle, shall be bred, raised, maintained or slaughtered for any purpose.

   d. Small livestock or small farm animals such as pigs, goats, llamas, alpacas, sheep, pigeons, poultry and rabbits may be bred, raised or maintained for domestic or educational purposes subject to the following restrictions:

      i. Pigs, goats, sheep, llamas, alpacas and similar animals shall not exceed two (2) in number;

ii. Pigeons, poultry, rabbits, and similar animals, including breeding and egg production from such animals, shall not exceed twenty-five (25) in number;

iii. No structure or shelter for animals shall be located closer than five (5) feet to any property line;

iv. Maximum height of any structure or shelter for animals shall be fifteen (15) feet.

e. In the R-3 zone district where there are more than one (1) dwelling unit on a property, only domestic pets such as cats and dogs shall be permitted unless otherwise specified by a conditional use permit.

f. The breeding, raising, maintenance of animals allowed by this subsection shall comply with all other State and County requirements and ordinances.

18.08.160 HOME OCCUPATIONS

No home occupation shall be deemed to be or be permitted as an accessory use in any R district which involves or requires any of the following:

1. The employment of help other than members of the resident family.

2. Any alteration in the residential character of the premises.

3. Any outdoor storage or display of equipment, appliances, materials or supplies.

4. Maintenance on the premises of any stock of goods for sale or rental which are not homemade.

5. Generation of pedestrian or vehicular traffic greater than that normal to the district, or of offensive or objectionable noise, glare, vibration, odor or electrical disturbance.

6 The use of more than one (1) room in a dwelling unit, or the maintenance of an office open to the general public.

7. Advertisement of the address of the property to attract customers, clients or the public to the premises.

18.08.170 SHORT-TERM RENTALS IN R-1, R-2, R-3, AND RR-0.5-STARLITE ESTATES ZONE DISTRICTS

Residential rentals of less than thirty (30) days in the R-1, R-2, R-3 and RR-0.5-Starlite Estates zone districts are prohibited.

18.08.180 SECOND DWELLING UNITS

Second dwelling units are permitted in areas within the OS, RR, RR-0.5-Starlite Estates, and R-1 zone districts in accordance with the following:

1. The lot upon which the second dwelling unit is to be constructed or established contains an existing single-family dwelling.

2. The second dwelling unit is or will be constructed or established such that it is or will be attached to the existing dwelling and located within the living area of that dwelling or is or will be detached from the existing dwelling, but located entirely on the same lot as the existing dwelling;

3. In the case of a second dwelling unit to be served by a private well and/or sewage system, written approval of the construction or establishment of the second dwelling unit must be obtained from the Inyo County Department of Environmental Health Services.

4. The second dwelling unit shall not be offered for sale; rental of the unit shall be permitted.

5. In the case of a second unit attached, or to be attached, to an existing single-family residence, the increase in the floor area occasioned by the construction or establishment of the second unit shall not exceed thirty (30) percent of the existing living area of the single-family residence.

6. In the case of a second dwelling unit detached, or to be detached, from an existing single-family residence, the total area of the floor space of the second dwelling unit shall not exceed twelve hundred (1,200) square feet.

7. The second dwelling unit, and any construction associated with the second dwelling unit, shall conform to the height, setback, lot coverage, architectural review, and site-plan review requirements, and all other zoning requirements, applicable generally to residential construction in the zone in which the property is located and that all fees and charges associated with those reviews and requirements shall be paid by the applicant.

8. The second dwelling unit, and any construction associated with the second dwelling unit, shall meet all applicable building code requirements.

9. At least two (2) on-site, off-street parking spaces shall be designated and provided, in addition to any parking spaces required due to the presence of the existing single-family dwelling.

18.18.190 POLLUTION PROHIBITED

Any use which pollutes any human or natural resource is prohibited in all zoning designations.

18.08.195 EMERGENCY SHELTER

In addition to other relevant development standards and regulations, the following standards shall apply to emergency shelters.

1. No more than ten (10) occupants are permitted at any one time.

2. On-site management and security shall be required at all times that the shelter is operating.

18.08.200 SMALL WIND ENERGY CONVERSION SYSTEMS

1. Purpose and Authority

   a. The purpose of this Chapter is to provide a uniform, comprehensive set of standards, conditions, and procedures for the placement of noncommercial small wind energy conversion systems (SWECS) and temporary meteorological towers needed prior to the installation of small wind energy conversion systems on property within the County. Such facilities are to be used for the production of electricity to be used on-site, as a means of supplementing electrical power supplied by more traditional sources, such as utility companies.

   b. This Chapter is enacted pursuant to the authority given the Board of Supervisors by Section 7 of Article XI of the California Constitution, California Government Code Sect. 65892.13 (Wind Energy), California Government code Sect. 65000 et seq., and with respect to lands owned by the United States, by the authority of local governments to apply and enforce environmental laws thereon as recognized by the United States Supreme Court in California Coastal Commission v. Granite Rock Company, 480 U.S. 572 (1987).

2. Scope and Applicability

   a. Any person or entity, including local, state and federal government agencies, who proposes to construct, install, establish, modify, or expand a SWECS in the unincorporated part of the County shall be subject to and comply with all applicable provisions of this Chapter.

   b. The provision of this Chapter shall apply to, and be met by, the proponent of any application or proposal for the modification, expansion, installation, or construction of a SWECS on land in the unincorporated part of the County owned

by the United States but, by such declaration of applicability, the County asserts only environmental review authority, and not land-use authority over such lands.

3. Conditional Use Permits

Any applicant desiring to modify, install or construct a SWECS in the unincorporated portion of the County shall first procure a conditional use permit in accordance with this Chapter, consistent with Section [redacted] of this Title.

4. Application Requirements

The applicant shall provide the following materials to the Planning Department as part of any conditional use permit application for a SWECS.

a. Standard County planning application, to include owner information, site information, fees, and mailing labels for public noticing purposes.

b. Scaled drawings of the proposed system, to include the tower, base, generator, blades, guy wires, and any associated equipment.

c. Copies of the proposed site plan, along with elevation drawings and other materials as required by the Planning Director, to include information on security fencing, guy wires, and whether a temporary meteorological tower will be constructed preliminary to constructing the SWECS.

d. Standard drawings and an engineering analysis of the system's tower, showing compliance with the California Building Code, or the California Building Standards Code and certification by a professional mechanical, structural or civil engineer licensed by the State of California. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the most stringent wind requirement (California Building Code, Wind Exposure D), the requirements for the worst seismic class (Seismic 4), and the weakest soil class, with a soil strength of not more than one thousand pounds per square foot, or other relevant conditions normally required by a local agency.

e. Evidence satisfactory to the Planning Director that the proposed system meets the following standards:

1) The wind turbine generator design and operation is certified by a qualified licensed engineer as meeting the requirements of wind turbine-specific safety and performance standards adopted by a national or international standards-setting body including, but not limited to IEC (International Electric Code) standard 61400-2.

2) A line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the California Electric Code.

3) The wind turbine generator has a manufacture's warranty with at least five (5) years remaining from the date the application is field.

4) The model/design of equipment proposed has a documented record of at least one (1) year of reliable operation at a site with average wind speeds of at least twelve (12) miles per hour.

f. Information demonstrating that the system will be used primarily to reduce off-site consumption of electricity.

g. Where modification of any development standards specified is requested, the applicant shall identify the requested modifications and provide substantiation to the satisfaction of the Planning Director that strict compliance with all required development standards would substantially and unreasonably interfere with establishment of the proposed system/tower on the proposed site.

6. Notice of Hearing

Notice of the public hearing a SWECS shall be as set forth in Section [redacted] of this Title.

7. Review and Approval Factors

a. Site Restrictions/Visual Effects: Any system shall be assessed specifically for its visual effects and those systems which unreasonable detract from surrounding view sheds may be prohibited or conditioned due to the negative visual impacts. Negative visual impacts, in themselves, may cause detriment to the public welfare and mitigate against the desirability and necessity of the system. The Planning Commission shall consider the following factors in determining whether to approve, conditionally approve, or deny an application for a conditional use permit:

1) The height of the proposed facility and its proportionality to and compatibility with the existing structures;

2) The proximity of the proposed facility to any residences and/or residential district boundaries;

3) The zoning and nature of existing uses on adjacent and nearby properties;

4) The nature, type, and extent of surrounding tree coverage, foliage, and other landscape features;

5) The design of the facility, with particular regard for design characteristics that will reduce or eliminate its conspicuousness and/or obtrusiveness;

6) The proposed ingress and egress to the site of the facility;

7) The availability and suitability of alternative sites which are available to the applicant as well as efforts made by the applicant to mitigate any negative visual impact from the system;

8) Whether the small wind energy conversion system will create a silhouette against the skyline above surrounding mountain ridgelines;

9) The proximity of the system to an existing transportation corridor, whereby view sheds would be affected by the system tower;

10) The proximity of the system to an existing ecological, historical, or cultural resource, whereby view sheds would be affected by the system/tower.

b. A SWECS shall not be allowed where otherwise prohibited by any of the following:

1) The Alquist-Priolo Earthquake Fault Zoning Act;

2) A local agency to protect the scenic appearance of a scenic highway corridor designated pursuant to Article 2.5 (commencing with Sect. 260) of Chapter 2 of Division 1 of the Streets and Highways Code:

3) The listing of the proposed site in the National Register of Historic Places or the California Register of Historical Resources;

4) A comprehensive land use plan and any implementing regulations adopted by an airport land use commission pursuant to Article 3.5 (commencing with Sect. 21670) of chapter 4 of division 9 of Part 1 of the Public Utilities Code;

5) Any restricted military airspace without first coordinating with the governing authority of that airspace;

8. Required Findings

To approve an application for a conditional use permit for a SWECS and, if necessary, a temporary meteorological tower, the Planning Commission shall make the following findings:

a) The proposed use is consistent with the County General Plan.

b) All requirements of the California Environmental Quality Act have been met.

c) The proposed SWECS complies with all applicable development standards specified in this Chapter.

d) The SWECS is a desirable and necessary use, particularly considering the review and approval factors of this Chapter.

e) The proposed use is properly related to other uses and transportation and service facilities in the vicinity.

f) the proposed use 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 or detrimental to the public welfare.

9. General Requirements

The following standards, as they may be deemed applicable by the Planning Director, shall be met with respect to any SWECS that is modified, expanded, installed, operated, or constructed in the unincorporated part of the County and shall be include conditions of approval for any permit issued by the County with respect to any such facility.

a) Allowable Zone Districts: SWECS are allowed as a conditional use in all zone districts.

b) Minimum Lot Size: One (1) acre.

c) Maximum Allowed Tower Height:

1) Parcel size of five (5) acres or less – sixty-five (65) feet.

2) Parcel size more than five (5) acres – eighty (80) feet.

3) Tower heights shall not exceed the height recommendation of the manufacture or distributor of the system.

d) Setback Requirements from Lot Lines: Equal to the system height or fire setback requirements pursuant to Public Resources Code Section 4290, whichever is greater.

e) Aesthetic Design Requirements:

1) Color: Colors of all surfaces shall be muted neutral or earth tones, in a manner compatible with the surrounding environment with surfaces to be matte and not highly reflective.

2) Noise: any noise resulting from the system SWECS shall not exceed sixty dBA at, but outside of the closest neighboring inhabited dwelling. Noise limits may exceed these limits during temporary, short-terms events, such as wind storms and utility outages.

3) Lighting: No lighting is permitted on any structure unless required by the FAA or other statutory or regulatory standards. Any such required lighting shall be downward-facing and shielded from adjacent properties when those standards allow. Emergency lighting shall be manually operated and is to be operated only for specific emergency situations.

4) Signage: signage is prohibited, except for a single sign (two feet by two feet maximum) which may warn of high voltage, prohibit trespassing, and provide emergency contact information.

f. Engineering Design Requirements: The SWECS's turbine must have been approved by the California Energy Commission as qualifying under the Emerging Renewables fund of the Commission's Renewables Investment Plan or certified by a national program recognized and approved by the California Energy Commission.

g. The system shall comply with all applicable Federal Aviation Administration requirements, including Subpart B (commencing with Section 77.11) of Part 77 of title 14 of the Code of Federal Regulations regarding installations close to airports and the State Aeronautics Act (Part 1 commencing with Section 21001) of division 9 of the Public Utilities Code).

h. Meteorological towers shall not be allowed for time periods in excess of a year, and shall be removed prior to installation of the wind energy conversion system for which they are measuring. A request to install a meteorological tower shall be included in the application to install a small wind energy conversion system.

10. Abandoned Facilities

Any SWECS that is not operated on a functional basis for a period of six consecutive months shall be deemed abandoned and the applicant shall remove same within ninety days of receipt of notification of the Planning director's determination that the facility has been abandoned. Failure to remove equipment will constitute a public nuisance and the County may cause the SWECS to be removed, with all costs borne by the applicant or property owner.

11. Responsibility for Inspection Costs

The applicant of the SWECS shall be responsible for the payment of all reasonable costs associated with necessary inspections associated with the conditional use permit including cost incurred by the Planning Department, Public Works Department, or any other County department.

18.08.210 WIRELESS COMMUNICATIONS FACILITIES

1. Findings – in enacting this subsection, the Inyo County Board of Supervisors made the following findings:

   a. The scenic beauty of Inyo County is a resource that benefits both those who reside in the county as well as those who visit it, and that aesthetic beauty and the benefits it provides can and will be diminished by the unregulated placement of wireless communications facilities in the county.

   b. The unregulated placement of wireless communications facilities in the unincorporated part of the county may result in incompatible land uses and may cause a threat to the health, safety, and welfare of county residents.

   c. The unregulated placement of wireless communications facilities in the unincorporated part of Inyo County may impede and pose a hazard to general aviation airports in the county as well as to the missions of the various U. S. Department of Defense facilities within and adjacent to the county; specifically, the United States Air Force's Flight Test Center at Edwards Air Force Base, the Department of the Navy's Naval Air Warfare Center Weapons Division at China Lake, and the Army's Bicycle Lake Army Airfield at Fort Irwin, as well as to those of the California Institute of Technology's Owens Valley Radio Observatory.

   d. County-wide wireless communications coverage and capability is and will be beneficial to the health, welfare, safety, and convenience of Inyo County residents as well as to those who visit or do business in the county.

   e. For these reasons, this section of the Inyo County Code is necessary to establish and provide County policies, procedures, and standards to govern the location, construction, appearance, modification, and removal of wireless communications facilities and their ancillary facilities in the unincorporated part of Inyo County.

2. Purpose and Authority

   a. The purpose of this chapter is to facilitate the provision of County-wide wireless communications while addressing the concerns set forth in Section [redacted]; specifically, to:

1) Ensure that sufficient wireless communications facilities are established to allow for Countywide wireless communications for the safety and convenience of the public;

2) Implement Inyo County's goals of supporting and expanding tourism while maintaining the County's natural environment and rural quality of life;

3) Require that those who intend to construct or operate wireless communications facilities in Inyo County to submit plans concerning those facilities to the county prior to the construction thereof;

4) Avoid the over-concentration of wireless communications facilities on the limited amount of privately owned open space, residential, and commercial land in Inyo County;

5) Enhance the ability of providers of wireless communications services to provide such services in an efficient manner, with minimal adverse impact to the visual and economic character of the county;

6) Protect residential areas and residential land uses from any adverse impacts of wireless communications facilities and the other structures and construction that support those facilities;

7) Avoid damage and injury to persons and property that could result from the structural failure of wireless communications facilities and/or supporting structures, through the careful engineering and siting of such facilities and structures;

8) Minimize the number of wireless communications facilities, support structures, and ancillary facilities in the County;

9) Ensure that, to the extent feasible, all wireless communications facilities and ancillary facilities in Inyo County are located and designed in a manner that minimizes their visual impact through careful design, siting, landscaping, and the use of alternative designs and camouflaging;

10) Encourage the placement and joint use or "co-location" of wireless communications facilities on existing structures, as opposed to the construction of new structures and facilities;

11) Avoid any incompatibility between wireless communication facility-generated radio emissions and the United States military's operations and test programs at Edwards Air Force Base, China Lake Naval Air Weapons

Station, and the Fort Irwin National Training Center and the civilian radio astronomy operations of the California Institute of Technology at the Owens Valley Radio Observatory;

12) Avoid the blight of abandoned wireless communications facilities by ensuring that those who construct or install such facilities post adequate financial mechanisms to assure that such facilities, if abandoned, can be removed and the affected sites reclaimed;

13) Minimize light pollution from wireless communications facilities.

3. This chapter is enacted pursuant to the authority given the board of supervisors by Section 7 of article XI of the California Constitution, Section 704 of the Telecommunications Act of 1996 (47 U.S.C. § 332(c)(7)), the Planning and Zoning Law of California (Government Code § 65000 et seq.), and, with respect to lands owned by the United States, by the authority of local governments to apply and enforce environmental laws thereon as recognized by the U.S. Supreme Court in California Coastal Commission v Granite Rock Company, 480 U.S. 572 (1987).

4. Scope and applicability.

a. Any person who proposes to construct, install, establish, modify, or expand a wireless communications facility in the unincorporated part of Inyo County shall be subject to and comply with all applicable provisions of this chapter.

b. Any telecommunications facility existing in the unincorporated part of Inyo County on the effective date of the ordinance enacting this chapter shall, to the extent it is not in compliance with the provisions of this chapter, be considered and treated as a nonconforming use; and on that date the owner or operator of, and any other person responsible for, any such facility shall be subject to and comply with this chapter including, without limit, the requirement for submission and approval of a wireless communications plan in accordance with Section [redacted].

c. The provisions of this Chapter shall apply to, and be met by the proponent of, any application or proposal for the modification, expansion, installation, or construction of a wireless communications facility submitted to the Inyo County Planning Department during the time that the interim urgency ordinances enacted by Inyo County concerning such facilities were in effect.

d. The provisions of this Chapter shall apply to, and be met by the proponent of, any application or proposal for the modification, expansion, installation, or construction of a wireless communications facility on land in the unincorporated part of the county owned by the United States but, by such declaration of

applicability, the county of Inyo asserts only environmental-review authority, and not land-use authority, over such lands.

e. Exemptions. Persons who own, operate, or are responsible for the communications facilities listed below shall be exempt from the provisions of this chapter:

1) Any facility used, exclusively, for public safety purposes by a Public Safety Network or for non-commercial governmental purposes by a public entity;

2) Any facility used exclusively for the transmission of television and/or radio broadcasts;

3) Any tower antenna that is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive-only antennas;

4) Any parabolic dish antenna used exclusively for transmission or reception of radio signals associated with satellites.

5. Wireless Communications Plans and Subsequent Applications

a. Any person wishing to construct, install, expand, or modify any wireless telecommunications facility in the unincorporated part of Inyo County shall, prior to such activity, apply for and gain approval by the Inyo County Planning Commission of a wireless communications plan in accordance with this Chapter.

b. To be considered by the Planning Commission, a proposed wireless service plan shall include, at a minimum, the following:

1) A detailed description of the applicant's existing wireless communications facilities in Inyo County, by size, type, frequency range, configuration design, coverage area, and relationship to other such facilities;

2) A detailed description of the applicant's plans with respect to wireless communications facilities in Inyo County including the types, configurations, locations, and coverage areas of the facilities it intends to modify, expand, install, construct, operate, lease, or deploy, and the present or anticipated commitments received by the applicant from wireless communications service providers with respect to the use of such facilities;

3) The applicant's commitment to and its methods for meeting, to the maximum extent feasible, the standards and measures in this chapter

concerning the design, location, configuration, deployment, and removal of wireless communications facilities in Inyo County, as well as the remediation of former facility sites, and a description of its policies and practices for doing so, all on both a county-wide and facility-specific basis;

4) The applicant's certification that it has provided a copy of its proposed plan to the Department of Defense installations listed below, to the Owens Valley Radio Observatory, and to the operator of every general aviation airport in Inyo County, and a description or copy of any response:

   i. Air Force Flight Center at Edwards Air Force Base,

   ii. China Lake Naval Air Weapons Station,

   iii. Bicycle Lake Army Airfield at Fort Irwin.

5) The name and address of the applicant's agent for the receipt of correspondence and notices from Inyo County pursuant to this Chapter.

c. Information in an applicant's proposed or approved wireless communications service plan that is either proprietary or a trade secret shall be clearly designated as such by the applicant and shall not be disclosed by the county to third parties unless authorized in writing by the applicant or required by law.

d. Upon a determination by the Planning Director that an applicant's proposed wireless communications plan is complete, the Planning Commission shall hold a public hearing to consider whether to approve the plan; the planning commission shall be the decision-making body with respect to that act, and its consideration of the plan shall be a discretionary act under CEQA.

e. After discharging its duties as the environmental review board in accordance with Section [redacted], the planning commission shall approve the wireless communications plan if it finds:

1) That the plan is in substantial compliance with the requirements of this Chapter;

2) That the applicant has made a good faith effort and commitment to meeting the standards and goals of this Chapter;

3) That none of the entities listed in subsection b.4. have interposed an objection to the plan; and

4) That execution of the plan will not pose or create a threat to the health, safety, or welfare of the public.

f. Following approval by the Planning Commission of an applicant's wireless communications facilities plan, the applicant may submit to the Inyo County Planning Director applications for the modification, expansion, installation, or construction of wireless communications facilities in the unincorporated part of Inyo County in accordance with Section [redacted].

g. The Planning Director shall review the application and determine whether the activity proposed will require a conditional use permit pursuant to this chapter and/or a variance pursuant to Chapter 18.81; if it does, the application will be processed accordingly, unless the applicant modifies the application to eliminate that requirement.

h. If the Planning Director determines that the activity proposed does not require a conditional use permit or a variance and that it is or will be in substantial conformance with the applicant's approved wireless communications plan, the Director shall, except as provided in subsection j., approve and issue a permit for that activity; otherwise the director shall deny the application; in either case the director's decision shall be a ministerial act under CEQA.

i. In order to provide notice to the public and to commence the period for filing any appeal, the Planning Director shall post notice of the Director's approval of any application pursuant to this chapter in a manner similar to that followed with respect to the notice of exemption filed under CEQA.

j. If the Planning Director determines that extraordinary or unique circumstances attend an application for an activity not requiring a conditional use permit or variance, the director shall forward the application for consideration by the Planning Commission at a public hearing; in that case the Planning Commission's consideration of the application shall be a discretionary act under CEQA and, in making its decision on the application, the Commission shall apply the standards and be guided by the factors set forth in Section [redacted] concerning conditional use permits; for purposes of this section, any application which proposes the construction of a road or substantial new construction shall be considered to be an application to which extraordinary circumstances attend.

k. Once approved, a wireless communications plan may be amended only upon application to, and approval by, the Planning Commission; in considering whether to approve such an amendment, the Planning Commission shall be guided by the relevant portions of this Chapter.

6. Conditional Use Permits

Any person desiring to modify, expand, install, or construct a wireless communications facility in the unincorporated portion of Inyo County that will be either:

a. Located within, or within three hundred feet of, any R zone district; or

b. Located within an OS, C-1, C-2, C-5, M-1, or M-2 zone district and which, if constructed, will exceed the maximum height allowed in that district for principal permitted uses, shall first procure a conditional use permit in accordance with this chapter and Chapter 18.81; no conditional use permit may be sought unless the applicant has a Planning Commission-approved wireless communications plan on file with the Planning Department.

7. Application requirements.

a. Any person wishing to modify, expand, install, or construct a wireless communications facility in the unincorporated portion of Inyo County shall, pursuant to Section [redacted]. and regardless of the type of approval sought, provide the following to the Inyo County Planning Department:

1) A reference to the portion of the applicant's approved wireless communications plan in which the proposed activity is described and a statement as to how the desired activity or facility is consistent with that plan, as well as a map showing how the proposed facility relates to the applicant's network, if any, of existing and/or proposed facilities sites as described in that plan;

2) Site plans for the proposed activity or facility, drawn to scale, including any landscaping plans;

3) A statement that the applicant owns the site or has permission from the landowner to engage in the activity or construct the facility applied for;

4) A description of all easements on the affected property;

5) A U.S. Geological Survey topographic map or other similarly-detailed survey, showing topographic contours, the proposed facility and any existing at the site, and all existing and proposed ancillary facilities, roads, fencing, etc.; the map shall depict the site upon which the construction or activity is proposed to be located or occur and the area within a minimum of three hundred (300) feet in all directions thereof;

6) A description of the number, type, dimensions, and radio frequencies of all antennas and equipment cabinets/structures present or proposed for use by the applicant at or near the site;

7) A map depicting all existing wireless communications facilities within two (2) miles of the proposed facility or site;

8) A statement as to whether the proposed wireless communications facility is intended to increase the quality or capacity of wireless communications service in an area to which such service has already been extended, or to extend wireless communication service to an unserved area and, in the case of an application for approval of a new wireless communications facility, a certification or other proof that the facility will forthwith be utilized to provide wireless communications service; such other proof shall consist of a lease for the use of the facility, or a letter of intent to enter into such a lease, executed by a provider of wireless communications services;

9) A statement as to whether and, if so, how the facility is or will be designed to allow for co-location, as well as a description of how or to what extent the facility and the site upon which it is proposed to be located will meet the General Requirements set forth in Section 18.76.100 including, to the extent relevant:

   i. A description of how the proposed facility has been designed and/or will be installed or constructed so as to be as inconspicuous as possible, including landscaping plans,

   ii. Sample exterior materials and colors of the proposed facility and any ancillary facilities and associated structures such as equipment cabinets and fences,

   iii. Visual impact demonstrations including before and after photo-simulations showing the height, location, and appearance of the proposed facility, as viewed from residences and public thoroughfares and places in the vicinity both at night and during the day.

10) A statement describing the applicant's site selection process and explaining why the applicant is seeking to locate the facility on the site proposed;

11) For applications for facilities intended to extend wireless communications services to an unserved area, a map based on either radio frequency propagation or similar engineering data, or drive tests at the proposed site and its vicinity, showing estimated coverage of the proposed facility;

12) A statement verifying that the radio-frequency radiation and electromagnetic field emissions of or associated with the proposed facility

will, when operating at full strength and capacity, fall within the applicable standards adopted by the Federal Communications Commission and, if the proposed facility is to be co-located with other wireless communications facilities, a similar verification with respect to the cumulative emissions from those facilities;

13) The applicant's certification that it has provided notice of the application to the Department of Defense installations listed below, to the Owens Valley Radio Observatory, and to the operators of all general aviation airports within five miles of the site of the proposed facility or activity and a description or copy of any response:

i. Air Force Flight Test Center at Edwards Air Force Base,

ii. China Lake Naval Air Weapons Station,

ii. Bicycle Lake Army Airfield at Fort Irwin.

14) A plan for the removal of the facility and reclamation of the site upon which it is or will be located, including a time frame for doing so;

15) In the case of a facility proposed to be located on land owned by the United States, either written approval of the facility from an authorized representative of the federal agency that administers that land, or a statement from that agency stating that it will not consider the proposal until the applicant has first obtained approval thereof from Inyo County pursuant to this Chapter.

b. An applicant may combine or consolidate the maps, data, statements, and other items required by this section as long as that information is fully and clearly provided.

c. In addition to the above requirements, if an applicant is proposing to place or construct a wireless communications facility on or within three hundred (300) feet of an R zone district, the Planning Director may, prior to formal acceptance of the application for the facility, convene a "Pre-Development Meeting" concerning the proposed facility among the applicant, members of the Planning Department and other affected County departments, and representatives of other interested public agencies to address any special or unique concerns posed by the application.

8. Review and Approval Factors – Conditional Use Permits

a. In addition to the considerations in Section [redacted], the Inyo County Planning Commission shall consider the following factors in determining whether to approve an application for a conditional use permit for a wireless communications

facility:

1) The height of the proposed wireless communications facility, and its proportionality to and compatibility with existing structures;

2) The proximity of the proposed facility to any residences and/or residential district boundaries;

3) The zoning and the nature of existing uses on adjacent and nearby properties;

4) The nature, type, and extent of surrounding tree coverage, foliage, and other landscape features;

5) The design of the facility, with particular regard for design characteristics that will reduce or eliminate its conspicuousness and/or obtrusiveness;

6) The proposed ingress and egress to the site of the facility;

7) The availability and suitability of existing facilities and structures, especially whether suitable alternative sites, for which a conditional use permit would not be required, are available to the applicant.

b. The Planning Commission shall not approve a conditional use permit for the modification, expansion, installation, or construction of a wireless communications facility unless it finds, in addition to the determinations required by Section [redacted], that the applicant has, to the maximum extent feasible, designed and configured the facility to meet the requirements and standards set forth in Section [redacted] and, in the case of a facility to be installed or constructed in a residential zoning district, that the location of the facility in that district is necessary to provide wireless communications services in that area.

9. Term, Expiration, and Renewal of Conditional Use Permits.

a. Conditional use permits for wireless communications facilities issued pursuant to this Chapter shall expire ten years after their issuance unless the Planning Commission specifies a lesser period when it approves the permit.

b. Conditional use permits for such facilities may be renewed by the Planning Commission for additional periods if it finds either that:

1) The facility has not had and will not have a significant adverse effect on surrounding land uses or the public; or

2) Despite its adverse effects, replacement or modification of the facility to remove its deleterious effects is not reasonably feasible and removal of the facility would result in a significant and irreplaceable loss of wireless communication coverage.

c. Notwithstanding the forgoing in this section, the planning commission shall renew a conditional use permit when it is shown to the satisfaction of the commission that failure to do so would deprive the owner, operator, or other responsible person of a reasonable return on the investment made by that person in the permitted facility and in reliance on the conditional use permit; however, any such renewal shall be for the minimum period necessary for the owner, operator, or other responsible person to recoup that investment.

10. General Requirements

Regardless of the type of County approval required, the following standards, as they may be deemed applicable by the Planning Department, shall be met with respect to any wireless communications facility that is modified, expanded, installed, operated, or constructed in the unincorporated part of Inyo County, and shall be conditions of approval in any permit issued by the county with respect to any such facility:

a. Separation from Residential Use: No wireless communications facility that is designed to be taller than the maximum height allowed for principal permitted uses in the zoning district in which the facility is to be located shall be placed or erected closer than a distance equal to one hundred ten percent of the height of the facility from any residence.

b. Minimization of Visual Impact: All wireless communications facilities governed by this chapter shall be designed, configured, installed, and constructed so as to minimize their visibility. To this end, the applicant for a county permit for any such activity and the owner or operator of, or other person responsible for, any such facility shall, to the maximum extent reasonably feasible, observe and implement the following measures with respect thereto:

1) Co-location/Alternative Design of Facilities: The applicant shall co-locate facilities when it is feasible to do so and when it will mitigate or minimize the adverse effects of the facility on land use compatibility, visual resources, public safety, and/or other environmental factors. Co-location is not required when it will create or increase such adverse effects or technical evidence demonstrates to the satisfaction of the Planning Director or the Planning Commission, as the case may be, that it is not feasible due to physical, spatial, or technological limitations. Fiscal constraints or competitive conflicts are not considered justifiable reasons for not co-locating a new facility. No new wireless communications facility may be installed on an undeveloped site unless the facility will

blend in with the surrounding natural and/or manmade environment in such a manner so as to be effectively unnoticeable, unless reliable evidence demonstrating all of the following is provided to the planning director or the Planning Commission, as the case may be:

i. A clear and convincing need for the facility;

ii. The infeasibility or undesirability of co-locating the facility; and

iii. The inability to develop an alternative design for the facility.

2) Ridgeline Sites: Wireless communications facilities shall be sited below ridgeline and be designed to minimize their profile, e.g. screened, depressed, or located behind berms that match the landscape at the site.

3) Alternative-Design/Use of Camouflage: Wireless communications facilities and all ancillary facilities shall be designed and constructed or installed using such alternative-design techniques, architectural treatments, and/or camouflaging or screening as will, to the greatest extent possible, minimize their visual impact and allow them to blend in with the existing landscape.

4) Colors/Painting: The paint or other finish applied to wireless communications facilities and ancillary facilities, and to all buildings, poles, towers, antenna supports, antennas, fencing, equipment, gates, and other components associated with a wireless communications facility and/or the site upon which it is located and/or the materials out of which they are made, shall be of such non-reflective colors as will, to the greatest extent possible, minimize their visual impact and allow them to blend in with the existing landscape.

5) Support Facilities: Freestanding, above-ground wireless communications support facilities including equipment shelters shall be no taller than one (1) story and shall be designed and constructed to resemble a structure or facility typically found in the area, or to otherwise blend in with the surroundings; the design must be approved by the Inyo County Planning Director before a building permit for the structure may be issued.

6) Lighting: Outside lighting is prohibited on wireless communications facilities, ancillary facilities, and supporting structures, and at the site upon which those facilities and structures are located except, and only, to the extent required by the Federal Aviation Administration, the Federal Communications Commission, the Department of Defense, or the Uniform Building Code; to the extent such lighting is required by any of these entities or by the Uniform Building Code, it shall, to the maximum extent

feasible, be directed towards the ground and neither cast glare onto adjacent properties, nor disperse into the night sky, nor be a hazard to birds. If necessary, any such required lighting shall be shielded or placed within cowling to prevent it from causing these effects.

7) Dish Design: Open-mesh design shall be utilized for microwave dishes whenever possible.

8) Area Disturbance/Landscaping: Disturbance of/to the landscape and terrain shall be avoided, minimized, and mitigated to the degree feasible in the construction, installation, use, and maintenance of any facility governed by this chapter. All applicants and permit holders shall reclaim disturbed landscape areas immediately following construction of the facility. Disturbance of areas surrounding the site shall be avoided or minimized by utilizing existing disturbed areas for the storage of construction materials and equipment, flagging boundaries of the construction area, and notifying workers of these boundaries and other limits of construction and the need to minimize site damage and disturbance.

9) Vegetation: Wireless communications facilities shall be constructed and installed in such a manner as to maintain and enhance vegetation at the site and existing vegetation shall, to the degree reasonably feasible, be used to screen the facilities. Native and/or fire-resistant, noninvasive adapted vegetation shall be planted and maintained around the facility, in the vicinity of the project site, and along access roads in appropriate situations, when necessary or desirable to provide screening for the facilities and/or to prevent erosion.

10) Facade-Mounted Facilities: Facade-mounted wireless communications facilities shall be camouflaged or incorporated into the building upon which it is placed as part of the dominant design element of the building.

11) Building-Mounted Facilities: Facilities attached to buildings or structures shall be painted to match the existing structure, unless they are used as a design element consistently throughout the building and will add visual interest to the building. When used as a design element, dummy elements may be required to be installed in order to retain the architectural continuity of the building.

c. Compatibility with Military Operations: Any applicant proposing to install or construct a wireless communications facility that will exceed eighty-five feet in height shall, before submitting an application for approval of such facility to Inyo County, notify the Air Force Flight Test Center at Edwards Air Force Base, the Frequency Management Office at the China Lake Naval Air Weapons Station,

and the National Training Center and Aviation Air Traffic Control Office at the Bicycle Lake Army Airfield at Fort Irwin of the application and receive written approval thereof from each of those installations.

If an applicant provides such notification but receives no response within forty-five (45) days thereof, Inyo County shall deem the application approved by the military installation failing to respond.

d. Harm to Animals: All wireless communications facilities, and all ancillary facilities and other structures associated with or auxiliary to such facilities shall be designed, configured, located, installed, and constructed so as to minimize their deleterious effects on birds and other animals to the greatest extent possible.

e. Security: Ground-mounted wireless communications facilities shall have appropriate security fencing, gates, and locks. In the instance of a proposed siting on school grounds, day care facility grounds, or in a park or recreational facility, the wireless communications facility, including vehicular ingress and egress shall be as isolated from, and as minimally intrusive on, those facilities as possible.

f. Roads: Existing roads shall be utilized for the construction of wireless communications facilities and, once a facility is constructed, for access to the facility for any reason; if no roads exist, they shall be designed and constructed so as to minimize their visibility and erosion-causing effects.

g. County Zoning Preferences: The County has determined that wireless communications facilities are more compatible with certain land uses than with others, and therefore establishes the following preferential hierarchy to be followed by an applicant, to the extent feasible, when selecting sites for the location of such facilities: the applicant shall attempt first to select sites in the P zone district, then those in an M zone district, then those in a C zone district, and lastly those in the OS zone district; sites within a R zone district are disfavored.

h. County Mounting-Style Preferences: The County has determined that certain types of wireless communications facility mountings have less visual impact than others, and therefore establishes the following preferential hierarchy to be followed by an applicant, to the extent feasible, when designing or selecting among mounts for such facilities: the applicant shall attempt first to use a facade mount, then a roof mount, then a ground mount, and lastly a free-standing monopole.

i. Construction Standards: The design, construction, modification, installation, and expansion of any wireless communication facility or ancillary facility governed by this chapter shall be in conformance with the Uniform Building Code.

j. Conflict with Federal Law: An applicant need not comply with the requirements of this section to the extent they are preempted by federal law.

11. Financial Assurances

a. The Planning Director or the Planning Commission, as the case may be, shall, as a condition of approval of any permit issued pursuant to this Section for the installation or construction of any wireless communications facility, require the applicant to post a financial assurance mechanism to assure the removal of the facility and reclamation of the site upon which it is located in the event the facility becomes abandoned.

b. The financial assurance mechanism shall be held until the wireless communications facility is removed, and shall be made payable to the Inyo County Planning Department, which shall use the mechanism solely for the purposes described in subsection a.

c. The financial assurance may take the form of a surety bond, an irrevocable letter of credit, a certificate of deposit, cash, or such other form as the Planning Director determines is adequate; in any event, the mechanism shall meet the applicable financial assurance guidelines and regulations developed and promulgated under the Surface Mining and Reclamation Act of 1975 (Public Resources Code § 2710 et seq.).

d. The amount of the financial assurance mechanism shall be calculated based on the reasonably-anticipated cost to remove the facility and to reclaim the site upon which it is located; the amount of the mechanism may be adjusted in the event the facility is modified, a portion thereof is removed, the site upon which it is located is partially reclaimed, or for any other legitimate reason.

e. No wireless communications facility shall be installed, constructed, or operated unless the financial assurance mechanism required to be posted in connection with that facility is in full force and effect.

12. Notification of Transfer of Ownership

Any person to whom a permit has been issued pursuant to this Section shall notify the Planning Department in writing of the particulars of any purchase, sale, transfer, merger, acquisition, or other event affecting ownership of the entitlements and privileges associated with or arising from that permit; such notification shall be provided within six months of the ownership-affecting event.

13. Abandoned Facilities

Any wireless communications facility that is not operated on a functional basis for a period of twelve (12) consecutive months shall be deemed abandoned, and the owner or operator of, or other person responsible for, the facility shall remove same within ninety (90) days of its receipt of notification of the Planning Director's determination that the facility has been abandoned. Failure of owner, operator, or other responsible person to timely remove the facility following its receipt of such notice of abandonment shall result in the institution of proceedings for forfeiture of the financial assurance mechanism posted in connection with the facility.

14. Modification and Revocation of Permits

If the Inyo County Planning Commission finds, following a public hearing, that the conditions of approval of any conditional use permit or other permit or authorization issued pursuant to this section have not been fulfilled, or that the use or uses allowed by any such permit has or have resulted in a substantial adverse effect on the general welfare of the public or any persons owning, occupying, or using property adjacent or proximate to the site of the permitted activity, or is detrimental to the provision of public facilities or services, the commission may modify or revoke the permit. If the permit is revoked, the owner or operator of, or other person responsible for, the subject facility shall promptly remove same and reclaim the site upon which it was located to the satisfaction of the Inyo County Planning Director.

15. Responsibility for Inspection Costs

The owner or operator of, or other person responsible for, a wireless communications facility authorized by a permit issued pursuant to this section shall be responsible to the County of Inyo for the payment of all reasonable costs associated with the necessary inspections of the conditions of approval associated with the permit, including costs incurred by the Inyo County Planning Department, the Inyo County Public Works Department, and any other department of Inyo County.

18.08.220 REGULATION OF WATER TRANSFERS UNDERTAKEN PURSUANT TO WATER CODE SECTION 1810, SALES OF SURFACE WATER OR GROUNDWATER BY THE CITY OF LOS ANGELES, AND THE TRANSFER OR TRANSPORT OF WATER FROM GROUNDWATER BASINS LOCATED IN WHOLE OR IN PART WITHIN THE BOUNDARIES OF INYO COUNTY

1. Declarations and Findings

a. Importance of Water. Adequate supplies of water are vital to the economy and environment of Inyo County and the health, safety and welfare of its citizens.

b. Water Exports. The city of Los Angeles, with significant environmental, economic and social consequences, has exported substantial amounts of surface water and groundwater from Inyo County.

c. Proposed Water Transfers. In addition to water exports by Los Angeles, proposals have been made that involve the export of groundwater from Inyo County via the Los Angeles Aqueduct under Water Code Section 1810, the sale of groundwater extracted from Inyo County to the city of Los Angeles, the extraction and export of groundwater from a groundwater basin located in whole or in part in Inyo County, and the transfer or transport of groundwater extracted from within Inyo County from a groundwater basin located in part in Inyo County for use in an area within the same basin, but outside the boundaries of the county.

d. Importance of Groundwater. Groundwater underlying Inyo County has been and will continue to be an important source of water for agricultural, domestic, municipal, environmental and other purposes.

e. Water Code Section 1810 Transfers. It is the policy of the state of California to facilitate the voluntary transfer of water and water rights where consistent with the public welfare of the place of export and the place of import. Under California Water Code (hereafter Water Code) Section 1810 et seq., neither the State, nor any regional or local public agency may deny a bona fide transferor of water, as defined, the use of a water conveyance facility which has unused capacity, as defined, for the period of time for which that capacity is available, if fair compensation as specified, is paid for that use, subject to conditions specified in Water Code Section 1810 (a), (b), (c), and (d). Water Code Section 1810(d) provides that such a transfer of water may be denied if the use of a water conveyance facility will injure any legal user of water, or will unreasonably affect fish, wildlife, or other instream beneficial uses or will unreasonably affect the overall economy or the environment of the county from which the water is being transferred. Transfers of water from Inyo County undertaken pursuant to Water Code Section 1810 et seq., have the potential to affect the overall economy and/or the environment of Inyo County.

f. Inyo County/Los Angeles Water Agreement. In 1997, an agreement between the County of Inyo and the City of Los Angeles, which provides for management of the city of Los Angeles' water gathering activities (including groundwater extraction and surface water diversion) within Inyo County, was entered as a final order in Inyo County superior court, Case Number 12908. (Hereinafter, "Inyo/Los Angeles Water Agreement.") The Inyo/Los Angeles Water Agreement provides for cooperative management of Los Angeles' water gathering activities by the county of Inyo and the city of Los Angeles in a manner that protects the environment of Inyo County.

g. Water Sales to Los Angeles. In January 1998, the city of Los Angeles and the County of Inyo (through the Inyo County/Los Angeles Standing Committee) agreed that "[T]he City of Los Angeles will not enter into any agreement to purchase or otherwise acquire water extracted or diverted from within Inyo County unless it has been first informed by the county that the County and the seller have entered into an agreement which provides for the management of the extraction or diversion of the water in a manner that insures the protection of the County's environment and economy. If after such notification, the city of Los Angeles enters into an agreement with the seller to purchase water, the purchase agreement will specifically require, as a continuing condition of the purchase of any water, that the seller be in full compliance with the provisions of the agreement with the County.

h. Groundwater Transfers. A transfer or transport of groundwater from a groundwater basin located in whole or in part within Inyo County to an area outside of the groundwater basin, and a transfer or transport of groundwater extracted from within Inyo County from a groundwater basin located partially within Inyo County for use in an area within the same basin, but outside the boundaries of Inyo County, have the potential to adversely affect the economy and environment of Inyo County.

i. Authority to Regulate. Existing law provides the County with authority to protect the health, safety and welfare of its citizens, through the regulation of the extraction of groundwater from groundwater basins within Inyo County.

j. Need for Regulation. It is essential for the protection of the health, safety and welfare of the citizens of Inyo County, and the public benefit of the state, that a transfer of water undertaken pursuant to Water Code 1810, a sale of surface or groundwater to the city of Los Angeles, a transfer or transport of groundwater extracted and exported from a groundwater basin located in whole or in part within the boundaries of Inyo County, and a transfer or transport of groundwater extracted from within Inyo County from a groundwater basin partially located within Inyo County, for use in an area within the same basin, but outside the boundaries of Inyo County be regulated in a manner that provides for the protection of the overall environment and economy of Inyo County.

2. Purpose and Intent

It is the purpose and intent of this Section to establish an effective County policy that will assure that the overall economy and the environment of Inyo County are protected from the impacts of:

a. A water transfer from the unincorporated area of Inyo County undertaken pursuant to Water Code Section 1810 et seq.;

b. A sale to the city of Los Angeles, or an acquisition by the city of Los Angeles by means other than a sale, of surface water or groundwater extracted or diverted from within Inyo County;

c. A transfer or transport of groundwater extracted from a groundwater basin located in whole or in part within the boundaries of Inyo County, for use in an area outside of the groundwater basin; and

d. A transfer or transport of groundwater extracted from within Inyo County from a groundwater basin partially located within Inyo County, for use in an area within the same basin, but outside the boundaries of Inyo County.

3. Scope

a. Application. Any person who proposes a transfer or transport of water described in subsections (a)(1) through (4) of this section shall be subject to the provisions of this chapter:

1) A water transfer from the unincorporated area of Inyo County undertaken pursuant to Water Code Section 1810 et seq.

2) As set forth in the agreement described in Section [redacted] a sale to the city of Los Angeles, or an acquisition by the city of Los Angeles by means other than a sale, of surface water or groundwater extracted or diverted from within Inyo County.

3) A transfer or transport of groundwater extracted from a groundwater basin located in whole or in part within the boundaries of Inyo County, for use in an area outside of the groundwater basin.

4) A transfer or transport of groundwater extracted from within Inyo County from a groundwater basin partially located within Inyo County, for use in an area within the same basin, but outside the boundaries of Inyo County.

b. Exemptions. Water transferred or transported as described below shall be exempt from the application of this Section:

1) A transfer or transport of water by the city of Los Angeles from Inyo County, and an extraction of groundwater or a diversion of surface water from within Inyo County by the city of Los Angeles, that is not a purchase or acquisition of water subject to the agreement described in Section [redacted]

2) A transfer or transport of water during periods of emergency declared pursuant to California Government Code Section 8558 that is directly

related to the reason or basis for the declaration of the emergency, and that is undertaken in order to prevent or mitigate injury to people, or the flooding or damaging of property.

3) A transfer or transport of water in the form of manufactured or processed goods or products, agricultural products, or in bottles or any other portable containers including tanker trucks, provided the total transfer or transport via tanker truck or trucks does not exceed one acre foot during a one-year period.

4) A transfer or transport of water over which the County lacks the legal authority or jurisdiction to regulate, including a transfer or transport of water extracted or diverted from outside of the boundaries of Inyo County.

4. Nonconforming Uses. A transfer or transport of water which occurs after the effective date of the ordinance codified in this chapter shall be considered a nonconforming use as set forth in Section [redacted] of this code if the transfer or transport meets all of the following criteria:

a. The transfer or transport is substantially similar to a transfer or transport that occurred during the one year period immediately prior to the effective date of said ordinance;

b. The transfer or transport is accomplished by means of substantially the same conveyance facility as was used during the one-year period immediately prior to the effective date of said ordinance;

c. The transfer or transport is from substantially the same geographical area of the groundwater basin as during the one-year period immediately prior to the effective date of said ordinance;

d. The transfer or transport does not exceed either the highest instantaneous rate, or the highest annual total quantity, of water that was transferred or transported within the twenty-year period immediately prior to the effective date of said ordinance; and

e. The transfer or transport will result in the use of the transferred or transported water in substantially the same manner and in substantially the same area as it was used during the one-year period immediately prior to the effective date of said ordinance.

A transfer or transport of water which does not meet all of the criteria described in subsections (3)(a) through (e) of this section (including a water transfer or transport which once met, but no longer meets all of the criteria) shall not be considered a nonconforming use, and shall be subject to the provisions of this section.

5. Conditional Use Permit Requirement

Any person who proposes a transfer or transport of water described in Section [redacted]. A. shall, prior to the commencement of the water transfer or transport, first apply for and obtain from the County Planning Commission a conditional use permit as provided in Chapter 18.81 of this Code.

6. Applications

An application for a conditional use permit shall be made on forms provided by the County Planning Department. The application shall be filed in accord with this Chapter, Chapter 18.81, other relevant chapters of this code, and with procedures established by the county Planning Commission.

7. Application Processing and Fees

a. Applications. An application for a conditional use permit for a water transfer described in Section [redacted] shall be processed in the same manner as other conditional use permit applications submitted to the County; however, the Inyo County Water Department and the Inyo County Water Commission (Water Commission) shall evaluate the hydrogeological and related environmental impacts, and based on its evaluation, shall identify and develop associated mitigation measures, proposed project conditions, the monitoring, groundwater management and/or reporting program, and proposed findings. The Water Commission shall submit its recommendations to the County Planning Commission.

b. Fees. At the time of the filing of the application for a water transfer pursuant to this chapter, a fee, as established by Section [redacted] of this code, shall be paid to the County Planning Department.

8. Required Findings

a. Findings. A conditional use permit for a transfer or transport of water described in Section [redacted] shall be approved only if the County Planning Commission, in consideration of the recommendations submitted by the Water Commission, finds that the proposed water transfer to be undertaken (subject to proposed conditions to be placed upon the transfer) will not unreasonably affect the overall economy of Inyo County and will not unreasonably affect the environment of Inyo County.

b. Adverse Effect on the Economy or Environment. A proposed water transfer shall be found by the Planning Commission to unreasonably affect the overall economy of Inyo County or to unreasonably affect the environment of Inyo County if the

Commission finds, based on the relevant recommendations submitted by the Water Commission, that the proposed water transfer including all proposed conditions and mitigation measures, will cause a significant adverse effect or effects on the overall economy or the environment of the county. A determination of whether or not the proposed water transfer will have a significant adverse effect, or whether a mitigation measure or measures will reduce such a significant effect to a less than a significant level, shall be made by reference to the analytical model of the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.), its guidelines and relevant case law.

c. Economy. In determining whether a proposed water transfer will unreasonably affect the overall economy of Inyo County, all relevant factors shall be considered, including, but not limited to, potential injuries to legal users of water in the groundwater basin and the county, direct or indirect economic impacts to suppliers, service providers and others in the county, impacts to the tax base of the county, and the cumulative effects of the proposed water transfer when considered together with the effects of past water transfers, past surface and groundwater exports, proposed economic mitigation measures, as well as the effects of approved or anticipated future water transfers and exports, on the county's overall economy.

d. Environment. In determining whether a proposed water transfer will unreasonably affect the environment of Inyo County, all relevant factors shall be considered, including, but not limited to, effects on fish, wildlife, and other instream uses, effects on water levels in wells, effects on springs and seeps, effects on riparian and groundwater dependent vegetation, effects on rare or endangered plant or animal species, effects on surface water features, recharge to the groundwater basin, effects on the groundwater storage capacity of the basin, potential for overdraft, potential for subsidence, effects on water quality, the capability of the proposed monitoring, groundwater management and/or reporting program to detect and avoid significant adverse impacts and the cumulative effects of the proposed water transfer within the affected groundwater basin, when considered together with the effects of past water transfers, past transfers and water exports, as well as approved and anticipated future water transfers, and water exports from the affected groundwater basin, on the environment.

e. Evidence. Each finding required to be made by the County Planning Commission pursuant to this Section shall be based upon substantial evidence and shall contain a description of the evidence that supports the finding.

9. Monitoring, Groundwater Management and Reporting

The County Planning Commission, in consideration of the relevant recommendations submitted by the Water Commission, shall approve and incorporate, as appropriate, a monitoring, groundwater management and/or reporting program into each conditional use

permit it grants for a transfer or transport of water described in Section [redacted]. The monitoring, groundwater management and/or reporting program shall be of such scope and extent as the commission finds to be necessary to ensure that the proposed water transfer will not unreasonably affect the overall economy or the environment of the county. In determining the scope of a monitoring, groundwater management and/or reporting program, the ability of the proposed program to detect and avoid potential significant adverse effects before such effects occur shall be considered. The monitoring and/or reporting portion of the program shall be in compliance with Chapter 15.44 of this code. The groundwater management and/or reporting program may include, but shall not be limited to, instream flow measurements, reports of the amounts of surface water diverted and/or amounts of groundwater pumped, monitoring of wells, monitoring of groundwater levels, monitoring of spring and seeps, monitoring of vegetation, wildlife, fish and economic effects and thresholds and/or trigger points which, if reached, will control the extraction of groundwater.

10. Procedures

Upon completion of the environmental review process and the filing of all required documents, a noticed public hearing will be scheduled and conducted by the County planning commission to consider issuance of any conditional use permit for a water transfer or transport described in Section [redacted]. Such a hearing will be scheduled and conducted in accordance with this chapter and Chapter 18.81 of this code.

11. Modifications and Revocation

a. Modification by Request. Any person who has been granted a conditional use permit for a water transfer or transport pursuant to this chapter may submit an application for a modification of the permit. Any such application shall be submitted and processed as provided in Section [redacted] et seq. of this code.

b. Modification for Cause. In the event that evidence obtained through the monitoring and/or reporting program, or other evidence, indicates that a water transfer subject to a conditional use permit has unreasonably affected, or has the potential to unreasonably affect, the overall economy or the environment of the county, or that there has been a failure to comply with the provisions of the permit, the County Planning Commission shall conduct a noticed public hearing into the matter. If at the conclusion of the hearing, the Commission finds that an existing water transfer, if continued, would cause an unreasonable effect on the overall economy or the environment of the county, the Commission shall modify the provisions of the conditional use permit to the extent that it finds to be necessary to avoid the occurrence of such an effect. If the Commission finds that a water transfer, subject to a conditional use permit has unreasonably affected the overall economy or the environment of the county, the Commission shall order the implementation of such mitigation measures as it finds to be necessary to reduce the level of the effect to less than significant; in addition, the commission

may modify the conditional use permit to the extent that it finds to be necessary to avoid the occurrence of such unreasonable effects in the future.

c. Revocation. At the conclusion of the public hearing described in subsection (B) of this section, the Commission may revoke a conditional use permit granted pursuant to this section if it finds that the water transfer cannot be continued without causing an unreasonable effect on the overall economy or environment of Inyo County, or if the Commission finds that there has been a failure to reasonably comply with the terms of the permit. In the event that the Commission revokes a permit, the Commission may order the former permittee to implement such work as the Commission finds is necessary to mitigate any significant adverse effects caused by the water transfer or transport undertaken by the former permittee.

12. Term of Permit

Each applicant for a conditional use permit pursuant to this Section shall specify in the application the duration or term of the permit requested. The County Planning Commission, in consideration of the relationship of the term of the permit to the potential for the water transfer to unreasonably affect the overall economy or environment of Inyo County, shall, in accordance with Section [redacted] of this code, determine the term of the permit.

13. Challenge to Water Transfers and Transport

a. Existing Conditional Use Permit. Any interested party may challenge the ongoing transfer or transport of water subject to an approved permit during the term of the permit based on allegations that one or more of the following circumstances exists:

1) There has been or is an ongoing violation of one or more conditions of an approved permit; or

2) The transfer or transport of water pursuant subject to a conditional use permit has unreasonably affected the overall economy or the environment of the county.

b. No Existing Conditional Use Permit. Any interested party may challenge a transfer or transport of water that is not being undertaken pursuant to an approved conditional use permit based on an allegation that a conditional use permit for the transfer or transport of water is required pursuant to this chapter.

c. Process. A challenge pursuant to this section shall be commenced by filing with the planning commission a signed written statement setting forth the challenge on a form prescribed by the commission. The statement shall allege circumstances

specified in subsections (a) or (b) of this section, and shall generally describe facts in support of those alleged circumstances. Within ten (10) days of receipt of a challenge in compliance with the foregoing requirements, the Planning Department shall give notice of the challenge to the person undertaking the transfer or transport of water, the challenging party, all affected agencies, and any interested party that has requested such notice. Within forty-five (45) days of the receipt of the challenge, the Planning Department shall complete a review of the facts alleged in the challenge, and based upon this review, shall make a determination whether sufficient evidence has been presented to warrant a hearing by the commission on the challenge. A notice of this determination, together with the date and time of public hearing by the commission on the challenge, if applicable, shall be provided to the person undertaking the transfer or transport of water, the challenging party, all affected agencies, and any interested party that has requested such notice. Any public hearing on the challenge shall be conducted as provided in this title.

1) If the challenge pertains to a transfer or transport of water undertaken pursuant to a conditional use permit, the Commission's review shall be as set forth in Section [redacted].

2) If the challenge pertains to a transfer or transport of water that is not undertaken pursuant to this chapter, the Commission shall determine whether such a permit is required. If the Commission finds that the transfer or transport requires, and/or previously required, a conditional use permit, and if the Commission finds that the transfer or transport of water caused an unreasonable effect on the overall economy or environment of Inyo County, in addition to any other penalties that may be imposed for violation of this code, the commission may order the person who undertook the transfer or transport to implement such work as the commission finds is necessary to mitigate any significant adverse effects caused by the water transfer or transport undertaken by the person.

d. Standard of Proof. The standard for proof in any such challenge proceeding shall be substantial evidence. The burden of proof shall be upon the person undertaking the transfer or transport of water.

e. Appeals. Appeals of a determination by the Planning Department or of a Planning Commission decision may be made as provided in this Title.

Chapter 9
Signs

18.09.010 PURPOSE AND APPLICATION

The purpose of this chapter is to control and regulate the construction, location and maintenance of all signs within the unincorporated areas of the county. The regulations in this chapter are intended to encourage the effective use of signs as a means of communication; to maintain and enhance the aesthetic environment and the county's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. These general provisions serve as specific development standards to be applied in addition to the basic sign provisions within each zoning district. The regulation and control of signs by this chapter is undertaken to accomplish the above objectives and not to control or regulate the content of signs.

18.09.020 TEMPORARY POLITICAL SIGNS

No temporary political sign shall be displayed earlier than ninety (90) days prior to, or later than ten (10) days after, the date of an election.

18.09.030 SIGNS CREATING TRAFFIC HAZARDS PROHIBITED

1. No sign shall be located at or near any road intersection, or any road and driveway intersection, so as to create a traffic hazard by obstructing vision.

2. No sign shall be located, constructed or lighted so as to interfere with, obstruct the view of, simulate, or be confused, with any official traffic control device.

3. No lighted sign shall exceed the illumination standard specified in Section 21466.5 of the California Vehicle Code.

18.09.040 SIGNS DEFACING NATURAL FEATURES PROHIBITED

No sign shall be placed upon any tree or painted or drawn upon any rock or other natural feature.

18.09.050 SIGNS MAINTAINED IN SAFE CONDITION

No sign shall be erected or maintained in a condition hazardous to persons or property. All signs containing electrical components shall be constructed and maintained to comply with the applicable electrical code and building code.

18.75.060 SUMMARY ABATEMENT OF SIGNS THREATENING PUBLIC SAFETY

The county Planning Director, Director of Public Works, Building Inspector, Sheriff or their designees may abate, including by removal, without prior notice and hearing, any sign which poses an immediate threat to the safety of persons or property. Within ten (10) days of summary abatement, the abating official shall make a good faith effort to give written notice of the abatement to the owner of such sign and the owner and lessee of the parcel upon which such sign was located. The sign owner or parcel owner or lessee shall have the right to a hearing pursuant to Section 7.60.090 of this code to determine the nature of the threat and the appropriateness of the abatement action taken.

18.09.070 ILLUMINATION OF SIGNS

1. No sign may be illuminated by intermittent light (flashing sign).

2. Only billboards, monument signs and wall signs may be externally illuminated.

3. Business signs may be illuminated only during the hours of operation of the business to which the sign refers.

4. Only signs displaying a property address may be illuminated in any R zone district.

18.09.080 SIGN AREA

In addition to the limits on sign area imposed on various types of signs under Section [redacted] (Definitions – General) of this title, the following limitations on sign area shall apply in the zones designated:

1. The amount of signage on any parcel in the OS zone district is permitted as follows:

    a. Advertising or business signs collectively totaling not more than three hundred square feet in area are permitted to be placed or erected on each parcel for permitted, accessory or conditional uses; no individual sign, however, shall exceed fifty (50) square feet in area.

    b. No more than one monument sign is permitted on each parcel.

2. The amount of signage on any parcel in any R zone district is permitted as follows:

    a. No nameplate shall have a sign area in excess of four (4) inches by sixteen (16) inches.

    b. No real estate and/or rider sign shall have a sign area in excess of nine (9) square feet. No more than two such signs shall be placed on any parcel.

c. In the R-3 zone district, no channel letter or internally illuminated wall sign shall have a sign area in excess of twenty-five (25) square feet. No directory sign shall have a sign area in excess of twelve (12) square feet.

3. The amount of signage on any parcel in any C zone district is permitted as follows:

a. Advertising or business signs collectively totaling not more than three hundred (300) square feet in area are permitted to be placed or erected on each parcel containing ten thousand (10,000) square feet or less; no individual sign, however, shall exceed fifty (50) square feet in area.

b. Advertising or business signs collectively totaling not more than three hundred (300) square feet in area are permitted to be placed or erected on each parcel exceeding ten thousand (10,000) square feet in area at a density ratio of three hundred (300) square feet of total collective sign area per ten thousand (10,000) square feet of parcel area, e.g., signs having a collective total area of four hundred fifty (450) square feet may be erected or placed on a parcel fifteen thousand (15,000) square feet in area; no individual sign, however, shall exceed fifty (50) square feet in area and the total collective area of signs upon any such a parcel shall not exceed six hundred (600) square feet.

c. No more than one (1) pole sign or monument sign is permitted on each parcel.

4. The amount of signage on any parcel in any M zone district is permitted as follows:

a. Advertising or business signs collectively totaling not more than five hundred square feet in area are permitted to be placed or erected on each parcel containing ten thousand (10,000) square feet or less; no individual sign, however, shall exceed one hundred (100) square feet in area.

b. Advertising or business signs collectively totaling not more than five hundred (500) square feet in area are permitted to be placed or erected on each parcel exceeding ten thousand (10,000) square feet in area at a density ratio of five hundred (500) square feet of total collective sign area per ten thousand (10,000) square feet of parcel area, e.g., on a parcel fifteen thousand (15,000) square feet in area signs having a collective total area of seven hundred fifty (750) square feet may be erected or placed; no individual sign, however, shall exceed one hundred (100) square feet in area and the total collective area of signs upon any such a parcel shall not exceed one thousand (1,000) square feet.

c. Billboards approved as a conditional use shall be allowed in addition to the amount of signage authorized under this subsection.

18.09.090 HEIGHT OF SIGNS

1. In the R zone districts, no sign shall exceed six (6) feet in height.

2. In any non-R zone district, no sign shall exceed twenty-five (25) feet in height.

3. In any zone where permitted, monument signs shall not exceed six (6) feet in height.

4. In any zone where permitted, no roof sign shall extend more than four (4) feet above the roof or cornice line of any main building on the site.

18.09.100 PERMITTED SIGNS BY ZONE DISTRICT

The types of signs allowed either as permitted, permitted subject to the planning director's review or conditional uses are listed under the specified zone district in Table 7.A. Signs exceeding the development standards specified in Section [redacted] through [redacted] may be permitted through issuance of a conditional use permit. Signs shall only be permitted or conditionally permitted as an accessory use to an established use, with the exception of civic event, community and historical, governmental, off-site advertising, and off-site directional signs, and billboards and informational kiosks.

Table 7.A
Permitted Signs by Zone District

Sign Type	OS	R (Except R-3)	R-3	CB, C-1, and C-2	C-5	M	P
Animated	NA	NA	NA	P	NA	P	NA
Awning or Canopy	PDR	NA	NA	P	P	P	P
Billboard	NA	NA	NA	NA	NA	CUP	NA
Blade/bracket	NA	NA	NA	P	P	P	P
Business identification	P	NA	NA	P	P	P	P
Cabinet/can	PDR	NA	NA	P	P	P	P
Changeable copy	NA	NA	NA	P	P	P	P
Channel letter	PDR	NA	P	P	P	P	P
Civic event	P	P	P	P	P	P	P
Combination	NA	NA	NA	CUP	NA	CUP	NA
Community and historical	P	P	P	CUP	CUP	CUP	CUP
Contractor/construction	P	P	P	P	P	P	P
Convenience	P	P	P	P	P	P	P
Directory	NA	NA	P	P	P	P	P
Electronic	NA	NA	NA	CUP	NA	CUP	NA
Flashing	NA	NA	NA	NA	NA	NA	NA
Future tenant	P	NA	NA	P	P	P	P
Governmental	P	P	P	P	P	P	P
Grand opening	PDR	NA	NA	PDR	PDR	PDR	P
Informational kiosk	CUP	NA	CUP	CUP	CUP	CUP	P
Internally illuminated	P	NA	P	P	P	P	P
Memorial	P	P	P	P	P	P	P

Sign Type	OS	R (Except R-3)	R-3	CB, C-1, and C-2	C-5	M	P
Monument	P	NA	NA	P	P	P	P
Nameplate	P	P	P	P	P	P	P
Neon	NA	NA	NA	P	P	P	P
Off-site advertising	NA	NA	NA	CUP	NA	CUP	NA
Off-site directional	CUP	NA	NA	CUP	CUP	CUP	NA
On-site directional	P	NA	P	P	P	P	P
Pole	NA	NA	NA	P	P	P	P
Political	P	P	P	P	P	P	P
Portable	PDR	NA	NA	PDR	NA	NA	NA
Projecting	NA	NA	NA	P	NA	NA	NA
Promotional	NA	NA	NA	P	P	P	NA
Real estate	P	P	P	P	P	P	P
Rider	P	P	P	P	P	P	P
Roof	NA	NA	NA	P	P	P	NA
Special event	PDR	NA	NA	P	P	P	P
Tall wall	NA	NA	NA	CUP	NA	PDR	NA
Temporary	P	NA	PDR	PDR	PDR	PDR	PDR
Three-dimensional	NA	NA	NA	CUP	NA	CUP	NA
Time/temperature	P	NA	NA	P	P	P	P
Vehicle	NA	NA	NA	NA	NA	NA	NA
Wall	P	NA	NA	NA	NA	NA	P
Window	P	NA	NA	P	P	P	P

P = permitted; PDR = Planning Director review required; CUP = conditional use permit required; NA = not allowed

18.09.110 PLANNING DIRECTOR'S REVIEW

Certain types of signs are subject to the review of the planning director as provided in Section [redacted]:

1. Prior to the issuance of a building permit for any sign subject to the review of the Planning Director, building plans, including accurate elevations of the proposed sign and sufficient detailing of exterior materials, shall be submitted by the building inspector to the Planning Director to enable the Director to determine whether the proposed sign is consistent with the requirements of this chapter and this section.

2. The Planning Director, in making a decision, shall be governed by the following criteria:

   a. Sign copy is not subject to the planning director's review.

   b. No sign shall be permitted the design or appearance which is of such unorthodox or abnormal character in relation to the surrounding properties as to be unsightly or offensive to generally accepted taste;

c. No illuminated sign shall be permitted which would result in light or glare to roads and properties in the vicinity that would result in a significant adverse effect on public safety or a nuisance to surrounding residences;

d. Approval of grand opening and special events signs shall be reserved for the bona fide establishment of new businesses and events which occur no more than twice in any twelve month period;

e. No sign shall be permitted to be sited on any property in a manner which would unnecessarily destroy or substantially damage the natural beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in that area; or which would unreasonably affect adversely the beauty and general enjoyment of existing residences on adjoining properties.

f. The Planning Director shall approve, disapprove, or conditionally approve issuance of the building permit for the sign.

3. The Planning Director's review is not required to change copy or to repair, maintain, or clean any existing sign.

Chapter 10
Parking and Loading

18.10.010 PURPOSE AND INTENT

This Chapter is intended to ensure an adequate provision of parking and loading proportionate to the needs created by the various land uses within the County. In providing adequate parking, it is the intent of this Chapter to:

1. Progressively alleviate or prevent on-site and off-site traffic congestion and hazards;

2. Ensure the maneuverability of emergency and service vehicles;

3. Provide safe, accessible, convenient, attractive, and well-maintained off-street parking areas;

4. Protect residential neighborhoods from the effects of vehicular noise and traffic by uses in adjacent non-residential districts; and

5. Implement General Plan circulation, air quality, and energy conservation policies.

18.10.020 APPLICABILITY

a. Any new building constructed shall comply with the provisions of this Chapter, unless otherwise authorized pursuant to this Title.

b. No building or use of land which lawfully existed on the effective date of this Chapter shall be considered nonconforming solely because of the lack of off-street parking and loading facilities required by this Chapter.

18.10.030 CALCULATION OF FLOOR AREAS FOR PARKING AND LOADING REQUIREMENTS

1. The floor area used to calculate required off-street parking and loading spaces in this Chapter shall include all floor area which is devoted to office, retail, service, or other activities and uses including: storage areas, restrooms, lounges, lobbies, kitchens, and outdoor areas that will accommodate a permanent activity that will generate a demand for parking facilities in addition to that which is provided for principal activities and uses within the building or structure, such as patios, decks, balconies, terraces, and kiosks.

2. Floor area shall not include enclosed or covered areas used for off-street parking, loading, or bicycle facilities.

3. Where the application of the schedules for provision of off-street parking and loading spaces of this Chapter result in a fractional space, the fraction shall be rounded to the next lower whole number.

4. In situations where a combination of uses are developed on a site, including multiple uses under single ownership, the number of off-street parking and loading spaces shall be equal to the sum of the requirements for each of the uses, unless otherwise approved through a Modification.

18.10.040 PARKING REQUIREMENTS

Parking requirements shall be as specified in Table 10.A.

Table 10.A
Parking Requirements

Use	Requirement
Single-family Residence	2
Multifamily Residence	2 + 1 guest space/4 units
Second Unit	2
Group Residences	1 space/2 units
Commercial/Industrial/Manufacturing/Institutional	1/400 square feet of usable floor area
Commercial Recreation	1/4 seats

18.10.050 PARKING SPACE AND LOT REQUIREMENTS

The following parking standards shall apply to required parking spaces and access to those spaces.

1. Standard parking spaces shall be at least ten (10) feet wide and twenty (20) long.

2. Compact parking spaces shall be at least eight and one-half (8½) feet wide and eighteen (18) feet long.

3. The maximum percentage of all off-street compact parking spaces per lot shall not exceed twenty-five (25) percent of the total required off-street parking spaces.

4. Aisle widths shall be at least fifteen (15) feet wide for the first lane, plus an additional eight (8) feet for each additional lane in either direction.

5. The front yard setback in all R zones shall not be used to satisfy the standards for required parking spaces.

6. Parking lots shall be landscaped to the extent possible.

18.10.070 LOADING REQUIREMENTS

Loading requirements shall be as specified in Table 10.B. Each space shall be a minimum of ten (10) feet in width and twenty (20) feet in length, with twelve (12) feet of vertical clearance

Table 10.B
Loading Requirements

Square Feet	Requirement
0-10,000	0
10,001-100,000	1
100,001 or more	2

Proposed Permitted/Conditionally Permitted Use Matrix

	OS	RR	RR-0.5	R-1	R-2	R-3	CB	C-1	C-2	C-3	C-5	M-2	M-1	P[8]
Open Space														
Orchards/Vegetable/Field Crops/Nurseries/Gardens (Non-Retail)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agriculture (Light) - Crop Raising and Animal Husbandry	P										P	P	P	
Agriculture (Heavy) - Light Agriculture with Accessory Commercial/Industrial[9]	P/C											C	P	
Equestrian Facility	C										P	C	C	P
Golf Course	C										C			P
Hunting/Fishing Preserve	P										P			P
Kennel, Small	P	P	P	P	P	P	P	P	P		P	P	P	P
Mining	C												C	
Pack Station	P										P	C	C	P
Ranch, Commercial (accessory retail, lodging, restaurant, and alcohol sales)	C										P	C	C	C
Wilderness														
Residential														
Boarding House	C	C			C	P								
Caretaker Residence (Accessory)[10]	P						C	C	C		P	P	P	C
Duplex					P	P								
Farmworker Housing	C													
Mobile Home/RV Park					C	C			C		C			
Residential Care Facility (6 or fewer)	P	P	P	P	P	P								
Residences, Multi-family (more than 15)[1]						C	C	C	C	C	C	C		
Residences, Multi-family (up to 15)[1]						P	C	C	C	C	C	C		
Residence, Single-family	P	P	P	P	P	P								
Second Dwelling Unit	P	P	P	P										
Transitional/Supportive Housing	P	P	P	P	P	P								
Commercial														
Alcohol Sales[4, 7]	P						P	P	P	P	P	P	P	
Animal Hospital/Veterinarian	C						P	P	C			P	P	P
Auto/Boat/RV/Motorcyle/Airplane Sales							P	P	P			P		
Bail Bonds							P	P				P		P
Bed and Breakfast	C						P	P	P		P	C		
Child Care	C	C	C	C	C	C	C	C	C		C	C		P
Commercial, Heavy							C	C				P	P	P
Commercial, Light[2, 5, 7, 8]							P	P	P	C	P	P	P	P
Commercial Recreation (stadia, race tracks, circus/carnivals, theaters, etc.)[5]	C						C	C	C		C	C	C	P
Distribution Center/Freight Forwarding								C	C			P	P	C
Drive-in/through[5]							P	P	C		C	P		

	OS	RR	RR-0.5	R-1	R-2	R-3	CB	C-1	C-2	C-3	C-5	M-2	M-1	P[8]
Gun Club/Shooting Range											C		C	P
Hotel/Motel/Lodge/Resort/Spa							P	P	P		P	P		
Kennel, Large	P/C	C	C				C	P	C			P	P	P
Manufactured Home Sales								C	C			P	P	
Massage Parlor[5]							P	P	P		P			
Mixed Use[1]							P	C	C	C	C	C		
Mortuary/Crematorium	C						C	C		C		C	P	
Nursery (Plant) - Retail	P						P	P	C			P		
Office[5]							P	P	P	P	C	P		P
Outdoor Sales/Dining[5, 8]							P	P	P		P	C		P
Parking - Commercial[3, 8]				C	C	C	P	P	P	C	C	P	P	P
Personal Services[2, 5, 8]							P	P	P	C	P	P		P
Recycling Center								C	C			C	P	P
Repair (Vehicles/Equipment) - Interior							P	P	P			P	P	P
Repair (Vehicles/Equipment) - Exterior							C	C	C			P	P	C
Restaurant[2, 8]							P	P	P	C	P	P		P
RV-Trailer Park/Campground	C							C	C		C			P
Service/Gas Station (including Towing)							P	P	P		P	P	P	P
Shopping Center[5]							P	P	P		P	P		
Single Room Occupancy Hotels							C	C	C			C		
Truck Stop								C	C		C	P	P	
Warehousing/storage								P	C			P	P	C
Industrial/Manufacturing														
Animal Processing/Slaughterhouse	C											C	P	
Beverage Industries, including bottling												C	C	
Industrial/Manufacturing, Heavy													C	C
Industrial/Manufacturing, Light								C				P	P	C
Junk-Salvage Yard/Wrecking												C	P	C
Institutional/Public/Quasi-Public														
Airport	C												P	P
Animal Shelter	C						C	C	C			P	P	P
Cemetery	P													P
Club/lodge (Non-Commercial)	C	C	C	C	C	C	P	P	P		P	P		P
College/University/Trade-Tech School							P	C				C		P
Convalescent Home/Residential Care (more than 6)		C			C	C	P	C	C			P		
Emergency Shelter									P					
Farmer's Market	C						C	C	C		C			P
Government and Quasi-Public Buildings and Uses	C	C	C			C	P	P	P	P	C	P	P	P

	OS	RR	RR-0.5	R-1	R-2	R-3	CB	C-1	C-2	C-3	C-5	M-2	M-1	P[8]
Hospital							P	P	C			P		P
Hydroelectric	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Landfill	C													P
Library/Museum/Cultural Ctr.[2,7]							P	P	P	C	P	P	P	P
Park/Recreation - Non-Commercial	P	C	C	C	C	C	P	P	P		P	P		P
Religious Institution/Facilities	C	C	C	C	C	C	P	P	P	C	P	C		P
School	C	C	C	C	C	C	P	C	C			C		P
Transfer Station							C	C	C			C	P	P
Transit Station	C						P	P	P		P	P	P	P
Utilities (neighborhood)[11]	P	P	P/C	P/C	P/C	P/C	P	P	P	P	P	P	P	P
Utilities (major)	C							C	C			C	C	P
Other														
FAR Increases								C	C	C	C	C	C	
Uses not Listed, but Similar to Permitted/Conditionally Permitted Uses	Refer to Section 18.01.090 (Determination of Use)													
Wireless Communications	Refer to Section 18.08.210													
Geothermal Energy	Refer to Title 19													
Solar/Wind Energy	Refer to Title 21													
Water Transfers	Refer to Section 18.08.220													
Signs	Refer to Chapter 9; some signs may be conditionally permitted as a primary use in specified Zone D													
Small Wind Energy	Refer to Section 18.18.200													
Notes														

P = Permitted; C = Conditional Use Permit; P/C = Conditionally Permitted in Certain Circumstances, otherwise Permitted; Blank = Not Permitted

Zoning Districts: OS = Open Space; RR = Rural Residential; RR-0.5 = Starlite Estates; R-1 = Single-Family Residential; R-2 = Duplex; R-3 = Multi-Family Residential; CB = Commercial Business; C-1 = General Commercial; C-2 = Highway Services and Tourist Commercial; C-4 = Heavy Commercial; C-5 = Commercial Recreation; M-1 = General Industrial and Extractive; M-2 = Light Industrial; P = Public

1 Residential uses are not permitted in Industrial General Plan land use designations.

2 These uses in the C-3 Zone District must be to serve employees and patrons of onsite office uses.

3 In the R-1 Zone District, commercial parking is only conditionally permitted for parking for adjacent parcels.

4 Alcohol sales in the OS and C-3 Zone District are only permitted as accessory to a permitted or conditionally permitted primary use.

5 These uses in the C-5 zone should compliment and be accessory to a permitted or conditionally permitted primary use, such as a resort.

7 In the M-1 Zone District, these uses must be accessory to a permitted or conditionally permitted use

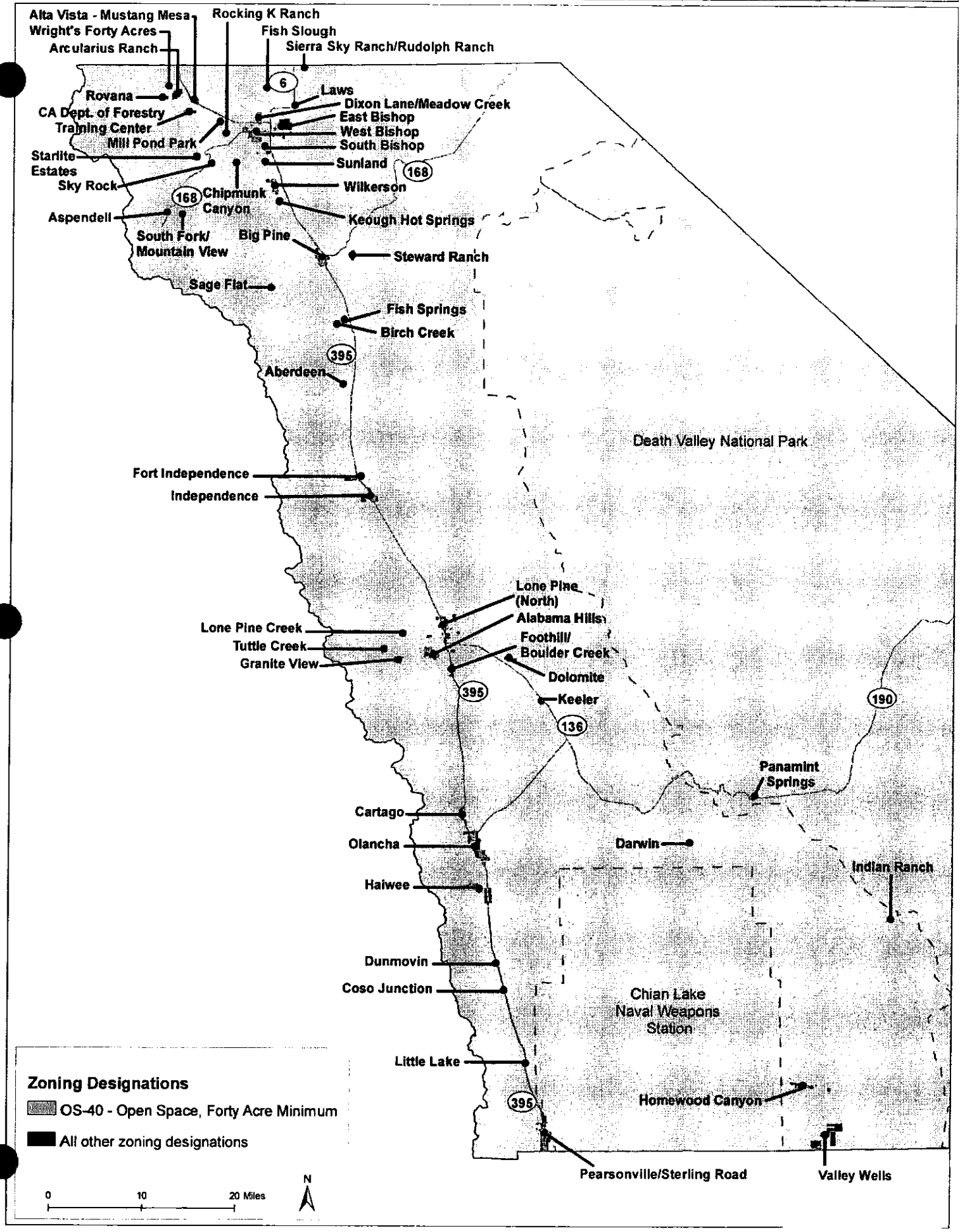
8 In the P Zone District, permitted/conditionally permitted uses and structures may be operated by governmental agencies consistent with this Title, the General Plan, and other relevant policies and regulations. Commercial/Industrial uses may be accessory to a permitted or conditionally permitted use operated by a governmental agency. Governmental uses and structures may be permitted if not subject to this Code.

9 Agriculture (Heavy) uses in the OS zone district are conditionally permitted if the subject parcel is adjacent to a parcel in an R zone district; otherwise, they are permitted.

10 Caretaker Residence shall not exceed 50 percent of the net floor area being utilized for the primary use.

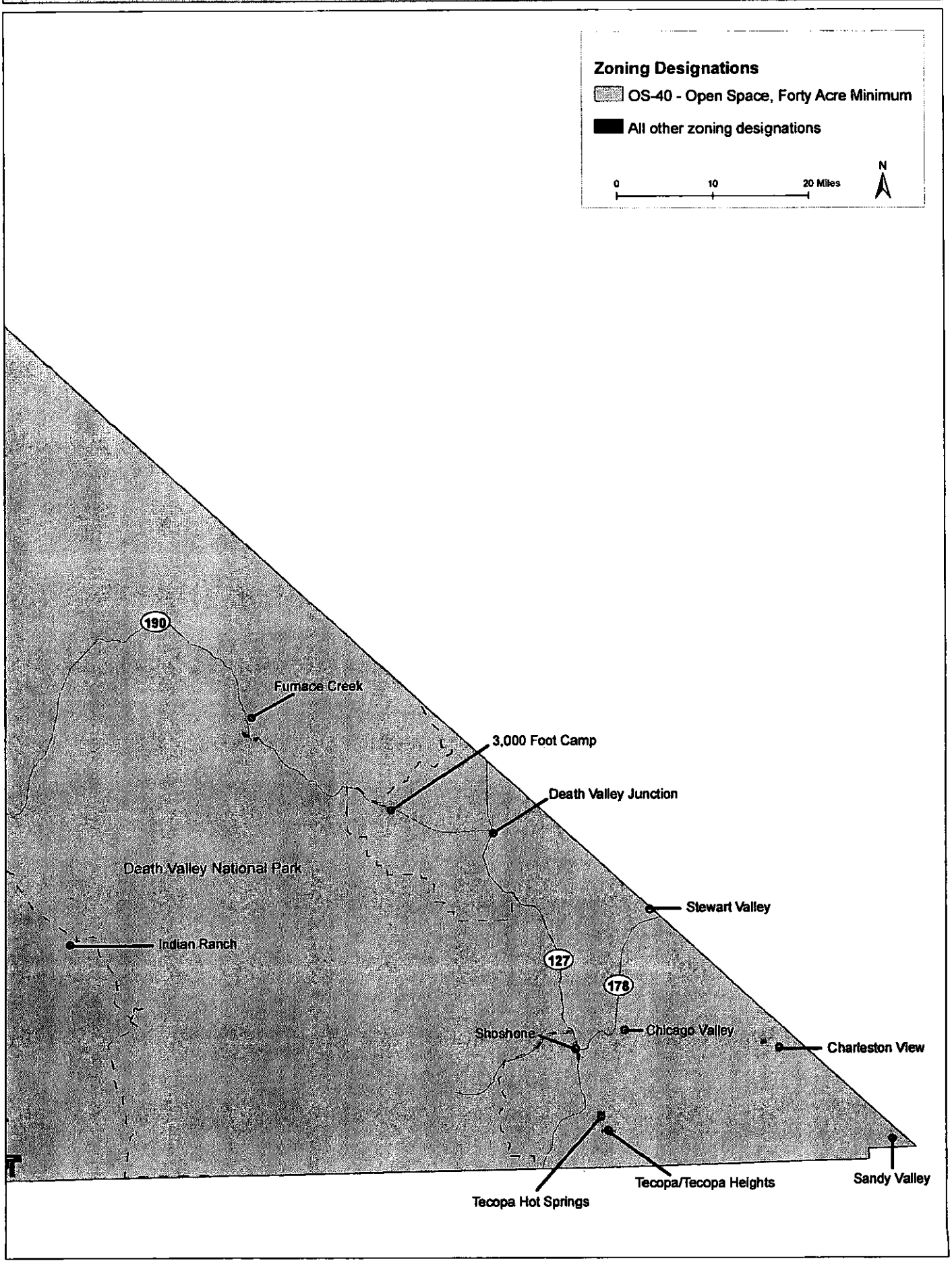
11 In R zone districts, linear and minor nodal facilities typical in residential neighborhoods are permitted by right; yards, machine shops, and other neighborhood-serving utilities and public services are conditionally permitted, if operating requirements necessitate its location.

Countywide - Diagram 1a

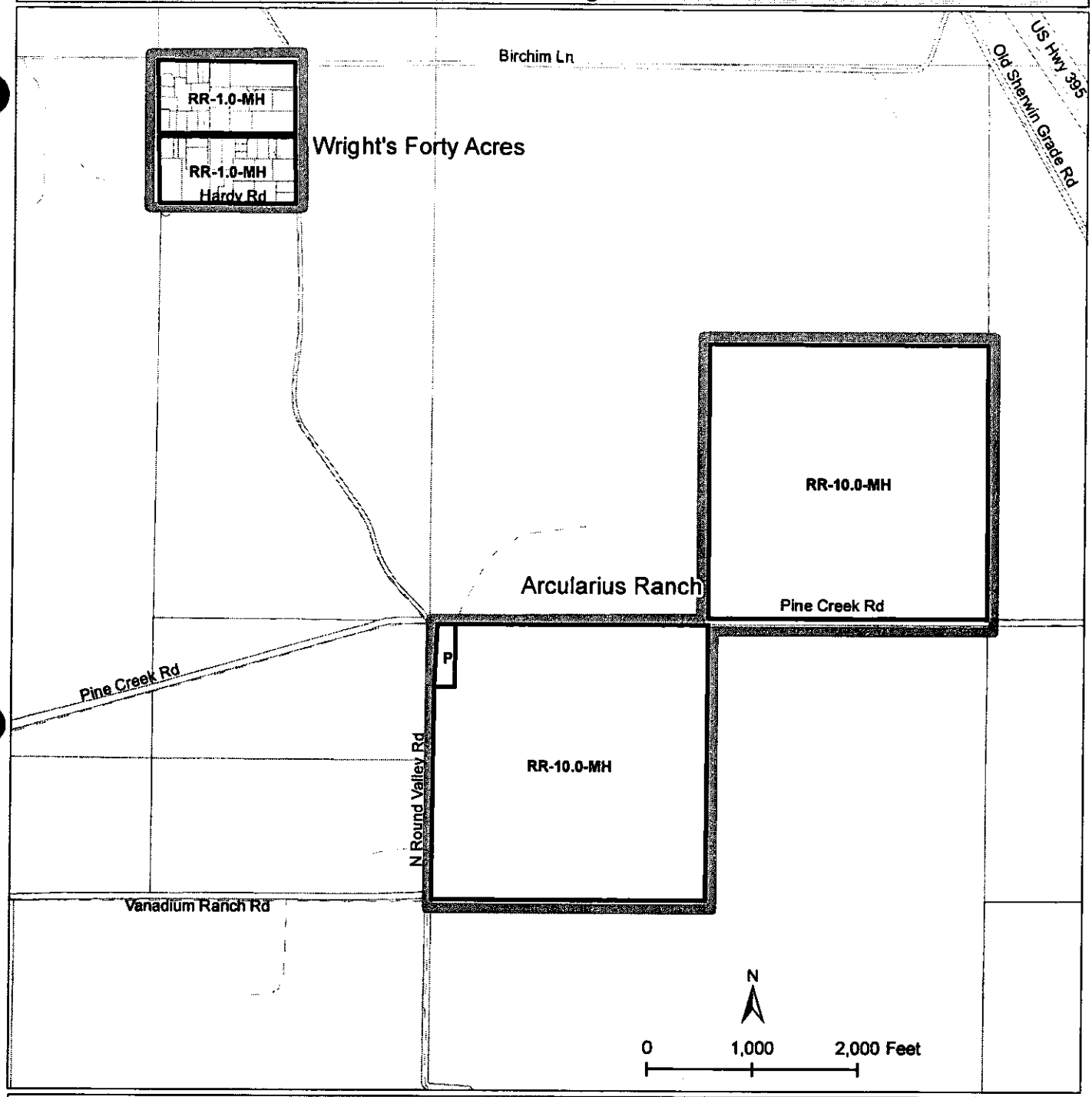


Attachment 4

Countywide - Diagram 1b



Wright's Forty Acres and Arcularius Ranch - Diagram 2



Inyo County Zoning Designations

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Industrial

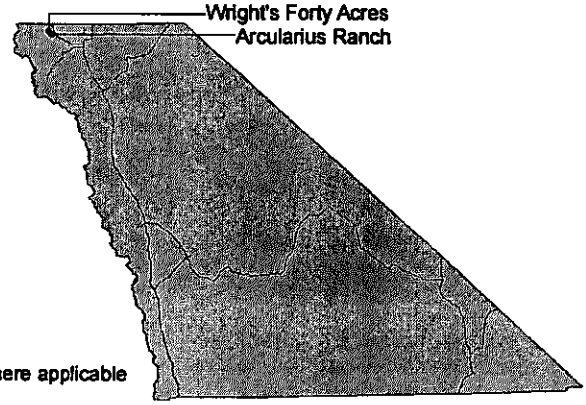
M1	General Industrial and Extractive
M2	Light Industrial

Other

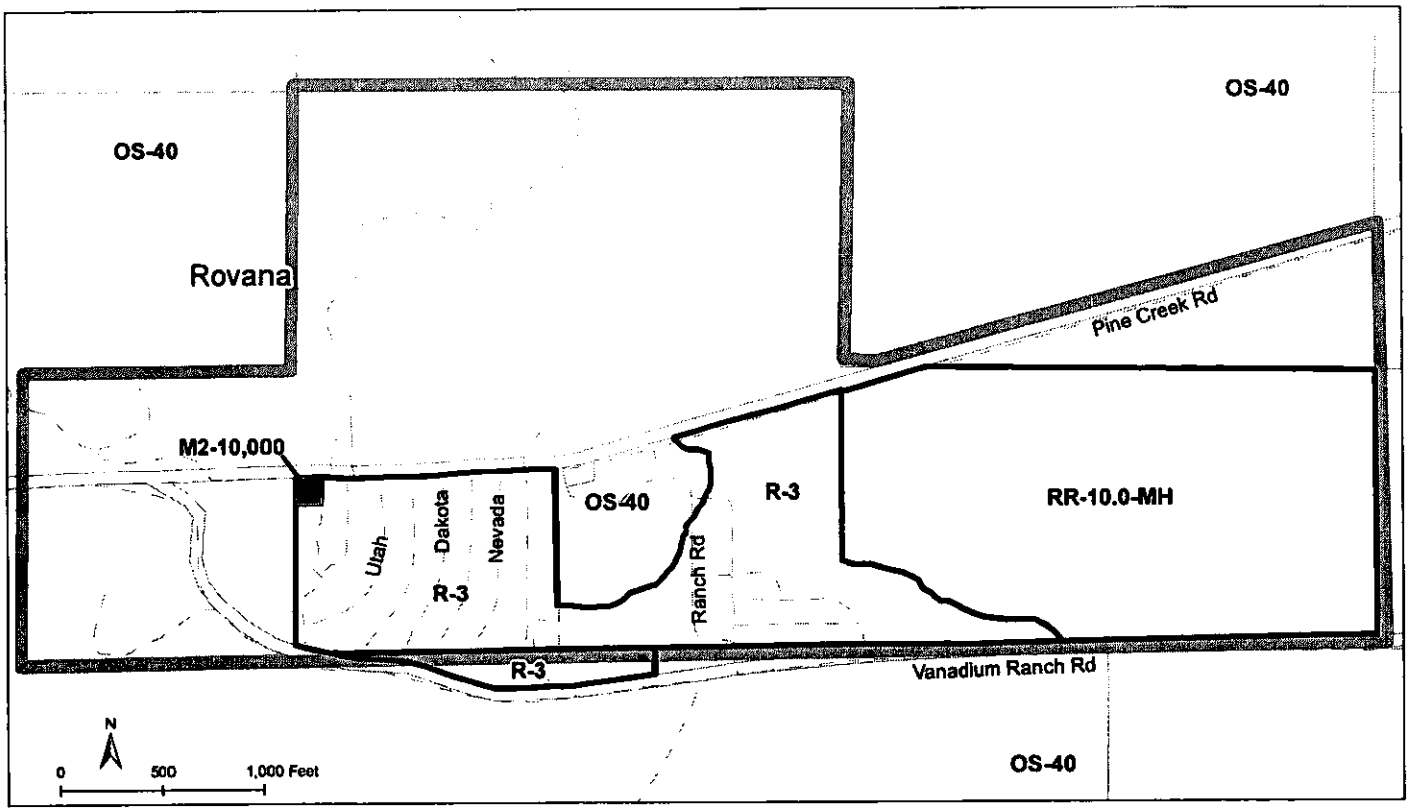
OS	Open Space
PUD	Planned Unit Development
P	Public

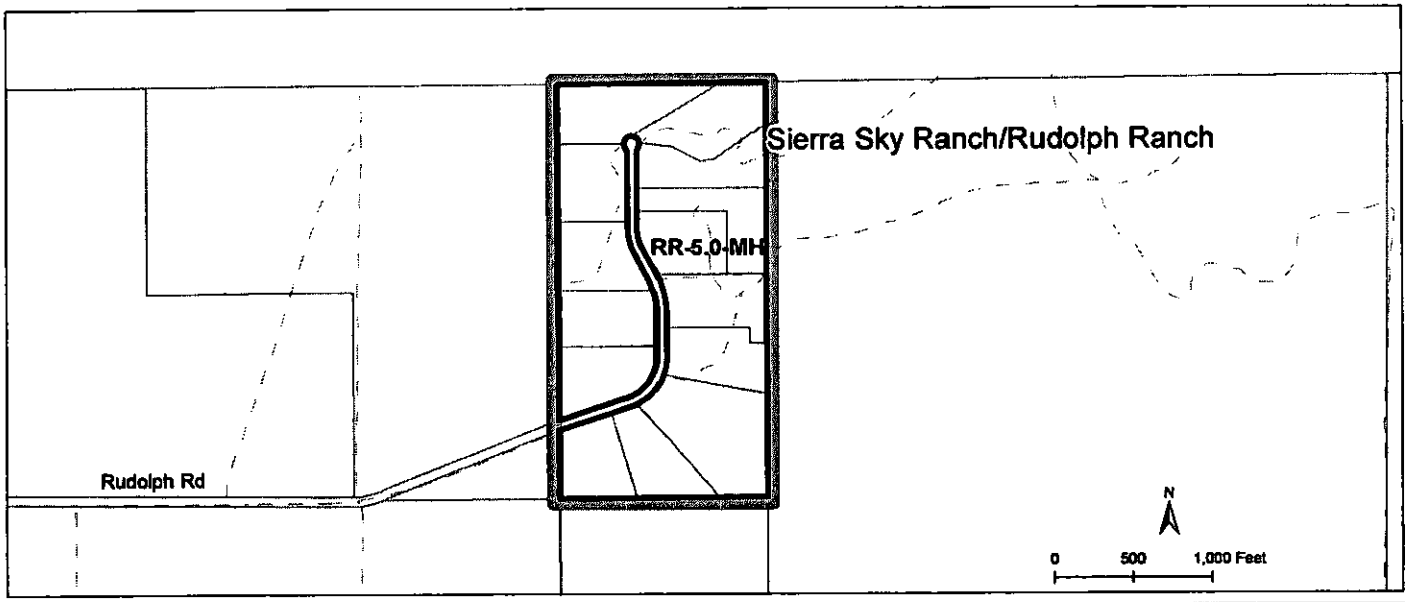
Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Rovana and Sierra Sky Ranch/Rudolph Ranch - Diagram 3





Proposed Zone Changes

C4 to M2

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

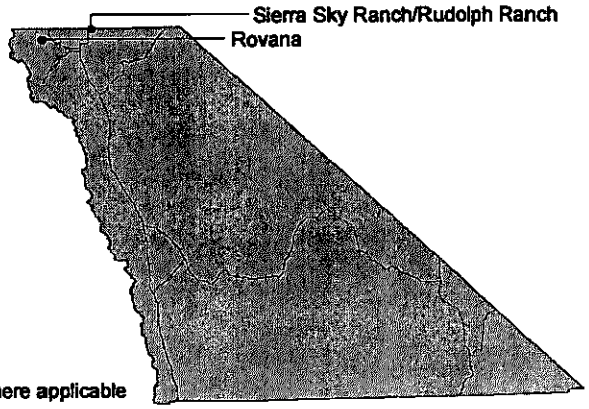
M1	General Industrial and Extractive
M2	Light Industrial

Other

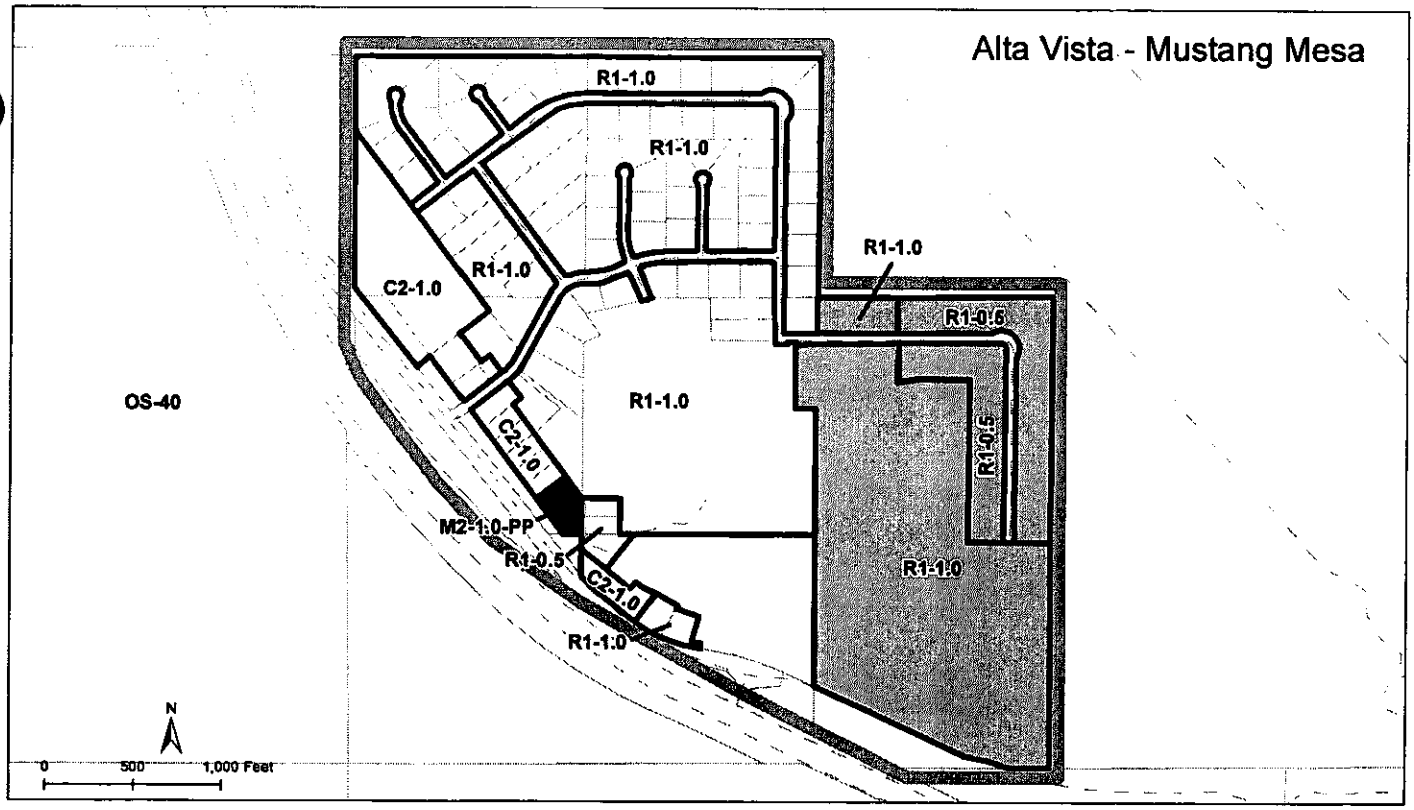
OS	Open Space
PUD	Planned Unit Development
P	Public

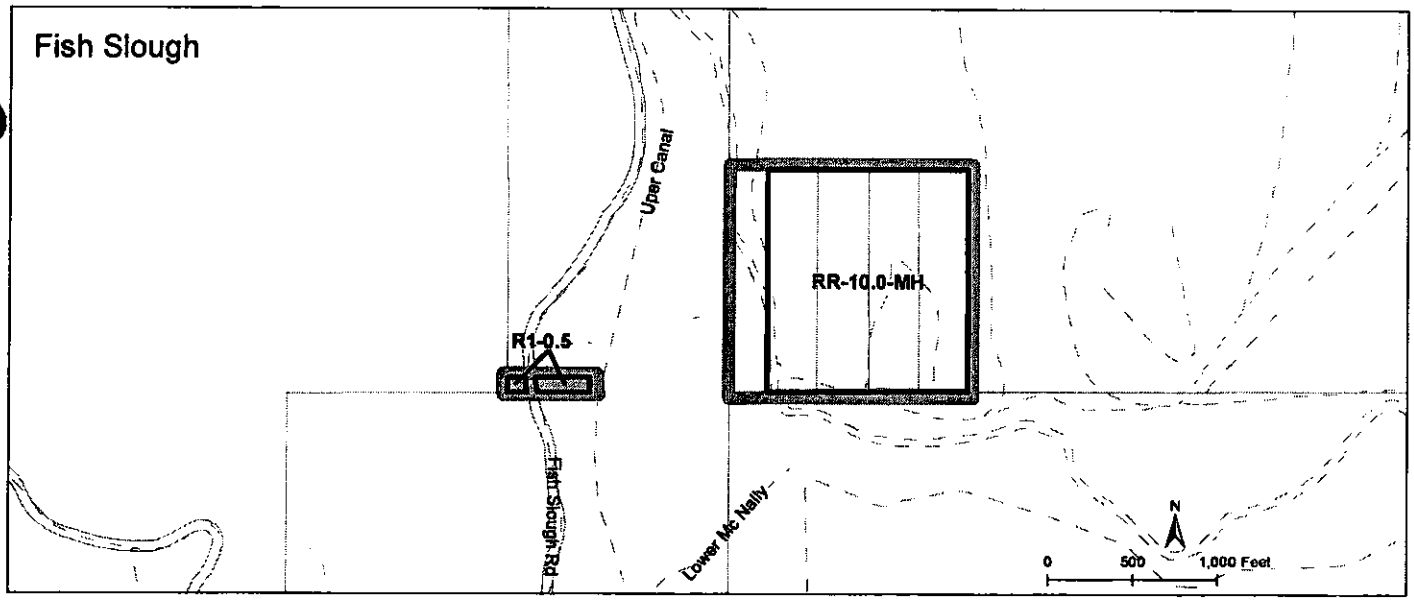
Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Alta Vista - Mustang Mesa and Fish Slough - Diagram 4





Proposed Zone Changes

C4 to M2 **RMH to R1**

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

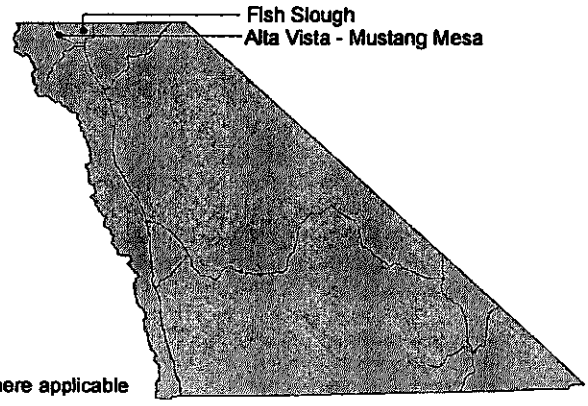
- M1 General Industrial and Extractive
- M2 Light Industrial

Other

- OS Open Space
- PUD Planned Unit Development
- P Public

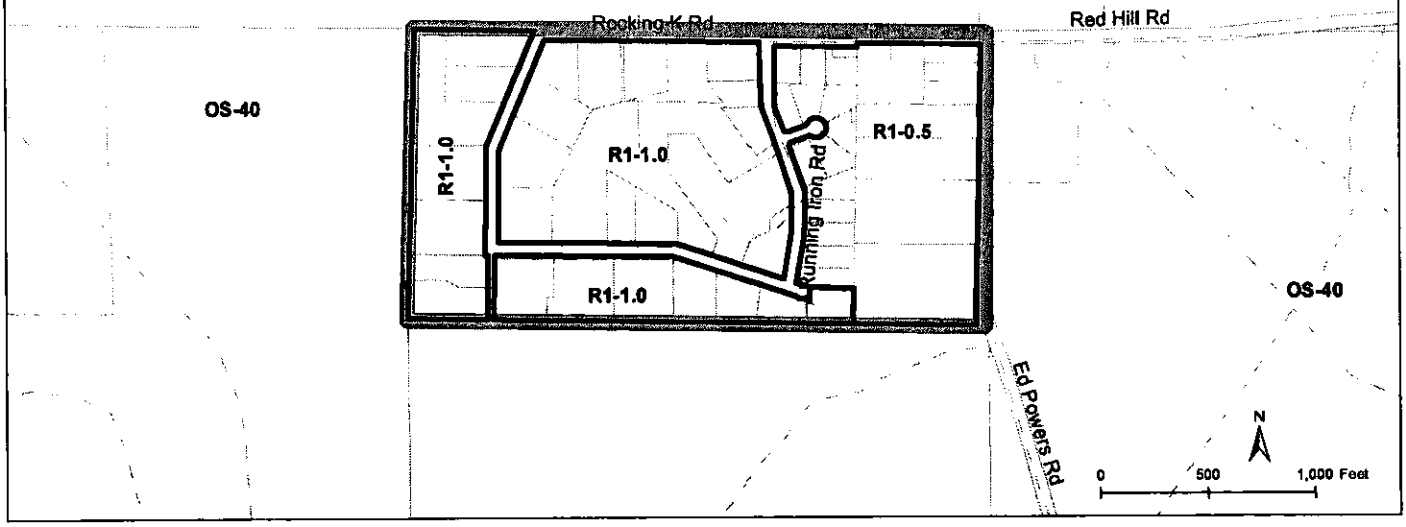
Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable

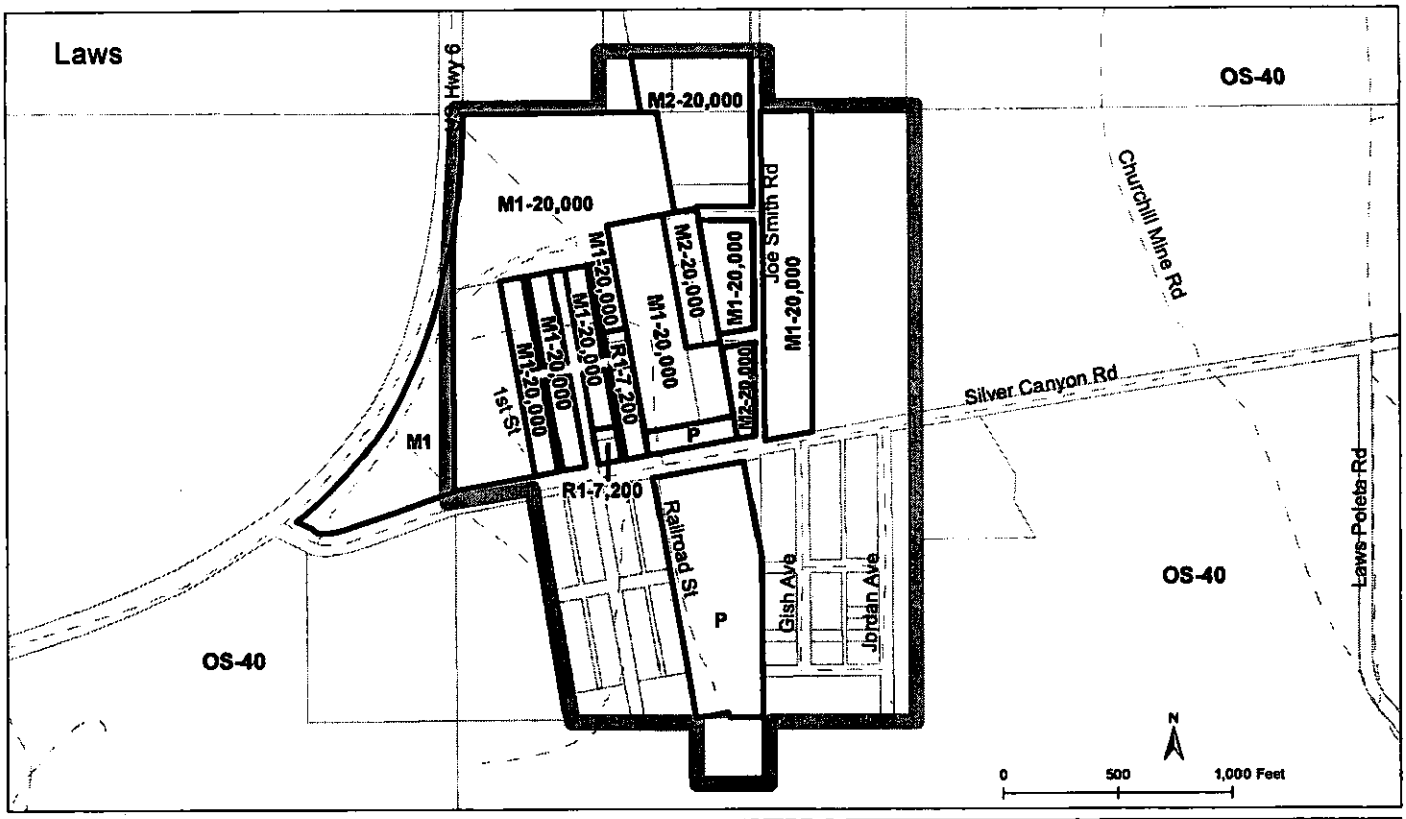


Rocking K Ranch and Laws - Diagram 5

Rocking K Ranch



Laws



Inyo County Zoning Designations

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

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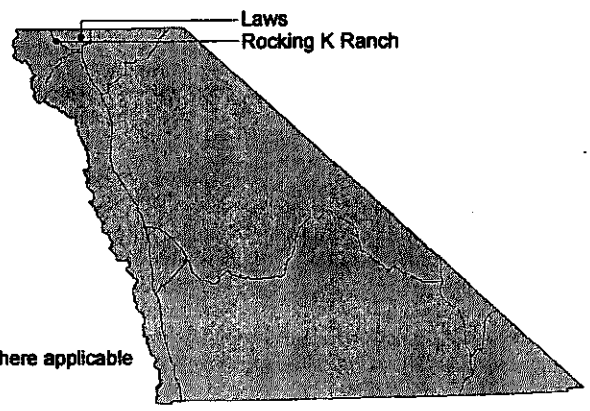
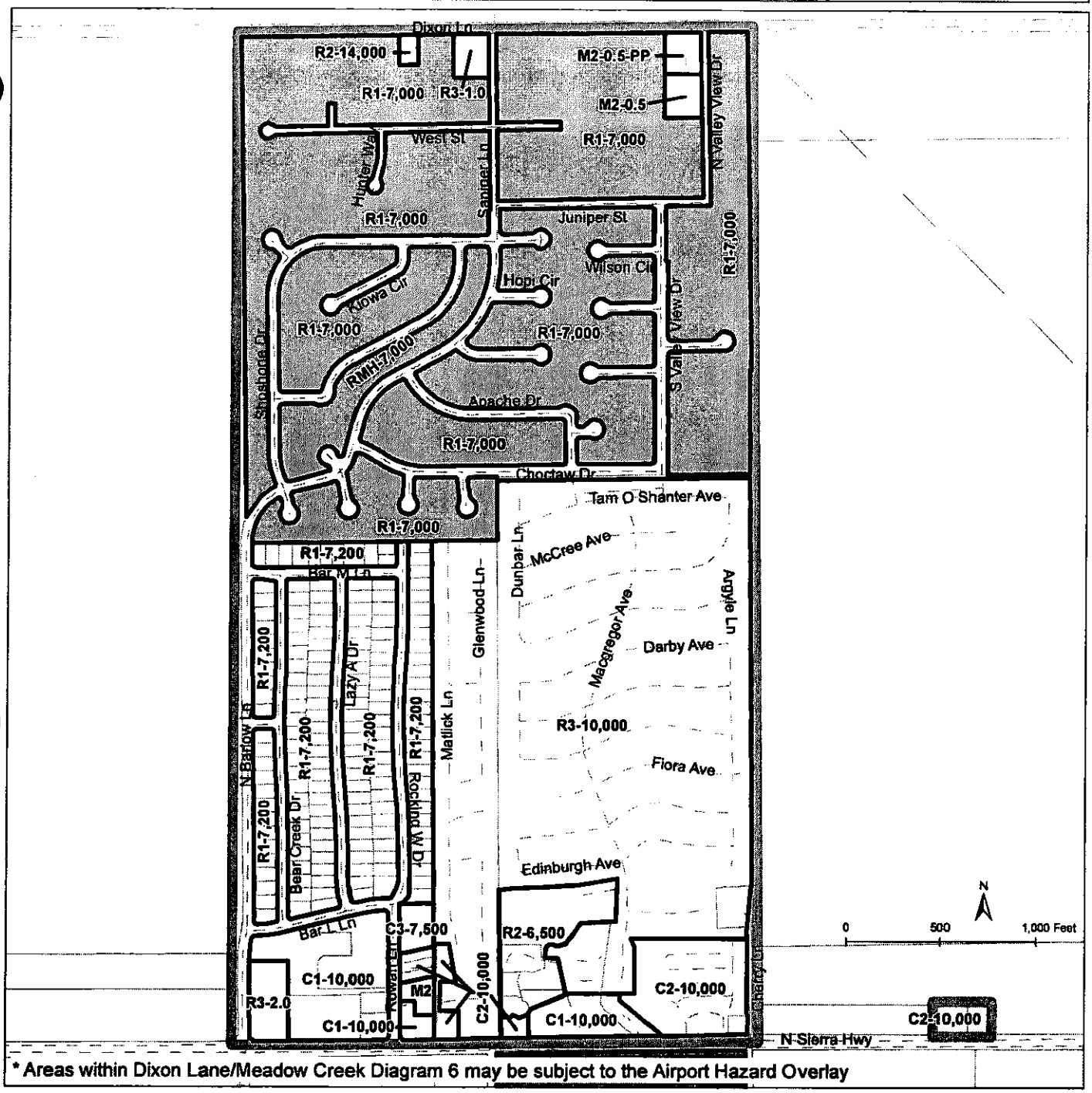
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Dixon Lane/Meadow Creek - Diagram 6



* Areas within Dixon Lane/Meadow Creek Diagram 6 may be subject to the Airport Hazard Overlay

Proposed Zone Changes

RMH to R1

Residential

R1 One Family Residential
R2 Multifamily Residential
R3 Multiple Residential
RR Rural Residential
RR-0.5 Starlite
RMH Single Residence and Mobile Home Combined

Commercial

CB Central Business
C1 General Commercial - Retail
C3 Administrative - Professional Offices
C4 Heavy Commercial
C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

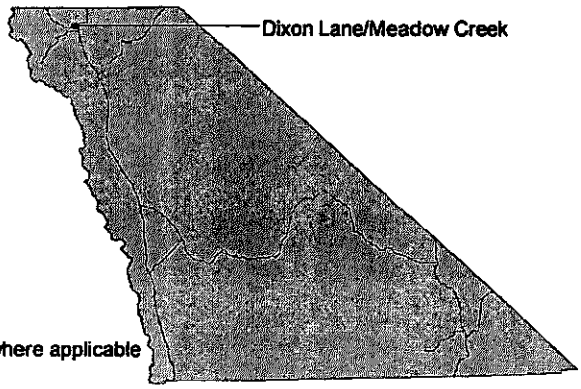
M1 General Industrial and Extractive
M2 Light Industrial

Other

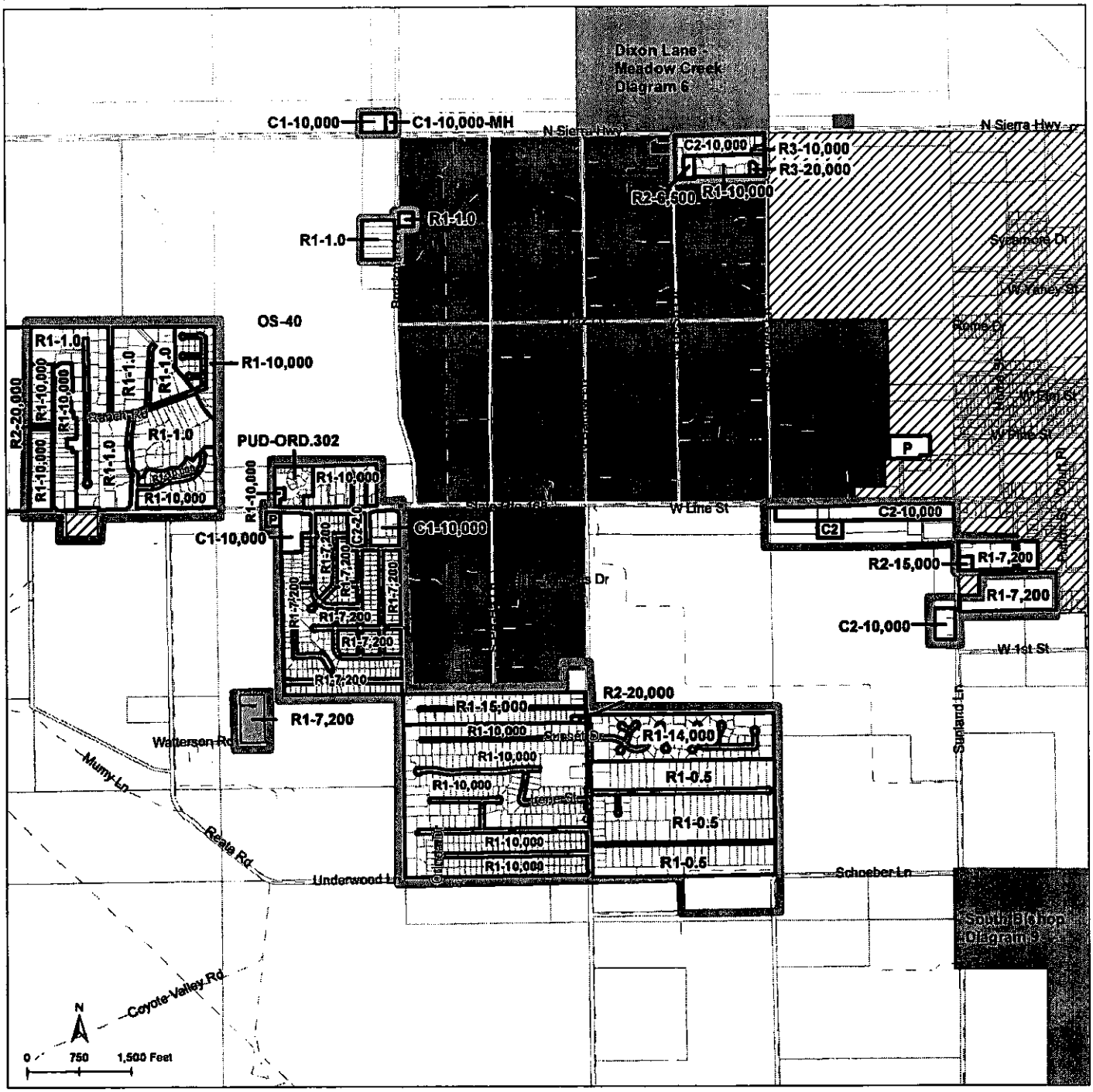
OS Open Space
PUD Planned Unit Development
P Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



West Bishop - Diagram 7



Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

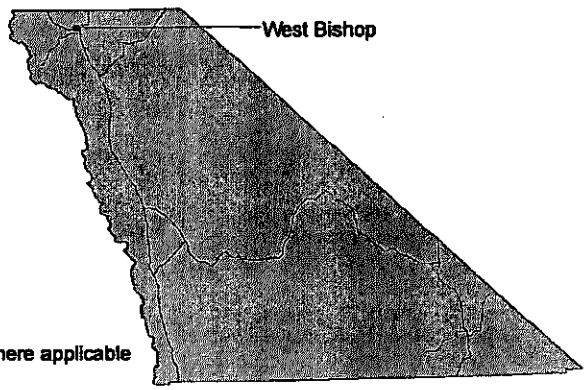
- M1 General Industrial and Extractive
- M2 Light Industrial

Other

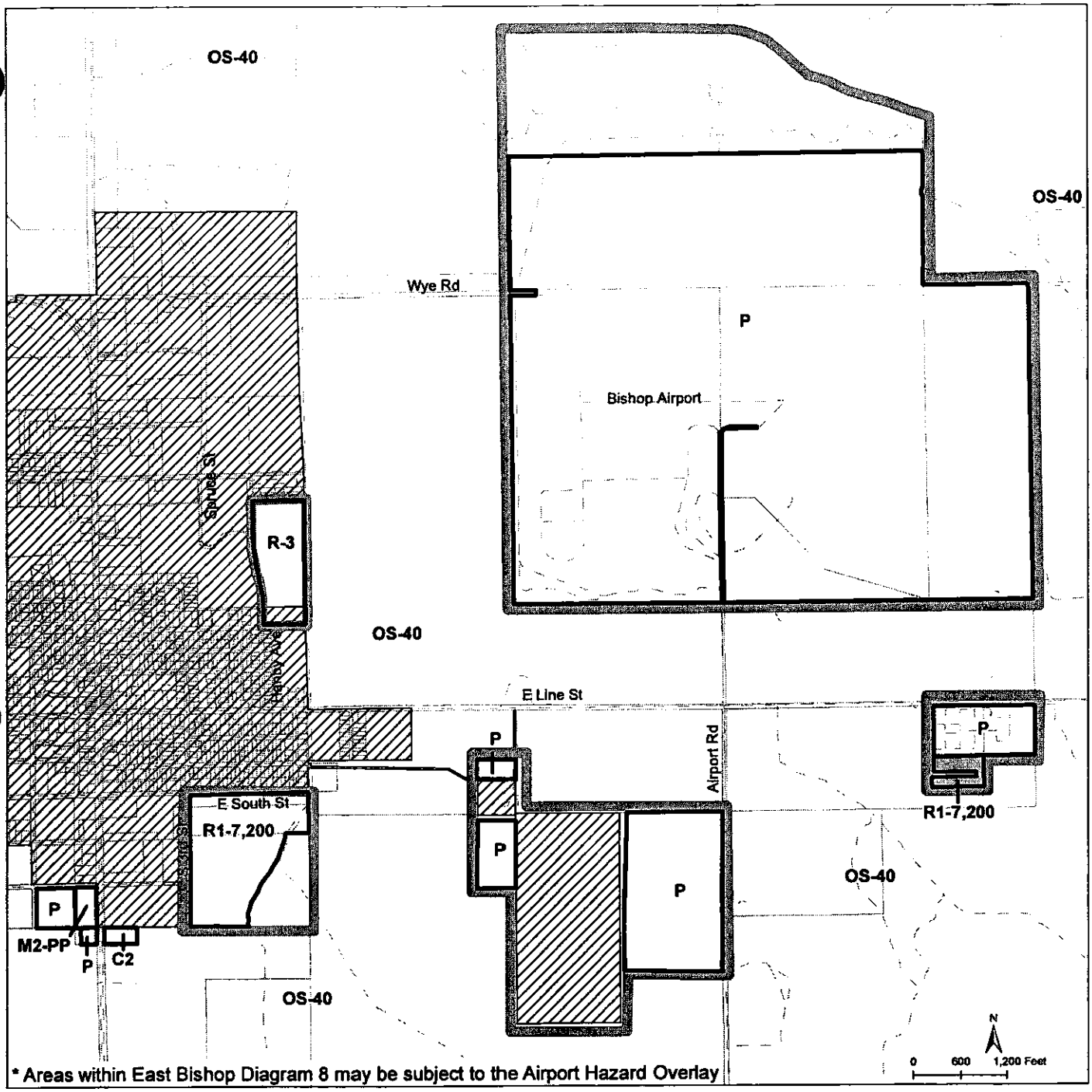
- OS Open Space
- PUD Planned Unit Development
- P Public
- Tribal Land

Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable
- City of Bishop



East Bishop - Diagram 8



Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

- M1 General Industrial and Extractive
- M2 Light Industrial

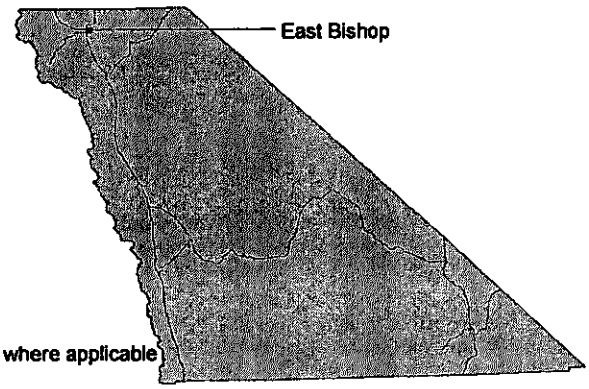
Other

- OS Open Space
- PUD Planned Unit Development
- P Public

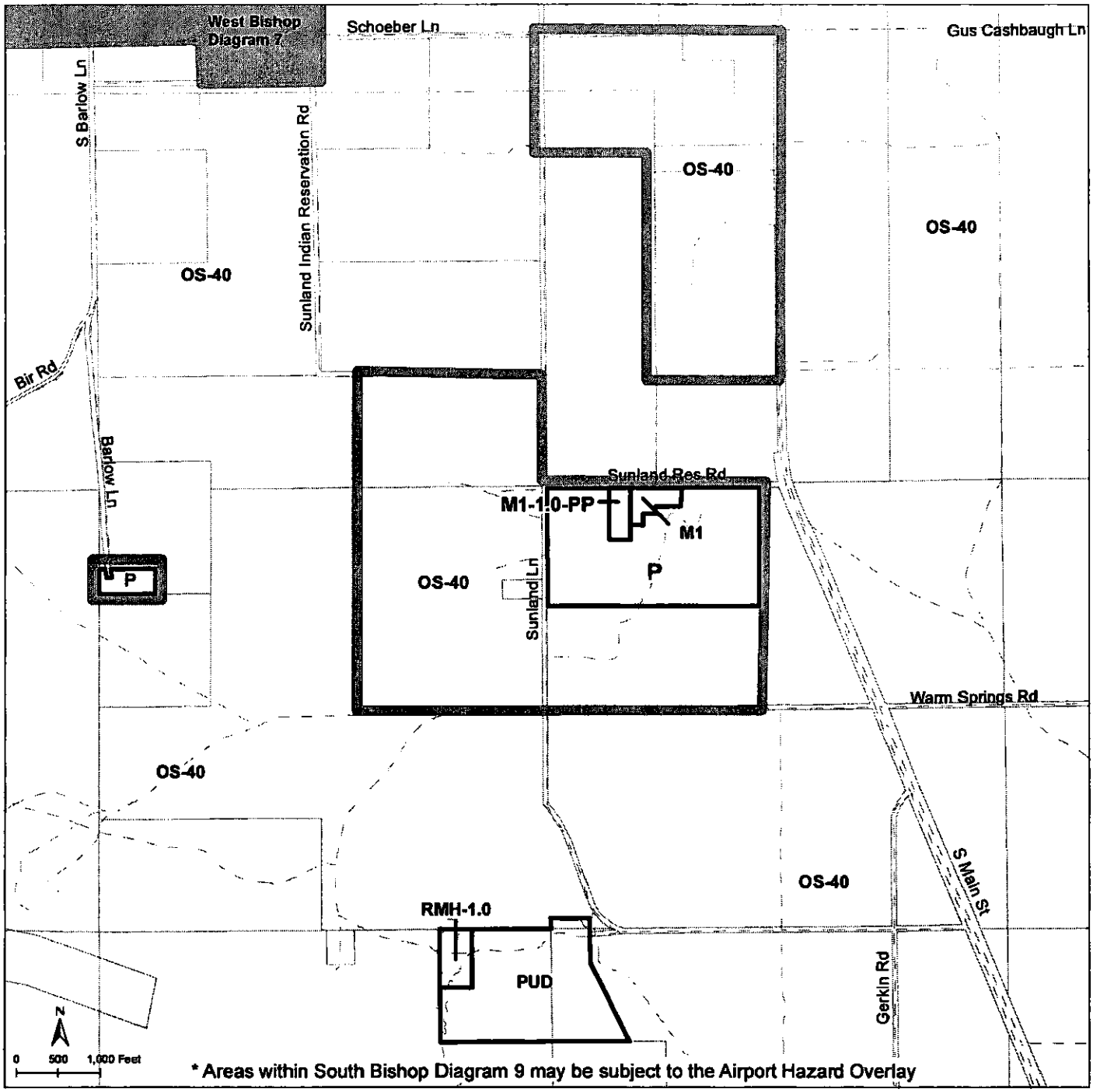
Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable

City of Bishop



South Bishop - Diagram 9



Inyo County Zoning Designations

Residential

R1	One Family Residential
R2	Multifamily Residential
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RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

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C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Industrial

M1	General Industrial and Extractive
M2	Light Industrial

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Overlays

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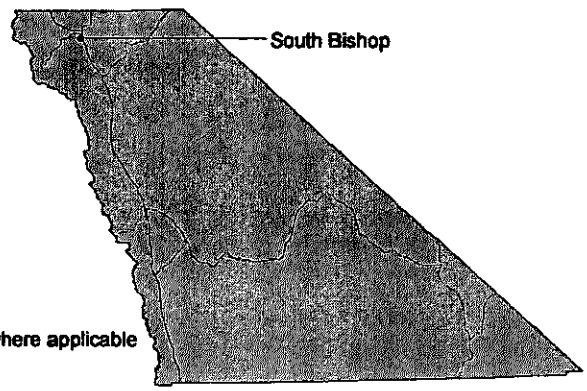
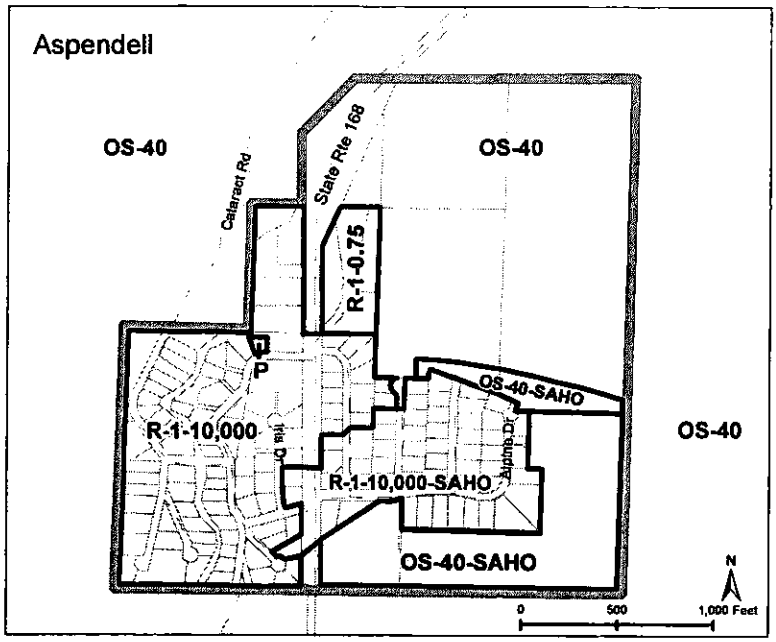
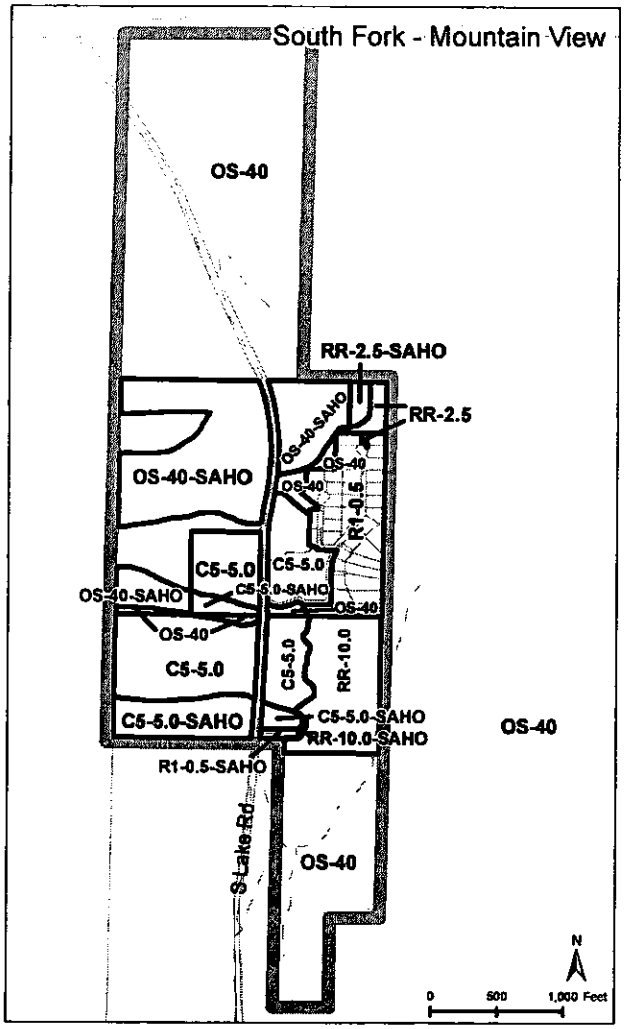
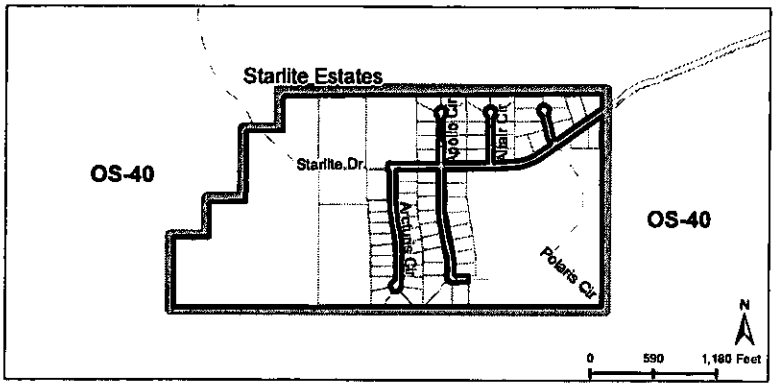
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable

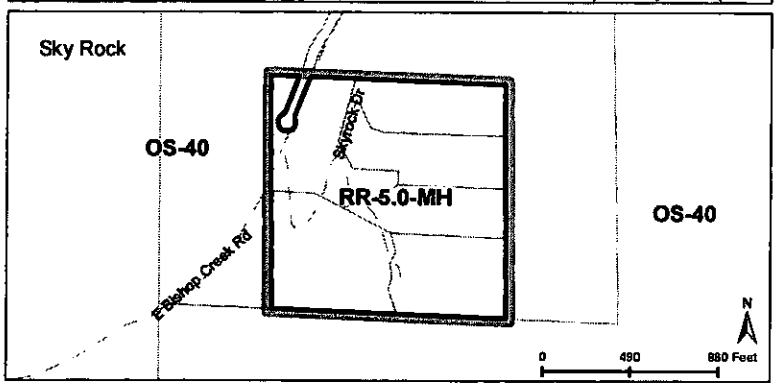


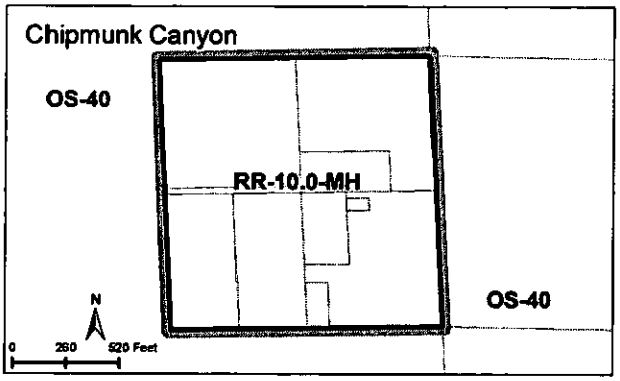
Aspendell, Starlite Estates, Sky Rock, South Fork Mountain View, Chipmunk Canyon - Diagram 10











Inyo County Zoning Designations

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Industrial

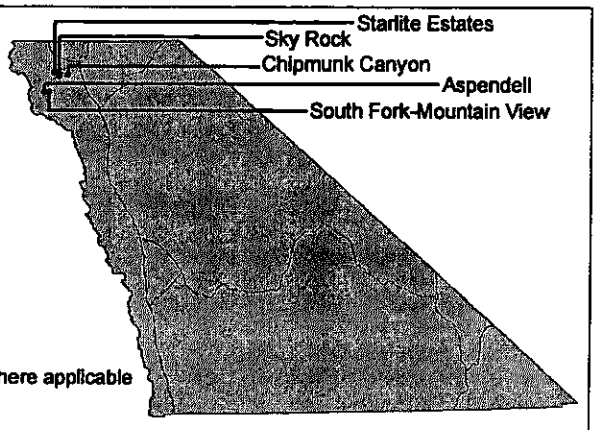
M1	General Industrial and Extractive
M2	Light Industrial

Other

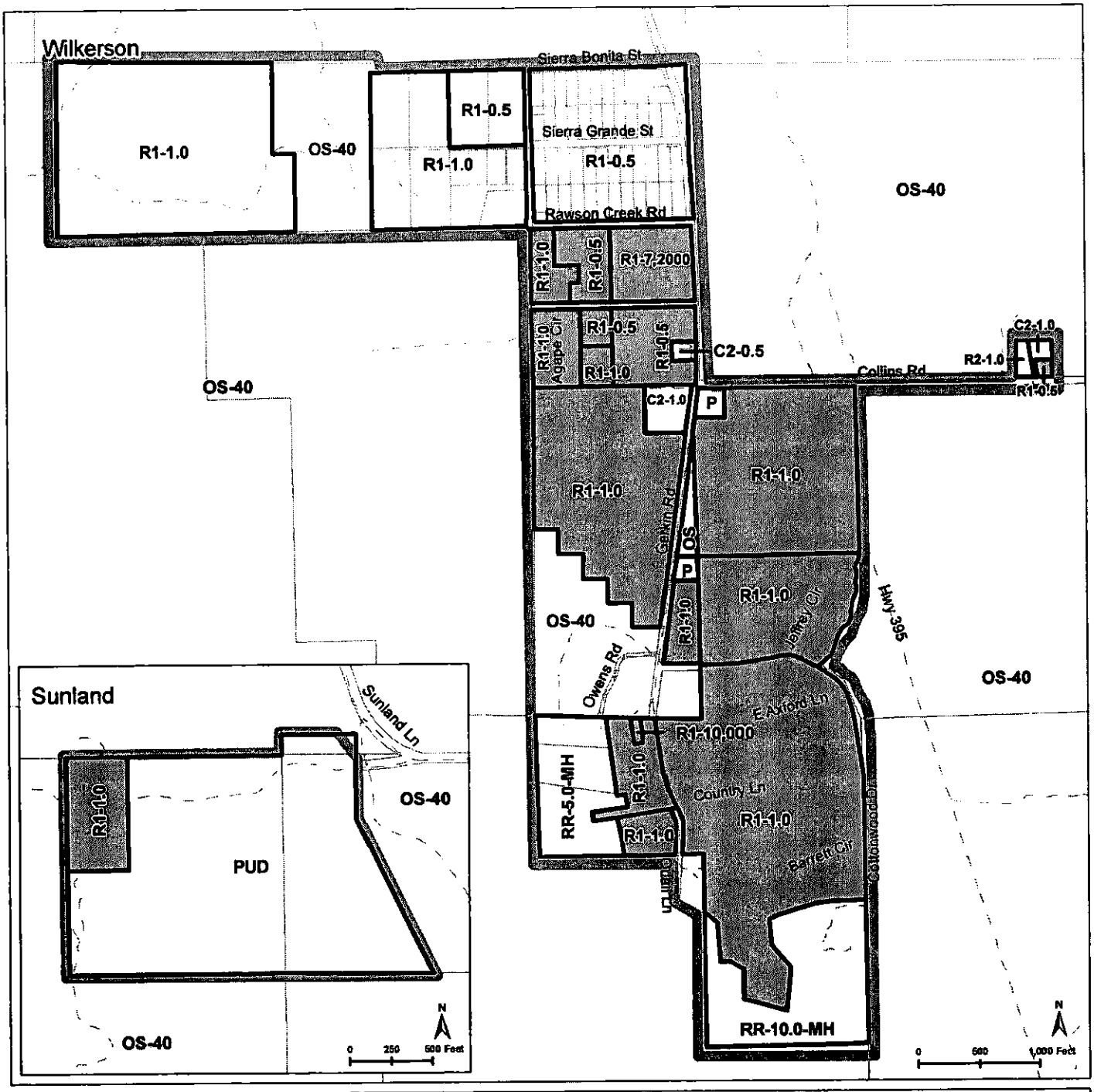
OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Wilkerson and Sunland - Diagram 11



Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

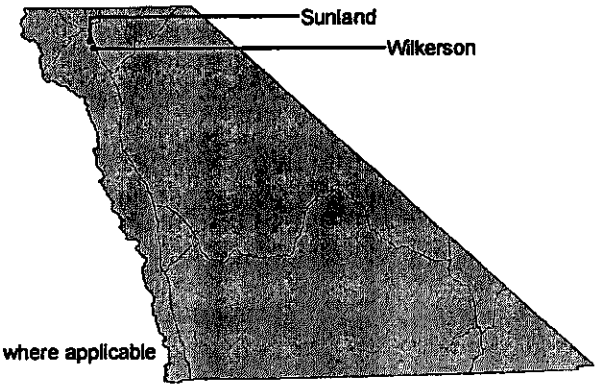
- M1 General Industrial and Extractive
- M2 Light Industrial

Other

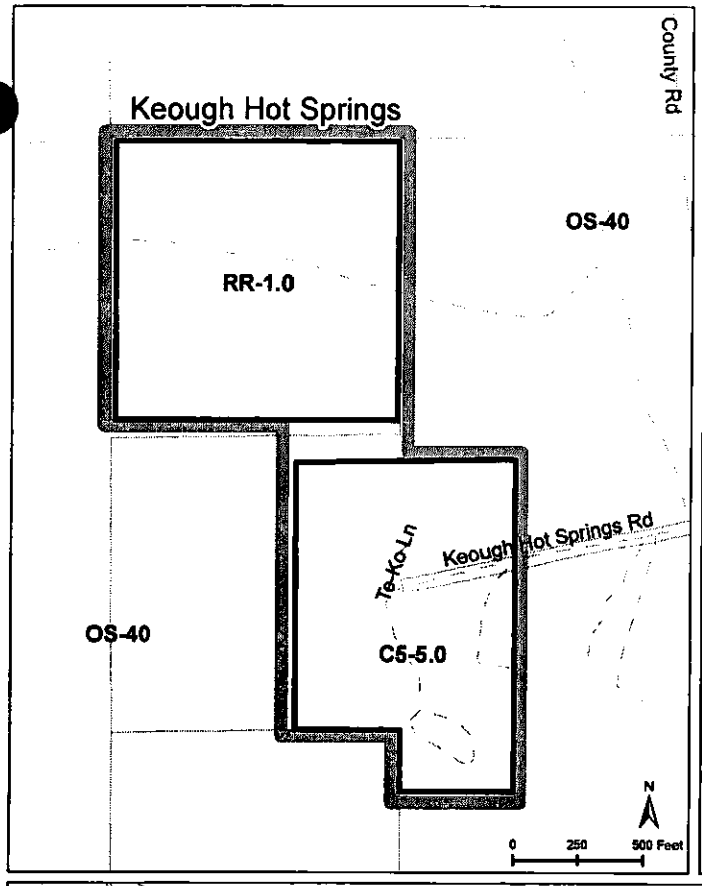
- OS Open Space
- PUD Planned Unit Development
- P Public

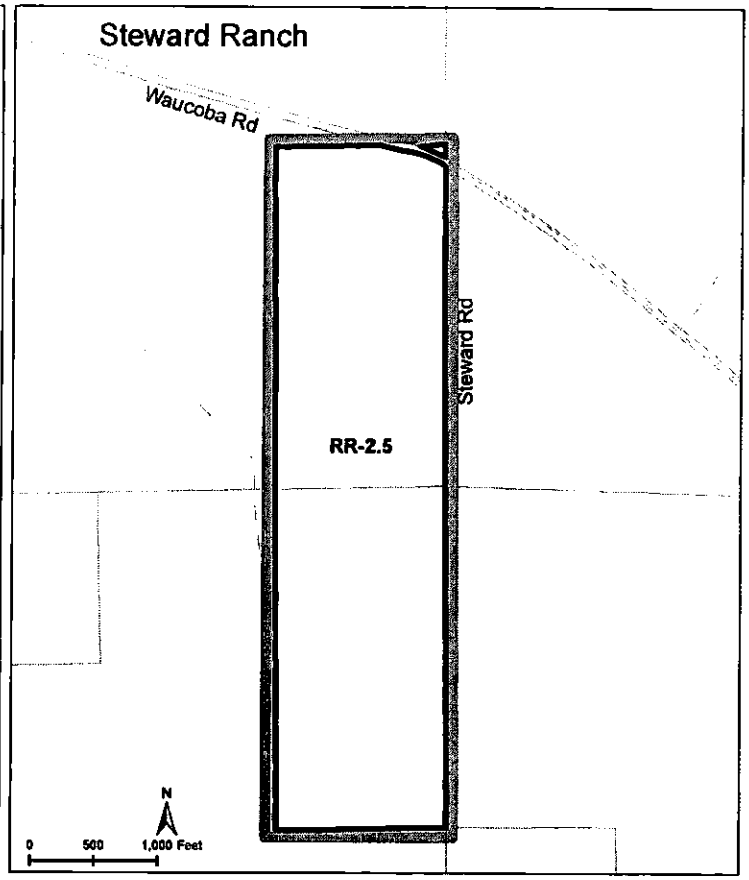
Overlays

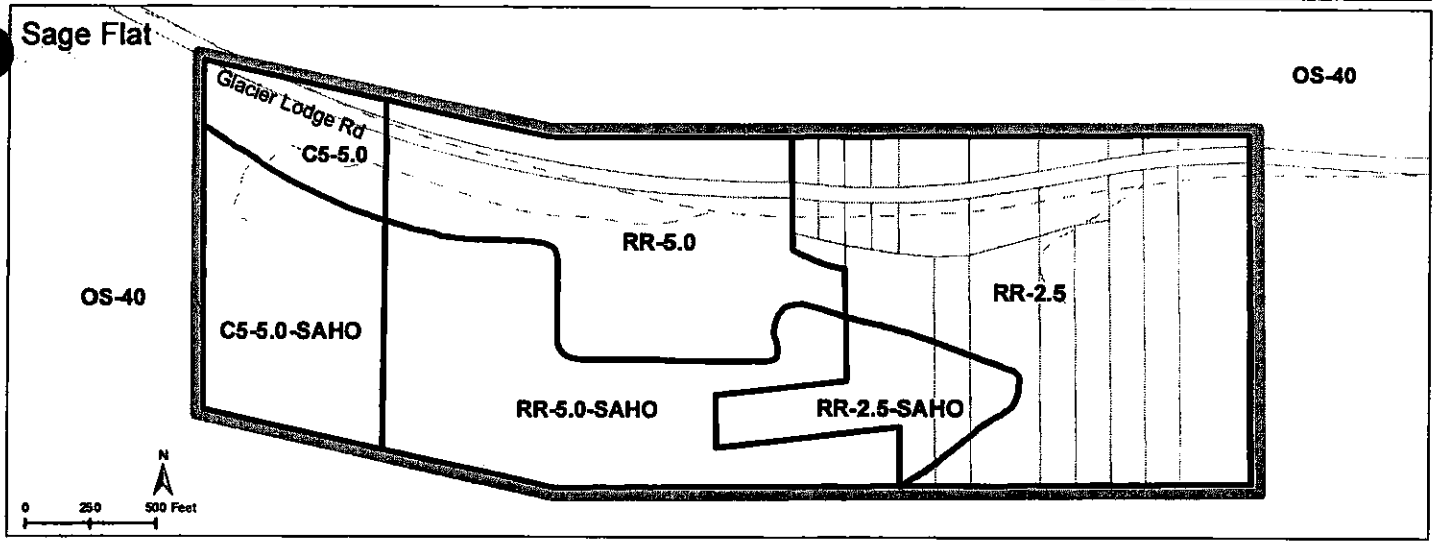
- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable



Keough Hot Springs, Steward Ranch, Sage Flat - Diagram 12







Inyo County Zoning Designations

Residential

- R1 One Family Residential
- R2 Multifamily Residential
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- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
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- M1 General Industrial and Extractive
- M2 Light Industrial

Other

- OS Open Space
- PUD Planned Unit Development
- P Public

Overlays

- MH (Mobile Home)
- PP (Precise Plan)
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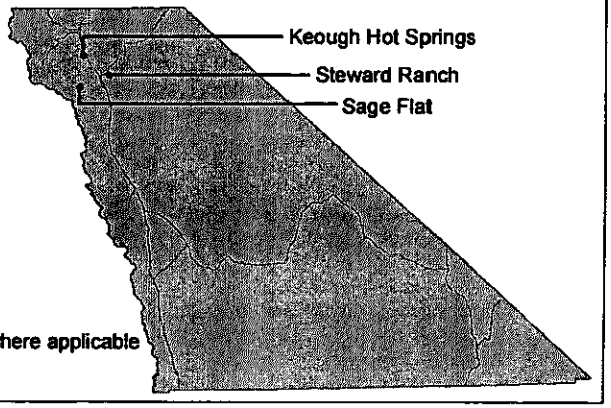
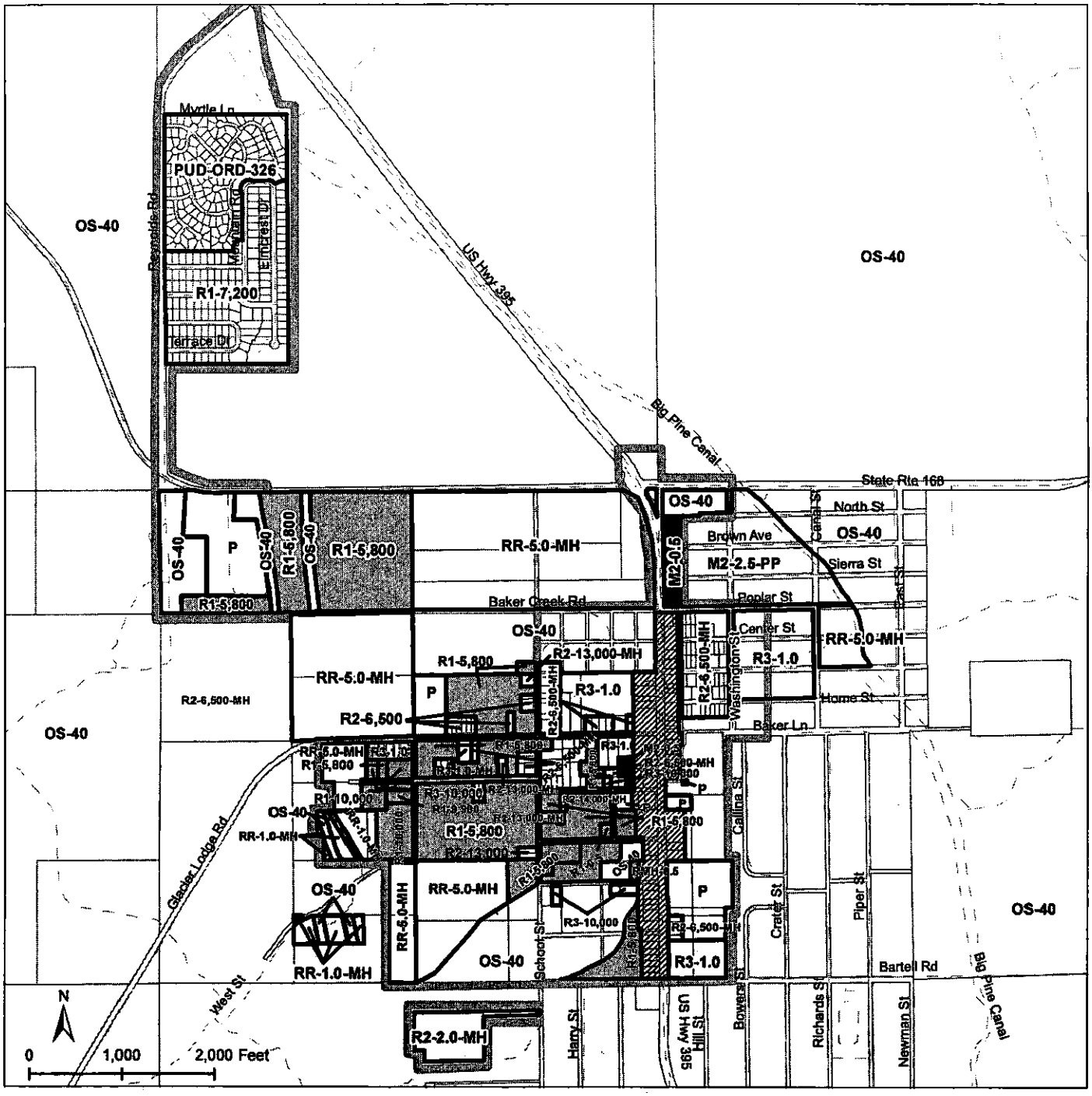
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable



Big Pine - Diagram 13



Proposed Zone Changes

C4 to M2 RMH to R1

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
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RMH	Single Residence and Mobile Home Combined

Commercial

C1	General Commercial - Retail
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C4	Heavy Commercial
C5	Commercial Recreation
	Cental Business District

Inyo County Zoning Designations

Industrial

M1 General Industrial and Extractive
M2 Light Industrial

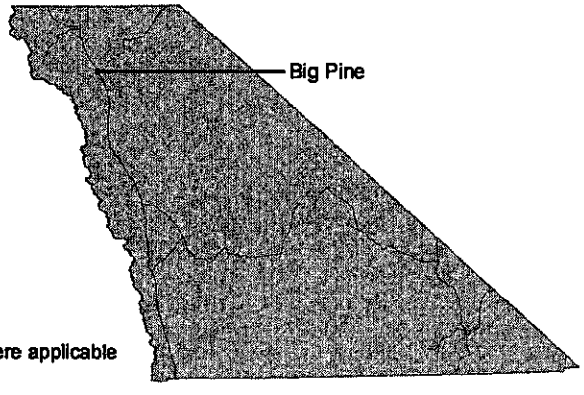
Other

OS Open Space
PUD Planned Unit Development
P Public

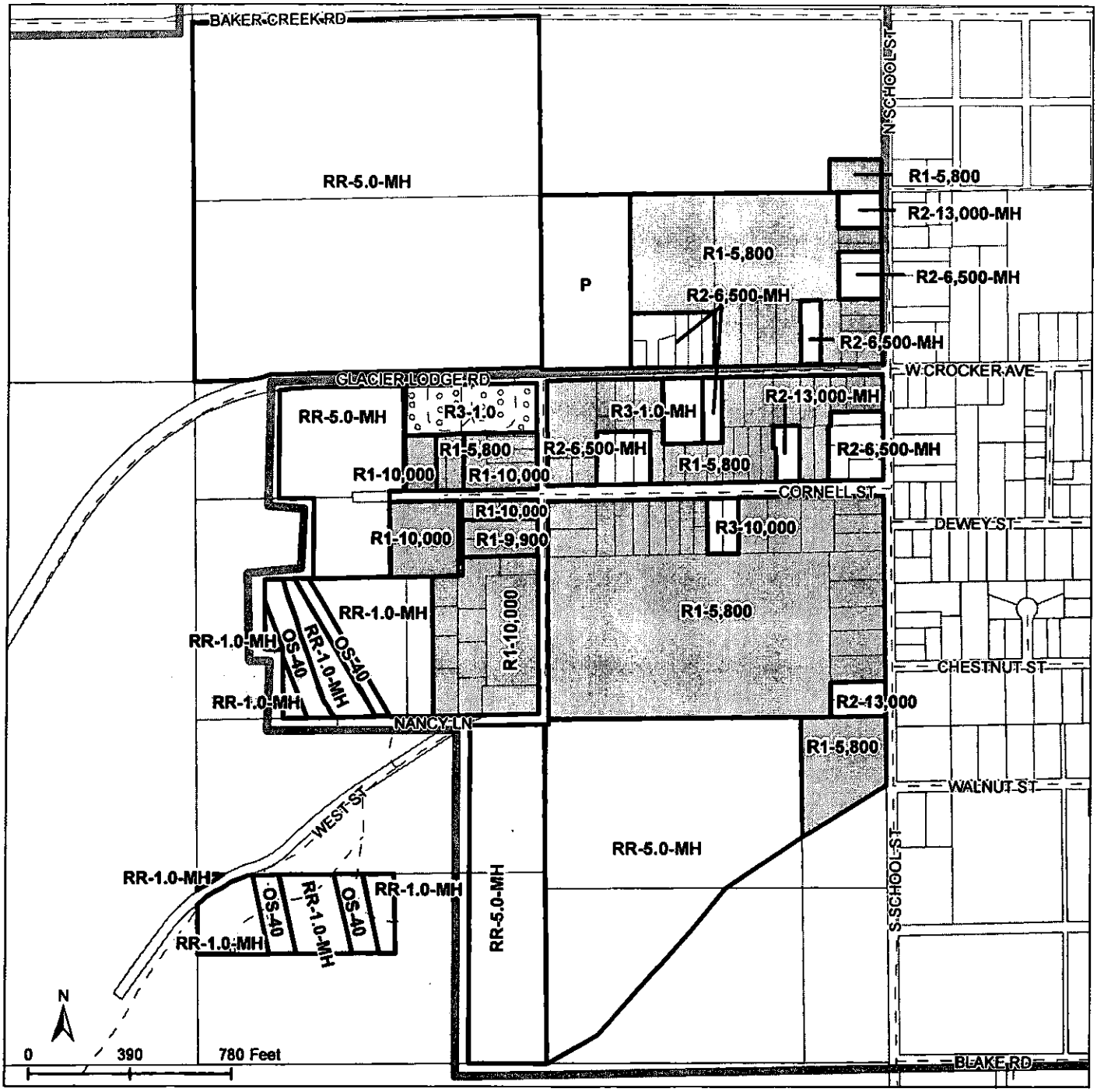
Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable

Tribal Land



Big Pine (west central) - Diagram 13a



Proposed Zone Changes

RMH to R1

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Startite
RMH	Single Residence and Mobile Home Combined

Commercial

C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

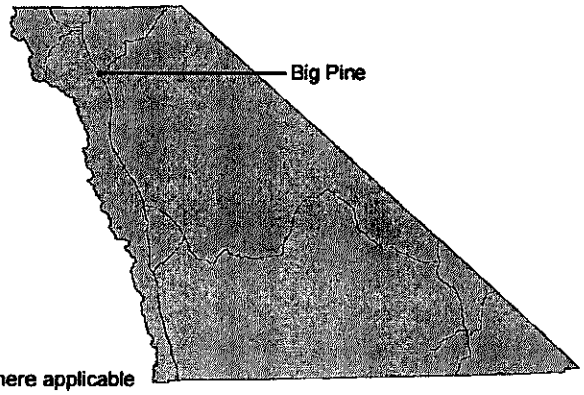
M1	General Industrial and Extractive
M2	Light Industrial

Other

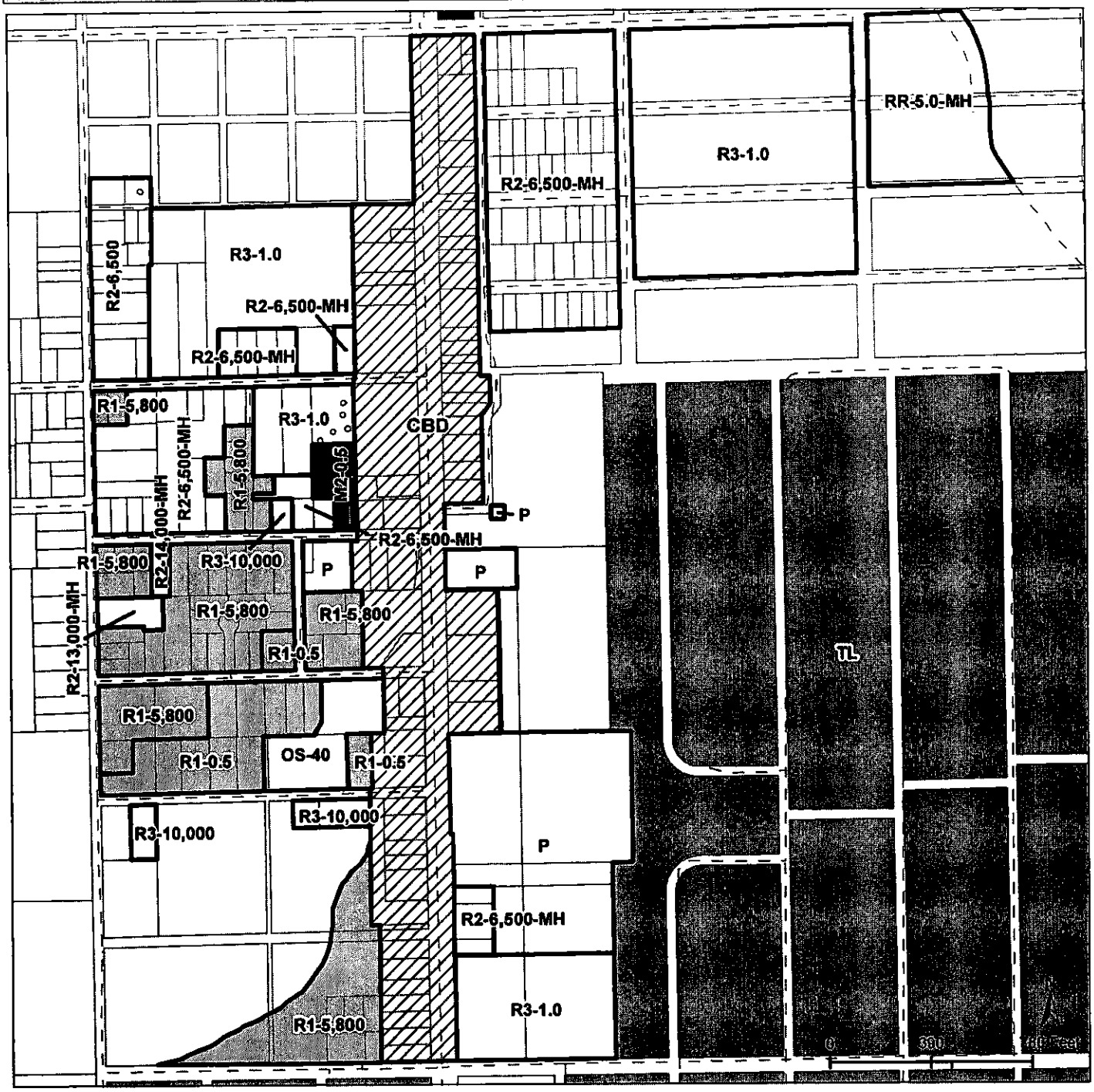
OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Big Pine (east central) - Diagram 13b



Proposed Zone Changes

C4 to M2 RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation
- Cental Business District

Inyo County Zoning Designations

Industrial

- M1 General Industrial and Extractive
- M2 Light Industrial

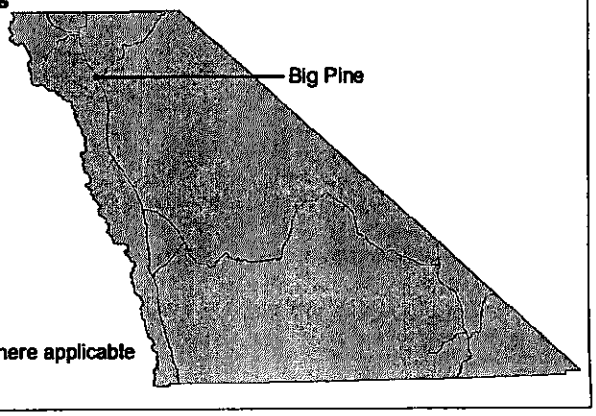
Other

- OS Open Space
- PUD Planned Unit Development
- P Public

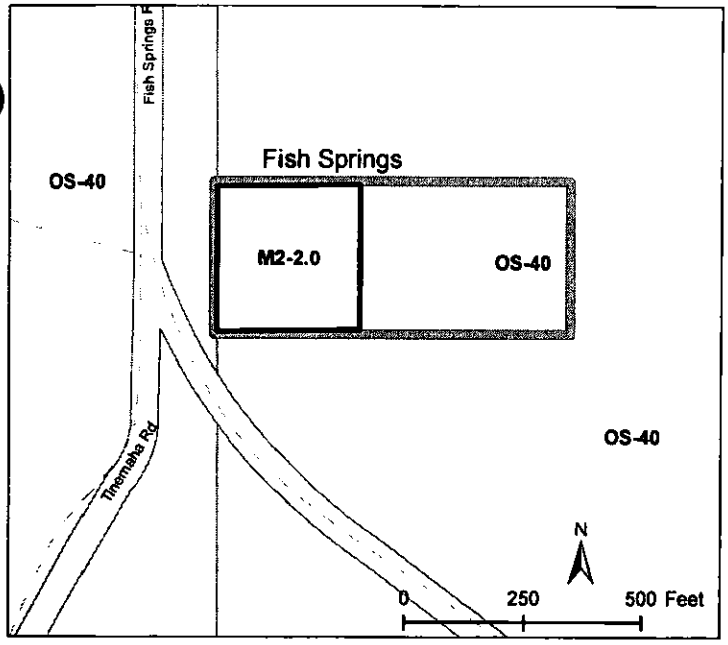
Overlays

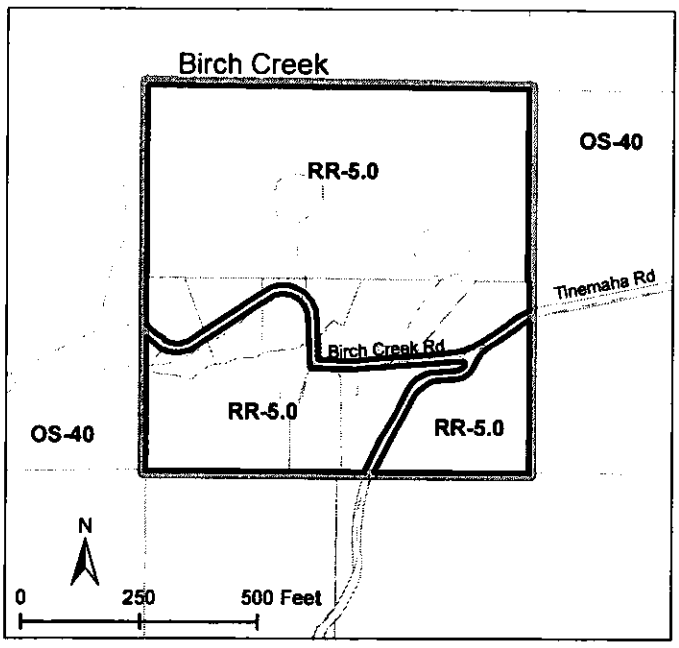
- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable

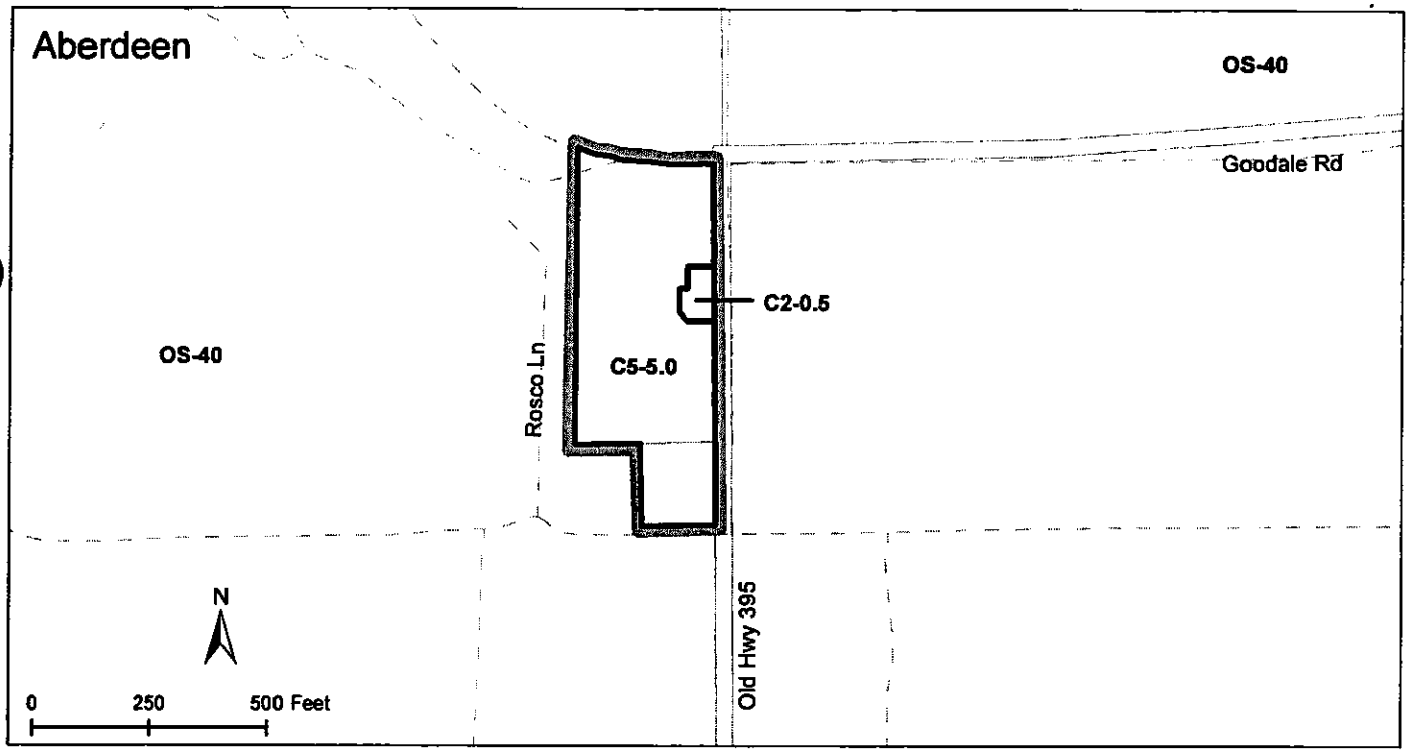
Tribal Land



Fish Springs, Birch Creek, Aberdeen - Diagram 14







Inyo County Zoning Designations

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Industrial

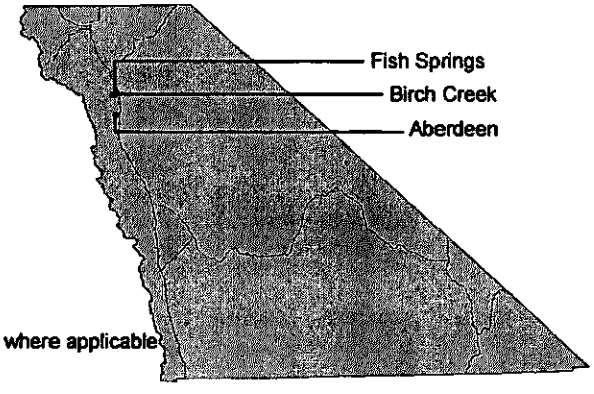
M1	General Industrial and Extractive
M2	Light Industrial

Other

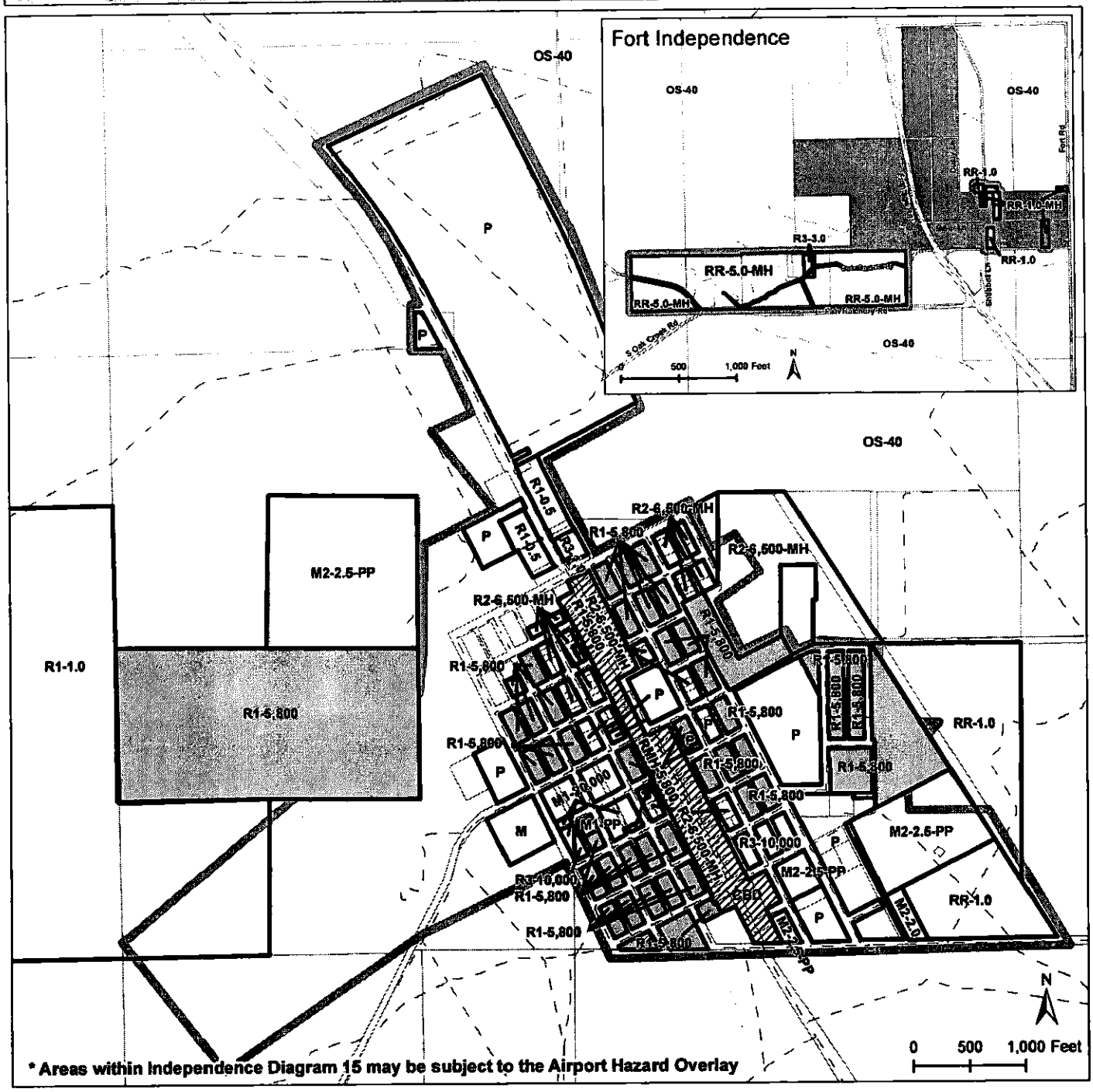
OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Fort Independence and Independence - Diagram 15



Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation
- Central Business District

Inyo County Zoning Designations

Industrial

- M1 General Industrial and Extractive
- M2 Light Industrial

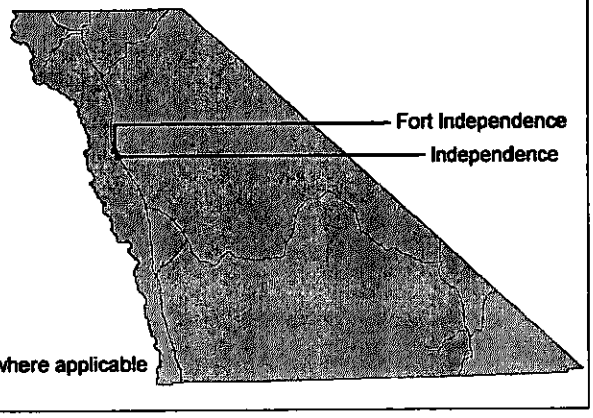
Other

- OS Open Space
- PUD Planned Unit Development
- P Public

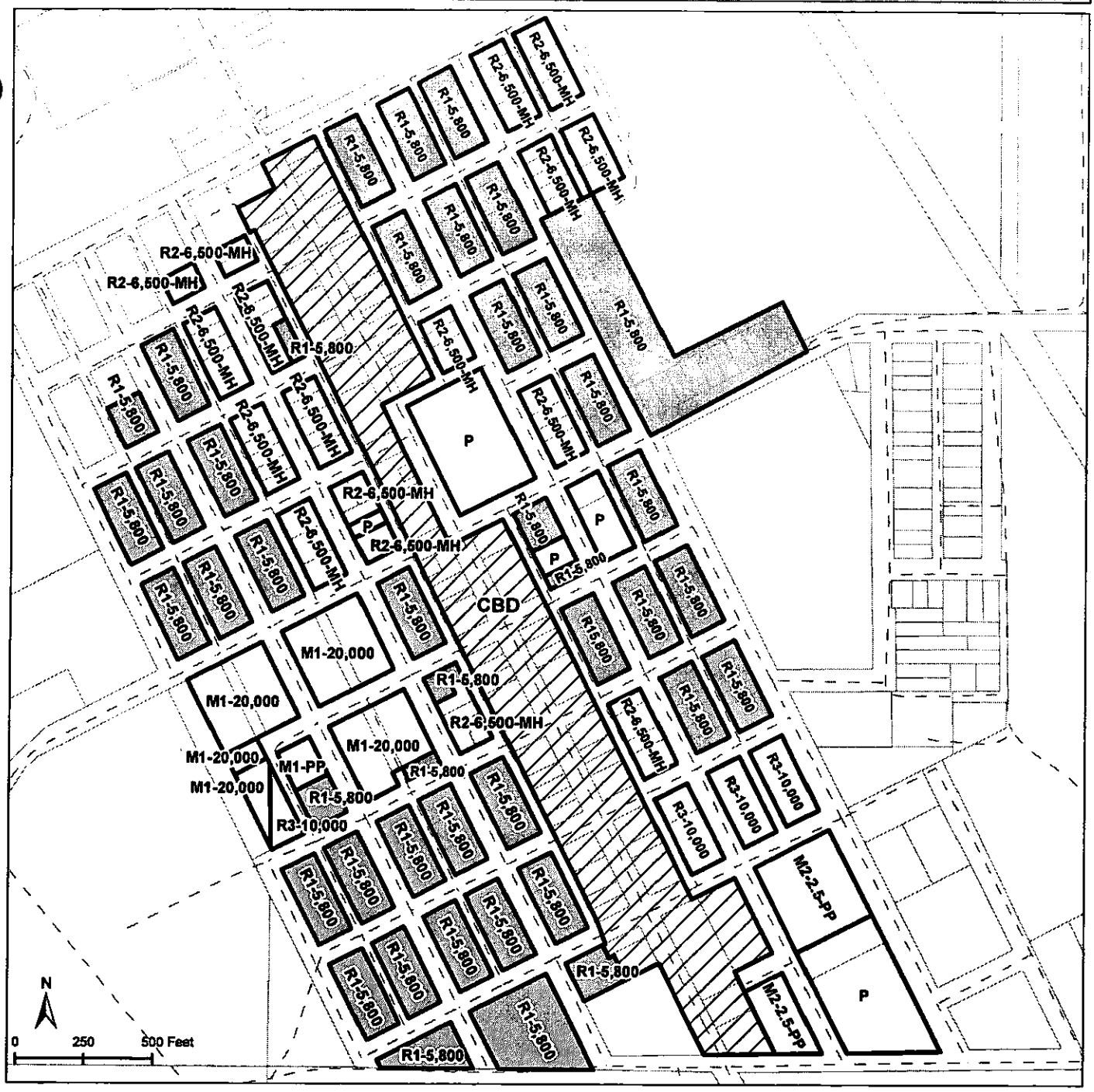
Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable

Tribal Land



Independence (central) - Diagram 15a



Proposed Zone Changes

RMH to R1

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

M1	General Industrial and Extractive
M2	Light Industrial

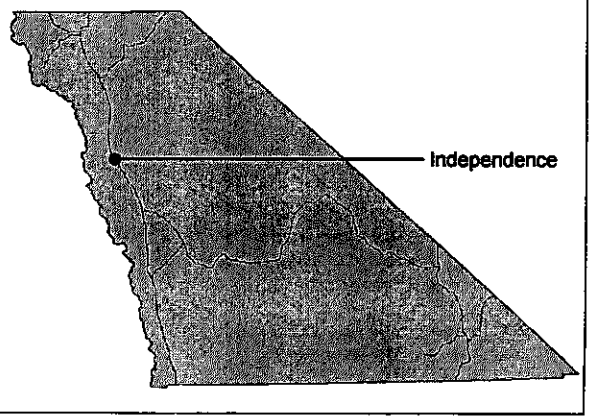
Other

OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

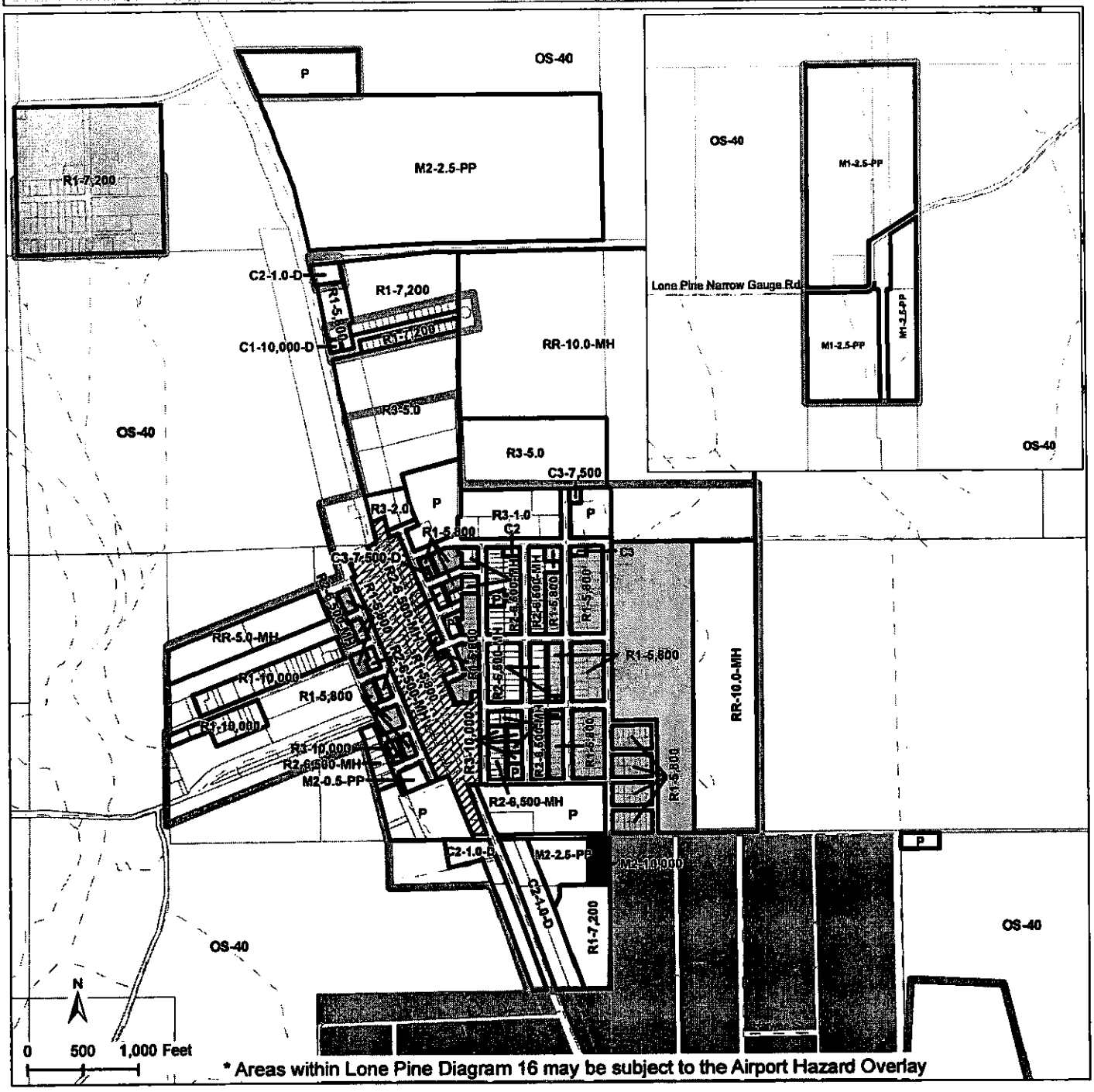
MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)

Cental Business District



* Areas within Independence Diagram 15a may be subject to the Airport Hazard Overlay

Lone Pine (North Portion) - Diagram 16



Proposed Zone Changes

C4 to M2 **RMH to R1**

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation
- Cental Business District

Inyo County Zoning Designations

Industrial

- M1 General Industrial and Extractive
- M2 Light Industrial

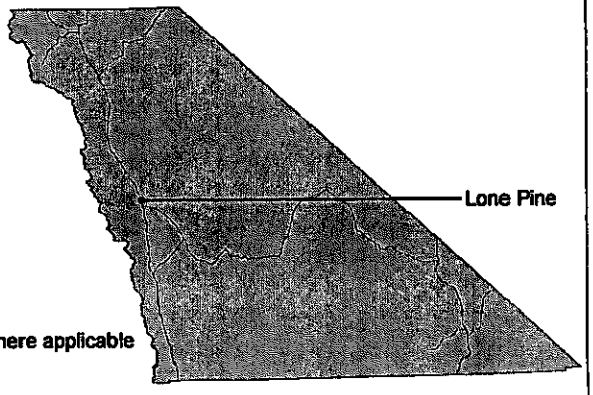
Other

- OS Open Space
- PUD Planned Unit Development
- P Public

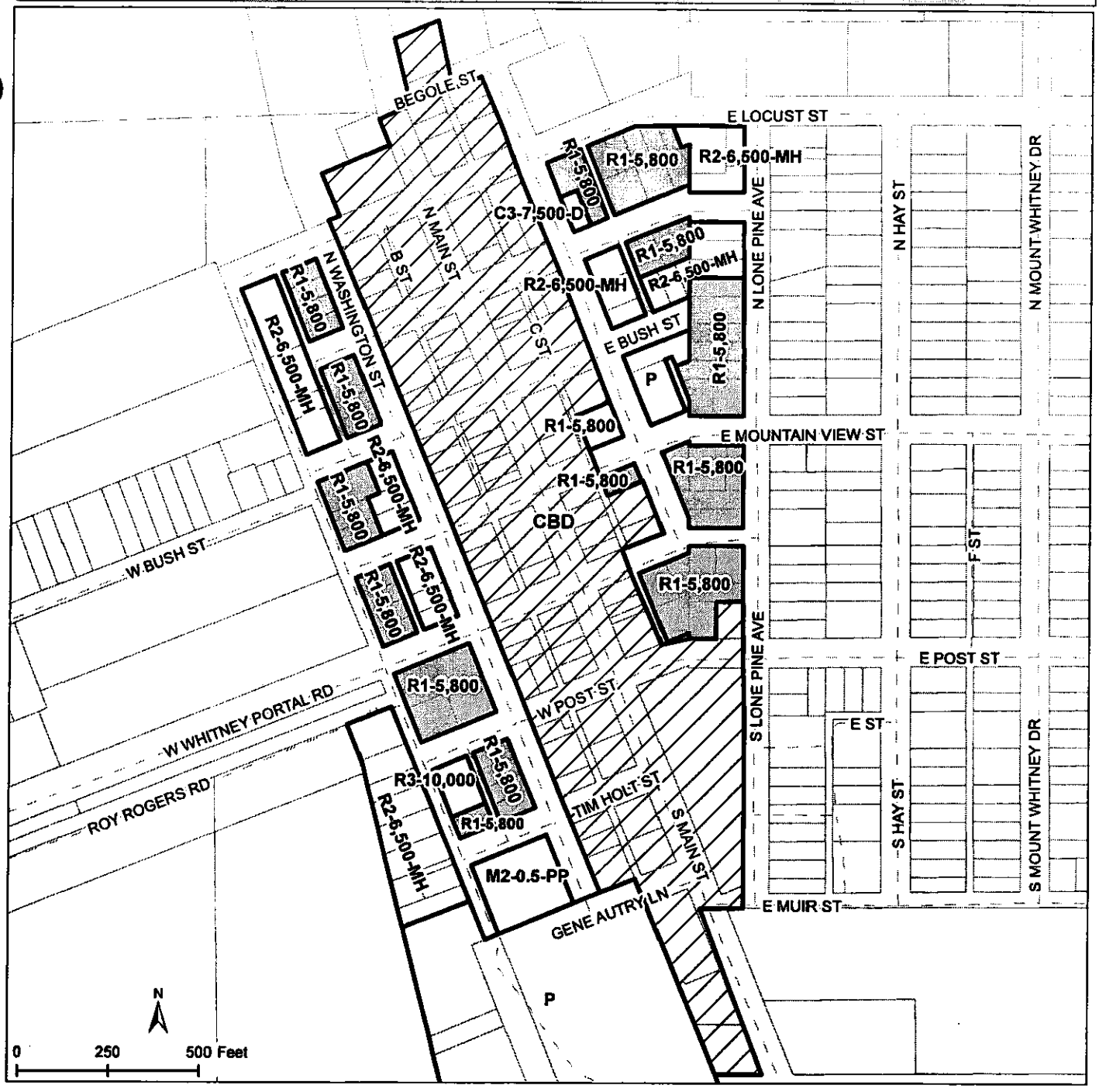
Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable

Tribal Land



Lone Pine (central west) - Diagram 16a



Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation
- Cental Business District

Inyo County Zoning Designations

Industrial

- M1 General Industrial and Extractive
- M2 Light Industrial

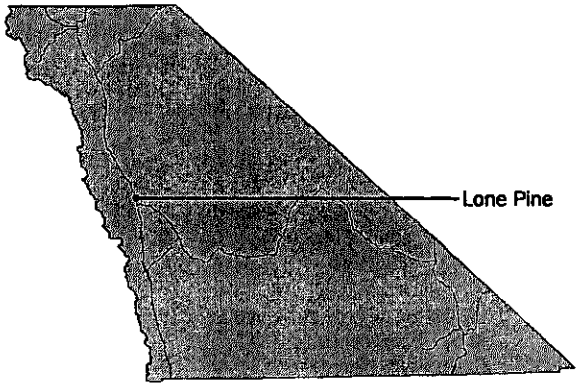
Other

- OS Open Space
- PUD Planned Unit Development
- P Public

Overlays

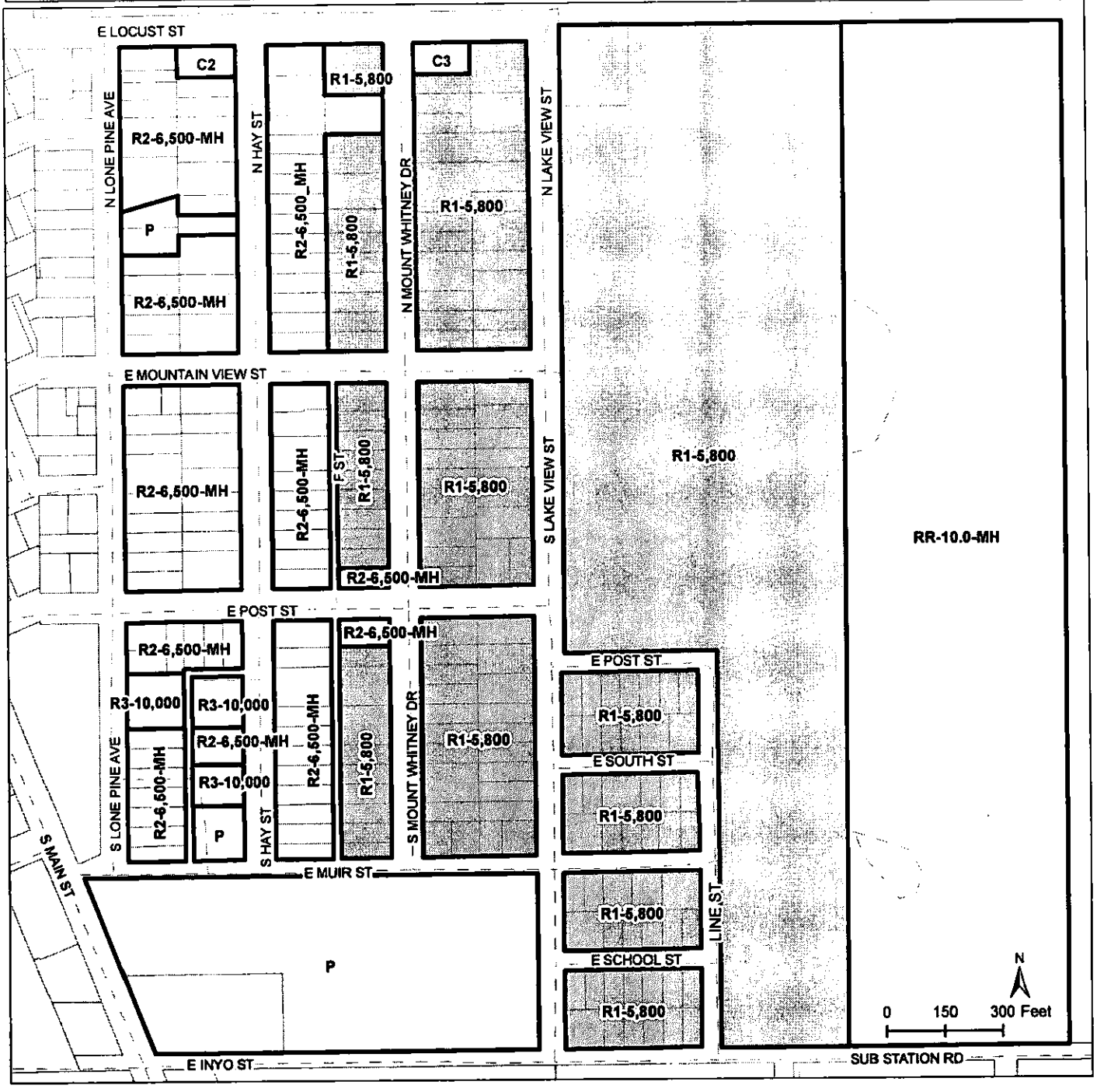
- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)

Tribal Land



* Areas within Lone Pine Diagram 16 may be subject to the Airport Hazard Overlay

Lone Pine (central east) - Diagram 16b



Proposed Zone Changes

RMH to R1

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

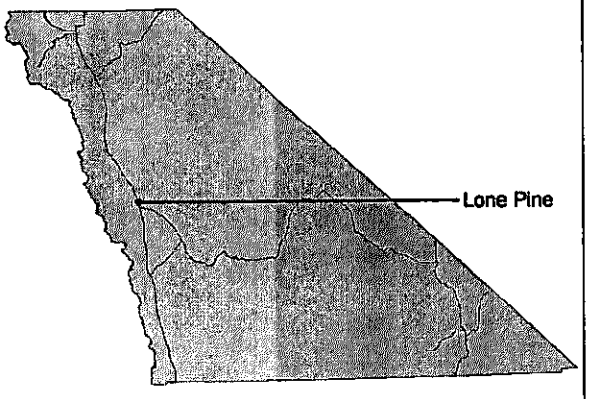
M1	General Industrial and Extractive
M2	Light Industrial

Other

OS	Open Space
PUD	Planned Unit Development
P	Public

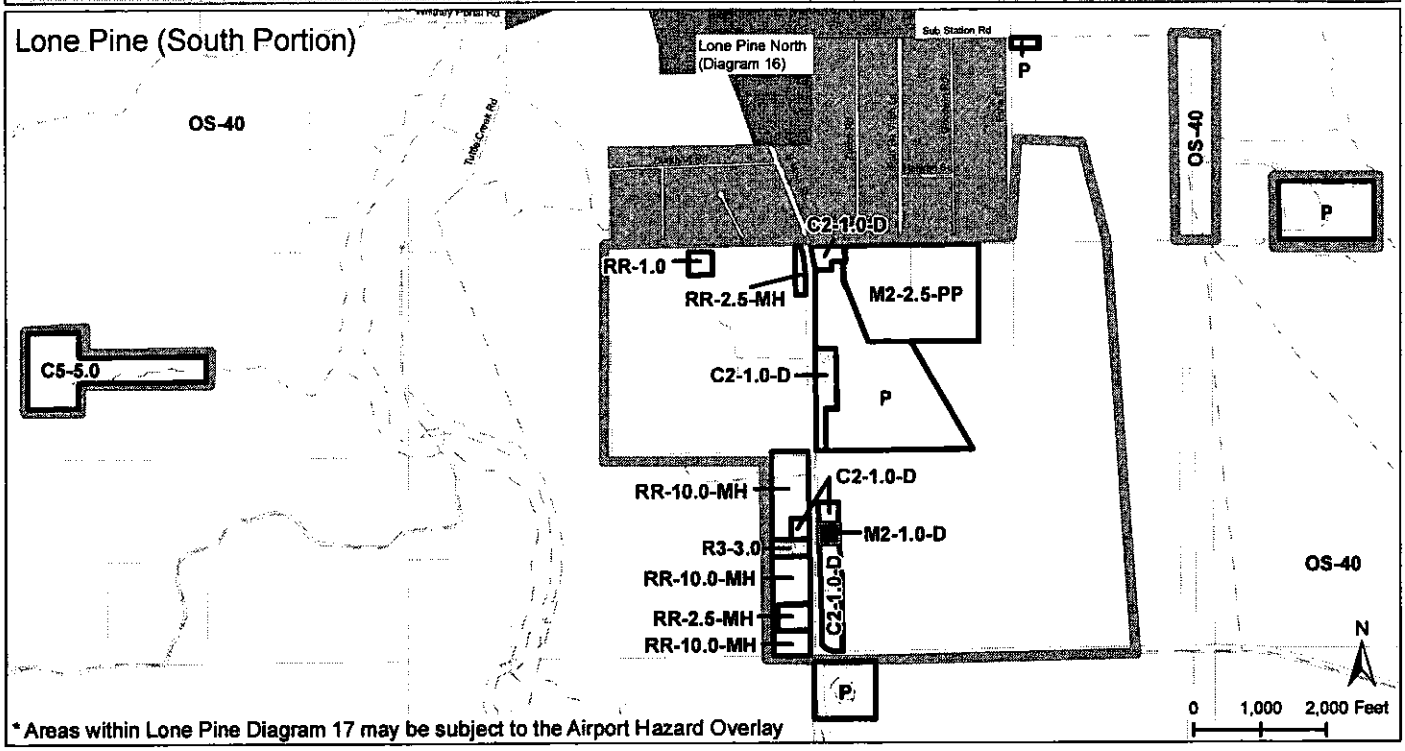
Overlays

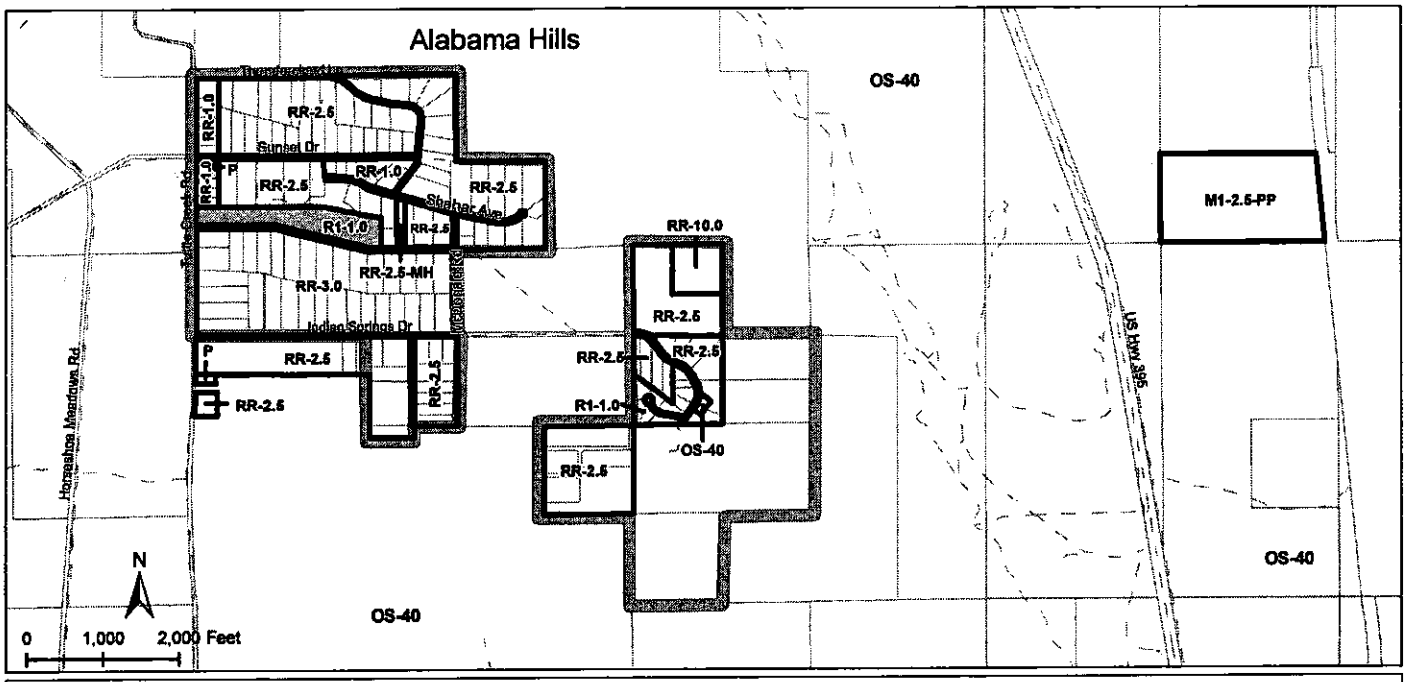
MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)



* Areas within Lone Pine Diagram 16b may be subject to the Airport Hazard Overlay

Lone Pine (South Portion) and Alabama Hills - Diagram 17





Proposed Zone Changes

C4 to M2 **RMH to R1**

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

- M1 General Industrial and Extractive
- M2 Light Industrial

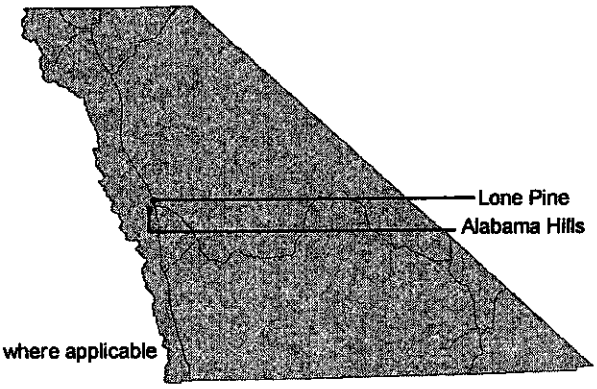
Other

- OS Open Space
- PUD Planned Unit Development
- P Public

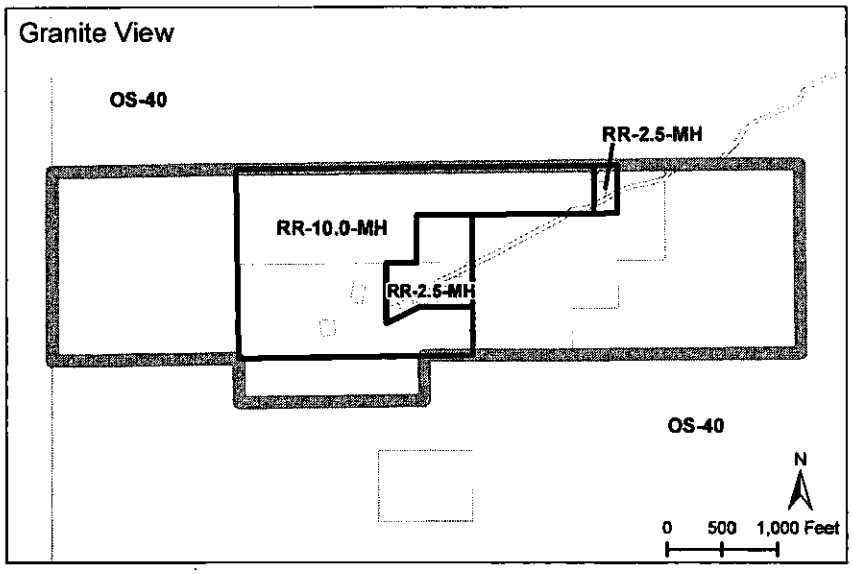
Overlays

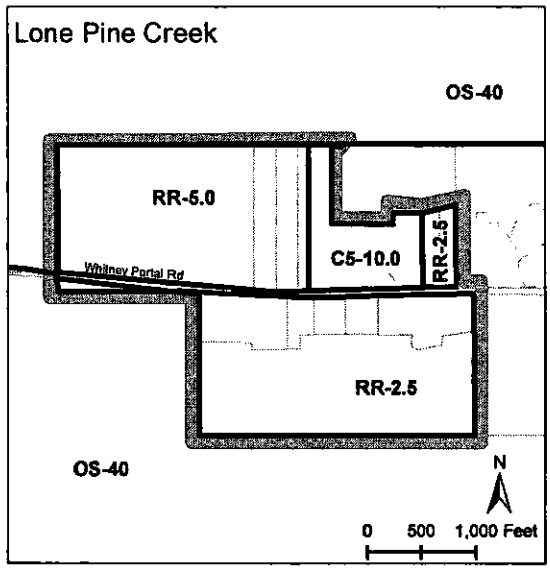
- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable

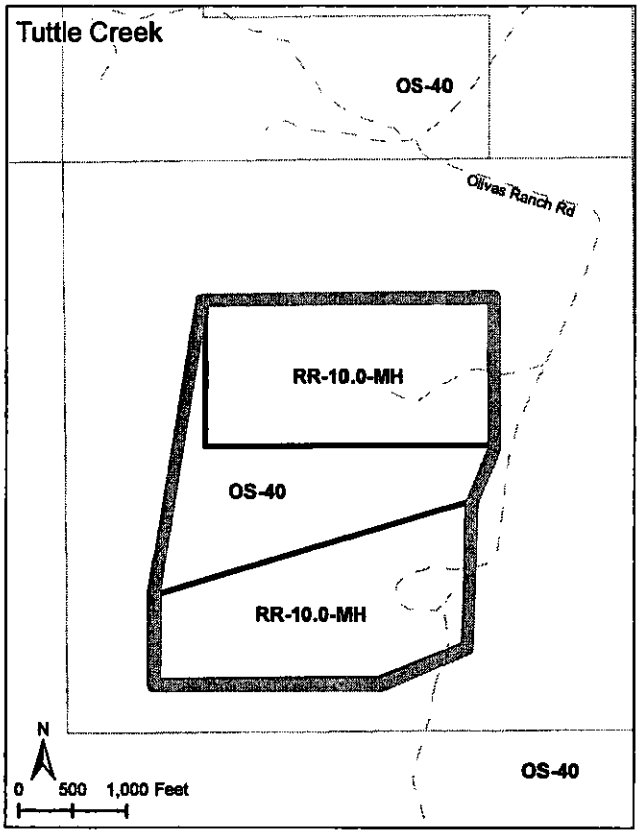
Tribal Land

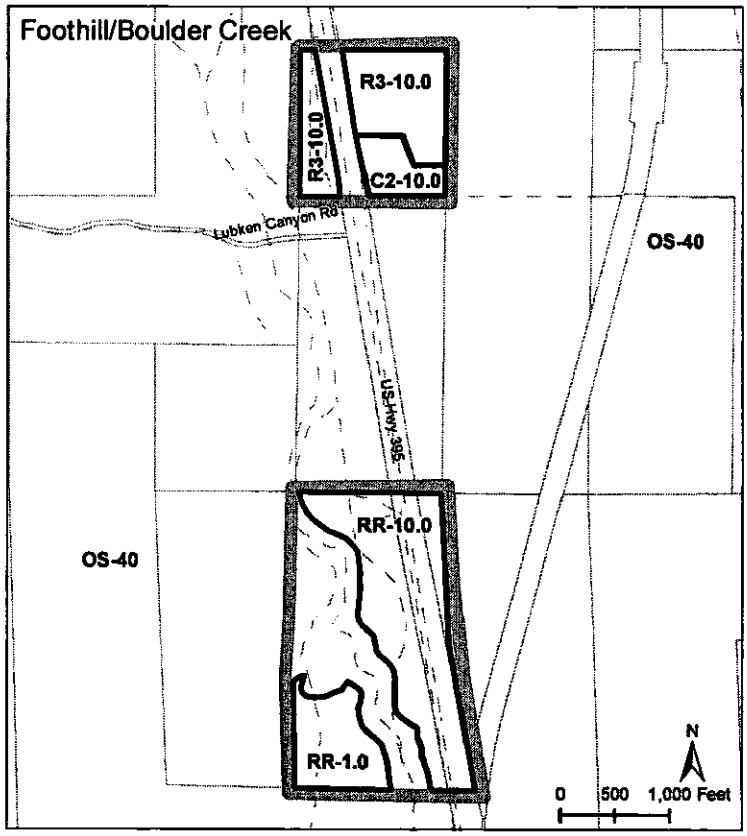


Granite View, Lone Pine Creek, Tuttle Creek, Foothill/Boulder Creek - Diagram 18









Inyo County Zoning Designations

Residential

R1 One Family Residential
R2 Multifamily Residential
R3 Multiple Residential
RR Rural Residential
RR-0.5 Starlite
RMH Single Residence and Mobile Home Combined

Commercial

CB Central Business
C1 General Commercial - Retail
C3 Administrative - Professional Offices
C4 Heavy Commercial
C5 Commercial Recreation

Industrial

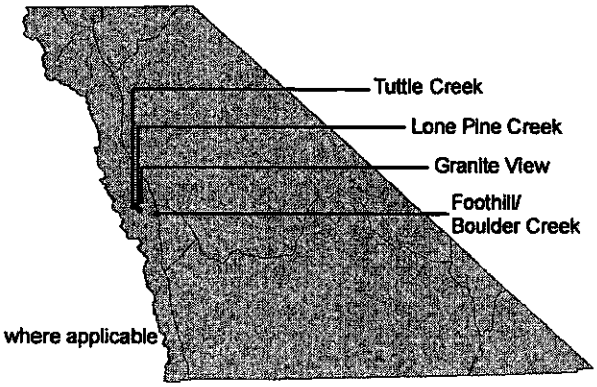
M1 General Industrial and Extractive
M2 Light Industrial

Other

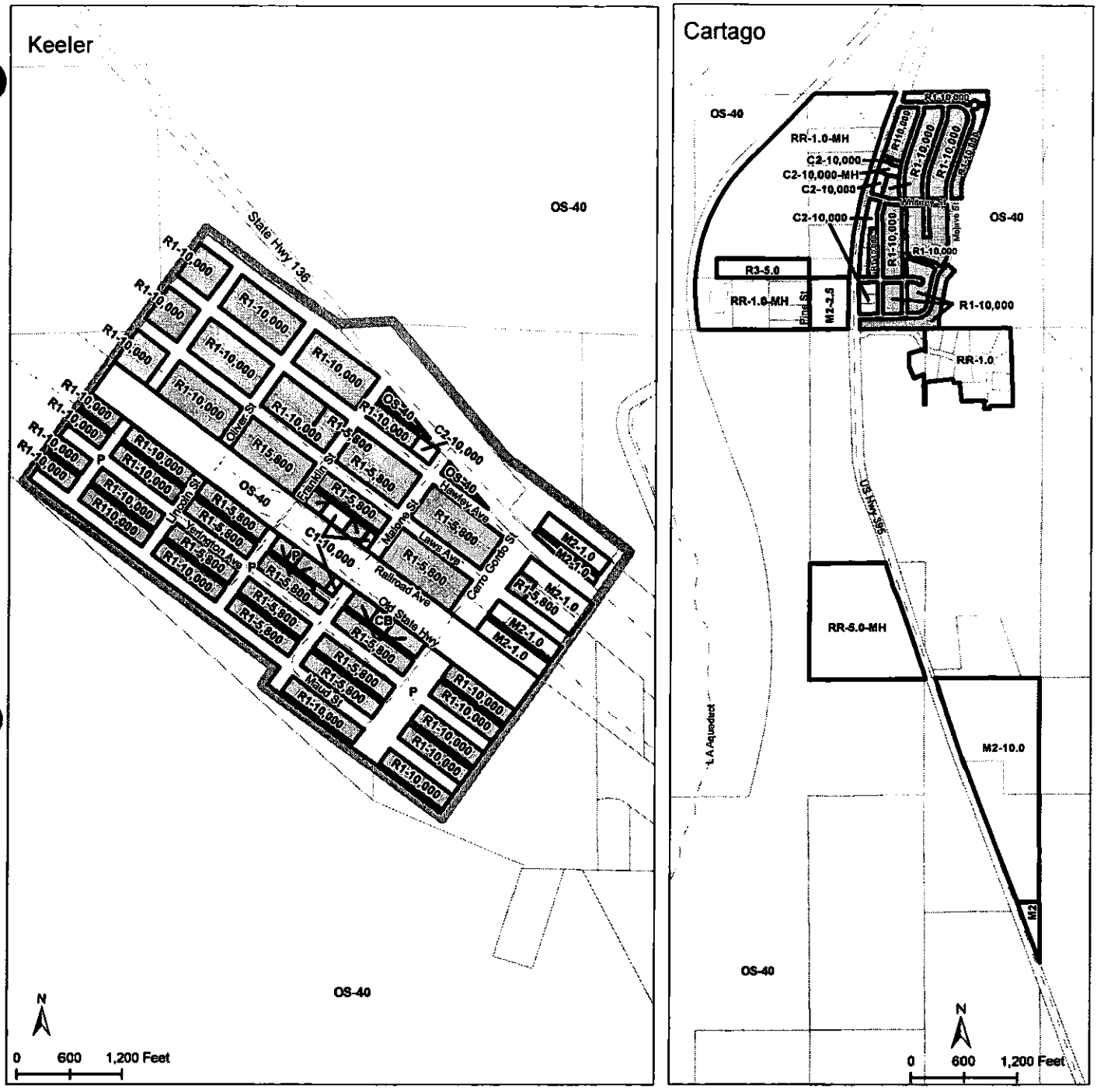
OS Open Space
PUD Planned Unit Development
P Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Keeler and Cartago - Diagram 19



Proposed Zone Changes

RMH to R1

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

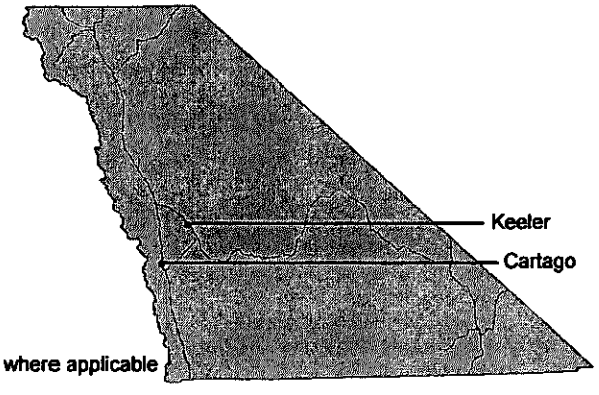
M1	General Industrial and Extractive
M2	Light Industrial

Other

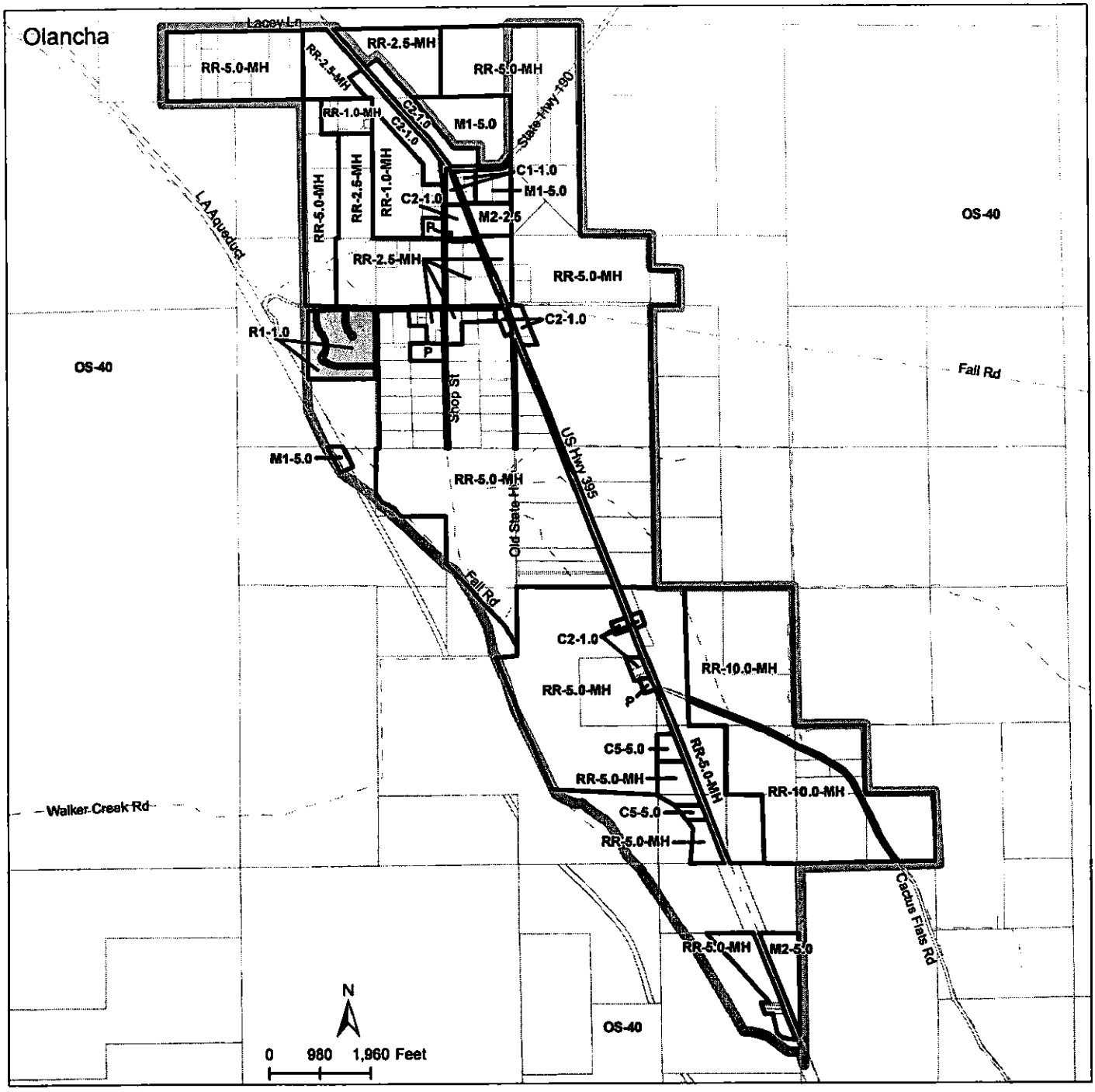
OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Olancha - Diagram 20



Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Inyo County Zoning Designations

Industrial

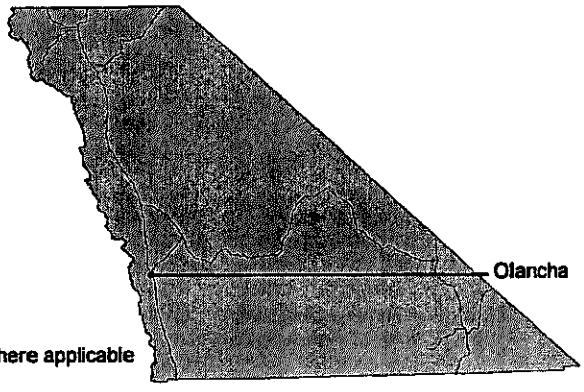
- M1 General Industrial and Extractive
- M2 Light Industrial

Other

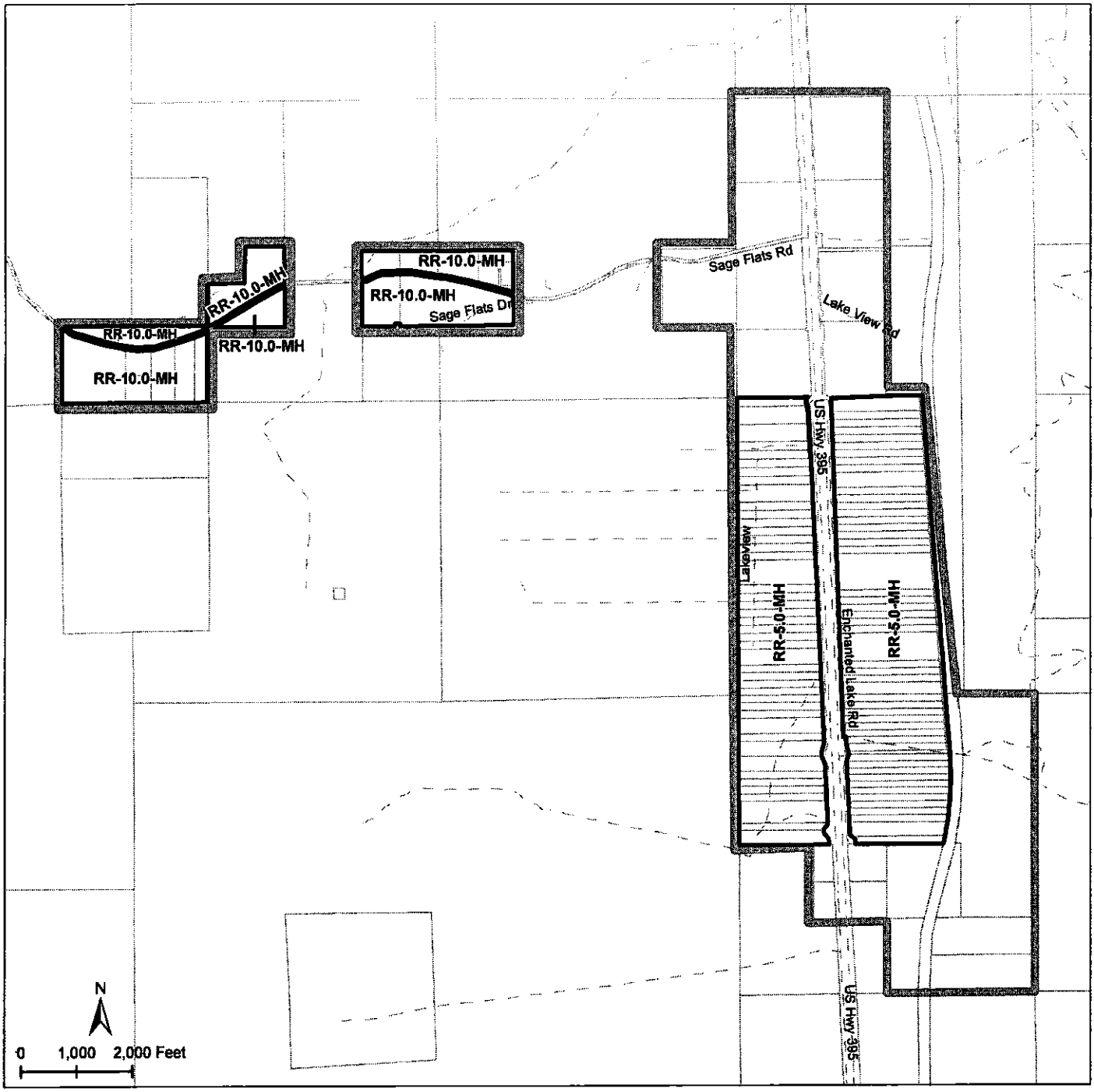
- OS Open Space
- PUD Planned Unit Development
- P Public

Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable



Haiwee - Diagram 21



Inyo County Zoning Designations

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Industrial

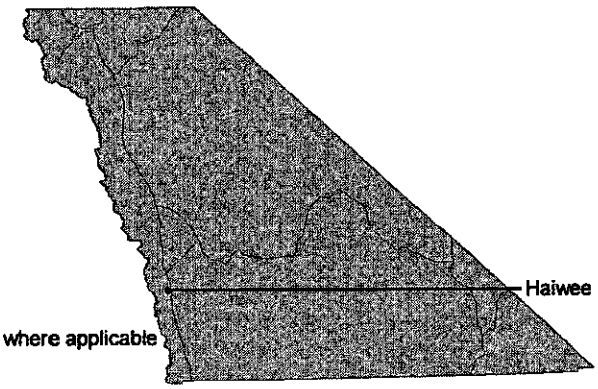
M1	General Industrial and Extractive
M2	Light Industrial

Other

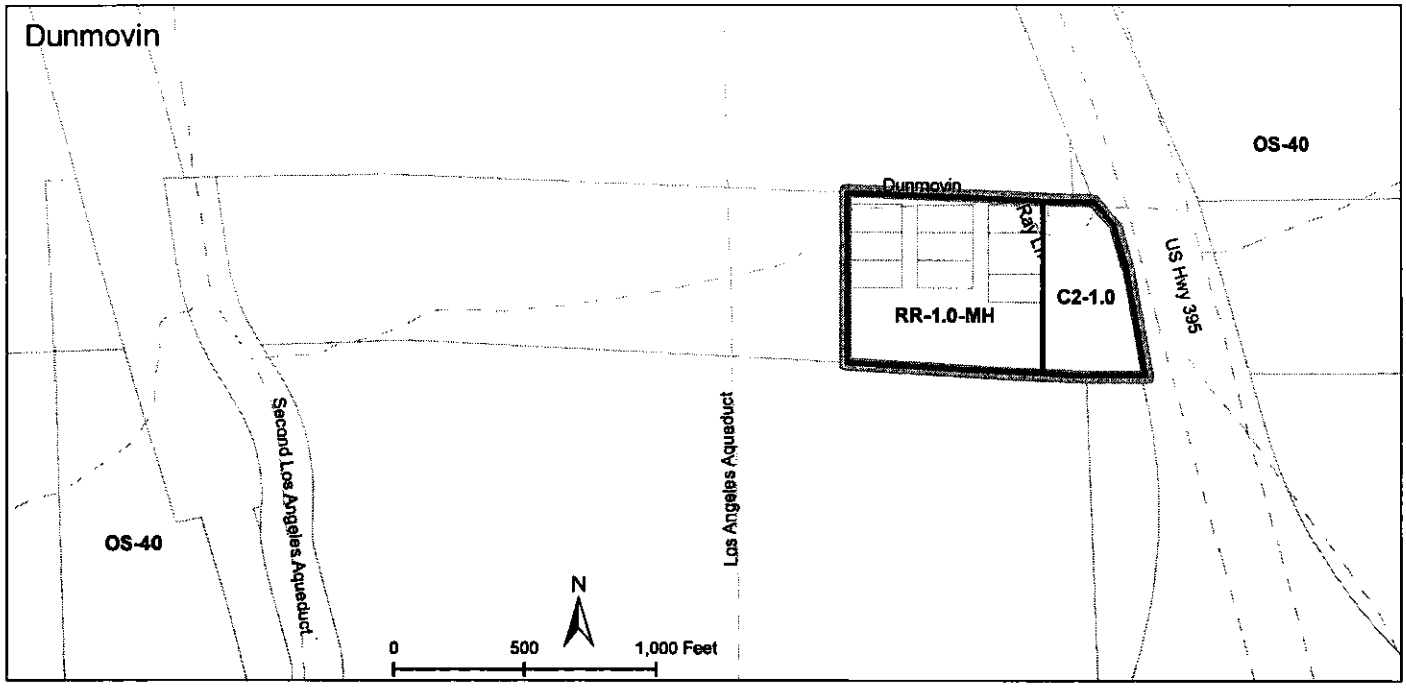
OS	Open Space
PUD	Planned Unit Development
P	Public

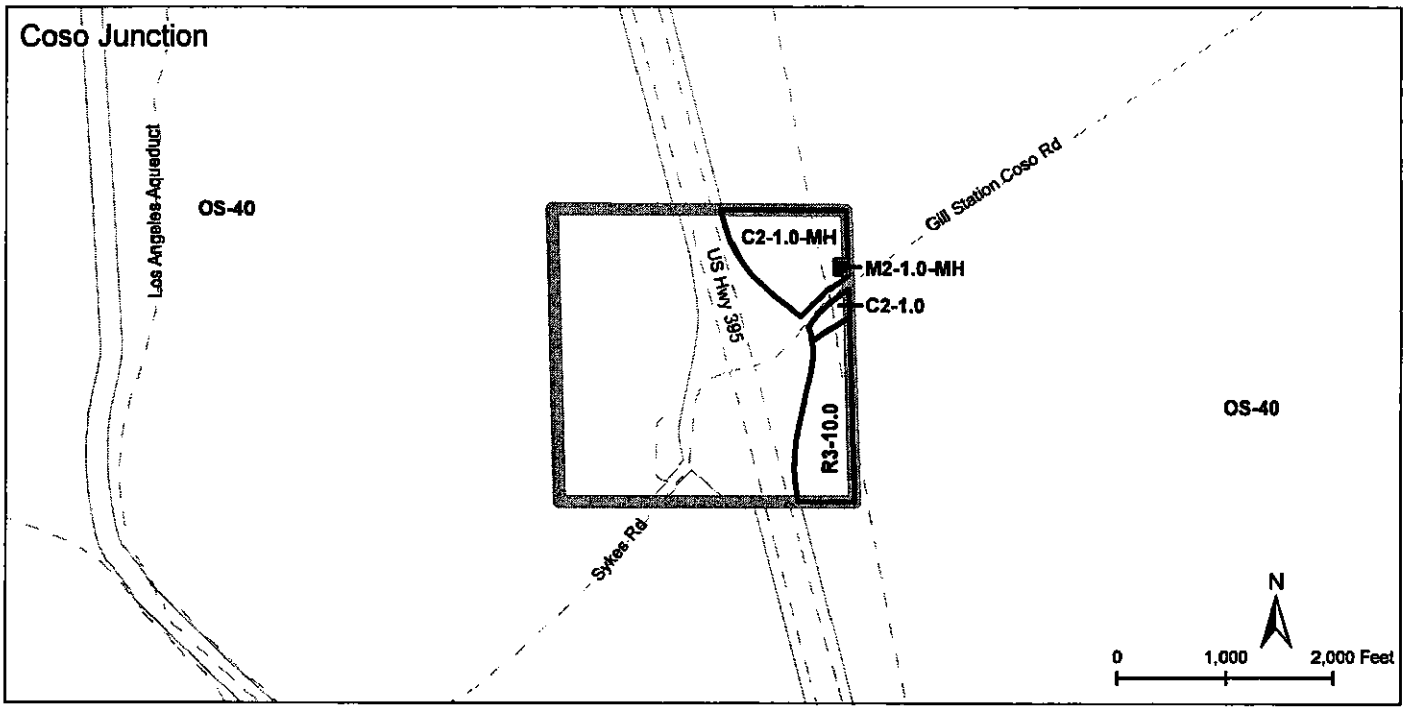
Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Dunmovin and Coso Junction - Diagram 22





Proposed Zone Changes

C4 to M2

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

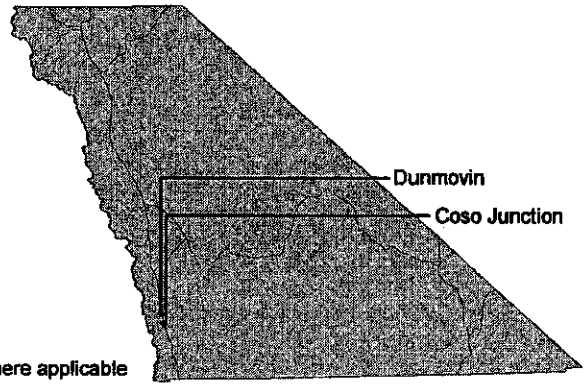
M1	General Industrial and Extractive
M2	Light Industrial

Other

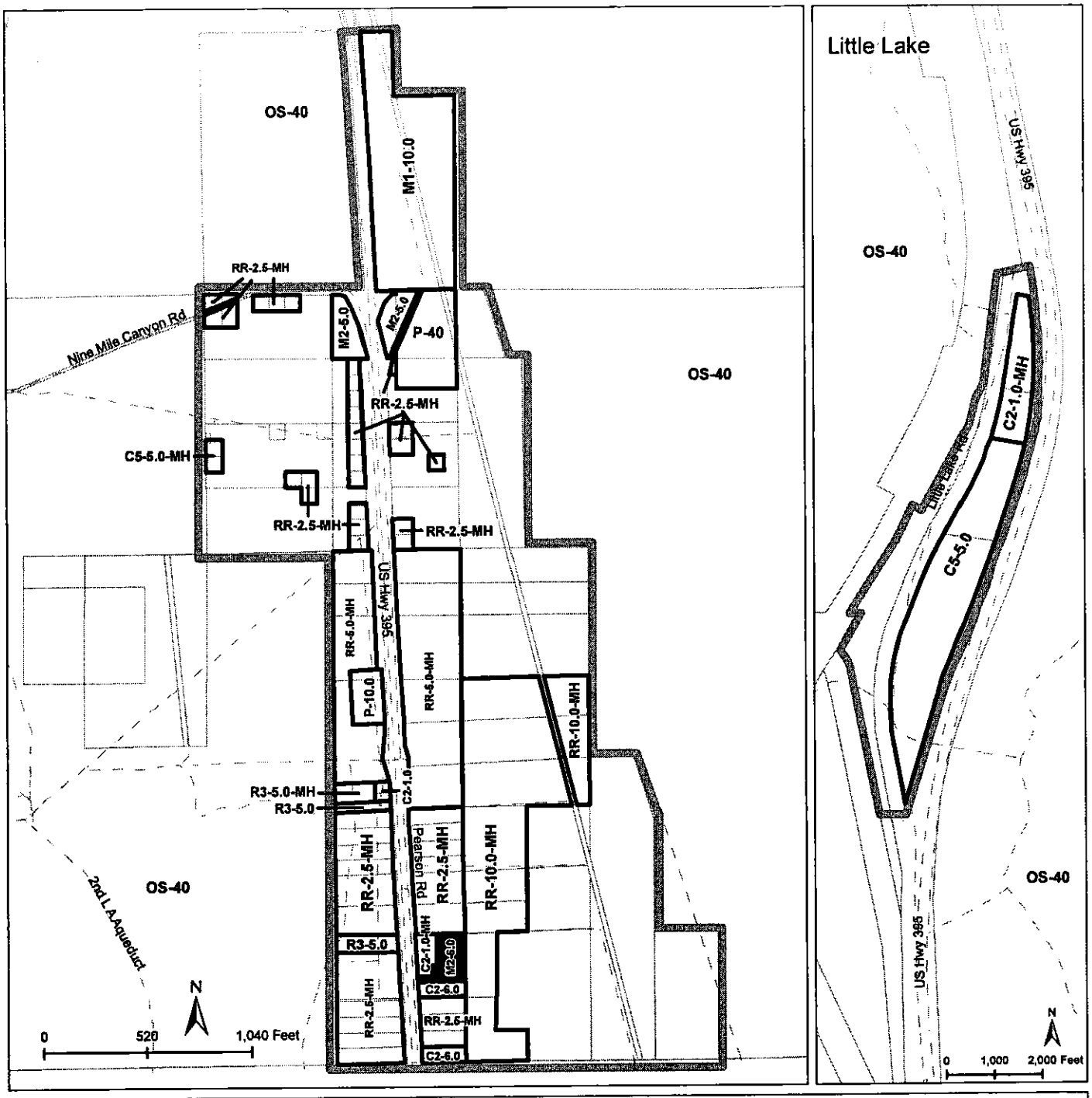
OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Pearsonville/Sterling Road and Little Lake - Diagram 23



Proposed Zone Changes

■ C4 to M2

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

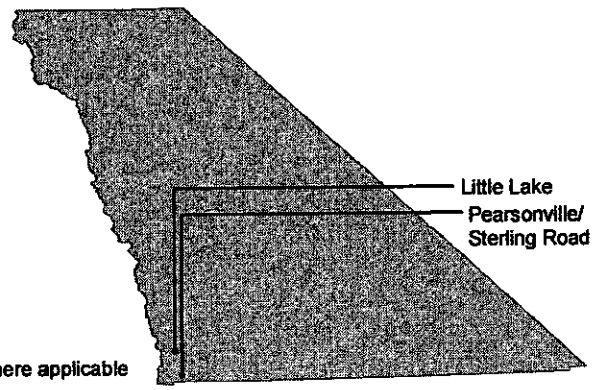
M1	General Industrial and Extractive
M2	Light Industrial

Other

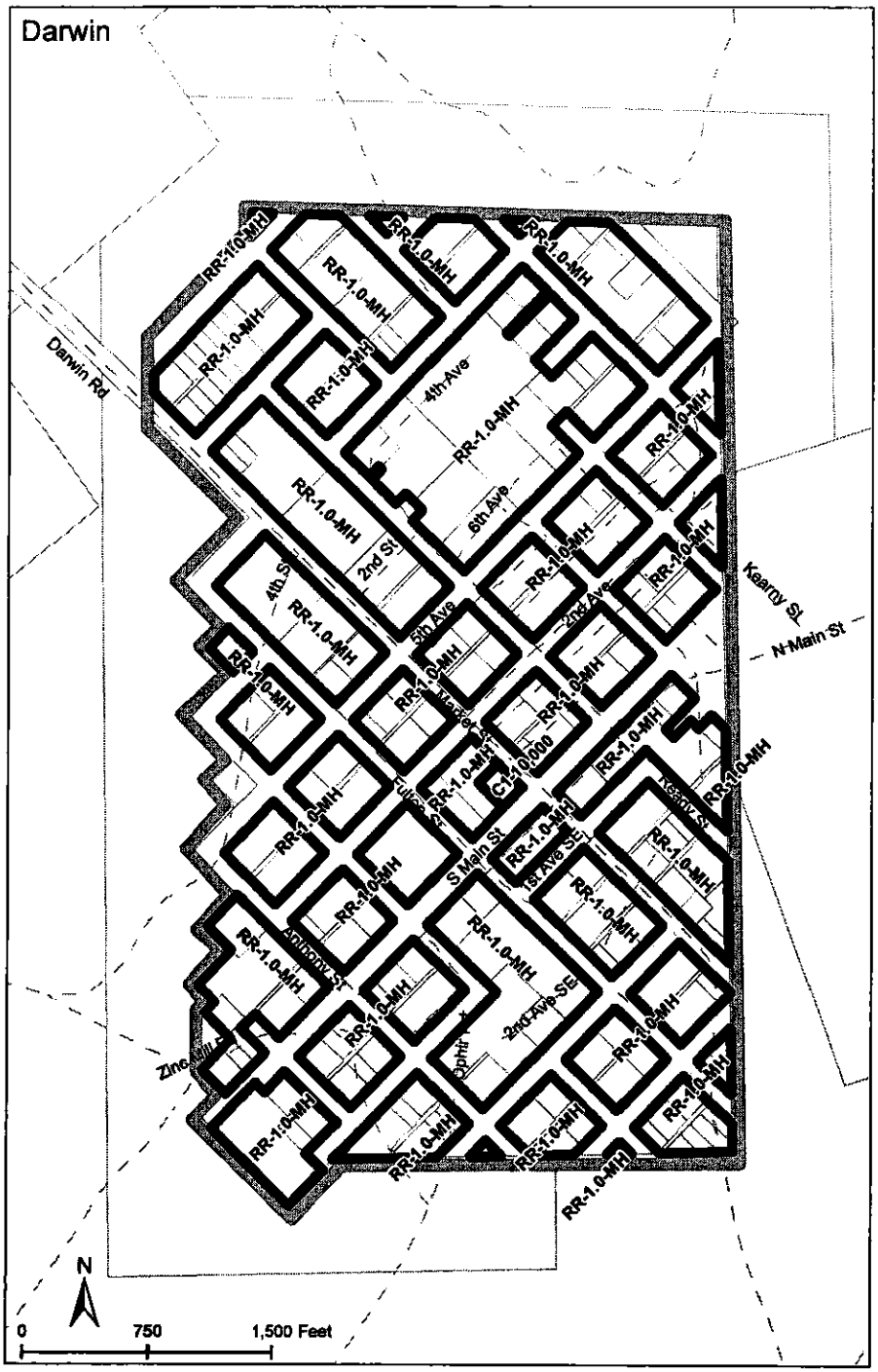
OS	Open Space
PUD	Planned Unit Development
P	Public

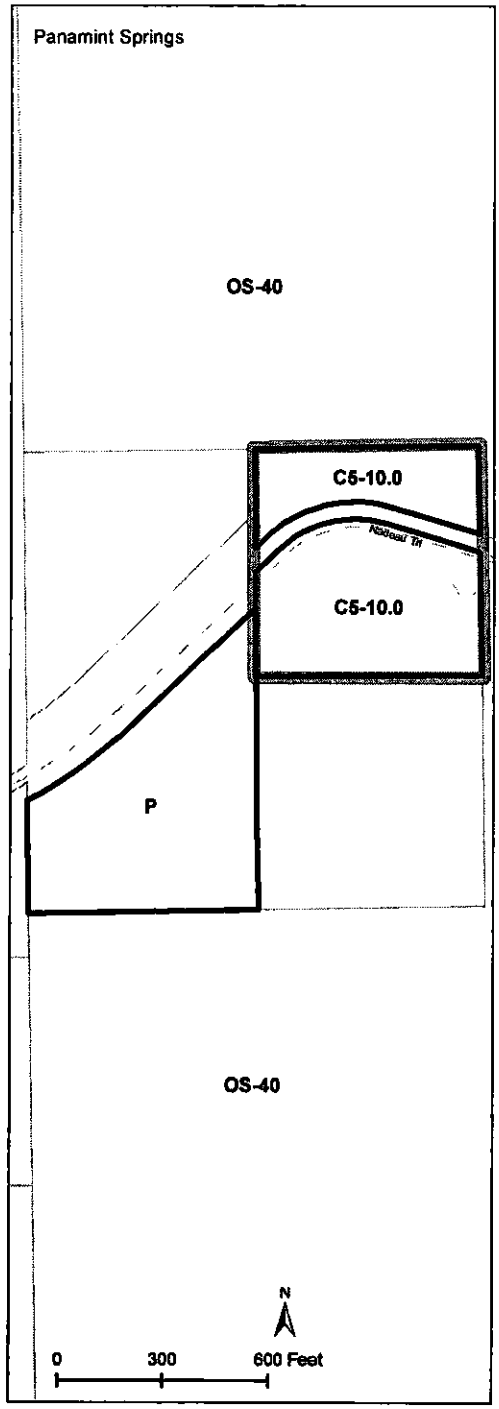
Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Darwin and Panamint Springs - Diagram 24





Inyo County Zoning Designations

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Industrial

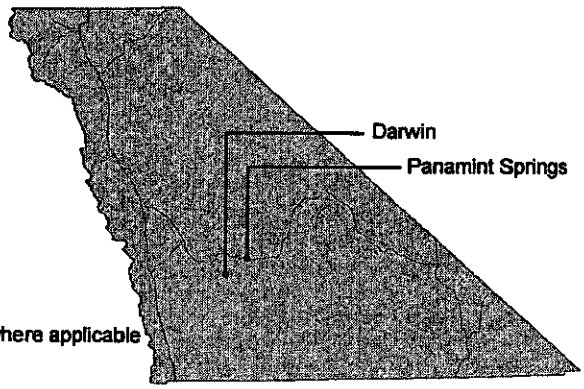
- M1 General Industrial and Extractive
- M2 Light Industrial

Other

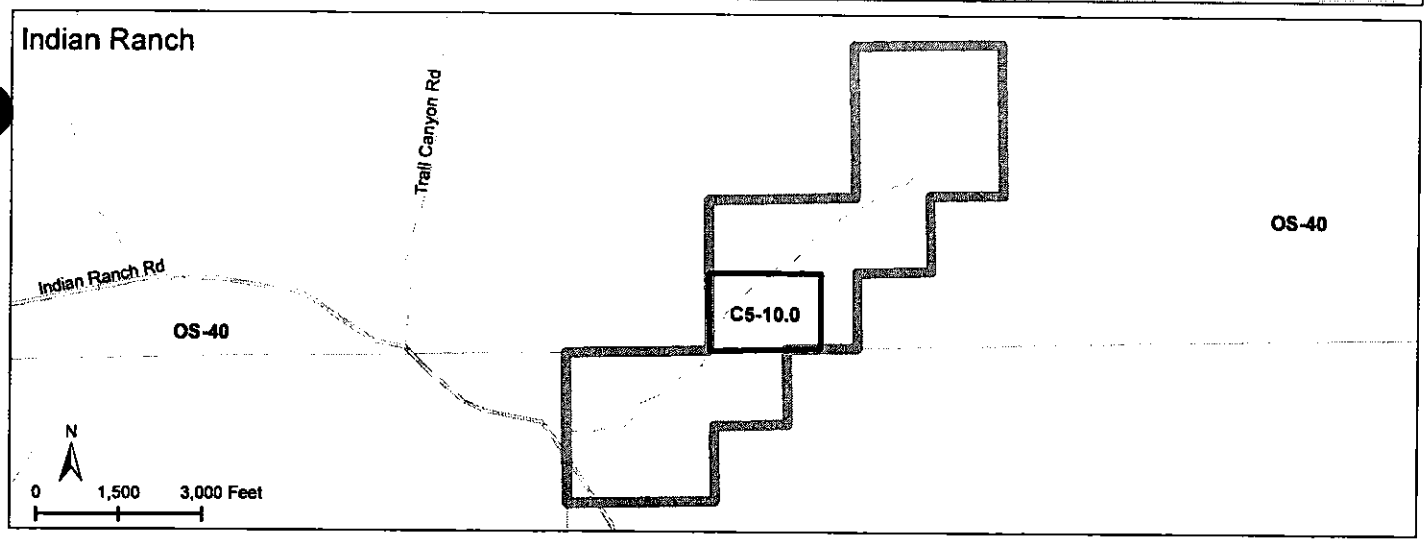
- OS Open Space
- PUD Planned Unit Development
- P Public

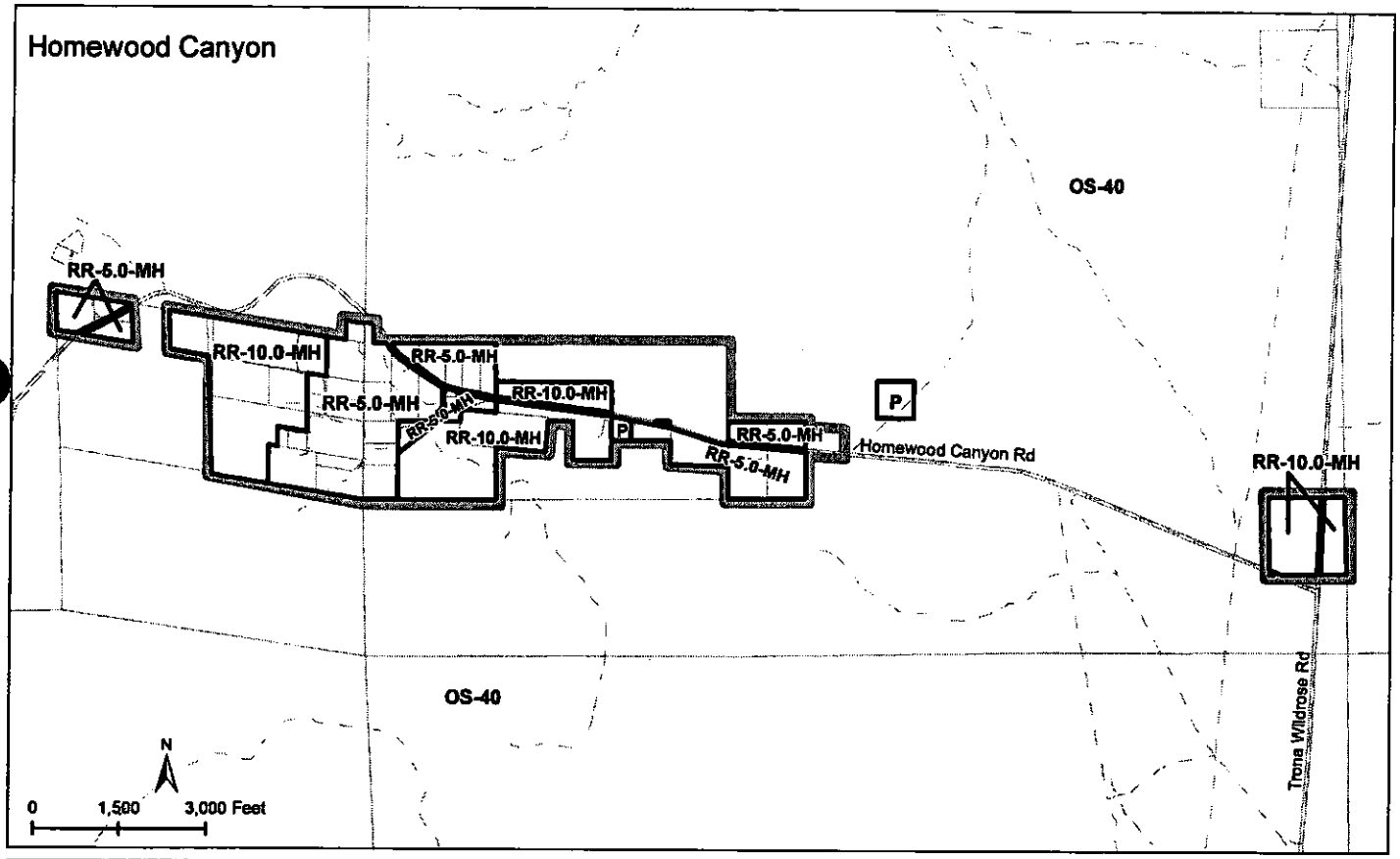
Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable



Indian Ranch and Homewood Canyon - Diagram 25





Inyo County Zoning Designations

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Industrial

- M1 General Industrial and Extractive
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Other

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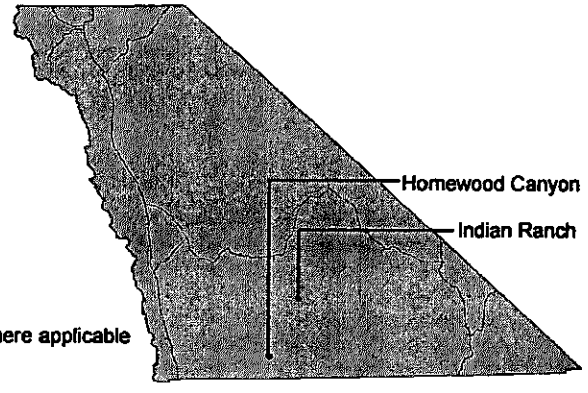
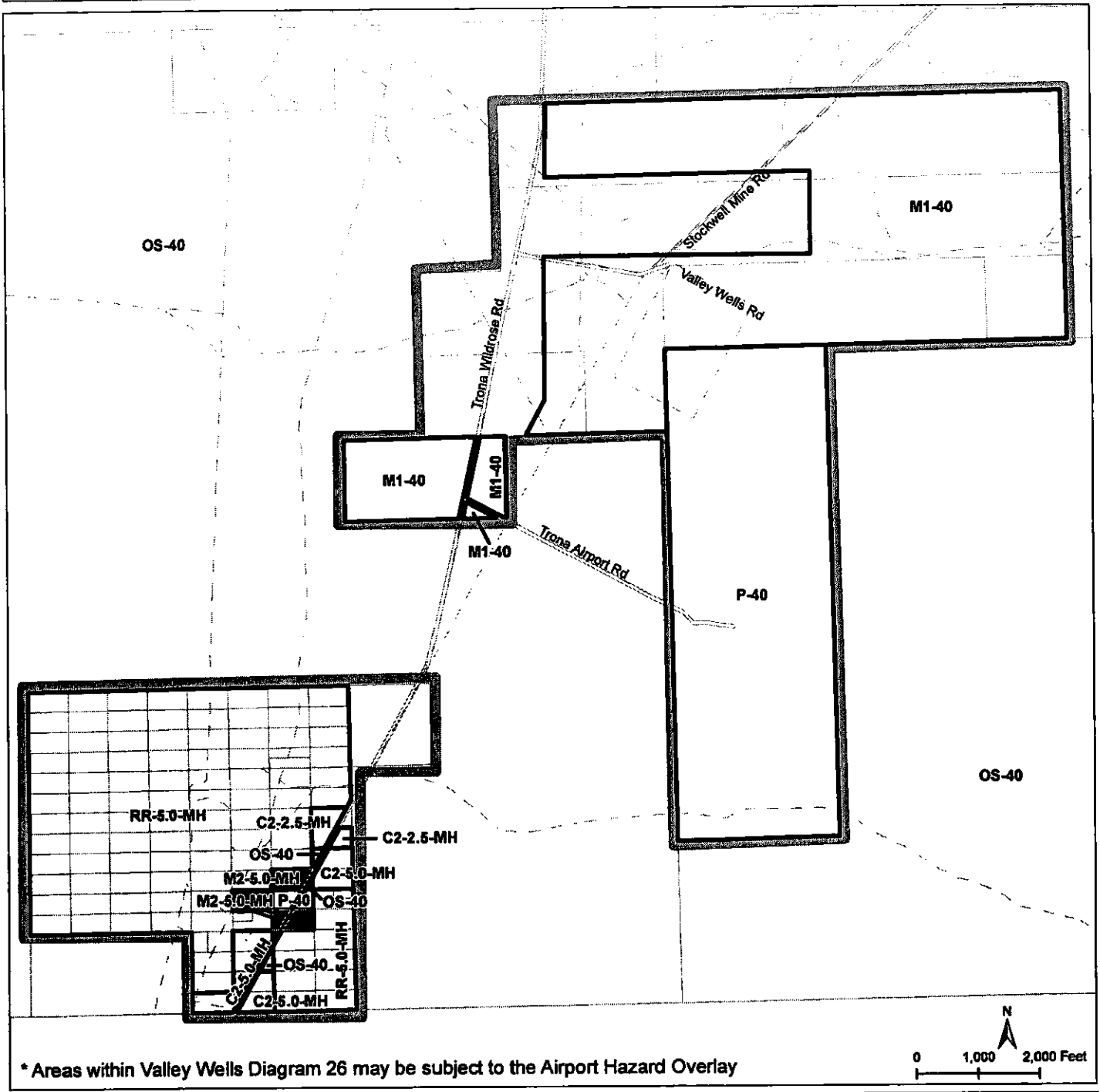


Valley Wells - Diagram 26



* Areas within Valley Wells Diagram 26 may be subject to the Airport Hazard Overlay

Proposed Zone Changes

■ C4 to M2

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

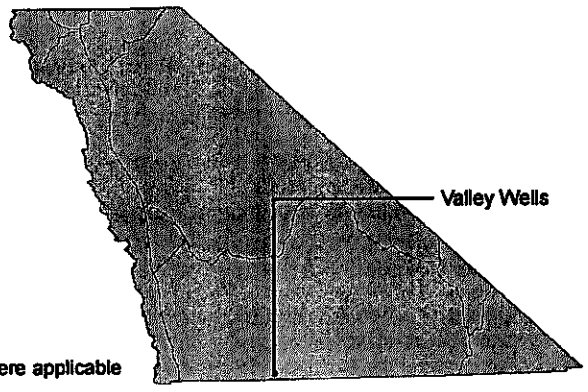
M1	General Industrial and Extractive
M2	Light Industrial

Other

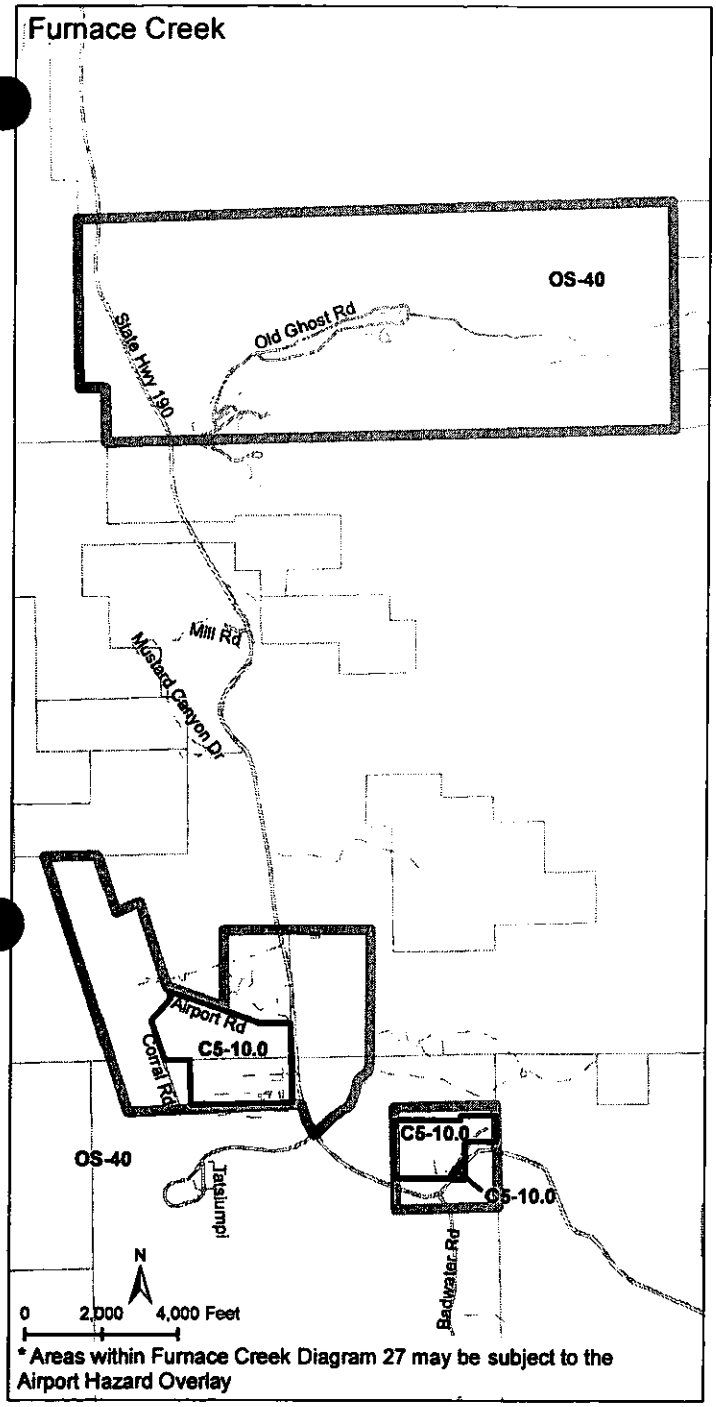
OS	Open Space
PUD	Planned Unit Development
P	Public

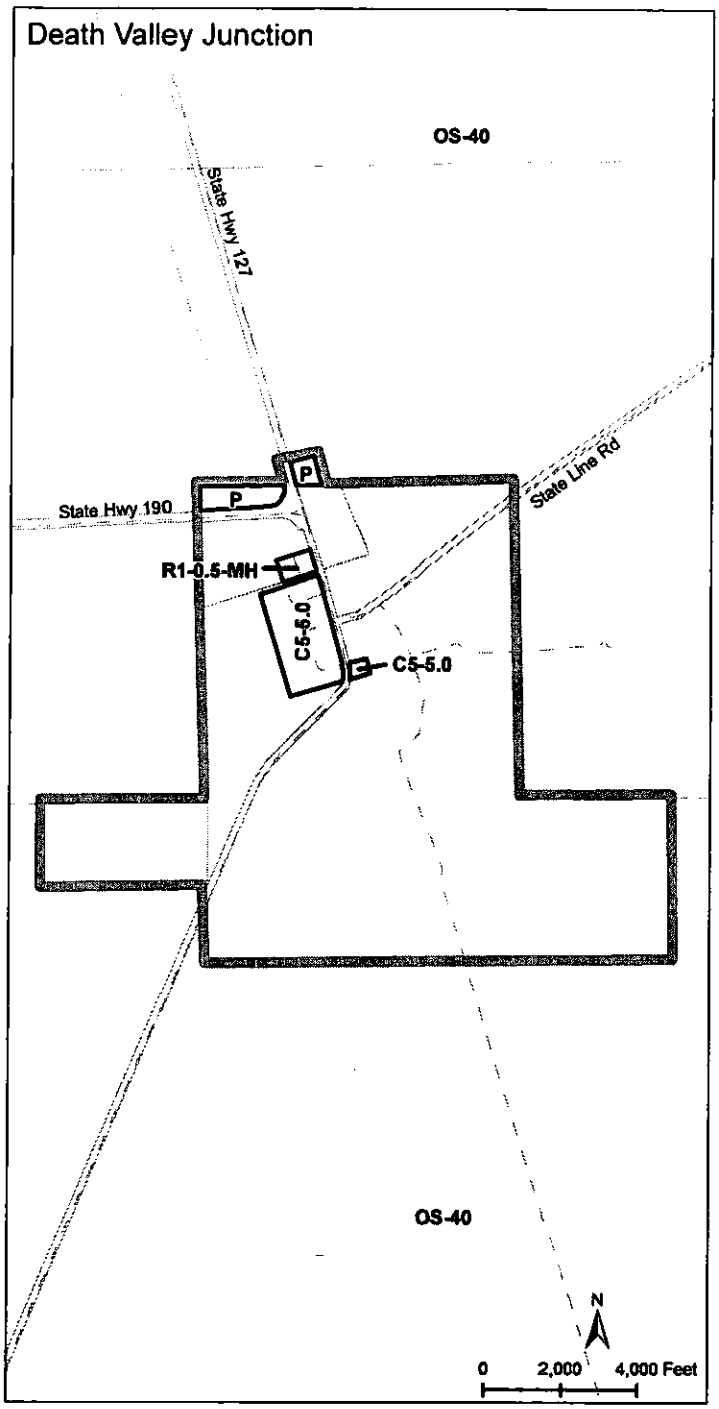
Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
A (Architectural Design Control)
AH (Airport Hazard) *see notes on maps where applicable



Furnace Creek and Death Valley Junction - Diagram 27





Inyo County Zoning Designations

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
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- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

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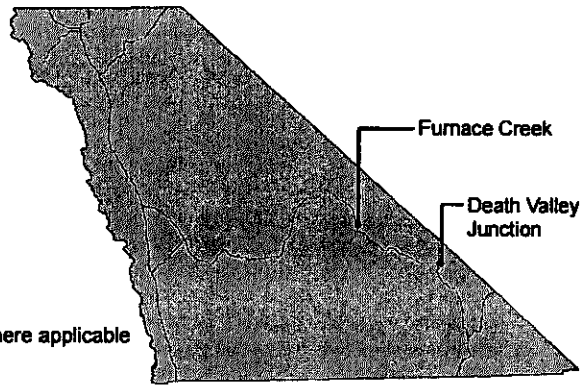
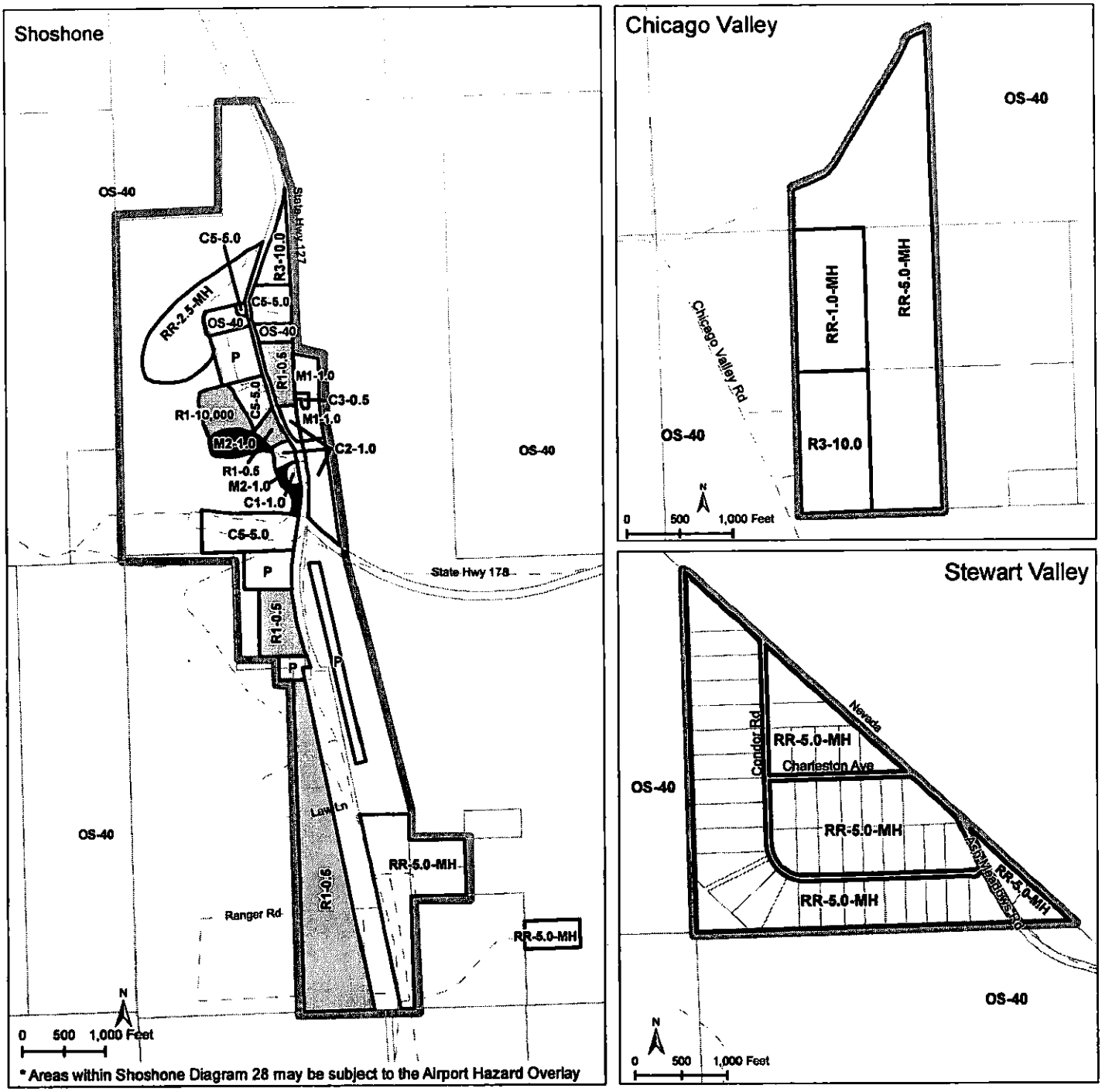


Shoshone, Chicago Valley, Stewart Valley - Diagram 28



* Areas within Shoshone Diagram 28 may be subject to the Airport Hazard Overlay

Proposed Zone Changes

C4 to M2 RMH to R1

Residential

R1	One Family Residential
R2	Multifamily Residential
R3	Multiple Residential
RR	Rural Residential
RR-0.5	Starlite
RMH	Single Residence and Mobile Home Combined

Commercial

CB	Central Business
C1	General Commercial - Retail
C3	Administrative - Professional Offices
C4	Heavy Commercial
C5	Commercial Recreation

Inyo County Zoning Designations

Industrial

M1	General Industrial and Extractive
M2	Light Industrial

Other

OS	Open Space
PUD	Planned Unit Development
P	Public

Overlays

MH (Mobile Home)
PP (Precise Plan)
SAHO (Snow Avalanche Hazard)
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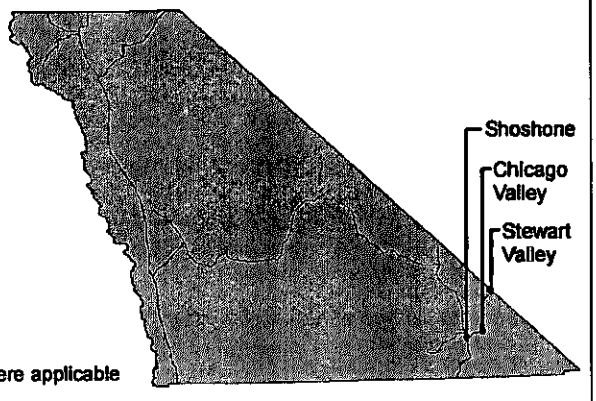
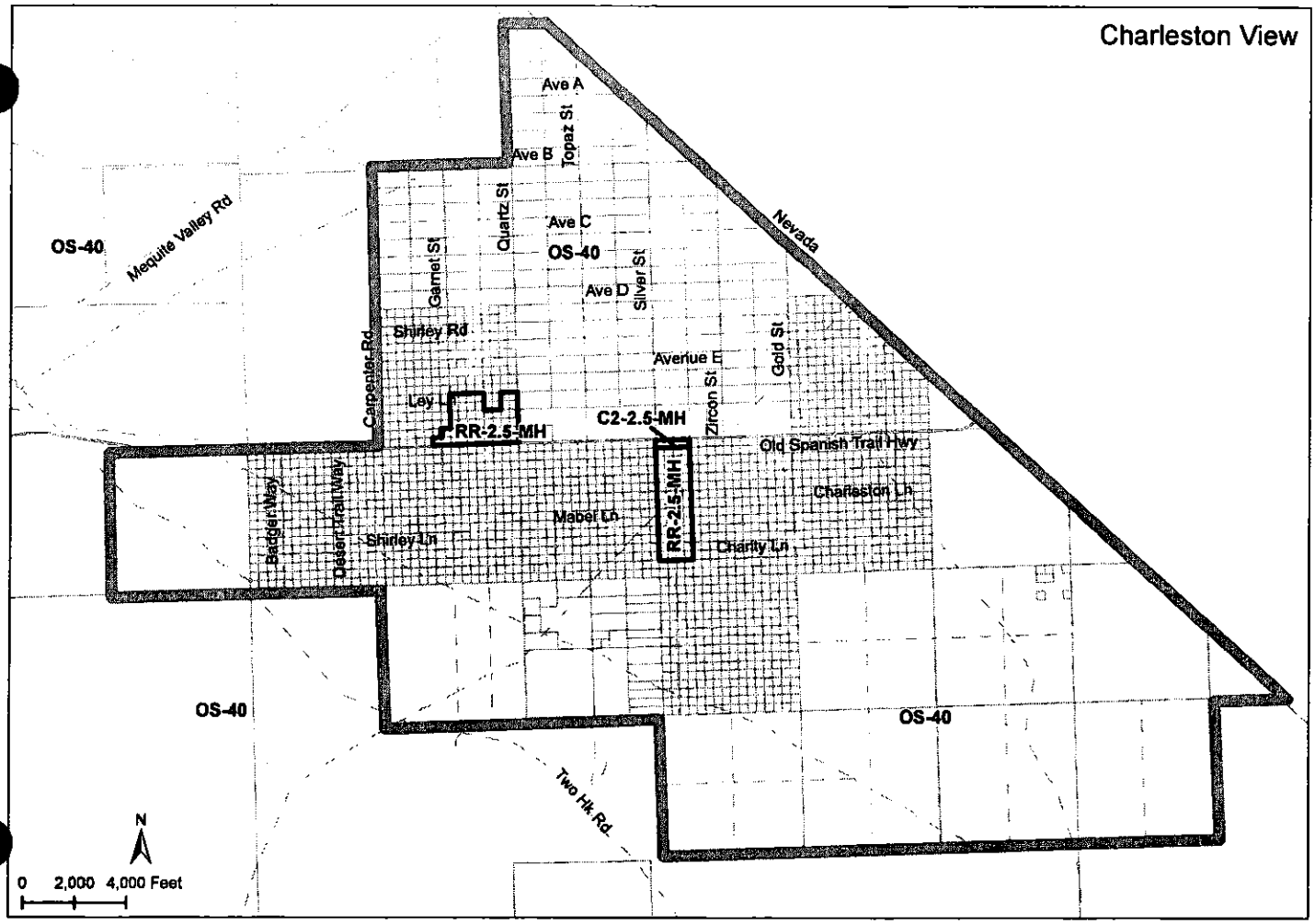
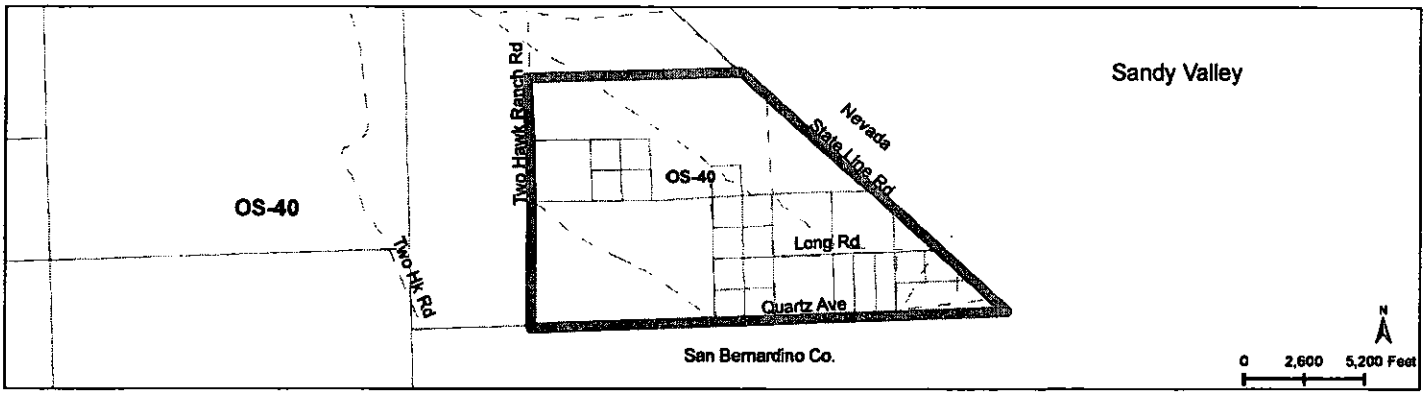


Charleston View and Sandy Valley - Diagram 29





Inyo County Zoning Designations

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
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- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
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- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Industrial

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Other

- OS Open Space
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Overlays

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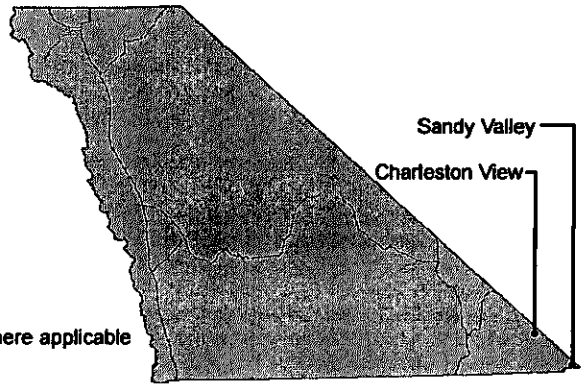
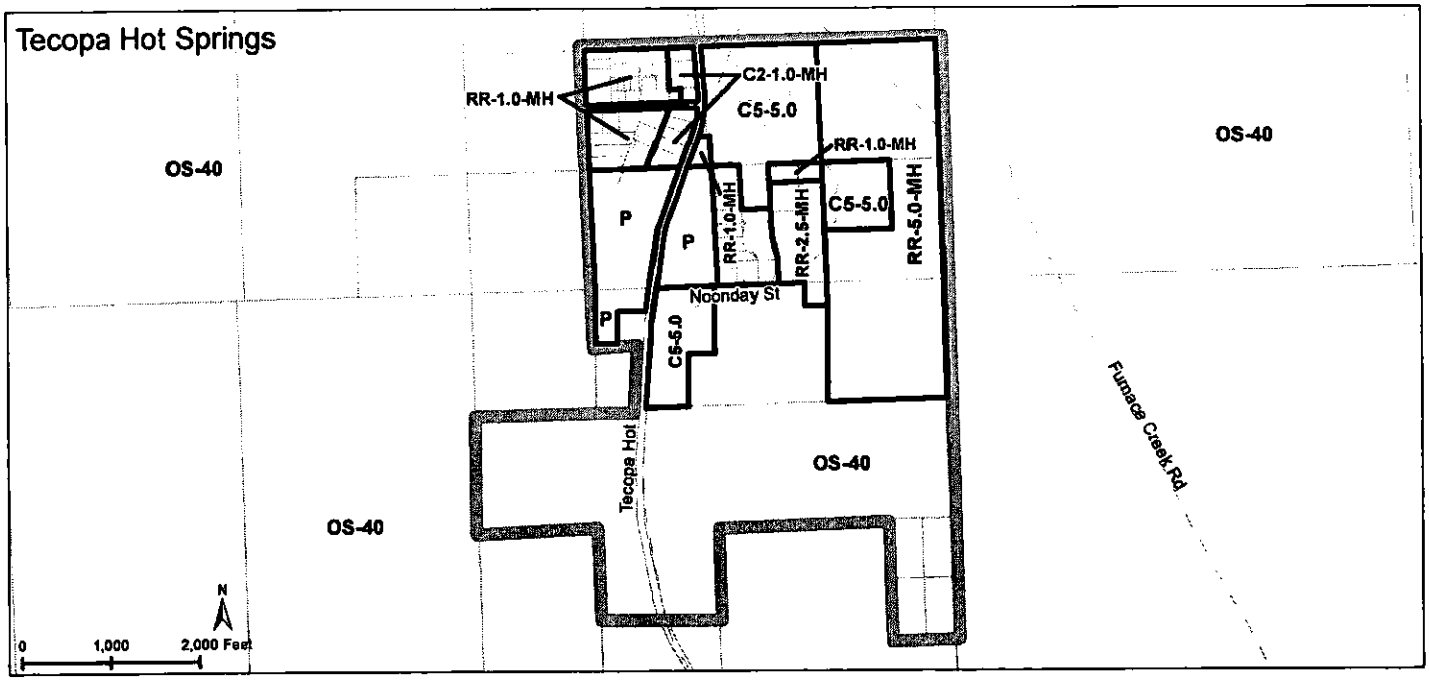
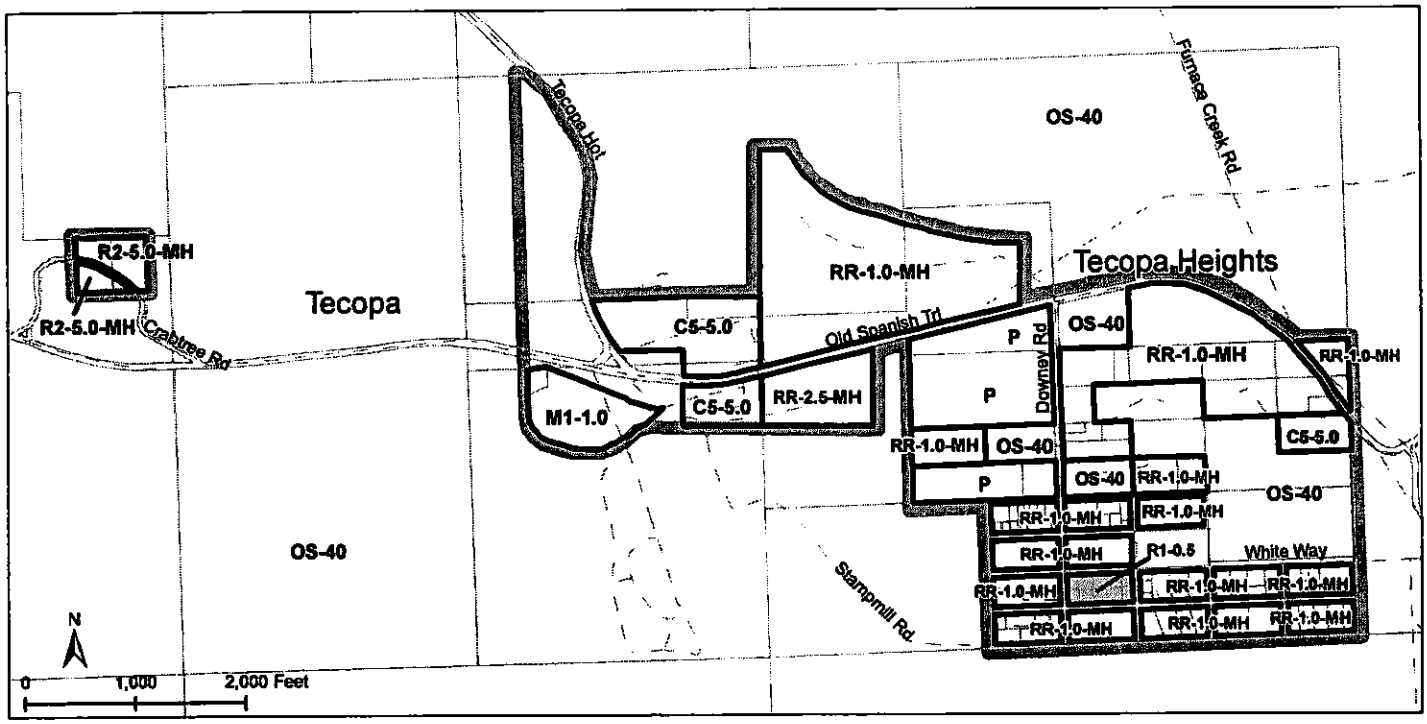


Tecopa, Tecopa Heights, Tecopa Hot Springs - Diagram 30





Proposed Zone Changes

RMH to R1

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
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- C4 Heavy Commercial
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Inyo County Zoning Designations

Industrial

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- M2 Light Industrial

Other

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- PUD Planned Unit Development
- P Public

Overlays

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- PP (Precise Plan)
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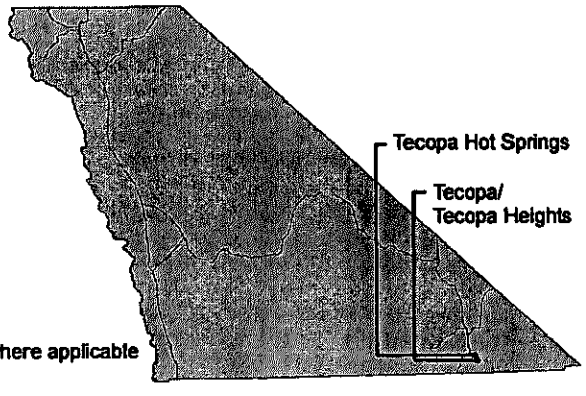
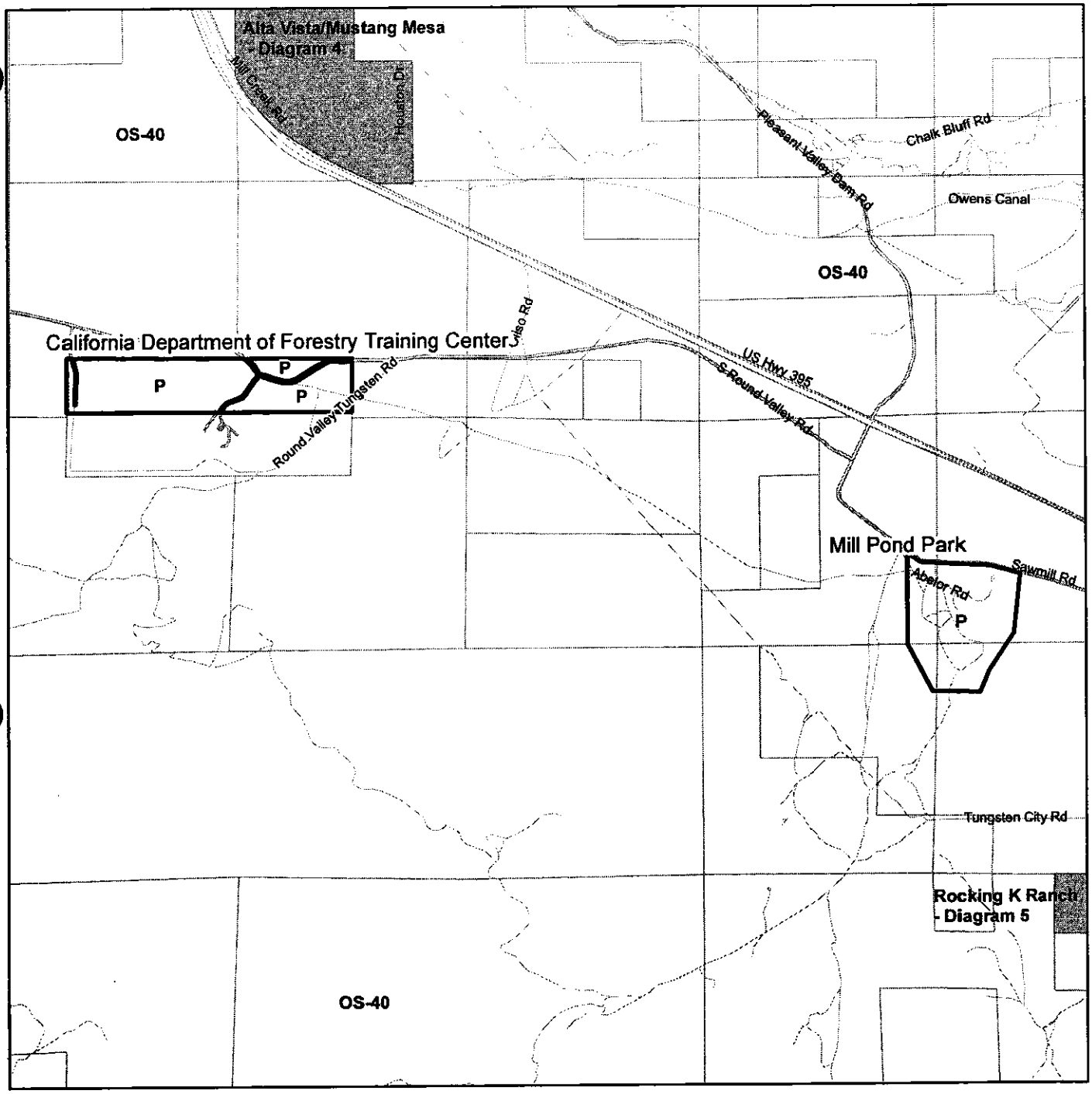
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable



California Department of Forestry Training Center and Mill Pond Park - Diagram 31



Inyo County Zoning Designations

Residential

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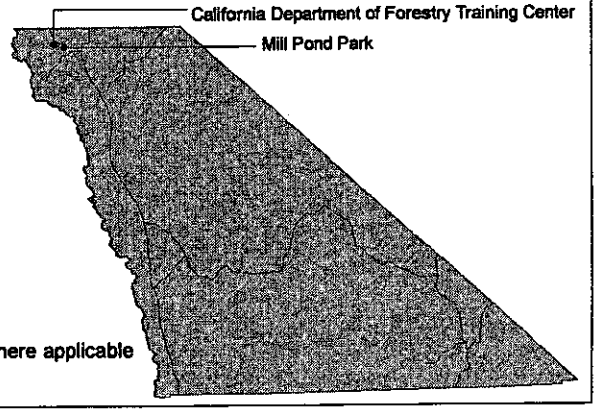
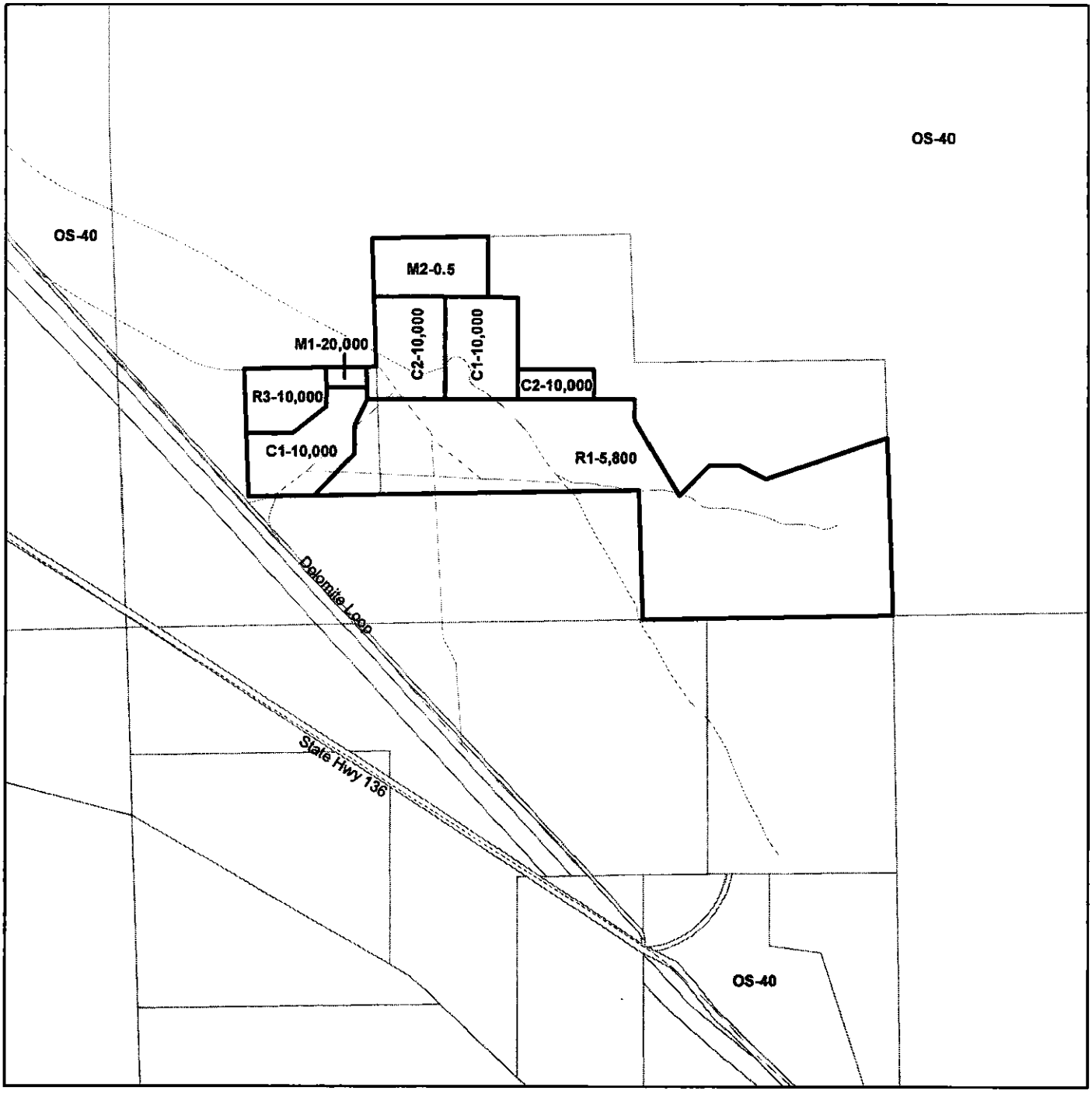


Dolomite- Diagram 32



Inyo County Zoning Designations

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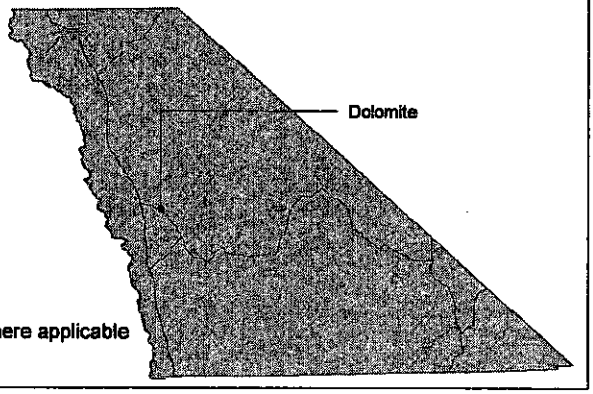
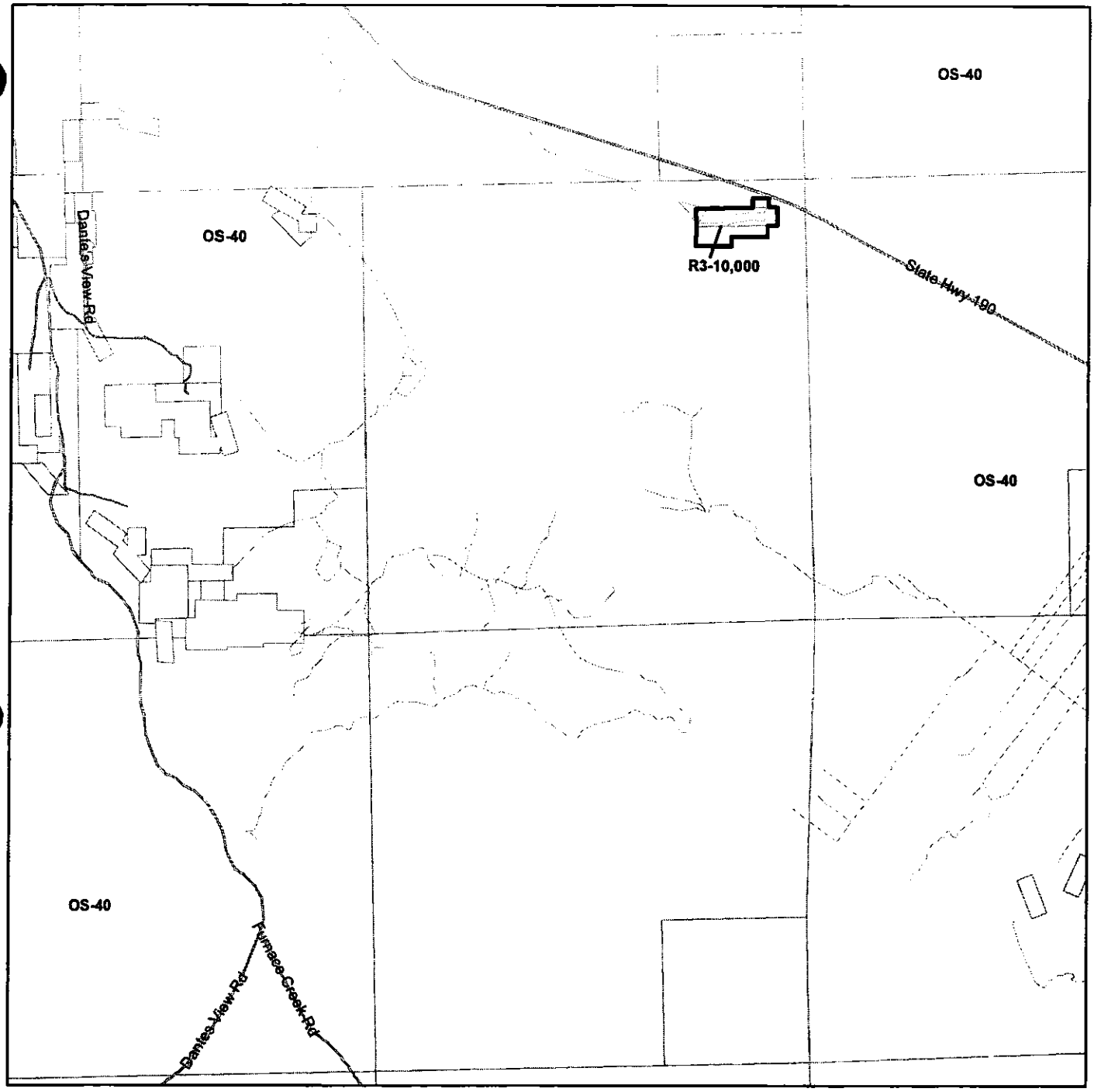


3,000 Foot Camp - Diagram 33



Inyo County Zoning Designations

Residential

- R1 One Family Residential
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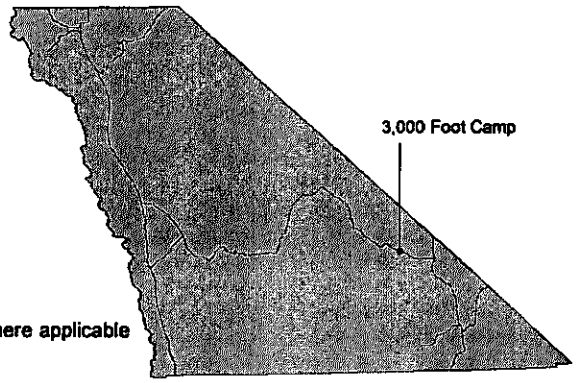

Attachment 5
Summary of Inyo County General Plan Update
June 2012

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 year staff has been working to update the Zoning Code and holding workshops on proposed changes with both the Inyo County Planning Commission and the Inyo County 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.

This document summarizes the changes proposed to the General Plan and serves as a background report for the update effort. On broad terms, the changes are relatively minor, primarily related to the Zoning Code update. Other changes are proposed to address new State laws and planning practice, as well as evolving local policy.

The one major issue that has changed since 2001 and warrants updating the General Plan is renewable energy. However, the County attempted to update the General Plan in 2010 to address renewable energy, and was forced to rescind the update due to litigation. Due to the controversy surrounding renewable energy, staff does not recommend addressing it at this time. However, a minimized version of the Renewable Energy General Plan Amendment is included in Exhibit A that may be less polarizing than the previous attempt.

Following this introductory section, a description of the changes through the General Plan document is provided. Then, an analysis of changes to State law since 2001 is presented. Finally, an analysis of the 2001 General Plan's recommendations for the Zoning Ordinance is provided.

Overview

The proposed General Plan Update is included in Attachment 6. With a few exceptions, major substantive changes from the current General Plan are illustrated in ~~strikethrough~~ and underline, as illustrated in the previous clause. Approved amendments since 2001 have been incorporated (these are not illustrated in strikethrough or underline as they are considered part of the current General Plan).

The document has been reformatted for ease of use. Substantive changes not illustrated in strikethrough and underline include the following:

- Format changes, including style, numbering, relocation, and page layout.
- Introductory sections have been deleted to make the document more friendly and focused on policy. Deleted sections include a description of communities, repetitious forwards in the individual chapters, and unneeded definitions. The Introduction has been substantially revised to be more user-friendly, and illustrating the changes would be confusing.
- Cross-referencing has been deleted. Staff believes these are unutilized and unneeded.
- The implementation schedules have been updated, and illustrating the alterations would be confusing.

Substantive Changes

The following summarizes the proposed substantive changes to the General Plan.

Introduction: some of the general background information on Inyo County, the explanation of the processes in California that govern General Plans, as well as the specific history of the Inyo County General Plan process, has been deleted from the prior version of the General Plan document, as a way to make the overall document shorter and more focused. In addition, the listing of all the various communities within the County has also been deleted from this version of the General Plan document – again, as a way to make the overall document more abbreviated and focused.

Chapter 1 (Government Element): no changes are recommended, as this Element was recently updated in 2010.

Chapter 2 (Land Use Element): this Element includes the following two subsections (1) Land Use and (2) Public Services and Utilities.

- Land Use – minor changes to the DWP land releases are proposed to reflect progress since 2001. References to the Manzanar land exchange have been deleted as this has been completed. Reference to healthy communities, seniors and special needs populations,

- Pubic Services & Utilities – Reference to the Model Water Efficiency Landscape Ordinance and Digital 395 are added. The policy to streamline childcare facilities is deleted as it is unnecessary.

Chapter 3 (Economic Development Element): minimal changes are proposed. Minor changes to the main street program implementation measures are proposed to make them more generalized, outdated sections are proposed to be deleted, and references to Digital 395 are added.

Chapter 4 (Housing Element): no changes are proposed for the Housing Element, as it was recent amended, with the amended document approved by the California Housing & Community Development (HCD).

Chapter 5 (Circulation Element): new policies are proposed to protect and enhance access, off-highway vehicle routes, and County roads.

Chapter 6 (Conservation/Open Space Element): minor changes are proposed to provide for flexibility for agricultural resource mapping and better describe noxious weeds. References to the environmental resource area mapping are deleted as these are unneeded due to the extensive resource protection provided by other agencies.

Chapter 7 (Public Safety Element): references to climate change are added. The 100-year flood zone definition is replaced with FEMA definition. Slope constraints are deleted based on the Zoning Code update. The noise threshold from Table 7-6-1 is deleted as the threshold may vary based on the setting. Noise-related implementation measures for the Zoning Code are deleted as they have been addressed.

Changes to State Law Since 2001

There are a number of State-mandated requirements when updating general plan documents. The following lists such requirements, together with staff's understanding of how Inyo County is in compliance.

- SB 244: Implements a requirement that on or before the next adoption of its Housing Element a city or county must review and update the Land Use Element of its General Plan to include an analysis of the presence of island, fringe, or legacy unincorporated communities, as well as water, wastewater, stormwater drainage, and structural fire protection deficiencies in such communities, and financially feasible ways to extend those services.
  Application to Inyo County: There are no communities within the County that could be defined or identified as island, fringe, or legacy. As a result, no SB 244-related updates to the General Plan are required.

- AB 162 of 2007 (now Chapter 369 of the 2007 Statutes): Implements a requirement that three elements of General Plans (i.e., Land Use, Conservation, Safety) address flood control management issues in the following ways:

  - Land Use Element: must identify, and annually review, areas covered by the General Plan that are subject to flooding, based either on FEMA (Federal Emergency Management Agency) or California Department of Water Resources (CA-DWR) mapping.

    Application to Inyo County: the General Plan already has done this, both as a result of the EIR prepared when the General Plan was updated in 2001, and also in 2011, when new FEMA maps were updated and adopted.

  - Conservation Element: must identify rivers, creeks, streams, flood corridors, riparian habitat, and any lands that may accommodate floodwaters for the purpose of both groundwater recharge and stormwater management.

    Application to Inyo County: this has already taken place through both the FEMA mapping process and the EIR prepared as a result of the 2001 update of the Inyo County General Plan.

  - Safety Element: must identify flood hazards to communities, and establish a set of comprehensive goals, policies, and objectives for the prevention of flooding of communities.

    Application to Inyo County: mapping for flood-prone areas of the County has already taken place through FEMA mapping efforts; the General Plan already contains goals, policies and objectives for flood prevention (Chapter 9.3 Flood Hazards).

- SB 2 (now Chapter 633 of the 2007 Statues): Implements a requirement that local governments assess their need for emergency shelters, and requires such local governments to identify at least one zone district where such emergency shelters are allowed, subject to approval of a conditional use permit or other discretionary permit process.

Application to Inyo County: This requirement is being addressed with the planned changes to the Inyo County Zoning Ordinance, which will identify appropriate zone districts for emergency shelters.

- AB 1553: Specifies that the Office of Planning & Research (OPR), within its *General Plan Guidelines* document, should propose methods for local governments to address the following issues of environmental justice within their General Plans (see pages 25-30 of *General Plan Guidelines*):
  - Location of new public facilities and services that enhance community quality of life (including open space).
  - Location of industrial facilities that pose a significant hazard to human health and safety.
  - Location of new schools & residences away from proximity to industrial facilities or uses that pose a significant hazard to human health and safety.
  - Promoting livable communities by increasing transit-oriented development (TOD) as a means of minimizing traffic and pollution impacts.

  Other issues of environmental justice include the public participation process. Structuring procedures and processes within the land use review process which allow for early and meaningful involvement by all affected populations, is a fundamental means of assuring that people of all backgrounds have equal opportunities for input into issues of environmental policies and regulations.
  Application to Inyo County: A number of General Plan goals address community quality of life issues (Goals SH-1, VIS-1). The appropriate location of industrial facilities is dealt with under Goal LU-4. Issues of transit-oriented development can be said to be addressed within Goal RH-1, which states that it is the goal of the County to pursue a transportation system that is safe, efficient, and comfortable, and which meets the needs of people and goods and enhances the lifestyle of the County's residents.
  Issues of public participation are dealt with under Goal GOV-2, which states that it is a goal of the County to ensure that planning decisions take place in a collaborative environment and to provide opportunities of early and consistent input, with Policies GOV 2.2 and GOV 4.3 specifically directed at including the public within the planning process.

- AB 1358 ("The California Complete Streets Act"): Requires cities and counties to integrate multimodal transportation network policies into the Circulation Element of their General Plan. Such a multimodal network should consist of complete streets which are designed and constructed to serve all users regardless of age or ability, or whether they are driving, walking, bicycling, or taking transit – and taking into consideration that not all pedestrian, bicycle, or transit routes may be located on or along streets, roads, or highways.
  Application to Inyo County: Multimodal transit issues can be said to be addressed within Inyo County General Plan Goal RH-1, which states that it is the goal of the County to pursue a transportation system that is safe, efficient, and comfortable, and which meets the needs of people and goods and enhances the lifestyle of the County's residents. Policies RH-1.8 and RH-1.9 can also said to support multimodal transit issues, as both policies prioritize transportation projects that improve the efficiency, safety, and quality of existing facilities, and seeks to develop a comprehensive transportation system in cooperation with other groups. Policy PT-1.8 specifies the development of multimodal facilities at airports, where appropriate.

- SB 1468 & SB 1462: Outlines the responsibilities of cities and counties with respect to addressing military compatibility issues in the planning and land use decision-making process.

Application to Inyo County: Military compatibility issues are addressed within the government element of the Inyo County General Plan (Goals GOV 1 & 2, and Policies GOV-1.1, -2.1, and -2.2).
In addition, in 2008 Inyo County participated as an identified stakeholder in the Governor's Office of Planning & Research R-2508 Joint Land Use Study on military compatibility issues for military bases and air space existing within portions of Inyo, Kern, Los Angeles, San Bernardino, and Tulare counties (the Naval Air Weapons System-China Lake is partially located within Inyo County).

- AB 441: Specifies that the Office of Planning & Research (OPR), within its *General Plan Guidelines* document, should develop voluntary methods for how local governments may incorporate health issues into their general plans, including such issues as opportunities for recreational and physical activities, increasing the availability of fresh produce, health-promoting transportation systems, increasing economic & community development, and increasing opportunities for civic participation & building social networks via the pursuit of healthy activities.
  Application to Inyo County: A number of existing goals and policies within the Inyo County General Plan address issues of healthy communities, such as Goal BT-1 (encouraging use of non-motorized transportation), Goal SH-1 (enhancing quality of life through scenic resources), Policy RH-1.5 (proper access), Policy PSU-7.3 (public participation), Policy PSU-11.5 (community centers). Additional ideas for implementation of health community principles include:
  - *Promoting the use of parks and school facilities as community centers, both to encourage opportunities for physical activities and also as a way to build social networks and encourage civic participation activities.*
  - *Promoting farmer's markets or other programs offering fresh and/or locally-grown produce.*
  - *Transportation systems that incorporate bikeways and walking paths and other such "commuter choice"/multi-modal transit options.*

  The General Plan addresses these issues already, and little need for change is recognized. Specific references to healthy communities and seniors are proposed to be added.

- AB 32 and SB 375: these regulations work to minimize impacts from climate change and their General Plan references are focused on design of urban areas.
  Application to Inyo County: Much of the bills' provisions do not apply to Inyo County, and their focus on urban areas makes many of their provisions inapplicable. Since less than two percent of the County is in private ownership, urban sprawl is an impossibility. Regardless, the General Plan's goals, policies, and implementation measures work to promote compact communities where vehicular use is not necessary, limit emissions, and discourage sprawl. Although not required, staff recommends that emissions modeling be undertaken during the environmental review stage. References to climate change are proposed to be added to the Public Safety Element, as these are the most relevant issues for Inyo County.

2001 Recommendations for Zoning Ordinance

As part of the 2001 General Plan Update process, a number of changes to the Inyo County Zoning Code were recommended in order for the Zoning Code to achieve greater consistency with the Inyo County General Plan document. Below is a list of those recommended changes, followed by staff's analysis of

the status of the recommended changes. As these have been addressed, many of these are no longer needed in the General Plan and are recommended to be deleted.

I.) 2001 General Plan Recommended Updates to the Zoning Ordinance: The following is a list of changes to the Zoning Code that were recommended as part of the 2001 General Plan update, followed by the status/progress that has been made toward the recommended changes:

- Achieve consistency with the Land Use Element's goals, policies and implementation measures.
  Status: These have been incorporated, as appropriate.

- Implementation of projects and measures from the Long-term Water Agreement.
  Status: This has taken place, and no further action is recommended.

- Undergrounding of utilities.
  Status: Staff is unaware of issues related to undergrounding utilities. As a result, staff is not recommending that this issue be carried forward into updates to the Zone Code, and recommends that the General Plan policies (PSU-1.7) and implementation measures (Public Services & Utilities-2.0 – 4.0) connected to this issue be deleted.

- Financing capital facilities and expanded services.
  Status: Existing procedures require addressing certain such issues through the standard development process, and many others are addressed by the Local Agency Formation Commission. Due to the relatively slow pace of development in the County, these existing regulations are adequate to address paying for new capital facilities and expanded services. As a result, staff is not recommending that this issue be carried forward into updates to the Zone Code, and recommends that the General Plan policies (PSU-2.1 – 2.4) and implementation measures (Public Services & Utilities-5.0 & 6.0) connected to this issue be deleted.

- Recycling.
  Status: Due to the relatively low density of development in Inyo County, providing areas for recycling is generally not an issue. As a result, staff is not recommending that this issue be carried forward into updates to the Zone Code.

- Streamlining.
  Status: Streamlining procedures have been incorporated.

- Second unit development standards.
  Status: Staff recommends that existing Inyo County Code language be carried forward (Section 18.78.340), without the CUP requirement, which is no longer allowed under State law, which allows second units by right in all residential zones, subject to certain requirements.

- Scenic Resources.
  Status: Scenic routes within the County are generally located away from developed areas and are protected by existing zoning and public land management. Additional regulations are therefore unnecessary, and staff recommends that General Plan policies (SH-1) and implementation measures (Scenic Highways SH-1.0 – 4.0) connected to this issue be deleted.

- Airport land use compatibility (including noise).
  Status: The Zoning Ordinance includes an Airport Hazard Overlay and County airports are relatively small; no further changes to the Zoning Code are necessary.

- Erosion control and grading.
  Status: Staff is unaware of any specific concerns regarding erosion control and grading issues – particularly given the flat topography and lack of rain within the County.

- Establish minimum park standards.
  Status: The County's Subdivision Ordinance addresses park and recreational dedications for subdivisions. Park development plans and funding are addressed through the County's park and recreational programs. Therefore, the Implementation Measure is unneeded, and staff is recommending that it be deleted in the update to the General Plan.

- Incorporate new identified avalanche standards.
  Status: The General Plan EIR's avalanche hazards are proposed to be incorporated into the Code.

- Limit maximum slope and maximum average slope that can be built on.
  Status: staff is unaware of issues related to construction on steep slopes, and is recommending that this issue not be carried forward into Zoning Code updates, and that the General Plan policy (GEO-1.5) and implementation measure (Geologic & Seismic Hazard-9.0) connected to this issue be deleted.

- Noise standards.
  Status: a qualitative noise standard is recommended.

- Construction noise.
  Status: The referenced standard has been updated and incorporated into the Code.

- Lighting/ "Dark Skies" Ordinance.
  Status: There has been great interest expressed within the County from a number of different groups and individuals on the issue of controlling light pollution. Staff recommends incorporating language from the following General Plan policies into the zoning ordinance.

Exhibit A
Minimal Renewable Energy General Plan Amendment
June 2012

Government Element

No change

Land Use Element

Insert the following new definition:

Solar or Wind Renewable Energy Facility. Any electric transmission line, solar thermal powerplant, photovoltaic powerplant, or wind energy powerplant to be constructed in Inyo County. A Facility does not include a "solar energy system," a small wind energy conversion system or a windmill that does not generate electricity, or a pilot or proof of concept powerplant.

Insert the following new Land Use Implementation Measures:

-The County shall coordinate with the Department of Defense to work to site renewable energy facilities in a manner that does not significantly impact military readiness. Issues to be addressed in the coordination include radar, light and glare, heat generation, equipment testing and operations, personnel training, and flight activities.

-The County shall work with utilities and renewable energy developers to encourage collocation of transmission and intertie facilities.

-The County shall encourage renewable energy development on disturbed lands.

Public Services and Facilities Element

Insert the following new Gas and Electrical Facilities policy:

Policy PSU-? (Encourage Renewable Energy Development) – The County shall encourage appropriate development of renewable energy resources, provided that social, economic, and environmental impacts are minimized.

Economic Development Element

Insert the following new Economic Development policy:

Policy ED-? (Renewable Energy Development Beneficial to the Local Economy) – Renewable energy development shall provide means to offset costs to the County and lost economic development potential. If potential economic impacts from renewable energy

development are identified by the County, commensurate mitigation and/or offsets shall be required.

Housing Element

No change

Circulation Element

No change

Conservation/Open Space Element

Modify the following existing Agricultural Resources policy:

Policy AG-? (Conversion of Agricultural Land) – Discourage conversions of productive agricultural lands for urban development, and encourage avoidance of productive agricultural lands for renewable energy development.

Insert the following new Mineral and Energy Resources goal:

Goal MER-? – Encourage appropriate renewable energy development and minimize impacts from such development to the social, economic, and environmental resources of the County.

Insert the following new Mineral and Energy Resources policies:

Policy MER-2.? (Minimize Impacts) – The County shall work with renewable energy developers and other agencies to minimize impacts from renewable energy development.

Insert the following new Mineral and Energy Resources Implementation Measures:

-Review proposals for renewable energy development and work to minimize potential impacts to the County's social, economic, and environmental resources, in cooperation with other local, regional, State, out-of-State, and federal agencies.

-Collect and disseminate strategies to minimize impacts from Renewable Energy Facilities.

Insert the following new Water Resources policy:

Policy WR-? (Sustainable Renewable Energy Development) – The County shall encourage renewable energy development to incorporate measures to minimize water consumption and use of potable water.

Insert the following new Visual Resources policy:

Policy VIS-? (Renewable Energy Development) – The County shall encourage siting and screening to minimize significant changes to the visual environment from renewable energy development, including minimizing light and glare, to the extent possible.

Insert the following new Recreation Implementation Measure:

-Work with developers and other agencies to minimize impacts to recreational access from renewable energy development.

Public Safety Element

1. Insert the following new Air Quality Implementation Measure:

7.0 Support appropriate efforts to combine air quality improvements with other social, cultural, and environmental goals, including renewable energy development.

2. Insert the following new Noise Implementation Measure:

12.0 Work with developers and other agencies to minimize noise from renewable energy development.

GOALS AND POLICIES REPORT

for the

Inyo County General Plan

June 2012

Attachment 6

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GENERAL PLAN INTRODUCTION

Inyo County

Inyo County is a land of contrasts, formed by the diverse and abundant natural riches located here. The County includes the lowest elevation in the Western Hemisphere (-282 feet in Death Valley), the highest point in the continental United States (14,497 feet at Mount Whitney, within the Sierra Nevada Mountains), and one of the deepest valleys in the world (Owens Valley).

Although Inyo County is the second largest county in the most populous state in the nation, the countywide population was estimated to be only 18,546 people in the 2010 Census. This is at least partly due to its unusually low supply of privately owned land. The federal government, by way of Inyo National Forest, Death Valley National Park, Naval Air Weapons Station (NAWS) - China Lake, and Bureau of Land Management, hold and manage approximately 92 percent of all land within the County. The City of Los Angeles, as part of the Owens Valley aqueduct and associated lands, owns nearly 4 percent of the land within the County, and the State of California controls nearly 2-1/2 percent. As a result of this pattern of public land ownership, Inyo County is largely rural in character.

The Inyo County General Plan

This General Plan updates the County's 2001 General Plan. Objectives of the current update of the General Plan document are the following:

- Reflect the various amendments made to the General Plan document since it was last updated in 2001, which include:
  - Housing Element: this element of the General Plan was updated in 2009.
  - Government Element: this element of the General Plan was updated in 2010.
  - Floor Area Ratio (F.A.R.): the FAR was amended for the General Industrial (GI), Light Industrial (LI), Heavy Commercial (HC), and Retail Commercial (RC).
  - Natural Hazards (NH): this land use designation was amended.
  - Rural Protection (RP): this land use designation was created, to replace parcels previously designated either as Natural Resource (NR) or Open Space & Recreation (OSR) then changed to the new RP designation; new maps reflect these changes.

- Adding modifications required by State law:

- Island, Fringe, or Legacy Communities analysis, focusing specifically on potential service deficiencies within such communities (SB 244).
- Flood Control Management analysis, requiring that three General Plan elements (i.e., the Land Use, Conservation & Safety Elements) include provisions for managing floods (AB 162).
- Emergency Shelter analysis, requiring that such shelters are allowed in at least one zone district (SB 2).
- Environmental Justice analysis, recommending that issues relating to environmental justice be addressed within General Plans, as recommended by the Governor's Office of Planning & Research (OPR) (AB 1553).
- "Complete Streets Act," requiring integration of multi-modal transportation components into the Circulation Element of a General Plan (AB 1358).
- Military Compatibility analysis, outlines the land use compatibility responsibilities the County has with respect to surrounding military installations (SB 1468 & SB 1462).
- Healthy Communities analysis, recommending ways in which health issues can be incorporated into the General Plan (AB 441).

General Plan Documents

This General Plan replaces and updates the 2001 General Plan. Below is a summary of the six component documents that comprised the 2001 Inyo County General Plan. These documents are available for reference in the Planning Department.

- **General Plan Summary.** Provided an overview of the 2001 General Plan and its component documents. It described the Planning Area, summarized the General Plan's goals and policies, provided an overview of existing conditions, summarized the issues raised during the preparation of the 2001 General Plan, and identified the environmental impacts associated with the 2001 General Plan.

- **Goals & Policies Report.** Made up the core of the 2001 General Plan. It contained the goals and policies for guiding future development within the County. It also identified a full set of implementation measures designed to ensure that the policies of the 2001 General Plan were carried out.

- **Land Use Circulation Diagrams.** For land use purposes, this booklet contained diagrams of the communities within the County and the land use designations that were applied to properties within those communities, as well as other areas in the County, in 2001. For circulation purposes, these diagrams showed the designation and general

location of both existing and proposed roadway/highway and bicycle/trails system components.

- **Background Report.** Provided a detailed description of the conditions that existed within the Planning Area prior to adoption of the 2001 General Plan.

- **Issues & Alternatives Report.** Discussed the major planning issues facing the County, and alternative approaches to address those issues. The report distilled the input of advisory committees, members of the Inyo County Planning Commission and Board of Supervisors, County staff, and private individuals.

- **Environmental Impact Report (EIR).** Prepared for the 2001 General Plan, and met the requirements of the California Environmental Quality Act (CEQA). The Planning Commission and Board of Supervisors relied upon the EIR during the process of considering the draft 2001 General Plan in order to understand the potential impacts associated with its adoption.

Background information for this document, as well as the previous Housing Elements and Government Elements, is also available in the Planning Department.

Elements Included in the Inyo County General Plan

The Inyo General Plan contains seven elements. The following information notes the name and chapter of each element and discusses the contents and purpose of each element. If the element is further divided into topic areas (identified with an acronym), then those are also identified along with their section numbers.

Chapter 1 - Government Element: Much of the land area in Inyo County is managed by federal and state agencies and the major circulation systems are managed by Caltrans. The purpose of this element is to express the expectations of the County in how plans and decisions made by these agencies are developed and carried out.

Chapter 2 - Land Use Element: The Land Use Element establishes goals and policies for residential, commercial, industrial, public services and utilities, and other land uses in the County. In addition, this element also includes a set of land use diagrams (attached as an Appendix to the General Plan) that show the land use designations applied to properties in the County. The second sub-element is Public Services and Utilities. This sub-element presents County goals, policies, and implementations as they apply to water (domestic), solid waste, electricity, fire protection, communications, law enforcement, and schools. Land Use Element topics:

- LU Land Use Section 2.0

- PSU Public Services & Utilities Section 2.1

Chapter 3 - Economic Development Element: This element establishes goals, policies, and implementation measures intended to encourage and guide economic development within the County. Major topic areas covered in this element include tourism, local retail and service commercial, and industrial.

Chapter 4 - Housing Element: This element complies with the housing element requirements of state law in identifying housing needs and providing programs to meet these needs. This element covers the maintenance and preservation of housing, provision of adequate sites, housing opportunities, home ownership, removal of constraints on housing development, and accessibility of housing.

Chapter 5 - Circulation Element: This element identifies the goals, policies, and implementation measures needed to ensure an adequate and functional circulation system. This element covers the systems needed to move people, products, and materials in and through the County using a variety of conveyances, from roads to aircraft, bicycles to transmission lines. Circulation Element topics:

- RH Roadways & Highways Section 5.1
- SH Scenic Highways Section 5.2
- PT Public Transportation Section 5.3
- BT Bicycles & Trails Section 5.4
- RR Railroads Section 5.5
- AVI Aviation Section 5.6
- CPT Canals, Pipelines & Transmission Cables Section 5.7
- OCT Other Circulation Topics Section 5.8

Chapter 6 - Conservation/Open Space Element: This element identifies the goals, policies, and implementation measures needed to ensure the appropriate use, enjoyment, and protection of natural resources within the County. Conservation/Open Space Element topics:

- S Soils Section 6.1
- AG Agricultural Resources Section 6.2
- MER Minerals & Energy Resources Section 6.3
- WR Water Resources Section 6.4
- BIO Biological Resources Section 6.5
- CUL Cultural Resources Section 6.6
- VR Visual Resources Section 6.7
- REC Recreation Section 6.8

Chapter 7 - Public Safety Element: This element identifies the goals, policies, and implementation measures needed to ensure the public health, safety, and welfare related to both natural and man-made hazards. Public Safety Element topics:

•	AQ	Air Quality	Section 7.1
•	FLD	Flood Hazards	Section 7.2
•	AVL	Avalanches	Section 7.3
•	WF	Wildfires	Section 7.4
•	GEO	Geologic & Seismic Hazards	Section 7.5
•	NOI	Noise	Section 7.6

Using This General Plan

As noted above, the General Plan includes seven elements, which contain one or more topic areas. Generally, each topic area covered in a given element has three major parts, as follow:

- **Definitions.** This section provides a set of definitions for terms used in the discussion of this topic.

- **Existing Setting.** This section provides a brief summary of the existing conditions in the planning area for a given topic.

- **Goals and Policies.** This section contains the goals and policies that will be used by the County to guide future land use decisions. Implementation measures are generally listed after the goals and policies.

1.0 GOVERNMENT

1.1 Definitions

In using this Element, the following definitions will apply:

Board – The Board of Supervisors of Inyo County.

Collaborative Planning Process – A system where all parties involved come together to gain a better understanding of the environment in which they make and implement plans, to gain a full understanding of each other concerns, and to work together as equals to solve issue of common concern.

Coordination – A planning process by which the County and another public agency seek to harmonize the proposed public agency's action with County land use plans, especially the County's General Plan, with the goal of identifying conflicts between the County's and the public agency's land use plans and developing alternatives that are consistent with plans of both the County and the other public agency. The County has sole jurisdiction to interpret consistency and/or inconsistency between the other public agency's plans and the County's General Plan or other County plans. Representatives of the County and the other public agency meet to obtain and exchange information and to obtain consistency between the land use plans of the County and the other public agency to the extent practical.

County – The County of Inyo.

Public Lands – Lands owned, controlled or managed by governmental entities, such as federal, state and city governments.

1.2 Introduction

The County has prepared and adopted this comprehensive long-term General Plan Element for its physical development and of any land outside its boundaries which in the County's judgment bears relation to its planning jurisdiction (Government Code Section 65300).

The Legislature has found that decisions involving the future growth of the state, most of which are made and will continue to be made at the local level, should be guided by an effective planning process, including the local general plan, and should proceed with the framework of officially approved statewide goals and polices directed to land use, population growth and distribution, development, open space, resource preservation and utilization, air and water quality, and other related physical social and economic development factors (Government Code Section 65030.1).

It is further the policy of the state and the intent of the Legislature that land use decisions be made with full knowledge of their economic and fiscal implications, giving consideration to short-term costs and benefits, and their relationship to long-term environmental impacts as well as long-term costs and benefits (Government code Section 65030.2). See also Village of Euclid v. Ambler Realty Company (1926) 272 U.S. 365 (71 Lt. Ed. 303); McCarthy v. City of Manhattan Beach (1953) 41 Cal.2d 879; Consolidated Rock Products Company v. County of Los Angeles (1962) 57 CaI.2d 515, appeal dismissed, 371 U.S. 36. Local planning agencies are mandated and best suited to properly balance all of the environmental impacts of actions that affect local lands, including economic and fiscal impacts.

The Board is well aware that the historical, overriding and predominant goal of the General Plan has been the continuation of a lifestyle which assures quiet enjoyment of private property rights and property interests and assures the highest degree of protection of these rights. Property rights and interests are important to the people who live and work in the planning area. Equally important is the protection of its citizens' use of the public lands. These people are reliant upon the land and its productive use. Multiple use of public lands is a driving force that supports the livelihood of its people, and is critical to the cultural and economic components of its environment.

1.3 Public Lands

Federal, state and city managed lands make up more than 98 percent of the land mass identified in the General Plan. The County's economy is largely dependent on business and other activities taking place on such land. These activities are inseparably tied to the remaining portion of private land identified in the General Plan in that appropriate uses of private land in the County are affected by plans governing the use of such public lands. The County cannot effectively plan for the appropriate use of private lands in isolation from plans applicable to federal and other public lands in the County; the two are interrelated. It is, therefore, fundamental to the County's responsibility to its citizens to establish principles for the use of public lands within its jurisdiction. Recognizing the effect that the availability and allowed uses of public land has on the economic and social welfare of the population of the County dictates that the County General Plan identify principles for the use of federal lands that support the economic and social welfare of the County's citizens.

Further, the Board does not meet its responsibilities by merely adjusting its County land use plans to accommodate federal land use decisions. As representatives of County residents and for their welfare, there is an affirmative duty of the Board to advocate for allowed uses on federal land that benefit those most affected by federal land use decisions, its citizens. This duty, and the standing to pursue it, is specifically acknowledged in federal laws that require federal land management agencies to coordinate their planning activities with local government. Accordingly, it is a purpose of this chapter to identify uses of federal land and other public land that will best protect and ensure the economic and social welfare of the residents of the County. The Board finds that managing lands to ensure a vital and healthy local community is completely consistent with federal and state law and beneficial to all users of the public lands.

1.4 Governing Principles

The Board believes it is a fundamental principle of the United States' democratic and constitutional government that members of American communities be provided the means to maintain and enhance the environment and quality of life in their communities. It is fundamental to the concept of self-government that each local community protect the aspects of the local environment and community life that are unique to that community. Accordingly, it has always been the province of local government to regulate land use planning within its jurisdiction to implement the community's desires regarding its environment, including economic and cultural values. This fundamental ability of a community to organize itself to the benefit of its members is as important to a rural community as it is to a city neighborhood, and the consequences of ignoring it is equally dire to all communities. Where any community is disenfranchised to the extent that decisions that affect its quality of life are made by persons not living in the community, it loses its fundamental rights under our democracy. Decisions regarding the nature of a community should not be made by persons who do not live in the community, do not understand the nature of the community, and who do not suffer the consequences of those decisions. A system that engenders this result risks losing its legitimacy, and cannot but suffer from the disaffection of those who are disenfranchised.

Where a community such as Inyo County, consists to the largest possible degree of public lands, which in many ways are jurisdictionally beyond the control of the local peoples who dwell therein, such a result is an ever present danger. Land use decisions for federal lands are often made by individuals and organizations that are not familiar with the local community and who may reside at distant locations. Local government and residents are better suited and able to assess potential impacts of land use actions than federal agencies Federal management should never be conducted in such a way that the local community and culture is ignored, or worse, impoverished or extinguished, by decisions made regarding the lands that surround that community and culture. It can never be to the benefit of the nation as a whole to destroy the fabric of any of its individual communities.

The Congress of the United States has recognized these principles entirely. In every statute by which it has authorized the federal executive departments to manage public lands, it has protected existing private rights in the lands and has required executive agencies to coordinate their management with the local community. The Board believes it is inherent in the Constitution of the United States and in all federal land use statutes, that considerations of local populations be incorporated in public land use decisions. There is contained in these statutes the clear direction of Congress that local communities be coordinated with in the management of federal lands so that local land use planning is acknowledged, understood and accommodated. And where federal land use plans are not consistent with local land use plans, such discrepancies must be understood and explained.

1.5 Existing Setting

Inyo County consists almost entirely of federal, state and city lands. Sixty percent of the land in the County is wilderness, much located in Death Valley National Park, which means that such lands are not open to exploration or development of resources. Neither may such lands be explored or enjoyed by motor vehicle except on designated roads. Three percent of the land in the County is owned by the Los Angeles Department of Water and Power (LADWP), which manages those lands to the benefit of its citizens and for water supply. Such land is generally not available for development or consumptive use. Approximately 12 percent of the land in the County is National Forest and its use is limited. The remainder of the federal land in the County is managed by the Bureau of Land Management for multiple uses. Taken together, these public lands are such a major portion of the total lands that the planning for these lands have an overriding effect on the planning for the remaining 2 percent of land in the County that is under private ownership.

1.6 Custom, Culture & the Economic Base of the County

The history of the County may be summarized by its accomplishments in mineral extraction, livestock, farming, timber, wildlife and the transportation and recreation industries, led by individuals willing to work and develop the resources of the land as it exists today. The settlement of the County was based on the beneficial use of land at a time in history which precedes federal and state regulatory efforts that today could threaten that same custom and culture.

Residents of the planning area have historically and traditionally earned their livelihood from activities reliant upon the development of natural resources and recreation. The

economy of the County has always been, and is today, dependent in a large part upon the availability and utilization of natural resources and reasonably accessible water supplies. Either directly or indirectly, the majority of persons employed in the planning area are dependent upon the availability of the County's natural resources and upon access to federal land.

Much of the land that produces the natural resources critical to the economy in the planning area is managed by federal and state agencies or is affected by these agencies. The economy of the County is largely dependent upon commercial and business activities, which include the economic recovery of minerals, the production of energy, agriculture, and recreation. These activities form the base for the economic stability of the County and are inseparably and vitally tied to the viable and effective use of private and public lands.

The Board has initiated the process by creating a Land Use Committee. This Advisory Committee is charged with the task of overseeing the County's relationship with public land agencies so that the Board's purposes and goals are successfully pursued.

1.7 Government Issues

The following section lists (in no specific order) some of the critical governmental issues that must be addressed in implementing this Element of the General Plan.

- Coordination with federal land managers in the preparation of plans for lands they manage that may impact Inyo County.
- Improving overall communication and coordination between the County and federal, state, local agencies and Native American tribes.
- No further net loss of private land within the County.
- Maintaining the General Plan.

1.8 Multiple Use & Coordination with Federal & State Agencies

This Plan provides a positive guide for the County to coordinate its efforts with federal and state land management agencies in the development and implementation of land use plans and management actions which are compatible with the best interests of the County and its citizens. The Plan is designed to facilitate continued, revitalized and varied use of

federal and state managed lands in the planning area.

The County recognizes that federal law mandates coordinated planning with local governments and positively supports varied uses of federal lands. Such varied uses necessarily include continued maintenance of the historic and traditional economic uses within the planning area. It is the policy of the Board to work consistently to ensure that federal and state agencies inform the County of all pending or proposed actions affecting the planning area and coordinate with the County in the planning and implementation of those actions.

Numerous other provisions of California statutory and decisional law provide standing for the County to call upon state agencies to coordinate their planning efforts with the County. It could only be for such a purpose that the California Legislature established the duty of a county to conduct a comprehensive planning process designed to prepare, implement, review and update a comprehensive general plan to include all land within the boundaries of the County and land outside the County boundaries which bears relation to its planning efforts.

The County does, therefore, call upon federal and state management agencies to coordinate in advance with the County on any proposed action, which will impact those managed lands. Such management agencies are requested to so coordinate their actions by providing to the County in a timely manner, prior to taking official action, a report on the proposed action, the purposes, objectives and estimated impacts of such action, and its economic impact. The planning process is ongoing, and will require the County, through the Land Use Committee, to become involved with analysis and evaluation of all stages of the planning cycles followed by federal and state management agencies.

1.9 Goals & Policies

GOAL GOV-1:	Work with agencies, districts, utilities, and Native American Tribes to promote consistency with the County's General Plan.

Policy Gov-1.1: Plans for Agencies, Districts, Utilities, and Native American Tribes

The County shall work with federal and state agencies, local districts, utilities (e.g., LADWP), and Native American tribes to ensure that they are aware of the contents of the County's General Plan and work with them to ensure that their plans are consistent with the County's General Plan to the greatest extent possible.

GOAL GOV-2	To ensure planning decisions are done in a collaborative environment and to provide opportunities of early and consistent input by the County and its citizens into the planning process of other agencies, districts and utilities.

Policy Gov-2.1: Continue Participation on Collaborative Planning Effort

The County shall continue its participation in collaborative planning efforts and work to expand participation to all affected government agencies.

Policy Gov-2.2: Public Participation

The County shall work with federal and state agencies, local districts, utilities (e.g., LADWP), and Native American tribes to ensure that the County and the public are involved early in any planning process and that routine feedback and public input is requested.

GOAL GOV-3	To provide opportunities for the private ownership of land by maintaining and expanding, when possible, the amount of privately owned land available in the County.

Policy Gov-3.1: No Net Loss

The County shall work with federal and state agencies, local districts, utilities (e.g., LADWP), and Native American tribes to encourage that land exchanges have a net positive impact on the County. In its evaluation, the County may consider factors such as impacts on the County's tax base and revenues, orderly community growth, future development, future revenues and/or other gains, and impacts on the environment, both natural and created.

Policy Gov-3.2: Private Land Increase

The County shall work with federal and state agencies, local districts, and utilities to find opportunities to expand private land ownership in the County through land transfers and other mechanisms.

Policy Gov-3.3: Land Release Locations

The County shall work with federal and state agencies, local districts, and utilities to target desired locations for land releases to private ownership.

Goal Gov-4	Land Disposition, acquisition and use policies.

Policy Gov-4.1: Federal Land Dispositions and Acquisitions

It is the policy of the Board that the design and development of all federal and state land dispositions and acquisitions, including land adjustments and exchanges, be carried out to the benefit of the citizens of the planning area to ensure the following.

a. That the County property tax base shall be maintained unless the Board determines there is an overriding benefit to the County.

b. That the private property interests including, but not limited to, land patents, drilling rights, mining claims, easements, rights-of-way and forage rights are protected and enhanced.

c. That residents within the planning area shall suffer no adverse aggregate economic impacts.

d. That incentives be developed to provide an increase in local economic development by increasing, where possible, the amount of private and non-federal and non-state land within the planning area.

e. That private use of federal and/or state controlled land within the planning area be increased in order to enhance opportunities for local economic development.

f. That federal and/or state land agencies are discouraged from acquiring any private lands or rights in private lands within the planning area without first coordinating with the County.

g. That federally and/or state managed lands that are difficult to manage or which lie in isolated tracts, or that could contribute to orderly expansion of existing communities should be considered for exchange or sale to private ownership.

h. That the County be notified of, consulted about, and otherwise involved in all federal and state land adjustments in the planning area. The Board may review all proposed changes to determine if the proposals are in the best interest of the County.

i. The Board may review and make recommendations on proposed public land withdrawals for hazardous and non-hazardous waste storage as well as the types of such waste.

j. That before federal and state agencies change land uses, impact studies on land uses are conducted at the expense of the agency proposing the change and

necessary mitigation measures adopted in coordination with the County. Impact studies should address community stability, local custom and culture, flood prone areas, access, or any other issue identified as a concern to the County.

k. Due to the extensive state and federal ownership in the County, it is noted that the management of these areas should include: provision for continued and improved access through and within the County; continued provision of public recreational facilities and access; multi-use management where applicable; and interconnection or coordination of state, federal, and local facilities and programs when possible.

Policy Gov-4.2: Economic Development

With more than 98 percent of the land area of Inyo County owned by the federal, state and city governments, it is clear that the economic viability of the County is inextricably tied to operational decisions made on public lands. Among other policies contained in the Economic Development Element are:

a. The County shall encourage public agencies to develop new tourist serving facilities or otherwise enhance their capacity to serve visitors on the public lands they manage.

b. Encourage public land management and service agencies, including BLM, USFS, National Park Service (NPS), Caltrans, and LADWP to increase their capacity to serve visitors on properties they manage.

GOAL GOV-5	Protection and development of water resources.

Policy Gov-5.1: Water Management

It is the policy of the County to be a part of the planning, development and management of its water resources in coordination with federal, state, and any water managing districts. Resolution 99-43 set forth the County policy on extraction and use of its water resources. That policy is to protect the County's environment, citizens and economy from adverse effects caused by activities relating to the extraction and use of water resources and to seek mitigation of any existing or future adverse effects resulting from such activities. It is further the policy of the County to encourage the following:

a. That the protection of existing water rights and water uses within the planning area is of primary importance to the County's economic and cultural well-being.

b. That the County discourages out-of-county water transfers and strongly opposes transfers that do not (i) pass the highest level of scientific analysis in demonstrating minimal impacts to existing water rights and (ii) show a long-term benefit to the socio-economic stability of the County. The groundwater ordinance (Ord. 1004) provides that interbasin or out-of-county transfers of groundwater are only permitted if the proposed transfer will not unreasonably affect the overall economy of Inyo County and not unreasonably affect the environment of Inyo County.

c. That the Board shall be notified of all state, regional, interstate and federal action that may have any impact on water in the planning area prior to such action being initiated.

d. That any out-of-basin water transfers be thoroughly evaluated and only be permitted if they are shown to not unreasonably affect the economy and environment of the County. In its evaluation, the County may consider factors such as impacts on the County's tax base and revenues, orderly community growth, development, environment, and/or expansion, future revenues and/or other gains, or characteristics.

e. That any regional water plan may be assessed and may be considered for inclusion as part of this Plan.

f. That the County should review all water policies affecting the planning area to determine how they affect the environment, citizens, and economy of the County.

g. That the County may develop its own water use policy to ensure both water quantity and water quality and to ensure that such policy does not adversely impact water users within the planning area.

h. That the County may prepare riparian management plans in concert and coordination with landowners and the appropriate federal and state agencies.

i. That all such proposed actions referred to above should be coordinated with the County as it relates to the General Plan prior to adoption and implementation. It is the intent of the County to develop, plan and be part of federal, state, and water districts' water planning and management as it affects the planning area's existing and proposed water resources as well as all other natural, cultural, and economic resources.

GOAL GOV-6	Preservation of agricultural resources.

Policy Gov-6.1: Agricultural Policies

It is the policy of the County to protect agricultural land and promote the continuation of agricultural pursuits. The County seeks to ensure all of the following:

a. Those opportunities for agriculture on federal and state land shall be continued, or expanded at levels consistent with historical custom and culture and the protection of equitable property rights, and sound management practices.

b. That federal and state governments shall not unreasonably obstruct agricultural opportunities on lands managed by them.

c. That federal and state land managing agencies coordinate with the County on all matters affecting agriculture on all federal and state managed lands.

d. That land leased from Los Angeles for agriculture be expanded.

GOAL GOV-7	Provide for recreational opportunities.

Policy Gov-7.1: Recreation Policies

The County supports and encourages varied use of public and private recreational opportunities:

a. The County requests coordination of federal, state, wildlife and fishery management and enforcement agencies with the County.

b. The County will work closely with any agency with which it shares jurisdiction.

c. Off road vehicle use is a significant recreational activity in the County. Existing off-road vehicles use areas should be continued and additional off-road vehicle areas should be developed.

d. The County approves any retention of revenues proposed under the authority of the Federal Lands Recreation Enhancement Act or similar law.

e. The County strongly supports and requests continuing maintenance of roads and expansion of motorized access to public lands.

f. The existing network of off-road vehicle routes on public lands in the County is of paramount importance to the recreational and resource goals of the

County. All existing four-wheel and off-highway-vehicle drive routes should be maintained and the resource should be expanded where possible, subject to the avoidance of environmental or cultural harm. The four-wheel and off-highway-vehicle drive network, as shown on USGS maps and maps referenced in Appendix B, should be preserved.

g. The existing network of hiking, backpacking and stock trails in the Sierra Nevada must be enhanced and protected. Sierra Nevada tourism involving access to the backcountry is a fundamental ingredient to the economic and social health of the County. No existing trail should be closed. Where trails and natural habitat coincide, human use of the trails should be preserved.

GOAL GOV-8	Wildlife and fisheries.

Policy Gov-8.1: Management of Wildlife and Fisheries

Management of wildlife, including fish, game animals, non-game animals, predatory animals and Threatened, Endangered, Sensitive, Candidate or Management Indicator Species, under all jurisdictions, must be grounded in peer-reviewed science and local input. Wildlife management plans should identify and plan for mitigation of negative impacts to the project area's economy and environment and to private property interests and customary usage rights of its citizens. Therefore, the following are the policies of the County.

a. The County should cooperate with federal and state agencies who oversee the protection and recovery of federal and state listed threatened, endangered, sensitive or candidate species and their habitat.

b. The County may adopt local recovery plans as allowed under the Endangered Species Act.

c. Federal and state agencies shall prepare a plan in coordination with the County before the introduction or re-introduction of any species onto public or private land that is likely to impact the planning area.

d. The County supports wildlife management that:

1. Enhances populations of game and non-game species native to the project area.

2. Recognizes that enhancing non-native game and non-game species may negatively impact native species and rangeland ecosystems.

3. Increase wildlife numbers where practicable that is not in conflict with existing economic uses or ecosystem health.

4. Recognizes that large game animals compete for forage and water with other economic uses.

5. Supports the need for a private property compensation program for certain wildlife damages.

GOAL GOV-9	Mineral Resources.

Policy Gov-9.1: Mineral Resources Policies

The County recognizes that the full development of its abundant mineral resources is desirable and an important component to the economic well being of the County, state and the nation. To encourage the exploration, development and reclamation of these resources, the County encourages the following:

a. That all mining activities use the best available science and technology to ensure adequate protection of land, air and water resources.

b. That lands available for exploration for mineral development be expanded, and that access to public lands be maintained, expanded or altered to allow mineral exploration and prospecting activities.

c. Recognition that over 60% of the lands in the County are Wilderness and unavailable for mining or other consumptive uses. Inyo County cannot afford additions to the Wilderness lands in the County, and should work to remove wilderness study areas and identified roadless areas in the County in order to preserve economic opportunity of federal lands.

d. Maintenance of mining opportunities on state and federal lands requires the maintenance or expansion of access.

e. Discourage incompatible developments on lands identified as containing significant mineral resources. Support uses that will not preclude future mining activities.

f. Highly mineralized areas have been mapped by the State of California; a non-exhaustive listing on many of these maps is included in Appendix B. Mineral exploration, development and extraction are encouraged in these areas.

GOAL GOV-10	Energy resources.

Policy Gov-10.1: Development

Development of energy resources on both public and private lands be encouraged with the policies of the County to develop these energy resources within the bounds of economic reason and sound environmental health. Therefore, the Board supports the following policies.

a. The sound development of any and all energy resources, including, but not limited to geothermal, wind, biomass, and solar.

b. The use of peer-reviewed science in the assessment of impacts related to energy resource development.

c. The development of adequate utility corridors necessary for the transmission of newly generated energy.

d. Maintain energy opportunities on state and federal lands maintaining and expanding access

e. Treat renewable energy sources as natural resources, subject to County planning and environmental jurisdiction. Consider, account for, and mitigate ecological, cultural, economic, and social impacts, as well as benefits, from development of renewable energy resources. Consider developing environmental and zoning permitting processes to ensure efficient permitting of renewable energy projects while mitigating negative impacts to county services and citizens, with a goal to ensuring that citizens of the County benefit from renewable energy development in the County.

GOAL GOV-11	Access and transportation.

Policy Gov-11.1: Balanced Transportation

It is the policy of the County to develop and maintain a transportation system that optimizes accessibility and that minimizes the cost of movement within the planning area and connecting corridors consistent with County, state and federal roadways and travel

ways; therefore, it is the policy of the County that:

a. Any and all proposed route closures should be coordinated with the County and be highlighted in the appropriate environmental document.

b. Most railroad rights of way have been abandoned. Any remaining railroad right of way being considered for conversion to a different use should be reviewed by the County to determine that the use is temporary and not preclude future railroad use or that it is not viable for future railroad or other transportation use.

c. All routes causing no actual resource damage should remain open.

d. All off-road closure policies must contain adequate exemptions for administrative, management and public functions. These should include but not be limited to:

1. Agency administration.

2. Livestock management.

3. Scientific research.

e. Interagency Notification – The County, when affected by land use planning on public lands, shall be consulted and coordinated with in accordance with all applicable state and federal laws. Federal and state agencies shall coordinate with the County for the purpose of planning and managing lands within the geographic boundaries of the planning area or within the socio-economic sphere of the County.

1.10 The Land Use Committee

The land Use Committee shall be comprised of the Environmental Health Director, the Public Works Director, the Water Department Director or their designated representatives and be chaired by the Planning Director or appropriate designated representative.

2.0 LAND USE

2.0.1 Introduction

This element covers the mandated land use components of a general plan. In addition, Inyo County has chosen to address public services and utilities as a separate topic area in of the Land Use Element. This element identifies goals, policies and implementation measures designed to encourage and allow appropriate development with the adequate provision of public services and utilities and is divided into the following topic areas:

- LU Land Use (Section 2.0)
- PSU Public Services and Utilities (Section 2.1)

Land Use Diagrams have been prepared to show the distribution of land use designations within community areas and the large rural land areas outside of the communities. The Land Use Diagrams are contained within Appendix A.

2.0.2 Definitions

In using this element, the following definitions will apply:

Floor Area Ratio: A floor-area ratio is the ratio of the gross building square footage on a lot to the net square footage of the lot (or parcel). For example, on a lot with 10,000 net square feet of land area, a FAR of 1.00 will allow 10,000 gross square feet of building floor area to be built, regardless of the number of stories in the building (e.g., 5,000 square feet per floor on two floors or 10,000 square feet on one floor). On the same 10,000 square foot lot, a FAR of 0.50 would allow 5,000 square feet of floor area, and a FAR of 0.25 would allow 2,500 square feet.

Gross Acreage: The total amount of area within a parcel.

Minimum Parcel Size: The smallest unit of land permitted through subdivision within a specific land classification.

Net Acreage: Net acreage is the remainder of land left after land devoted to streets, roads, and utilities are deducted from the parcel.

2.0.3 Goals and Policies

Land Use Designations

The Land Use Diagrams indicate a variety of land use designations that set the scale, pattern, and types of development for each area of the County. In order to clearly provide a range of opportunities for various lifestyles and economic opportunities, these designations have been grouped into four general categories:

a. residential
b. commercial
c. industrial
d. other

The following goals and associated policies set forth the purpose of each designation appearing on the Land Use Diagrams, according to these four general categories. Table 2-0-1 below summarizes the residential densities and non-residential intensities allowed in each designation

Table 2-0-1. Land Use Designations by Use Type

Land Use Designation	Label	Residential Density	Non-Res. Intensity (FAR)	Minimum Parcel Size
Residential				
Residential High Density	RH	15.1 to 24.0 du/ac	n/a	n/a
Residential Medium-High Density	RMH	7.6 to 15.0 du/ac	n/a	n/a
Residential Medium Density	RM	4.6 to 7.5 du/ac	n/a	n/a
Residential Low Density	RL	2.0 to 4.5 du/ac	n/a	n/a
Residential Very Low Density	RVL	2.0 du/acre	n/a	0.5 acre
Residential Rural High Density	RRH	1 du/acre	n/a	1.0 acre
Residential Rural Medium Density	RRM	1 du/2.5 acres	n/a	2.5 acre
Residential Estate	RE	1 du/ 5 acres	n/a	5.0 acre

Table 2-0-1. Land Use Designations by Use Type

Land Use Designation	Label	Residential Density	Non-Res. Intensity (FAR)	Minimum Parcel Size
Residential Ranch	RR	1 du/10 acres	n/a	10 acre
Rural Protection	RP	1 du/40 acres	n/a	40 acres[3]
Commercial				
Central Business District	CBD	7.6 to 24.0 du/ac	1.00	n/a
Retail Commercial	RC	7.6 to 24.0 du/ac[1]	0.40 0.6-w/CUP[5]	n/a
Heavy Commercial/ Commercial Service	HC	7.6 to 24.0 du/ac[2]	0.40 1.0-w/CUP[5]	n/a
Resort/Recreational	REC	1/ 2.5 to 24.0 du/ac[2]	0.40	2.5 acre
Industrial				
Light Industrial	LI	n/a	0.50 1.2-w/CUP[5]	n/a
General Industrial	GI	n/a	0.50 1.2-w/CUP[5]	n/a
Other				
Open Space and Recreation	OSR	n/a	0.20	40 acres[3]
Public Service Facilities	PF	n/a	0.90	n/a
Agriculture	A	1 du/10 acres	0.10/0.25[4]	40 acres
Natural Resources	NR	n/a	n/a	n/a
Natural Hazards	NH	n/a	n/a	40 acres[3]

Table 2-0-1. Land Use Designations by Use Type

Land Use Designation	Label	Residential Density	Non-Res. Intensity (FAR)	Minimum Parcel Size
State and Federal Lands	SFL	n/a	n/a	n/a
Tribal Lands/BIA	TL	n/a	n/a	n/a

Note: All LADWP land is classified according to its proposed use (e.g., residential, industrial, natural resources).

1 *Residential uses are subject to discretionary approval.*

2 *This designation is intended for a mix of tourism-oriented commercial and residential uses, although permanent residential use is permitted.*

3 *Is a general requirement, but is not required in all cases.*

4 *Shall not exceed 0.10 with the following exceptions: the FAR for agriculturally-oriented services (e.g. stables, feed stores, silos, etc.) shall not exceed 0.25.*

5 *A higher Floor Area Ratio is allowed with an approved Conditional Use Permit (CUP).*

6 *There are no minimum densities.*

GOAL LU-1	Create opportunities for the reasonable expansion of communities in a logical and contiguous manner that minimizes environmental impacts, minimizes public infrastructure and service costs, and furthers the countywide economic development goals. Guide high-density population growth to those areas where services (community water and sewer systems, schools, commercial centers, etc.) are available or can be created through new land development, while providing and protecting open space areas.

Policy LU-1.1 Community Expansion

The County shall encourage community expansion to occur in a logical and orderly manner.

Policy LU-1.2 New Growth

The County shall plan to concentrate new growth within and contiguous to existing communities (e.g., Bishop, Big Pine, Independence, Lone Pine) and expand existing infrastructure as needed to serve these areas. As a secondary priority, the County shall plan to accommodate new growth in existing rural residential communities (e.g., Olancha, Charleston View, Mustang Mesa, Starlite Estates) and ensure the appropriate expansion of existing infrastructure as needed to serve these areas.

Policy LU-1.3 Southeast Area Growth

The County shall consider the economic impact on County resources of projects in the southeast part of the County along the Nevada border. Such growth may require additional fiscal analysis by applicants for subdivisions to demonstrate the level of fiscal impact. Such growth shall not require extensive County subsidies in providing necessary services.

Policy LU-1.4 Amargosa Valley Growth

The County shall consider the economic impacts on County resources of projects in the Amargosa Valley. Such growth may require additional fiscal analysis by applicants for subdivisions to demonstrate the level of fiscal impact. Such growth shall not require extensive County subsidies in providing necessary services.

Policy LU-1.5 Pahrump Valley Growth

The County shall consider the economic impacts on County resources of projects in the Pahrump Valley. Such growth may require additional fiscal analysis by applicants for subdivisions to demonstrate the level of fiscal impact. Such growth shall not require extensive County subsidies in providing necessary services.

Policy LU-1.6 Sandy Valley

The County shall preserve agricultural and related open space uses on private lands in Sandy Valley and will not designate additional land for rural residential development.

Policy LU-1.7 Community Planning

The County shall encourage broad public participation in the preparation of community vision documents, which can provide additional direction for a community, but must be consistent with the goals, policies, and implementation measures contained in this General Plan.

Policy LU-1.8 Mixed-Use Development

The County shall allow mixed-use (commercial/residential) development in established communities to maximize housing opportunities.

Policy LU-1.9 Home Occupations

The County shall ensure that land use regulations permit a wide range of home-based businesses in order to attract professionals to the County.

Policy LU-1.10 LADWP Land Holdings

The County shall encourage the LADWP to inventory its land holdings situated within and adjacent to towns and communities for the purpose of determining parcels and/or acreage for future land sales to the general public; encourage LADWP to continue its on-going land sales program for the Valley towns; encourage LADWP to trade its urban and/or community land for private open space lands, and sell or lease lands in the communities.

Policy LU-1.11 LADWP Land Releases

The County shall designate land uses for proposed LADWP land releases based on a review of the recommendations of the Conference Advisory Committee, together with prevailing economic needs, conditions, and opportunities.

Policy LU-1.12 Other Public Agency Land Holdings

The County shall encourage public entities to inventory parcels and acreage suitable for commercial, industrial and residential purposes for future land sales to the general public, and encourage public entities to conduct land sales and/or exchanges to create new private holdings suitable for commercial, industrial and residential uses.

Policy LU-1.13 Planning for Future Land Releases

The County shall recommend land use designations, or provide guidelines for determining designations for future land releases.

Policy LU-1.14 Buffers

As part of new development review, the County shall require that residential development/districts are protected from non-residential uses by use of buffers or other devices. Landscaping, walls, building/facility placement, and other similar aesthetically pleasing devices are acceptable for this purpose. This does not include residential in mixed-use commercial designations.

Policy LU-1.15 Inyo – LADWP Enhancement and Mitigation Projects

All General Plan land use designations shall allow for the implementation of Enhancement/Mitigation Projects and/or mitigation measures as described in the Inyo County-Los Angeles Long Term Ground Water Management Agreement and/or the 1991 Final Environmental Impact Report that addressed that agreement.

Policy LU-1.16 Impacts of New Development on Infrastructure Improvements, Public Facilities, and Services

The impacts of discretionary projects shall be assessed as required by the California Environmental Quality Act and appropriate, feasible, mitigation will be required at the time such projects are approved and as provided by law. Mitigation required for such projects may include the collection of fees to offset impacts to infrastructure, public facilities, and services.

Policy LU-1.17 Address Climate Change Impacts in New Developments

Impacts of climate change, such as the increased emissions resulting from the actions of humans responding to increased temperatures, shall be addressed through such issues as the design and material choices made for new development, including the use of "cool" roof and pavement materials, solar renewable energy systems, and energy efficiency components.

Policy LU-1.18 Incorporate Healthy Land Use Patterns

The County shall encourage patterns of development that promote healthy lifestyle choices, including development that promotes walkability to goods and services and provision of open space/recreation resource opportunities for residents.

Policy LU-1.19 Consider Seniors and Other Special Needs Populations

The County shall encourage development and design which takes into consideration the needs of populations such as seniors, large families, children/youth, the disabled, and the economically disadvantaged.

GOAL LU-2	Assure that all residential development is well planned, adequately served by necessary public facilities and infrastructure, and directed towards existing developed areas.

Policy LU-2.1 Residential High Density Designation (RH)

This designation provides for single-family and multi-family residential units, group quarters, public and quasi-public uses, and similar and compatible uses. Residential densities shall be in the range of 15.1 to 24 dwelling units per net acre. If development occurs at the lower end of the density range, access and project design shall provide for ultimate development at the maximum permitted density. Connection to both an acceptable sewer and water system is mandatory.

Policy LU-2.2 Residential Medium-High Density Designation (RMH)

This designation provides for single-family and multi-family residential units, group quarters, public and quasi-public uses, and similar and compatible uses. Residential densities shall be in the range of 7.6 to 15 dwelling units per net acre. If development occurs at the lower end of the density range, access and project design shall provide for ultimate development at the maximum permitted density. Connection to both an acceptable sewer and water system is mandatory.

Policy LU-2.3 Residential Medium Density Designation (RM)

This designation provides for single-family residential neighborhoods within urban areas, public and quasi-public uses, and similar and compatible uses. Residential densities shall be in the range of 4.6 to 7.5 dwelling units per net acre. Connection to both an acceptable sewer and water system is mandatory for new subdivisions.

Policy LU-2.4 Residential Low Density Designation (RL)

This designation provides for single-family residential neighborhoods adjacent to existing communities or rural residential communities, public and quasi-public uses, and similar and compatible uses. Residential densities shall be in the range of 2.01 to 4.5 dwelling units per net acre. Connection to, or development of, a water system and a sewer system acceptable to the Inyo County Environmental Health Services Department is mandatory for new development. These requirements may be satisfied by the development of, respectively, an individual well or an individual septic system if approved by the Inyo County Environmental Health Services Department. However, connection to an existing sewer system and

connection to a State Small[1] or Public Water System[2] (as those terms are defined in the "California Safe Drinking Water Act") is, where feasible, mandatory for any new development.

Policy LU-2.5 Residential Very Low Density Designation (RVL)

This designation provides for large-lot single-family housing, public and quasi-public uses, and similar and compatible uses. Residential densities shall be a maximum of 2 dwelling units per acre, with a minimum parcel size of 0.5 acres. This designation is intended to provide a transition between the above designations and the rural residential designations listed below. Connection to, or development of, a water system and a sewer system acceptable to the Inyo County Environmental Health Services Department is mandatory for new development. These requirements may be satisfied by the development of, respectively, an individual well or an individual septic system if approved by the Inyo County Environmental Health Services Department. However, connection to an existing sewer system and connection to a State Small[3] or Public Water System[4] (as those terms are defined in the "California Safe Drinking Water Act") is, where feasible, mandatory for any new development.

Policy LU-2.6 Residential Rural High Density Designation (RRH)

This designation provides for large-lot single-family housing in rural residential neighborhoods, public and quasi-public uses, and similar and compatible uses. Residential densities shall be a maximum of 1 dwelling unit per acre, with a minimum parcel size of 1.0 acre. This designation is to be used around the fringes of urban communities where large parcel sizes are preferred, and for those rural communities that lack complete sewer and water systems. Individual water wells and individual sewage disposal systems are allowed, but community water systems are encouraged.

Policy LU-2.7 Residential Rural Medium Density Designation (RRM)

This designation provides for large-lot single-family housing in rural residential neighborhoods, public and quasi-public uses, and similar and compatible uses. Residential densities shall be a maximum of 1 dwelling units per 2.5 acres. This designation is used around the fringes of urban communities where large parcel sizes are preferred, and for those rural communities that lack complete sewer and water systems. Individual water wells and individual sewage disposal systems are allowed, but community water systems are encouraged.

Policy LU-2.8 Residential Estate Designation (RE)

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[1] California Health and Safety Code Section 116275(n) defines a "State small water system" as, "a system for the provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year."

[2] California Health and Safety Code Section 116275(h) defines a "Public water system" as, "a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year."

[3] California Health and Safety Code Section 116275(n) defines a "State small water system" as, "a system for the provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year."

[4] California Health and Safety Code Section 116275(h) defines a "Public water system" as, "a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year."

This designation provides for very large-lot single-family housing in rural residential neighborhoods, public and quasi-public uses, and similar and compatible uses. Residential densities shall be a maximum of 1 dwelling unit per 5 acres. This designation is used in rural areas where the open characteristics of an area are to be maintained and where services are minimal. The designation can also be used for areas located on the fringes of communities that are to be held as urban reserve areas for future long-term expansion of the community. Individual water wells and individual sewage disposal systems are allowed.

Policy LU-2.9 Residential Ranch Designation (RR)

This designation provides for very large-lot single-family housing in rural residential neighborhoods, public and quasi-public uses, and similar and compatible uses. Residential densities shall be a maximum of 1 dwelling unit per 10 acres. This designation is to be used in rural areas where the open characteristics of an area are to be maintained and where services are minimal. The designation can also be used for areas located on the fringes of communities that are to be held as urban reserve areas for future long-term expansion of the community. Individual water wells and individual sewage disposal systems are allowed.

Policy LU-2.10 Rural Protection Designation (RP)

This designation, which is applied to land or water areas that are essentially unimproved and planned to remain open in character, provides for the preservation of natural resources, the managed production of resources, low-intensity agriculture including grazing, park and other low-intensity recreation, wildlife refuges, hunting and fishing preserves, horse stables, cemeteries, greenbelts and similar and compatible uses. The minimum parcel size is generally 40 acres. Residential use is limited to one single family home per 40 acre or larger parcel.

Policy LU-2.11 Orderly Growth

The County shall require that residential development occur in a logical and orderly manner. This would include encouragement of developing the vacant land or redevelopment within a community and/or the development of vacant land contiguous to a developed community

Policy LU-2.12 Approved Development

The County shall preserve the right of property owners to construct houses on all legally created parcels with a General Plan designation that allows residential uses, unless the County determines that such development would be detrimental to public health, safety or welfare

Policy LU-2.13 Planned Unit Development

The County shall allow "Planned Unit Developments" to be developed in all residential designations of the Land Use Element, providing the minimum gross area size of four acres is met and the upper density ceiling is not exceeded, with the exception of where the Board of Supervisors grants a "density bonus."

Policy LU-2.14 Environmental Constraints

The County shall carefully evaluate sites proposed for residential development considering all hazardous and non-hazardous environmental constraints such as floodplains, faults, landslide hazards, avalanche and sensitive environmental factors such as winter deer range.

Policy LU-2.15 Access

The County shall require that adequate vehicle access is provided to all neighborhoods and developments consistent with the intensity of residential development.

Policy LU-2.16 High Capacity Streets

The County shall discourage high capacity streets that could carry high speed, high volume through-traffic from passing through residential neighborhoods. In those cases where such a street is necessary, the street and adjoining residential development should be designed to mitigate the adverse effects on residential neighborhoods.

Policy LU-2.17 Public, Quasi-Public, and Supporting Uses

The County may permit the siting of churches, schools, child care, social institutions, cultural institutions and/or activities, parks and recreation facilities, greenbelts, and similar public facilities within a residentially-designated area. These uses are allowed so long as these uses are designed and operated in a manner that does not adversely impact the residential areas.

Policy LU-2.18 Home Occupations

The County shall encourage home occupations (small scale commercial activities and uses). Such commercial activities and uses located in residential areas shall be permitted only when they do not negatively impact the residential character of the neighborhood in which the activity takes place.

GOAL LU-3	Provide commercial land uses that adequately serve the existing and anticipated future needs of the community and surrounding environs.

Policy LU-3.1 Central Business District Designation (CBD)

This designation provides for commercial uses such as small retail sales and personal service shops; offices; food services; travel and transportation services such as hotels/motels and gas stations; entertainment centers; recreation facilities; medical centers and services including convalescent hospitals; multi-family residential uses (including single units that are part of a commercial entity); public and quasi-public uses; and similar and compatible uses in the central areas of communities along main thoroughfares. The FAR shall not exceed 1.00. Residential densities shall be in the range of 7.6 to 24 dwelling units per net acre.

Policy LU-3.2 Retail Commercial Designation (RC)

This designation provides for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.40, except with an

approved Conditional Use Permit (CUP), with which it can go up to 0.60. Residential uses in this designation shall be subject to discretionary review and approval. Residential densities shall be in the range of 7.6 to 24 dwelling units per net acre.

Policy LU-3.3 Heavy Commercial/Commercial Service Designation (HC)

This designation provides for commercial, commercial services, and bulk storage and warehousing uses, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.40, except with an approved Conditional Use Permit (CUP), with which it can go up to 1.00. Residential uses in this designation shall be subject to discretionary review and approval. Residential densities shall be in the range of 7.6 to 24 dwelling units per net acre.

Policy LU-3.4 Resort/Recreational Designation (REC)

This designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, campgrounds, trailer parks, restaurants, general stores, service stations, and similar and compatible uses. This designation is oriented toward tourist use, however, it also permits permanent residential use and public and quasi-public uses. The FAR shall not exceed 0.40. The base residential density shall be 1 du/2.5 acres. Clustering of residential units is encouraged, with density of developed area allowed up to 24 du/net acre.

Policy LU-3.5 Commercial Areas

The County shall recognize the Central Business District and Commercial Retail area of a community as the dominant commercial center for the surrounding trade area.

Policy LU-3.6 Access and Parking

The County shall require adequate access, parking and loading areas to be provided for all commercial development.

Policy LU-3.7 Preservation of Retail Services

The County shall support the preservation of retail establishments in smaller communities to provide local services.

Policy LU-3.8 New Retail Development

The County shall support new retail developments in the smaller communities to fill specific gaps in retail services.

Policy LU-3.9 Central Business District Standards

The County shall require the Central Business District to adhere to the following standards:

a. Commercial facilities and uses should be compatible in use, character and size to the trade area they are intended to serve.

b. The commercial uses should be concentrated rather than scattered along the roadside.

c. Adequate off street parking, close enough to encourage pedestrian traffic, should be present. When the amount of on-site parking is not sufficient, means should be found to secure additional convenient off-street parking space.

d. High priority shall be given to maintaining traffic safety and a safe circulation pattern.

e. Adequate water supplies and sewage treatment facilities shall be required. Certain commercial developments may need to provide on-site secondary level treatment of the generated sewage or connect to an existing sewage treatment plant depending on the amount of sewage generated and the density of development.

GOAL LU-4	Provide appropriate types of industrial land uses that adequately serve the existing and/or future needs of the community and surrounding environs, and to promote and attract forms of non-polluting light industry.

Policy LU-4.1 Light Industrial Designation (LI)

This designation provides for industrial parks, warehousing, light manufacturing, public and quasi-public uses, and similar and compatible uses where there are no significant air, odor, water, visual or hazard issues. The FAR shall not exceed 0.50, except with an approved Conditional Use Permit (CUP), with which it can go up to 1.20.

Policy LU-4.2 General Industrial Designation (GI)

This designation provides for a full range of manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses with a high or heavy intensity of use where there is a potential for nuisance on surrounding land. The FAR shall not exceed 0.50, except with an approved Conditional Use Permit (CUP), with which it can go up to 1.20.

Policy LU-4.3 Adequate Water and Sewer Facilities

The County shall require industrial sites to be served with adequate water service and sewage disposal facilities. Certain industrial developments may need to provide on-site secondary level treatment of the generated sewage or connect to an existing sewage treatment plant depending on the amount of sewage generated and the density of development. There are certain industrial wastes not compatible with sewage wastes, therefore some industrial facilities may need to provide separate treatment and disposal facilities for any generated industrial waste.

Policy LU-4.4 Pollution Standards

The County shall require that all industrial uses use the most recent air, water, and noise pollution standards.

Policy LU-4.5 Residential and Commercial Uses

The County shall permit residential uses within an industrial classified area only for caretaker or superintendent of the enterprise. Commercial uses similar in character to the industrial use, particularly the Heavy Commercial uses, may be compatible in industrial designations.

Policy LU-4.6 Circulation and Safety

The County shall give high priority to maintaining traffic safety and a safe circulation pattern for all industrial uses. For residential areas, the County shall require that industrial related traffic is routed out and away from residential neighborhoods.

Policy LU-4.7 Access and Parking

The County shall require industrial development to have direct vehicle access to a publicly maintained roadway. The industrial site itself should be designed with adequate parking and loading areas. Visitor parking should be situated where it is safe and does not interfere with the operation of the facility.

Policy LU-4.8 Planned Development

The County shall encourage planned development and other flexible development techniques for any large or general industrial development.

Policy LU-4.9 Landscaping

The County shall require landscaping to screen industrial uses where necessary.

Policy LU-4.10 Industrial Land Availability

The County shall, where possible, maintain a suitable amount of land designated for industrial uses in each community. The industrial areas should, where feasible, provide a choice of sites.

Policy LU-4.11 Land Releases and Exchanges

The County shall pursue opportunities for industrial development on land made available through LADWP and federal government land releases and exchanges.

GOAL LU-5	Provide adequate public facilities and services for the existing and/or future needs of communities and their surrounding environs, and to conserve natural and managed resources.

Policy LU-5.1 Open Space and Recreation Designation (OSR)

This designation provides for existing and planned public parks, ball fields, horse stables, greenbelts, and similar and compatible uses. The FAR shall not exceed 0.20. The minimum parcel size is generally 40 acres.

Policy LU-5.2 Public Service Facilities Designation (PF)

This designation provides for areas owned by public agencies such as County or State agencies and local districts, or by quasi-public organizations, that serve as significant public facilities such as schools, airports, hospitals, solid waste facilities, correctional facilities, cemeteries, and similar and compatible uses. The FAR shall not exceed 0.90.

Policy LU-5.3 Agriculture Designation (A)

This designation provides for agricultural uses on land that is suited by soils and water resources to the production of food and fiber on a regular and sustained basis, limited agricultural support services, agriculturally-oriented services, agricultural processing facilities, public and quasi-public uses, and certain compatible nonagricultural activities. Residential uses associated with the agricultural use are allowed at a maximum density of 1 du/40 acres. The FAR for nonresidential uses shall not exceed 0.10 with the following exceptions: the FAR for agriculturally oriented services (e.g. stables, feed stores, silos, etc.) shall not exceed 0.25.

Policy LU-5.4 Natural Resources Designation (NR)

This designation, which is applied to land or water areas that are essentially unimproved and planned to remain open in character, provides for the preservation of natural resources, the managed production of resources, and recreational uses. The County may permit the siting of public facilities and utility system components in lands designated as NR.

Policy LU-5.5 Natural Hazards Designation (NH)

This designation, which is applied to land or water areas that are essentially unimproved and planned to remain open in character, provides for the protection of the community from natural hazards such as avalanches, floods, and seismic hazards. Allowed land use provides for the preservation of natural resources, the managed production of resources, low intensity agriculture including grazing, park and other low-intensity recreation, wildlife refuges, hunting and fishing preserves, horse stables, cemeteries, greenbelts and similar and compatible uses. Any land use is subject to natural hazards mitigation requirements. The minimum parcel size is generally 40 acres. Residential use is limited to one single family home per 40 acre or larger parcel.

Policy LU-5.6 State and Federal Lands Designation (SFL)

This designation applies to those State- and Federally-owned parks, forests, recreation, and/or management areas that have adopted management plans.

Policy LU-5.7 Tribal Lands/BIA Designation (TL)

This designation applies to those Native American lands held in trust by the Bureau of Indian Affairs over which the County has no land use jurisdiction. The County encourages the adoption of tribal management plans for these areas that include consideration of compatibility with and impacts upon adjacent area facilities and plans.

Policy LU-5.8 Public Service Facilities Provisions

The County shall allow only uses serving the public interest and public welfare within the Public Service Facilities designation. The County shall not allow the establishment of a Public Service Facilities designation to create adverse conditions for surrounding properties. The County shall require adequate parking and appropriate services to be provided for uses in Public Service Facilities areas in accordance to the type and function of the facility.

2.0.4 Implementation Measures

Table 2-0-2, Land Use Implementation Measures, identifies the land use implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to the General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 2-0-2. Land Use Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County shall encourage development of community expansion areas large enough to permit flexible designs and economies of scale. Expansion areas should be developed in phases consistent with community need, available service capacities and appropriate access.	LU-1.1	Planning			■
2.0	The County shall continue its on-going dialogue with representatives of the LADWP to coordinate the effort to plan community expansion in a logical and orderly manner in the Owens Valley.	LU-1.10 LU-1.11 LU-1.12 LU-1.13	Board of Supervisors County Administrator Planning			■
3.0	The County shall continue its on-going dialogue with the land holding public entities to coordinate the effort to plan community expansion in a logical and orderly manner in the Owens Valley.	LU-1.10 LU-1.11 LU-1.12 LU-1.13	Board of Supervisors County Administrator Planning			■
4.0	The County should create a community visioning process to address growth and change issues as these arise anywhere in the County. The Board of Supervisors may initiate the community planning process for specific area on their own initiative or at the request of potentially affected residents or landowners.	LU-1.7	Board of Supervisors Planning			■

Table 2-0-2. Land Use Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
5.0	The County shall implement standard "e" in Policy LU-3.9 through coordination with the LRWQCB and any other public agency having the option to exercise jurisdiction.	LU-3.9	Environmental Health Planning			■
6.0	Implementation of Policy LU-4.1shall be accomplished through coordination with the LRWQCB and any other public agency having the option to exercise jurisdiction.	LU-4.3 LU-4.4	Environmental Health Planning			■
	Decrease the impacts from climate change by requiring innovative and suitable design and material choices for new development, to include the use of such features as "cool" roof and pavement materials, solar renewable energy systems, and energy efficiency components.	LU-1.17	Planning			■

2.1 PUBLIC SERVICES & UTILITIES

2.1.1 Definitions

In using this element and the goals, policies, and implementation measures that address air quality issues, the following definitions will apply.

Special District: A special district in a quasi-governmental agency setup to manage the provision of specific services to a specific area.

2.1.2 Goals and Policies

General

GOAL PSU-1	To ensure the timely development of public facilities and the maintenance of adequate service levels for these facilities to meet the needs of existing and future County residents.

Policy PSU-1.1 Facilities and Services for New Development
The County shall ensure through the development review process that public facilities and services will be developed, operational, and available to serve new development. The County shall not approve new development where existing facilities are inadequate unless the applicant can demonstrate that all necessary public facilities will be installed or adequately financed and maintained (through fees or other means).

Policy PSU-1.2 On-Site Infrastructure
The County shall require all new development, including major modifications to existing development, to construct necessary on-site infrastructure to serve the project in accordance with County standards.

Policy PSU-1.3 Facilities and Services for New Industrial Development
The County shall require new industrial development to be served by community sewer, stormwater, and water systems where such systems are available or can feasibly be provided.

Policy PSU-1.4 Facilities and Services for New Commercial Development
The County shall require new urban commercial and urban-density residential development to be served by community sewer, stormwater, and water systems where such systems are available or can feasibly be provided.

GOAL PSU-2	To ensure that adequate facility and service standards are achieved and maintained through the use of equitable funding methods.

Policy PSU-1.5 Review for Land Use Changes

When reviewing applications for land use designation changes (i.e. zone change, General Plan Amendment, specific plan amendment), the County shall thoroughly analyze the impacts of the proposed changes on all aspects of the infrastructure system within the County, and require mitigation as appropriate. This shall include consultation with service providers who have infrastructure within the County.

Policy PSU-1.6 Coordination

The County shall require that the provision of streets, sewer, water, drainage, and other needed infrastructure be coordinated in a logical manner between adjacent developments so as to reduce design, construction and maintenance costs.

Policy PSU-1.7 Undergrounding Utilities

The County shall require undergrounding of utility lines in new development areas and as areas are redeveloped, except where infeasible for operational or financial reasons. The County will also work with utility providers to proactively place utilities underground as part of the utilities' ongoing maintenance program.

Funding

Policy PSU-2.1 Funding Sources

The County shall identify and pursue alternative funding sources that can be used for capital improvement project construction and staffing ongoing maintenance of public improvements, including grant funding.

Policy PSU-2.2 Fair Share of Costs

The County shall require that new development pays its fair share of the cost of developing new facilities and services and upgrading existing public facilities and services. Exceptions may be made when new development generates significant public benefits (e.g., low income housing) or when alternative sources of funding can be identified to offset foregone revenues.

Policy PSU-2.3 Public Financing Plans

The County shall require a public financing plan be in place prior to the start of construction of new development to ensure that all required public improvements are adequately funded and provided in a timely manner.

Policy PSU-2.4 Allocation of Costs

The County shall allocate the cost of public improvements to all benefiting properties and, to the extent that a landowner is required to pay for facility oversizing, the County shall utilize reimbursement mechanisms to maintain equity among all benefiting property owners.

Water

GOAL PSU-3	To ensure that there will be a safe and reliable water supply sufficient to meet the future needs of the County.

Policy PSU-3.1 Efficient Water Use

The County shall promote efficient water use and reduced water demand by:

- Requiring water-conserving design and equipment in new construction, including County facilities;
- Encouraging water-conserving landscaping and other conservation measures such as the conversion of turf lawns to drought-tolerant plantings, including at County facilities;
- Encouraging the retrofitting of existing development with water-conserving devices, including County facilities;
- Providing public education programs;
- Distributing outdoor lawn watering guidelines;
- Promoting water audit and leak detection programs;
- Enforcing water conservation programs;
- Implementing the requirements of the model water efficiency landscape ordinance.

Policy PSU-3.2 Community Water Systems

The County shall encourage the development and viability of community water systems rather than the reliance upon individual water wells.

Policy PSU-3.3 Community Service Districts

Development of a property within a Community Service District (CSD) service boundary shall utilize the CSD services, instead of developing a private system, if the CSD can reasonably provide needed services.

Wastewater

GOAL PSU-4	To ensure adequate wastewater collection, treatment, and disposal.

Policy PSU-4.1 Community Wastewater Treatment Facilities

The County shall limit the expansion of unincorporated, urban density communities to areas where community wastewater treatment facilities can be provided.

Policy PSU-4.2 Community Systems

The County shall require that any new community wastewater treatment facilities serving residential subdivisions be owned and maintained by a County Service Area or other public entity approved by the County.

Policy PSU-4.3 Sewage Disposal Service Districts

The County shall encourage, as an alternative to a sewer system, the creation of Community Service Districts with powers to manage the rehabilitation, replacement, maintenance and monitoring of all on-site septic/leach systems for communities not served by conventional sewer systems.

Policy PSU-4.4 Permitting Individual On-Site Systems

The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be feasibly provided.

Stormwater Drainage

GOAL PSU-5	To collect and dispose of stormwater in a matter that minimizes inconvenience to the public, minimizes potential water-related damage, and enhances the environment.

Policy PSU-5.1 Project Design

The County shall encourage project designs that minimize drainage concentrations and coverage by impermeable surfaces.

Policy PSU-5.2 Maintenance

The County shall require the maintenance of all drainage facilities, including detention basins and both natural and manmade channels, to ensure that their full carrying capacity is not impaired.

Policy PSU-5.3 Natural Systems

The County shall encourage the use of natural stormwater drainage systems in a manner that preserves and enhances natural features.

Policy PSU-5.4 Runoff Quality

The County shall improve the quality of runoff from urban and suburban development through use of appropriate and feasible mitigation measures including, but not limited to, artificial wetlands, grassy

swales, infiltration/sedimentation basins, riparian setbacks, oil/grit separators, and other best management practices.

Policy PSU-5.5 Drainage Disposal

New development shall have surface drainage disposal accommodated in one of the following ways:

- Positive drainage - positive drainage to a County-approved storm drain or retention/detention facility.
- On-site drainage - drainage retained on-site within the development.

Drainage directly to a natural system (i.e., stream, creek) is discouraged and is subject to the Lahontan Regional Water Quality Control Board (LRWQCB) and California Department of Fish and Game provisions.

Policy PSU-5.6 Drainage System Requirements

Future drainage system requirements shall comply with applicable state and federal non-point source pollutant discharge requirements.

Solid Waste Facilities

GOAL PSU-6	To ensure the safe and efficient disposal or recycling of solid waste generated in Inyo County.

Policy PSU-6.1 Solid Waste Reduction and Recycling

The County shall promote maximum use of solid waste reduction, recycling, composting, and environmentally safe transformation of wastes.

Policy PSU-6.2 Recycling Facility Location

The County shall encourage the development of regional and community-based recycling facilities in heavy commercial and industrial areas, encourage landlords and commercial businesses to provide recycling opportunities, and work to provide recycling containers at all County facilities.

Policy PSU-6.3 Recycled Products

The County shall encourage businesses to use recycled products in their manufacturing processes and consumers to buy recycled products. The County shall use recycled products or products containing recycled materials when possible.

Policy PSU-6.4 Solid Waste Facility Location

The County shall locate all new solid waste facilities including disposal sites, resource recovery facilities, transfer facilities, processing facilities, composting facilities, and other similar facilities in areas where

potential environmental impacts can be mitigated and the facilities are compatible with surrounding land uses.

Policy PSU-6.5 Protection from Incompatible Land Uses
The County shall protect existing or planned solid waste facilities from encroachment by incompatible land uses that may be allowed through discretionary land use permits or changes in land use or zoning designations.

Communication Infrastructure

GOAL PSU-7	To expand the use of information technology in order to improve personal convenience, reduce dependency on nonrenewable resources, take advantage of the ecological and financial efficiencies of new technologies, maintain the County's economic competitiveness, and develop a better-informed citizenry.

Policy PSU-7.1 Provision of Services
The County shall encourage the provision of communications and telecommunications service and facilities to serve existing and future needs.

Policy PSU-7.2 Prewiring
The County shall explore the feasibility of requiring new development to prewire industrial areas and business parks for new information technologies.

Policy PSU-7.3 Citizen Participation
The County shall strive to expand opportunities for all citizens to participate in County governance through use of communication technologies, including its web page.

Policy PSU-7.4 Cable Television
The County shall continue to actively use the cable television system as a communications tool in providing governmental information to the viewing public.

Policy PSU-7.5 Communication Towers
The County shall require compliance with the Wireless Communications Guidelines for siting of communication towers in unincorporated areas of the County.

Policy PSU-7.6 Digital 395 Project
The County shall participate in and support the Digital 395 Middle Mile Project which will bring a fiber network through the County along U.S. Highway 395.

Fire Protection

GOAL PSU-8	To protect the residents of and visitors to Inyo County from injury and loss of life and to protect property from fires.

Policy PSU-8.1 Fire Protection for New Development
Prior to the approval of development projects, the County shall determine the need for fire protection services. New development in unincorporated areas of the County shall not be approved unless adequate fire protection facilities can be provided.

Policy PSU-8.2 Education
The County shall identify key fire loss problems and design appropriate fire safety education programs to reduce fire incidents and losses.

Law Enforcement

GOAL PSU-9	To provide adequate law enforcement services to deter crime and to meet the growing demand for services associated with increasing populations and commercial/industrial development in the County.

Policy PSU-9.1 Law Enforcement Facilities
Within the County's overall budgetary constraints, the County shall provide law enforcement facilities (including substation space, patrol, and other vehicles, necessary equipment, and support personnel) sufficient to maintain service standards.

Policy PSU-9.2 Public Safety Programs
The County shall promote public safety programs, including neighborhood watch, child identification and fingerprinting, and public education efforts.

Policy PSU-9.3 Law Enforcement Support
The County shall work with federal law enforcement agencies to ensure appropriate coordination and maximum use of available resources for the protection of public safety in the County.

Gas and Electrical Facilities

GOAL PSU-10	To provide efficient and cost-effective utilities that serves the existing and future needs of people in the unincorporated areas of the County.

Policy PSU-10.1 Expansion of Services

The County shall work with local electric utility companies to design and locate appropriate expansion of electric systems, while minimizing impacts to agriculture and minimizing noise, electromagnetic, visual, and other impacts on existing and future residents.

Policy PSU-10.2 Improvements

The County shall promote technological improvements and upgrading of utility services in Inyo County.

Policy PSU-10.3 Provision of Services

The County shall encourage the provision of adequate gas and electric service and facilities to serve existing and future needs.

Policy PSU-10.4 Solar Energy Access

The County shall encourage developers to design subdivision street patterns so houses can better utilize solar energy (both passive and active systems).

Schools

GOAL PSU-11	To ensure that adequate school facilities are available and appropriately located to meet the needs of Inyo County residents.

Policy PSU-11.1 Provision of Facilities

The County shall continue to support local school districts in providing quality education facilities that will accommodate projected changes in student enrollment.

Policy PSU-11.2 Planning for New Facilities

The County shall work cooperatively with local school districts in monitoring housing, population, and school enrollment trends and in planning future school facility needs, and shall assist the districts in identifying appropriate sites for new schools in the County.

Policy PSU-11.3 Location of Facilities

The County shall encourage school facility siting that establishes schools as focal points within the neighborhood/community, and in areas with safe pedestrian and bicycle access.

Policy PSU-11.4 Cooperation with School Districts

Whenever feasible, the County shall support and participate with local school districts in joint development of recreation areas, turf areas, and multi-purpose buildings.

Policy PSU-11.5 Community Centers

The County should encourage and fund the use of schools as community centers, when agreeable to the school district. The County should partner with school districts and civic organizations to this end.

Policy PSU-11.6 Funding

The County and school districts should work closely to secure adequate funding for new school facilities. The County shall support the school districts' efforts to obtain appropriate funding methods such as school impact fees.

Child Care

GOAL PSU-12	To ensure that an adequate and diverse supply of child care facilities and services are available to parents who live and work in Inyo County.

Policy PSU-12.2 Integration with Housing/Social Programs

The County shall coordinate and integrate child care programs with housing and social programs whenever possible.

Policy PSU-12.3 Coordination with School Districts

The County shall work with school districts in the County to establish or maintain after school programs.

Policy PSU-12.4 Coordination with Senior Citizen Programs

The County shall promote the coordination of senior citizen programs and child care programs wherever feasible and appropriate.

2.1.3 Implementation Measures

Table 2-1-1, Public Services and Utilities Implementation Measures, identifies the implementation measures that the County should take to implement the goals and policies of this General Plan. The implementation program lists the each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 2-1-1. Public Services and Utilities Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County shall ensure that infrastructure plans or area facilities plans are prepared in conjunction with any major development proposals and are reviewed and updated as needed. Such plans shall contain phasing and facility improvement time lines.	PSU-1.1 PSU-1.2	Planning Public Works			■
~~2.0~~	~~As part of the Zoning Ordinance update, the County shall develop rules for determining the need to underground utilities associated with a new project or major renovation.~~	~~PSU-1.7~~	~~Planning~~	■		
2.0	The County shall pursue water conservation measures, to include drought-tolerant landscaping, water-efficient irrigation systems, the water-efficiency landscape ordinance, and water-conserving components and retro-fitting in new and existing facilities, to include County facilities.	PSU-3.1	Planning Public Works			■
3.0	The County shall require that new development in communities along scenic highways place utilities underground whenever possible	PSU-1.7	Planning			■

Table 2-1-1. Public Services and Utilities Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	The County shall work with local utility providers to investigate funding sources to place utilities underground and to encourage the utilities to do some undergrounding projects each year as part of their annual maintenance programs.	PSU-1.7	Planning			■
5.0	The County shall prepare and adopt a Capital Improvement Program (CIP) for designing and constructing County facilities. Roadways shall be included in the separate Roadway Improvement Plan (RIP). The CIP should be updated at least every five (5) years, or concurrently with the approval of any significant amendments to the General Plan.	PSU-2.1 PSU-2.3	Public Works			■
6.0	~~The County shall develop and adopt ordinances specifying acceptable methods for new development to pay for new capital facilities and expanded services. Possible mechanisms include development fees, assessment districts, land/facility dedications, County service areas, and community facilities districts~~	~~PSU-2.1~~ ~~PSU-2.2~~	~~Planning~~ ~~Public Works~~	■		

Table 2-1-1. Public Services and Utilities Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	2015-2020	On-going
7.0	The County shall work with responsible flood control agencies to pursue adoption of appropriate regulations and programs as necessary and appropriate to implement required actions under state and federal stormwater quality programs.	PSU-5.4 PSU-5.5 PSU-5.6	Planning Public Works	■		
~~8.0~~	~~The County shall require new commercial, industrial, and multi-family residential uses to provide adequate areas on-site to accommodate the collection and storage of recyclable materials.~~	~~PSU-6.1~~ ~~PSU-6.4~~	~~Planning~~	■		
8.0	The County shall study the use of the County right-of-way to foster development of a "public utility" telecommunications infrastructure to provide high-speed networking throughout the community, and to make the community attractive to information-based businesses.	PSU-7.1	Public Works	■		
~~9~~10.0	The County shall work with the California Department of Forestry (CDF), local fire protection districts, and federal agencies involved in fire protection activities to maximize the use of resources to develop functional and/or operational consolidations and standardization of services and to maximize the efficient use of fire protection resources.	PSU-8.1	County Administrator Public Works	■		

Table 2-1-1. Public Services and Utilities Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
10~~12~~	The County shall pursue available funding sources for the development of child care facilities and programs	PSU-12.2 PSU-12.3 PSU-12.4	Planning			■

3.0 ECONOMIC DEVELOPMENT

3.0.1 Definitions

In using this element, the following definitions will apply.

Visitor Spending. Retail spending and spending on services by tourists, business visitors, and others not locally based.

Local Spending. Retail spending and spending on services by locally-based residents and businesses.

Resource Industries. Industries that depend on developing existing local resources in the ground, such as mining of all types including sand and gravel and other minerals, grazing, agriculture, and water.

Industrial Development. This term typically means manufacturing businesses and others normally located in industrial zones. These types of manufacturing businesses usually have a customer base located outside the County. However, the term can also include construction firms, auto wrecking, warehousing, recycling, electric generation, pipelines, propane, trucking and other transportation industries, and light industries such as uniform supplies, truck repair, and other service commercial businesses. Many of these industries also serve a local customer base.

3.0.2 Goals & Policies

Tourism

GOAL ED-1	Promote increased capacity to serve tourists within the County's established urbanized areas, and in those areas with established tourist attractions.

Policy ED-1.1 Business Expansion
The County shall encourage existing businesses to expand their own capacities

Policy ED-1.2 Visitor Capacity on Public Lands
The County shall encourage public agencies to develop new tourist serving facilities or otherwise enhance their capacity to serve visitors on the public lands they manage.

Policy ED-1.3 Visitor Usage of LADWP Lands
Encourage the LADWP to continue to allow and expand the recreational uses of their land holdings in the Owens Valley

Policy ED-1.4 Targeted Development
Target development in those areas that are currently under-served to fill specific gaps in visitor serving and retail services

Policy ED-1.5 Downtown Revitalization
Promote downtown revitalization in Lone Pine, Independence, and Big Pine.

Policy ED-1.6 New Visitor-Serving Business
Attract new visitor-serving businesses.

GOAL ED-2	Bring more destination spending into Inyo County.

Policy ED-2.1 Collaboration
Support collaborative efforts to market Inyo County as a tourist destination, leveraging County funds through coordinated regional promotion.

Policy ED-2.2 Film Industry
Market to and encourage the film industry to use Inyo County locations for filming activity.

Policy ED-2.3 Higher Education
Support the establishment of educational institutions and facilities that can draw post-secondary students into Inyo County and create new nodes of economic activity and retail spending.

Local Retail & Service Commercial Land Uses

GOAL ED-3	Promote increased capacity to serve local citizens within the County's established urbanized areas.

Policy ED-3.1 New Retail Establishments
Encourage the development of retail establishments that will reduce resident spending outside the County for retail purchases, services, and entertainment.

Policy ED-3.2 Public Sector Employment
Work to maintain public sector employment at current levels or to expand it. Maintaining the existing local spending base is important in maintaining existing commercial establishments.

GOAL ED-4	Actively encourage the expansion of existing industry of all types (including resource industries, manufacturing and service industries), and actively recruit new businesses that will bring new jobs to the County.

Policy ED-4.1 Mining Industry
Support the continued operation of existing mining activities within the County as well as new mining in appropriate areas, subject to each operator meeting all applicable safety and environmental laws, regulations, and County policies.

Policy ED-4.2 Manufacturing Growth
Encourage existing manufacturers to expand and create new job diversity. Manufacturers include value-added (bottled) water and other processed mineral export operations.

Policy ED-4.3 Industrial Development Sites, Bishop Area
Within the Bishop area, encourage new stand-alone industrial development to locate within the City of Bishop. At the same time, work with the City of Bishop and LADWP to develop an industrial park at the Bishop Airport.

3.0.3 Implementation Measures

Table 3-0, Economic Development Implementation Measures, identifies the economic development implementation measures that the County should take to implement the goals and policies of this General Plan. The implementation program lists the each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 3-0. Economic Development Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	Fast track review for development of new entertainment, retail and other visitor services wherever the land is appropriately zoned.	ED-1.4 ED-1.5 ED-1.7 ED-3.1	Planning			■
2.0	Encourage public land management and service agencies, including BLM, USFS, National Park Service (NPS), Caltrans, and LADWP to increase their capacity to serve visitors on properties they manage.	ED-1.2 ED-1.3 ED-1.4	Board of Supervisors County Administrator Planning			■
3.0	Encourage air and bus carriers, tour operators, and charter services to increase trips and stops throughout the County.	ED-1.7	Board of Supervisors Bishop Airport Authority County Administrator Local chambers			■
4.0	Work with the communities of Lone Pine, Independence, and Big Pine to establish downtown Main Street programs. ~~Jointly work with the California Main Street Program. Adopt the Main Street Principles.~~	ED-1.5 ED-3.1	Board of Supervisors County Administrator Planning	■		

Table 3-0. Economic Development Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
~~5.0~~	~~Study the feasibility of establishing one or more redevelopment project areas in Lone Pine, Independence, and Big Pine to aid in downtown revitalization.~~	~~ED-1.5~~ ~~ED-3.1~~	~~Board of Supervisors~~ ~~Planning~~	■		
5.0~~6.~~ 0	Locate all future County facilities in unincorporated downtowns whenever practicable.	ED-1.5 ED-3.2	Board of Supervisors			■
6.~~7.0~~	Establish a nonprofit Inyo County tourism board with an operating budget. The new entity is to be responsible for promoting tourism Countywide, and for increasing visitor-serving capacity in the County.	ED-2.1	Board of Supervisors County Administrator	■		
8.0	Continue to support the Eastern Sierra Interagency Visitors Bureau, ~~the Bishop Area~~ Chambers of Commerce, ~~efforts in Death Valley,~~ and other private, public, and nonprofit entities that will in turn aggressively promote regional and Countywide tourism.	ED-2.1	Board of Supervisors County Administrator County tourism board			■
9.0	Focus promotional efforts on major population centers, including ~~Los Angeles~~Southern California, Las Vegas, and the Bay Area.	ED-2.1	County Tourism Board and marketing partners			■

Table 3-0. Economic Development Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
10.0	Promote linked activities and tour packages for a more complete visitor experience.	ED-2.1	County Tourism Board and marketing partners			■
11.0	~~Establish an~~ Continue to support the Inyo County Film Commission with a budget to attract film making to the County. Alternatively, contract with an existing entity to perform that function.	ED-2.2	Board of Supervisors County Administrator	■		
12.0	Promote Inyo County as an excellent place to retire and live. This promotion program can be an adjunct to the tourism promotion effort.	ED-3.3	County marketing partners			■
13.0	Encourage Cerro Coso Community College to expand its curricula and student capacity and attract more students from outside the County, thereby increasing retail demand and increasing the skill level of the local job base.	ED-2.3	Board of Supervisors County Administrator			■
14.0	Fast track County review of applications for industrial expansion or for new industry.	ED-4.1 ED-4.2 ED-4.3	Planning			■

Table 3-0. Economic Development Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
15.0	~~Study the economic and physical feasibility of establishing an industrial park~~ Promote development at the Bishop Airport.	ED-4.3	County Administrator Airport Authority City of Bishop LADWP EDC	■		
16.0	~~Encourage the telecommunications industry to install and maintain state-of-the-art high-speed high-capacity service throughout the County so that established businesses, public agencies, and home businesses may overcome any distance to-market competitive disadvantages they may currently have.~~ Continue the County's participation in and support for high speed connectivity efforts within the County, such as the Digital 395 Initiative.	ED-3.3	County Administrator City of Bishop LADWP EDC			■

4.0 HOUSING

4.0.1 Goals & Policies

GOAL HE-1	To maintain the existing housing stock and eliminate substandard housing conditions in Inyo County.

Policy HE-1.1 Housing Rehabilitation Funding
The County may consider seeking additional federal and state funds for housing rehabilitation and weatherization assistance.

Policy HE-1.2 Housing Rehabilitation Code Enforcement
The County shall advocate the rehabilitation of substandard residential properties by homeowners and landlords.

Policy HE-1.3 Housing Rehabilitation Education
The County shall promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing policy.

Policy HE-1.4 Energy Efficiency
The County will focus efforts to promote energy efficiency by supporting programs such as weatherization and utility assistance programs that alleviate energy costs for households.

GOAL HE-2	To provide adequate sites for residential development.

Policy HE-2.1 Vacant and Underutilized Land
The County will work with the City of Bishop, where appropriate, to facilitate the development of vacant and underutilized residential parcels identified in the Housing Element residential site inventory.

Policy HE-2.2 Emergency Shelters & Transitional & Supportive Housing
Allow for permanent emergency shelters in at least one zone with land available for development of a facility if the need arises and regulate transitional and supportive housing as residential uses in all residential zones.

Policy HE-2.3 Extremely Low-Income Persons
The County shall recognize the housing needs of extremely low-income persons (30 percent of AMI) and encourage development of housing to meet these needs.

GOAL HE-3	Encourage the adequate provision of housing by location, type of unit, and price, to meet the existing and future needs of Inyo County residents.

Policy HE-3.1 Variety of Housing
In consultation with federal, state, and local agencies, the County shall continue to identify and evaluate the best approaches to providing a variety of residential development opportunities in the County, including single-family homes, mobile homes, second units, and apartments to fulfill regional housing needs.

Policy HE-3.2 High Density Housing
The County shall encourage the development of higher density housing in appropriate locations throughout the communities. Locate higher density residential development with close proximity to services, jobs, transit, recreation, and neighborhood shopping areas.

Policy HE-3.3 Second Units
Encourage the development of second units as another way to promote housing opportunities for lower-income households.

Policy HE-3.4 Manufactured and Mobile Homes
The County will continue to promote the utilization of manufactured housing and mobile home purchase and placement as an affordable homeownership opportunity.

Policy HE-3.5 Financial Assistance for Housing
Provide financial assistance for the conservation and/or development of housing affordable to extremely low-, very low-, and low-income households.

GOAL HE-4	Provide increased opportunities for homeownership.

Policy HE-4.1 Self-Help
The County shall encourage "self-help" housing to allow lower-income households to build their own homes.

Policy HE-4.2 Purchase Assistance Programs
The County will facilitate the availability of home purchase assistance programs for low- and moderate-income households.

GOAL HE-5	Remove governmental constraints on housing development.

Policy HE-5.1 Residential in Commercial Areas
Encourage the development of residential units in commercial areas.

Policy HE-5.2 Expedited Permit Processing and Project Review
The County shall expedite project review and facilitate timely building permit and development plan processing for residential developments, including those with an affordable housing component.

Policy HE-5.3 Infrastructure
The County will work to provide adequate infrastructure to accommodate residential development in all areas of the unincorporated county.

Policy HE-5.4 Residential Care Facilities
The County will continue efforts to mitigate or remove constraints on housing for persons with disabilities.

GOAL HE-6	Promote equal opportunity for all residents to reside in housing of their choice.

Policy HE-6.1 Equal Opportunity
The County shall work to prohibit discrimination in the sale or rental of housing with regard to race, ethnic background, religion, handicap, income, sex, age, or household composition.

4.0.2 Implementation Measures

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
1.1.1	The County supports the provision of rehabilitation assistance to lower-income owner- and renter-occupied household to facilitate unit upgrading. The County will encourage initiation of a rehabilitation program with the goal of improving 15 units over the planning period (3 per year).	HE-1.1	Planning Dept.	On-going
1.2.1	The County shall ensure sensitive residential code enforcement and provide information on available rehabilitation assistance to bring substandard units into compliance with County Code.	HE-1.2	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
1.3.1	The County shall continue to provide outreach programs to educate the public about available housing rehabilitation assistance.	HE-1.3	Planning Dept.	On-going
1.4.1	The County shall continue to support efforts to improve the energy efficiency of dwelling units by providing weatherization assistance to low-income households.	HE-1.4	Planning Dept.	On-going
1.4.2	The County shall work to provide assistance to low-income households with utility bills by encouraging utilities and local housing service providers to continue to implement and expand programs to assist such households, including reductions and other utility assistance programs for income-qualified candidates. Augment current program funding.	HE-1.4	Planning Dept.	On-going
1.4.3	The County shall continue to encourage utility providers and local housing service providers in reducing housing cost through energy conservation by providing households with light bulbs, reduced price energy-efficient appliances, energy audits, and other services.	HE-1.4	Planning Dept.	On-going
2.1.1	The County shall maintain an up-to-date inventory of sites suitable for residential development and provide this information to residential developers and to the real estate community. This inventory will include DWP land release sites.	HE-2.1	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
	The County will continue to pursue the release of DWP sites, particularly the "Hanby" site, also referred to as site 11 in this document, to ensure appropriately zoned land is available for the County's lower-income regional housing need. As the site has been approved for release by the DWP Board, the County will monitor the status of the release pending a judge's approval and the availability of the site for purchase through public auction.	HE-2.1	Planning Dept.	
2.1.2	If the site is not approved for release and made available for purchase through public auction by March 2012, the County will amend the Housing Element to analyze the suitability and availability of identified sites as detailed in Appendix D of this document to demonstrate sufficient capacity to address any identified remaining need for lower-income households while still actively pursuing the release of site 11 as the most appropriate for development for lower-income households.			On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
2.1.3	The County will facilitate the development of sites pending release and auction, including sites 11, 12, 13 and 14 as detailed in Table 29, Vacant Land Inventory. In particular, as the County is relying on the availability of site 11 to accommodate a significant portion of its remaining need for lower-income households, the County will work closely with DWP to facilitate the inclusion of this site in the next possible public auction. The County will market the availability of this and other releases site to interested developers, including non-profit developers or other entities looking to construct affordable housing and will be available to provide technical assistance with securing funding for an affordable housing project and other incentives as appropriate to facilitate its development.	HE-2.1	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
2.2.1	In accordance with SB 2, the County Code will be amended to allow emergency shelters, as defined by Health & Safety Code 50801(e), in the Highway Services & Tourist Commercial (C-2) zone by July 2010. The C-2 is an appropriate zone for emergency shelters because these parcels are located within close proximity to transportation routes through the County, and provides a variety of services that would be useful for persons staying in an emergency shelter. Permitted uses in the C-2 include retail for a variety of goods, social, cultural, religious, or philanthropic institutions, offices, banks, eating establishments, laundry, or dry-cleaning, self-service automatic laundry, and tailor, dressmaking or shoe repair shops among other uses. In addition, there are both vacant and underutilized parcels totaling approximately 193 acres of C-2 land throughout the County, primarily on the north side of Bishop and the south side of Lone Pine.	HE-2.2	Planning Dept.	Concurrent with Zoning Ordinance Updates
2.2.2	According to Chapter 633 of the Statues of 2007, also known as SB 2, the County must explicitly allow both supportive and transitional housing types in all residential zones. The County shall update its Zoning Ordinance to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14. Both transitional and supportive housing types will be allowed as a permitted use subject only to the same restrictions on residential uses contained in the same type of structure.	HE-2.2	Planning Dept.	Concurrent with Zoning Ordinance Updates

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
2.3.1	To ensure zoning flexibility that allows for the development of single-room occupancy (SRO) units, the County will update its Zoning Ordinance to explicitly allow for SROs in developed areas near services and transit.	HE-2.2	Planning Dept.	Concurrent with Zoning Ordinance Updates
3.1.1	The County shall continue to work with the City of Bishop, DWP, BLM, the Forest Service, the National Park Service, Caltrans and other federal, state, and local agencies to identify appropriate land for release and discourage public acquisition of private lands, as appropriate, thus enabling the County to provide additional sites for housing development. Additionally, the County will continue to work with various Tribal Councils to pursue development of affordable housing units on reservations, including providing logistical support and technical expertise for housing projects, as available and appropriate.	HE-3.1	Planning Dept.	On-going
3.1.2	The County shall provide expanded affordable housing opportunities by partnering with local organizations and providing technical assistance and/or pass-through funds as appropriate for the development of units affordable to extremely low-, very low-, and low-income households.	HE-3.1	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
3.1.3	The County will explore an Employer Assisted Housing Program by forming a working group with major employers in the area to discuss how the County can assist in the development of employer-assisted housing in Inyo County , including housing for lower- and moderate-income households, such as those with teachers, police officers and sheriff's deputies, nurses, etc.	HE-3.1	Planning Dept.	Concurrent with Zoning Ordinance Updates
3.1.4	The County will continue to implement the final Housing Plan developed by the Housing Task Force adopted in 2005 in conjunction with the Housing Element programs.	HE-3.1	Planning Dept.	On-going
3.1.5	The County shall support local housing assistance providers in their work to assist in locating roommates to share existing housing. This will be accomplished by contributing to funding and assisting in program outreach to expand program utilization.	HE-3.1	Planning Dept.	On-going
3.2.1	The County shall encourage higher density residential development in areas of population concentration by conducting outreach to developers and property owners to encourage higher density residential development. In addition, the County will explore funding options for appropriate housing as funds become available.	HE-3.2	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
3.2.2	The County shall encourage development of housing for low-income households through provision of density bonus incentives. The County shall provide the updated density bonus chapter of the code as requested to inform applicants of opportunities for density increases.	HE-3.2	Planning Dept.	On-going
3.3.1	Chapter 1062 of the Statutes of 2002, also known as AB 1866, requires jurisdictions to allow second units ministerially in all residential zones. The County will amend the County Code to reflect this requirement while maintaining its current standards for second units that require a floor area of up to 30 percent of the principle dwelling unit up to a maximum of 1,200 square feet.	HE-3.3	Planning Dept.	Concurrent with Zoning Ordinance Updates
3.4.1	The County shall provide technical assistance to mobile home park residents who want to purchase their mobile home park. To accomplish this, the County will advertise the program to mobile home park residents, including conducting meetings with tenants.	HE-3.4	Planning Dept.	On-going
3.4.2	The County will continue to allow manufactured housing as a permitted use in all residential zones.	HE-3.4	Planning Dept.	On-going
3.5.1	The County will support the efforts of local housing service providers to assist low-income households with utility bills by providing assistance to a minimum of 150 households annually through the L1 HEAP (Low-income Energy Assistance Program)	HE-3.5	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
3.5.2	The County shall encourage rental subsides for lower-income families and elderly persons. The County shall encourage listing of rental units with local housing service providers. Work with HCD to receive additional subsides for rental assistance.	HE-3.5	Planning Dept.	On-going
3.5.3	The County shall provide for the continued affordability of the County's low- and moderate-income housing stock. Although not anticipated, if any deed-restricted affordable units currently serving County residents are at risk of converting to market rates, the County will facilitate a preservation program with the owner and/or operator of the project at risk. The goal will be to identify additional funds to either continue the affordability of the at-risk project or to replace those units once they are no longer affordable to lower-income households.	HE-3.5	Planning Dept.	On-going
4.1.1	The County will continue to make efforts to work with established self-help housing groups to solicit interest in developing projects in the county to facilitate self-help housing as a form of homeownership for lower-income households.	HE-4.0	Planning Dept.	On-going
4.2.1	The County will annually consider applying for state and federal grant funds to provide homeownership opportunities that may include interest rate write-downs, down payment assistance, and mortgage revenue bond financing through state and federal programs.	HE-4.2	Planning Dept.	On-going

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
4.2.2	The County shall work with local lenders to provide program information to the public about homebuyer assistance programs such as CalHFA, RCRC, and USDA.	HE-4.2	Planning Dept.	On-going
5.1.1	The County shall continue to allow second units, condominiums conversions, density bonuses, and residential units in commercial zones as specified in the County's Zoning and Subdivision Ordinances.	HE-5.0	Planning Dept.	On-going
5.1.2	The County's 2001 General Plan calls for the provision of mixed and residential uses in commercial areas. The County has approved an amendment to the zoning Ordinance to implement this policy, and will continue to encourage mixed and residential uses in these areas.	HE-5.1	Planning Dept.	On-going
5.2.1	The County routinely works with homeowners to expedite their permits and provide flexibility in submittal requirements for owners developing their own homes. The County will also annually review its permit and development plan processing timelines and look for ways to expedite or simultaneously conduct development reviews to ensure timely processing.	HE-5.2	Planning Dept.	On-going
5.2.2	The County shall consider alternative processes in updates to the Zoning Ordinance to facilitate housing project, such as administrative approvals of use permits and modifications to setbacks and other development standards, and/or other procedures to otherwise expedite and encourage residential development.	HE-5.2	Planning Dept.	Concurrent with Zoning Ordinance Updates

Table 4-0: Housing Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe
5.3.1	The County will work to provide adequate infrastructure to accommodate residential development in all areas of the unincorporated county.	HE-5.3	Planning Dept.	On-going
5.4.1	Currently residential care facilities are permitted with a conditional use permit in the RR and R-3 zones. Pursuant to Chapter 671 of the Statures of 2001, also known as SB 520, the County will amend the County Code to allow flexibility for the location of residential care facilities by permitting facilities for 6 or fewer persons by right in all residential zones.	HE-5.4	Planning Dept.	Concurrent with Zoning Ordinance Updates
6.1.1	The County shall take positive action to assure unrestricted access to housing. The County will continue to support local housing service providers to provide fair housing services and assist in program outreach.	HE-6.1	Planning Dept.	On-going
6.2.1	The County shall incorporate reasonable accommodation provisions into its Zoning Code to provide a means for persons with disabilities to request exceptions to zoning and building regulations that may act as a barrier to their housing choice.	HE-6.2	Planning Dept.	Concurrent with Zoning Ordinance Updates

TABLE 4-1: QUANTIFIED OBJECTIVES

Task	Income Level

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Fair Share Allocation	58	58	70	83	188	457
Residential Permits Issued 1/07 to 2/09	0	0	0	0	34	34
New Construction Objectives	58	58	70	83	154	423
Rehabilitation	--	5	5	5	0	15 [1]
Preservation (at-risk)	0	0	0	0	0	0
Total	58	63	75	88	154	438

Source: HCD, 2008 and Inyo County Planning Department, 2009

1 Per Program 1.1.1, the County will encourage the rehabilitation of approximately 15 units over the planning period.

5.0 CIRCULATION

5.0 Introduction

This element covers the movement of people, products, and materials using a variety of conveyances, from roads to railroads, bicycle paths to transmission lines.

This element presents goals, policies, and implementation measures for the following circulation topic areas:

- RH Roadways and Highways (Section 5.1)
- SH Scenic Highways (Section 5.2)
- PT Public Transportation (Section 5.3)
- BT Bicycles and Trails (Section 5.4)
- RR Railroads (Section 5.5)
- AVI Aviation (Section 5.6)
- CPT Canals, Pipelines, and Transmission Cables (Section 5.7)
- OCT Other Circulation Topics (Section 5.8)

The Circulation Diagrams for this element can be found at the Appendices, and are incorporated into this element by reference.

5.1 Roadways & Highways

5.1.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to roadways and highways, the following definitions will apply.

Arterial. A vehicular right-of-way whose primary function is to carry through traffic in a continuous route across an area while also providing some access to abutting land.

Level of Service (LOS). A method to describe how well a roadway is operating. Based on a roadway's volume to capacity (V/C) ratio, a letter designation is assigned that represents the traffic flow conditions. The letter designations A through F represent progressively declining conditions, with A indicating excellent maneuverability and stable speeds and F indicating a breakdown of flow and unstable, erratic speeds.

Regional Transportation Plan (RTP). The County Regional Transportation Plan is a planning document developed in cooperation with Caltrans and other stakeholders to address long-range transportation planning within the County.

Transportation Systems Management (TSM). Measures designed to reduce the peak-period auto traffic by making a more efficient use of existing resources, and emphasizing transit, ridesharing, and non-automobile alternatives.

5.1.2 Goals & Policies

Goal RH-1	A transportation system that is safe, efficient, and comfortable, which meets the needs of people and goods and enhances the lifestyle of the County's residents.

Policy RH-1.1 Prioritize Maintenance, Rehabilitation, and Reconstruction
Prioritize improvements based on the premise that maintenance, rehabilitation, and reconstruction of the existing highway and roadway system to protect public safety has the highest consideration on available funds.

Policy RH-1.2 Transportation Systems Management Projects
Implement Transportation Systems Management projects.

Policy RH-1.3 Safer Truck Transportation
Facilitate safer truck transportation and ease the impact of truck traffic on residential areas.

Policy RH-1.4 Level of Service
Maintain a minimum level of service (LOS) "C" on all roadways in the County. For highways within the County, LOS "C" should be maintained except where roadways expansions or reconfigurations will adversely impact the small community character and economic viability of designated Central Business Districts.

Policy RH-1.5 Proper Access
Provide proper access to residential, commercial, and industrial areas.

Policy RH-1.6 Minimize Environmental Impacts
Insure that all transportation projects minimize adverse effects on the environment of the County, to include the evaluation of impacts from emissions and the reduction of emissions through efficient design and the incorporation of innovative transit solutions such a public transit, shared transit, alternative transit, multi-modal transit and other such options.

Policy RH-1.7 Maximize State and Federal Funds
Pursue all means to maximize state and federal funds for roadway and highway improvements and maintenance.

Policy RH-1.8 Priority to Efficiency Projects
Give priority to transportation projects designed to improve the efficiency, safety, and quality of existing facilities.

Policy RH-1.9 Plan Comprehensive Transportation System
Continually plan, prioritize, design, and develop a comprehensive transportation system in cooperative partnership between the County, City of Bishop, state officials, the Local Transportation Commission (LTC), public and private groups, and other interested entities.

Goal RH-2	Improved capacity on state highways and routes within and surrounding Inyo County.

Policy RH-2.1 Improve U.S. 395 in Sections
Support improvements to U.S. 395 as funding allows.

~~**Policy RH-2.2 New Regional Roadways**~~

~~Improve circulation to Death Valley National Park by completing a paved route between north Scotty's Castle and Big Pine.~~

Policy RH-2.3 Protect County Roads

The County shall protect existing County roads from impacts from new development by requiring such new development to either subsidize their impacts or contract for repair/reconstruction of impacts.

Policy RH-2.4 Access to Public Lands

The County shall take every opportunity to safeguard existing, and promote additional, access to public lands.

Policy RH-2.5 Off Highway Vehicle (OHV) Access

The County shall promote the acquisition of additional Off Highway Vehicle (OHV) access routes, including through support of programs such as "Adventure Trails."

5.1.3 Implementation Measures

Table 5-1, Roadway and Highway Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-1. Roadway and Highway Implementation Measures

				Timeframe		
	Implementation Measure	**Implements What Policy**	**Who is Responsible**	**2012-2015**	**2015-2020**	**On-going**
1.0	Develop a list of priorities for maintenance, rehabilitation, and reconstruction projects based on the ability of current and project revenues to finance identified needs.	RH-1.1	LTC Public Works			■
2.0	Although individual roadways will vary, the County will plan to surface treat roads every 10 years and repave and reconstruct roads every 20 years.	RH-1.1	Public Works			■

Table 5-1. Roadway and Highway Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
3.0	Coordinate with Caltrans to implement necessary improvements at intersections where agencies have joint jurisdiction.	RH-1.1	Public Works			■
4.0	Provide or support signalization and signal timing projects as needed.	RH-1.2 RH-1.4	LTC			■
5.0	Encourage voluntary reduction of vehicle miles traveled to promote energy conservation and reduce air pollution<u>, and track, evaluate and reduce emissions resulting from new development proposals through the use of innovative transit solutions.</u>	RH-1.2 <u>RH-1.6</u>	LTC <u>Planning</u>			■
6.0	Assist with development of alternatives, including use of ridesharing, vanpooling, park and ride lots, flex time, telecommuting, and/or staggered work hours.	RH-1.2	LTC			■
7.0	Modify truck routes as necessary to insure safety and protect residential areas.	RH-1.3	Public Works			■
8.0	As appropriate to the scope of a project, require an adequate evaluation of potential traffic impacts associated with new developments prior to project approval, and implementation of appropriate mitigation measures prior to or in conjunction with project development.	RH-1.4 RH-1.5 RH-1.6	Public Works			■
9.0	Emphasize short local streets attached to a system of major and minor collectors within developed communities.	RH-1.5	Planning			■
10.0	Residential streets should be provided with appropriate frontages and access to public streets.	RH-1.5	Planning			■

Table 5-1. Roadway and Highway Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
11.0	Consider emergency access, parking, and the number of trips generated by proposed development.	RH-1.5	Planning			■
12.0	Mitigate any adverse environmental impacts of transportation projects to the maximum extent feasible.	RH-1.6	LTC Planning			■
13.0	Replace (reconstruct) deficient bridges on County roads so federal funds can be maximized for maintaining the balance of the roadway.	RH-1.7	LTC			■
14.0	The County shall support highway system improvements designed to optimize the use and safety of present facilities as an alternative to construction of new highways.	RH-1.8	LTC			■
15.0	Local street and road improvements shall be designed to optimize the use of present facilities as alternatives to the construction of new street and road facilities.	RH-1.8	LTC			■
16.0	Strive toward efficiency in the provision of transportation facilities through coordination of infrastructure improvements.	RH-1.8	LTC			■
17.0	For each RTP planning cycle, establish a hierarchy of roads based on the level of service they are expected to provide. ~~These changes should be incorporated as an annual amendment to the General Plan Circulation Diagrams.~~	RH-1.9	LTC			■
18.0	Encourage the continued use of Main Street (U.S. 395) as the primary north/south arterial through Bishop, as long as traffic conditions and safety allow.	RH-1.9	LTC			■

Table 5-1. Roadway and Highway Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
19.0	Work with Caltrans to ensure the completion of improvements on U.S. 395 from the 2-lane sections of U.S. 395 to 4 lanes.	RH-2.1	Caltrans LTC			■
20.0	Work with Caltrans and the National Park Service to complete a paved roadway (North Death Valley Road) connecting the north end of Death Valley to the Owens Valley.	RH-2.2	Public Works			■

5.2 Scenic Highways

5.2.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to scenic highways, the following definitions will apply.

Backcountry Byway. A Backcountry Byway shall be any roadway or roadway segment officially designated as a Backcountry Byway by the Bureau of Land Management (BLM).

Scenic Route. A Scenic Route shall be any highway, roadway, highway segment, or roadway segment that has been officially designated as a Backcountry Byway, Scenic Highway, National Forest Scenic Byway, or National Scenic Byway.

Scenic Highway. A Scenic Highway shall be a highway or highway segment officially designated as a scenic highway by Inyo County and Caltrans.

National Forest Scenic Byway. A National Forest Scenic Byway shall be any roadway or roadway segment officially designated as a National Forest Scenic Byway by the United States Forest Service.

National Scenic Byway. A National Scenic Byway shall be any roadway or roadway segment officially designated as a National Scenic Byway by the Bureau of Land Management.

5.2.2 Goals & Policies

Goal SH-1	Maintain a system of scenic routes that will preserve and enhance the quality of life for present and future generations.

Policy SH-1.1 Protect the ~~Natural~~ Qualities of Designated Scenic Routes
The ~~natural~~ visual qualities of designated scenic routes should be protected.

Policy SH-1.2 Financial Support of Scenic Routes
Seek state, federal, or other sources of financial support for the implementation of Scenic Routes.

~~**Policy SH-1.3 Expand Scenic Route Designations**~~

~~The County will work with Caltrans to obtain Scenic Route designations on all portions of U.S. 395 and State Routes 168 and 190. The County should also work with Caltrans to identify and have designated other scenic corridors in the County.~~

5.2.3 Implementation Measures

Table 5-2, Scenic Highway Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-2. Scenic Highway Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
	~~Adopt standards within the County Zoning Ordinance for development within the vicinity of scenic routes that maintains the integrity of viewsheds in the County.~~	~~SH-1.1~~	~~Planning~~	■		
~~2.0~~	~~County staff shall also work with state and federal agencies to pursue funding for the protection of designated Scenic Routes and their associated viewsheds and enhancement of visitor experiences through roadside rests, informational kiosks, and other interpretive signs and markers.~~	~~SH-1.2~~	~~Public Works LTC Planning~~			■
~~3.0~~	~~The County shall evaluate advances to support this designation.~~	SH-1.2				■
~~4.0~~	~~County will support continued efforts by groups such as the Coalition for Unified Recreation in the Eastern Sierra to achieve designated status on undesignated portions of U.S. 395.~~	~~SH-1.1~~ ~~SH-1.2~~	~~Planning~~			■
1.0	Encourage compatible development within scenic route viewsheds	SH-1.1	Planning			■

Table 5-2. Scenic Highway Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
2.0	Consider measures to enhance development within scenic route viewsheds, such as attractive walls, fencing, berms, and landscaping.	SH-1.1	Planning			■

5.3 Public Transportation

5.3.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to public transportation, the following definition will apply.

Public Transportation. A system of vehicles used to move people between locations within communities and between communities. Systems are typically run with some public funding assistance.

5.3.2 Goals & Policies

Goal PT-1	Provide effective, economically feasible, and efficient public transportation in Inyo County that is safe, convenient, efficient, reduces the dependence on privately owned vehicles, and meets the identified transportation needs of the County, with emphasis on service to the transportation disadvantaged.

Policy PT-1.1 Transit Facilities
Provide transit facilities, such as, bus shelters, staging areas, base stations, transit hubs, etc.

Policy PT-1.2 Transportation Grants
Encourage and support the use of public transportation grants from state and federal programs to the maximum extent possible.

Policy PT-1.3 Public Transit Accessibility
Support and promote accessibility in public transportation to the maximum extent practicable, including continued support of special service vans that provide a high level of service to low mobility groups.

Policy PT-1.4 Develop Long-Range Transit Plans
Cooperatively develop long-range plans with transit operators that provide guidance and assistance in determining capital and operating requirements.

Policy PT-1.5 Consider Future Development
Consider future development of commercial or residential centers that will generate traffic and require transportation improvements.

Policy PT-1.6 Encourage Interregional and Intercity Bus Lines
Encourage the development, expansion, and maintenance of interregional and intercity bus lines within Inyo County.

Policy PT-1.7 Promote Public Transportation
Actively promote public transportation through mass media, personal contact, and other marketing techniques, improve marketing and information programs to assist current ridership and to attract potential riders.

Policy PT-1.8 Provide for Multi-Modal Facilities at Airports
Encourage development of multi-modal facilities at airports where appropriate.

5.3.3 Implementation Measures

Table 5-3, Public Transportation Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-3. Public Transportation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	Develop and maintain a list of transit facilities that need development or improvement.	PT-1.1	LTC Public Works Dept.			■
2.0	Pursue state and federal grants for public transportation as they become available.	PT-1.2	LTC			■
3.0	Improve transit services for handicapped persons to provide mobility and self-sufficiency appropriate with state and federal regulations by coordinating and/or consolidating existing transportation services provided by social service agencies.	PT-1.3 PT-1.4	LTC			■

Table 5-3. Public Transportation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	Encourage continued development of a transit system that will provide access to major tourist attractions.	PT-1.4	LTC			■
5.0	Encourage transit providers to survey transit utilization to determine effectiveness of existing service and possible modifications in response to changes in land use and travel patterns.	PT-1.5	LTC			■
6.0	Promote inter-community bus services that are feasible and meet the needs of the communities, and identify potential funding sources.	PT-1.6 PT-1.7	LTC			■
	Work with regional bus transportation providers and state regulators in order to establish and/or maintain regional bus service with stops in the County.	PT-1.6	LTC County Administrator Public Works			■
8.0	Respond to requests for transit representatives to address civic, educational, and other interest groups.	PT-1.7	LTC			■
9.0	Arrange with local transit operators to provide ground transportation with incoming and outgoing passenger flights, as warranted.	PT-1.8	LTC			■

5.4 Bicycles & Trails

5.4.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to bicycles and trails, the following definitions will apply.

Class I Bikeway (Bike Path or Bike Trail). Provides a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians, with cross flows by motorists minimized.

Class II Bikeway (Bike Lane). Provides a restrictive right-of-way designated for the exclusive or semi-exclusive use of bicycles, with through travel by motor vehicles or pedestrians prohibited but with vehicle parking and cross flows by pedestrians and motorists permitted.

Class III Bikeway (Bike Route). Provides right of way designated by signs or permanent markings and shared with pedestrians and motorists.

5.4.2 Goals & Policies

Goal BT-1	Encourage and promote greater use of non-motorized means of personal transportation within the region.

Policy BT-1.1 Consider the Non-Motorized Mode in Planning
Consider the non-motorized mode as an alternative in the transportation planning process.

Policy BT-1.2 Bikeway and Trail System in the Region
Plan for and provide a continuous and easily accessible bikeway and trail system within the region. Plans shall be based on the bicycle system shown ~~on the General Plan Circulation Diagrams.~~ In the Inyo County Collaborative Bikeways Plan.

Policy BT-1.3 Multi-Modal Use of Road and Highway System
Support plans that propose multimodal use of the state highway and County roadway system.

Policy BT-1.4 Minimize Cyclist/Motorist Conflicts
Develop a regional bicycle system that will minimize cyclist/motorist conflicts.

5.4.3 Implementation Measures

Table 5-4, Bicycles and Trails Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-4. Bicycles and Trails Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012-2015	2015-2020	On-going
1.0	As appropriate, include bicycle trails and parking facilities with the development of new major streets, large commercial/industrial developments, and public facilities.	BT-1.1	Planning Department			■
2.0	Design and develop routes to accommodate bikeways, equestrian trails, and pedestrian facilities. Utilize the plans illustrated on the General Plan Circulation Diagrams	BT-1.1 BT-1.2	LTC			■
3.0	Monitor bicycle usage of existing bicycle facilities and road system, and make improvements when necessary and feasible.	BT-1.2	LTC			■
4.0	Require that bicycle facilities be maintained at regular intervals to prevent deterioration of the facilities.	BT-1.2	LTC			■
5.0	Seek opportunities for joint participation of the state and City of Bishop (when appropriate) in the construction and maintenance of non-motorized facilities. The County shall also pursue other funding sources to assist in the planning, design, construction, and maintenance of bicycle facilities and trails.	BT-1.2	LTC			■

Table 5-4. Bicycles and Trails Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
6.0	Incorporate pedestrian and/or equestrian facilities as part of the recreational trails system, and link these to all land use areas. Consider the development and adoption of a pedestrian master plan.	BT-1.2	LTC			■
7.0	Encourage the development of bicycle facilities that will be convenient to use, easily accessible, continuous, and safe.	BT-1.2	LTC			■
8.0	Mark clearly pedestrian, equestrian, and recreational trails where crossing a roadway.	BT-1.2 BT-1.4	LTC			■
9.0	Work with federal land management agencies and LADWP to coordinate trail efforts and ensure connections between trail systems in federally managed lands and Inyo County communities and locations of interest.	BT-1.2	Inyo County			■
0.0	Where roadway and/or shoulder width exists, surface conditions permit, and bicycle volumes warrant, install bike route signs and/or striping.	BT-1.3	Public Works Dept.			■
11.0	Employ the appropriate class of bikeways, considering volume, speed, safety, and cost and use California's design standards when federal or state funding is involved.	BT-1.2 BT-1.4 BT-1.4	LTC			■

5.5 Railroads

5.5.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to railroads, the following definitions will apply.

Mainline. A mainline corridor is one that connects two or more primary destinations. A regional connection.

Spur Line. A spur line is a rail link running from a mainline to a destination or origination point of goods, materials, or passengers to be carried by the railroad.

5.5.2 Goals & Policies

Goal RR-1	Encourage and pursue railroad facilities within the region.

Policy RR-1.1 Preservation of Railroad Right-of-Way
Support preservation of railroad rights-of-way in Inyo County for restoration of rail operations or reuse in a regional bikeway/trails system.

Policy RR-1.2 Railroad Corridor Studies
Encourage railroad corridor studies in Inyo County for passenger and freight service.

Policy RR-1.3 Reestablish Freight Service
Support efforts to reestablish freight service in Inyo County.

5.5.3 Implementation Measures

Table 5-5, Railroad Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-5. Railroad Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
						■
1.0	Encourage multimodal and multiple use of railroad facilities.	RR-1.1	LTC			■
2.0	Analyze potential use of railroad rights-of-way facilities.	RR-1.1	LTC			■
3.0	Seek funding for railroad studies. Studies should determine the future viability of railroad corridors and potential for reuse	RR-1.1 RR-1.2	LTC			■
4.0	Cooperate with public or private projects to rehabilitate railroad routes and assist in seeking public and private funding to implement such projects.	RR-1.3	LTC			■

5.6 Aviation

5.6.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to aviation, the following definitions will apply.

Private Airstrip. A privately owned facility with limits on usage.

Public Airport. Airfields and supporting facilities that are owned or operated by a public entity and are available for use by the general public.

5.6.2 Goals & Policies

Goal AVI-1	Enhance airports in the County to meet changing needs and demands.

Policy AVI-1.1 Airport Funding
Seek all available funding sources for airport maintenance and enhancement.

Policy AVI-1.2 Land Use Compatibility
Promote land use compatibility of each airport with the surrounding environment.

Policy AVI-1.3 Effective and Efficient Utilization of Airports
Encourage and foster effective and efficient utilization of existing airport facilities.

Policy AVI-1.4 Light Industrial at Bishop Airport
Promote the establishment of light industrial uses and businesses to stimulate the use of the Bishop Airport by outside companies.

Policy AVI-1.5 Air Carrier Service at Bishop Airport
Maintain and expand dependable air carrier service at Bishop Airport to serve the air passenger, cargo, and mail/package needs of the County

5.6.3 Implementation Measures

Table 5-6, Aviation Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-6. Aviation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012-2015	2015-2020	On-going
1.0	Seek all means to maximize state and federal airport grant funding.	AVI-1.1	LTC Public Works			■
2.0	Seek capital through private ventures, government grants, low interest loans, and/or loan guarantees.	AVI-1.1	LTC Public Works			■
3.0	Encourage development of public airports as outlined in the "Bishop Airport Master Plan" or future master plans.	AVI-1.2	LTC Public Works			■
4.0	Adopt the "Policy Plan and Airports Comprehensive Land Use Plans" recommendations and policies that promote land use and noise compatibility within the seven public use airports in the County.	AVI-1.2	LTC Public Works Planning			■
5.0	Ensure consistency of County and local general and specific plans with airport land use plans.	AVI-1.2	LTC Planning			■
6.0	Work with LADWP to ensure airport lease allows flexibility in land use around the Bishop Airport.	AVI-1.4	Board of Supervisors County Administrator	■		

Table 5-6. Aviation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
7.0	Evaluate the provision of incentives for a commuter and/or commercial airline operation at Bishop Airport, including economic incentives such as: volume fuel discount, reasonable counter, gate, and landing fee rates.	AVI-1.5	LTC Public Works			■
8.0	Work with resort operators in the Mammoth Lakes area to ~~develop~~ maintain Bishop Airport as a backup facility to handle air flights to Mammoth Airport during inclement weather.	AVI-1.5	LTC Board of Supervisors County Administrator			■
9.0	Increase the awareness of the Bishop Airport to bring tourists and business groups to the area.	AVI-1.5	LTC County Tourism Board			■
10.0	Encourage cooperation between the County and the Bishop Tourist/Convention Bureau to help attract recreational visitors to use the Bishop Airport for fast, safe, and efficient travel.	AVI-1.3 AVI-1.5	LTC			■

5.7 Canals, Pipelines & Transmission Cables

5.7.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to canals, pipelines, and transmission cables, the following definitions will apply.

Aqueduct. The term aqueduct refers to a system used to carry a large quantity of flowing water. An aqueduct system can be made up of a number of conveyance structures, such as pipes or canals.

Kilovolt (kV). Term defining 1,000 volts of electricity.

Regional Conveyance. A regional conveyance is defined as any transmission facility or conduit used for the movement of a material, product, resource, or information that is delivered to or from an area outside the County. Transmission facilities include, but are not limited to, pipelines, aqueducts, canals, overhead lines, and antennas.

5.7.2 Goals & Policies

Goal CPT-1	To ensure that regional conveyance systems are designed and located to serve Inyo County residents while not significantly impacting existing communities or regional viewsheds.

Policy CPT-1.1 Placement of Corridors
The County shall consider the visual and environmental impacts associated with placement of regional conveyance corridors.

5.7.3 Implementation Measures

Table 5-7, Canals, Pipelines, and Transmission Cables Implementation Measures, identifies the implementation measures that the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-7. Canals, Pipelines, and Transmission Cables Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County will encourage the co-location of regional conveyance corridors (utility corridors) over establishment of new routes.	CPT-1.1	Planning			■
2.0	Regional conveyance corridors passing through the County should provide some benefit to the residents of the County.	CPT-1.1	Planning			■
3.0	All high voltage electricity (> 92kV), natural gas, and oil/fuels transmission facilities will be designed and located to not impact the health, safety, or welfare of residents and visitors to the County.	CPT-1.1	Planning			■
4.0	Antennas and satellite dishes shall be screened from public view whenever possible.	CPT-1.1	Planning			■

5.8 Other Circulation Topics

5.8.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to other circulation topics, the following definitions will apply.

Off-Street Parking. Parking provided in a parking lot located outside the right-of-way of a street or highway.

On-Street Parking. Parking that is included in the right-of-way of a street or highway.

Telecommuting. Using information services/systems, such as the Internet, e-mail, video conferencing, and so forth to allow a person to work in a location removed from a main or branch office.

5.8.2 Goals & Policies

Goal OCT-1	Provide for the parking needs of local residents, visitors, and tourists.

Policy OCT-1.1 Adequate Allocation of Parking
Require development proposals to provide adequate parking for the intended uses.

Policy OCT-1.2 Park-and-Ride Facilities
Encourage park-and-ride facilities along major roadways where feasible

Policy OCT-1.3 On-Street Parking
Maintain on-street parking whenever possible.

Goal OCT-2	Incorporate new developments in communications/transportation technology.

Policy OCT-2.1 Transportation Technology Research and Development
Support public and private research and development efforts in new transportation technology.

Policy OCT-2.2 Communications Technology
Support communications technology that reduces the need for vehicle travel.

5.8.3 Implementation Measures

Table 5-8, Other Circulation Topics Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 5-8. Other Circulation Topics Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012-2015	2015-2020	On-going
1.0	Consider on-street and off-street parking needs for all projects and ensure adequate parking is provided or available.	OCT-1.1	Planning Department			■
2.0	Incorporate new park-and-ride lots or expansion of existing lots, when warranted, in with other projects.	OCT-1.2	LTC			■
3.0	Work with Caltrans to maintain safe, on-street parking along highways in communities.	OCT-1.3	Public Works			■
4.0	Cooperate in studying corridors for High Speed Ground Transportation (HSGT) or high speed rail projects.	OCT-2.1	LTC			■
5.0	Encourage, where appropriate, rural test sites for transportation research and development.	OCT-2.1	LTC			■
6.0	Increase use of travel saving communications technologies, such as tele-conferencing and travel information systems.	OCT-2.2	LTC			■
7.0	The County shall work with utility providers (including cable franchises) to provide access to high-speed Internet services.	OCT-2.2	County Administrator			■

Table 5-8. Other Circulation Topics Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
8.0	The County shall work with communications companies to gain access to high-speed communications corridors, in particular, continuing to support and participate in the Digital 395 Initiative. ~~as part of permitting process.~~	OCT-2.2	County Administrator Planning Information Services			■

6.0 CONSERVATION/OPEN SPACE

6.0.1 Introduction

This element presents goals, policies and implementation measures for several resource disciplines, including soils, agricultural resources, mineral and energy resources, water resources, biological resources, cultural resources, visual resources, and recreation.

This element is divided into the following eight topic areas:

- S Soils (Section 6.1)
- AG Agricultural Resources (Section 6.2)
- MER Mineral and Energy Resources (Section 6.3)
- WR Water Resources (Section 6.4)
- BIO Biological Resources (Section 6.5)
- CUL Cultural Resources (Section 6.6)
- VIS Visual Resources (Section 6.7)
- REC Recreation (Section 6.8)

6.1 SOILS

6.1.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to soils, the following definitions will apply.

Soil. Soil is a layer of weathered, unconsolidated material on top of bedrock. Soil can also be described as containing organic matter and being capable of supporting plant life.

Soil Types. A variety of soil types exist in Inyo County. Soils are classified by a number of factors, including particle size; organic component; their mix of sand, silt, and clay materials; and the types of base materials which eroded to make the material.

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6.1.2 Goals & Policies

GOAL S-1	Maintain the productivity of Inyo County's soils.

Policy S-1.1 Soil Conservation for Agriculture
Encourage the conservation of agricultural soils to provide a base for agricultural productivity and the County's economy.

Policy S-1.2 Agricultural Impacts to Soils
Promote sound agricultural practices to help eliminate excessive erosion and buildup of salts.

GOAL S-2	Recognize development limitations of soil types in review and approval of future development projects to protect public health and safety.

Policy S-2.1 Soil Erosion
Minimize soil erosion from wind and water related to new development.

Policy S-2.2 Soil Limitations
Require low-density development in areas where soils have moderate or severe limitations for sewage disposal, unless infrastructure exists for a public sewer system.

Policy S-2.3 Soil Instability
In areas of unstable soils and/or steep terrain, the County shall limit the intensity of development in order to minimize the potential for erosion and landform instability.

6.1.3 Implementation Measures

Table 6-1, Soil Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-1. Soil Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County will work with the U.S. Department of Agriculture, the NRCS, and University of California Extension to ensure that farmers and ranchers have access to information and resources to best manage soil erosion and salt buildup.	S-1.1 S-1.2	Agricultural Commissioner	■		
~~2.0~~	~~The County shall develop as part of their Zoning Ordinance guidelines for erosion control associated with grading activities in the County.~~	~~S-2.1~~	~~Planning~~	■		
~~2~~3.0	The County shall require erosion control measures for all grading activities to minimize the impact of soil erosion from water and wind.	S-2.1 S-2.3	Public Works			■

Table 6-1. Soil Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
34.0	All development proposed to utilize septic systems shall comply with Environmental Health Department and LRWQCB requirements for siting and installation. Development of shared/community septic systems and in areas know to have septic tank failures shall be required to provide a soils test showing on-site and cumulative area capabilities to support the proposed system. Septic tanks on lots smaller than ½ acre are prohibited by LRWQCB.	S-2.2	Building and Safety Environmental Health LRWQCB			■

6.2 Agricultural Resources

6.2.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to agricultural resources, the following definitions will apply.

Agricultural. Agricultural activities are defined to include the production of food, feed, forage, fiber, and oilseed crops and are lands available for use as cropland, pastureland, rangeland, and commercial timber.

Farmland of Local Importance. Lands identified by the County as important to the local economy, but do not fall within prime farmland or farmland of statewide importance.

Farmland of Statewide Importance. Farmland of Statewide Importance are lands other than prime farmland that have a good combination of physical and chemical characteristics for producing food, feed, or fiber.

Prime Farmland. Prime farmland is land with the best combination of soil quality, water supply, and growing season needed to produce sustained high yields of agricultural crops. These lands are best suited for producing food, feed, or fiber and are also available for pastureland and rangeland.

Williamson Act. The Williamson Act, also know as the California Land Conservation Act, is a voluntary program that allows property owners to have their property assessed on the basis of agricultural production rather than current market value. The purpose of the Act is to encourage property owners to continue to use their property in agricultural activities to prevent their premature conversion to urban uses.

6.2.2 Goals & Policies

GOAL AG-1	Provide and maintain a viable and diverse agricultural industry in Inyo County.

Policy AG-1.1 Identify Important Agricultural Lands
Support and encourage the identification of important agricultural lands within the County.

Policy AG-1.2 Continue Agricultural Production
Support and encourage continued agricultural production activities in the County

Policy AG-1.3 Conversion of Agricultural Land
Discourage conversions of productive agricultural lands for urban development.

Policy AG-1.4 Minimize Land Conflicts
Preserve and protect agricultural lands from encroachment by incompatible land uses.

Policy AG-1.5 Education in Agronomics
Support education programs in agricultural sciences to insure a future of well-trained agronomists and informed citizens.

Policy AG-1.6 Public Lands for Agriculture
Support the continued use and expansion of public lands for agricultural operations.

Policy AG-1.7 LADWP Lands for Agriculture
Work with LADWP to expand the County's agricultural base of cropland on identified arable lands to benefit the agricultural economy.

Policy AG-1.8 Sustainable Agriculture
Promote sustainable agricultural activities to lessen environmental impacts, such as:

- manage lands on a sustainable yield basis,
- encourage the use of reclaimed water for agricultural use where feasible, and/or be more efficient with irrigation water to conserve potable water, and
- rotate crop production to conserve soil characteristics.

6.2.3 Implementation Measures

Table 6-2, Agricultural Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-2. Agricultural Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	2015-2020	On-going
1.0	Work with the NRCS and the California Department of Conservation to complete studies needed to identify Prime Farmland and Farmland of Statewide Importance.	AG-1.1 AG-1.3	Agricultural Commissioner ~~Farm Advisor~~ NRCS		■	
2.0	The County ~~shall~~ may develop a program to identify Farmland of Local Importance and shall maintain a diagram showing the location of these lands. Primary locations for these lands are in the Owens Valley and Sandy Valley areas.	AG-1.1 AG-1.3	Agricultural Commissioner ~~Farm Advisor~~		■	

Table 6-2. Agricultural Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
3.0	The County shall ensure that large land areas (40 acres minimum) that are identified as Prime Farmland, Farmland of Statewide Importance, or Farmland of Local Importance are maintained for agricultural operations. The County ~~shall~~ may establish and promote a Williamson Act program for protection of these important agricultural lands.	AG-1.1 AG-1.2 AG-1.3 AG-1.4	Agricultural Commissioner Planning			■
4.0	New development proposals adjacent to agricultural operations shall be reviewed and mitigated to ensure that they do not significantly impact agricultural operations or lead to nuisance complaints from new residents.	AG-1.4	~~Farm Advisor~~ Planning			■
5.0	The County shall work with local universities and technical schools to encourage the provision of educational programs in agriculture.	AG-1.5	~~Farm Advisor~~ Future Farmers of America 4-H			■

Table 6-2. Agricultural Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	2015-2020	On-going
6.0	Work with public managers to coordinate and expand the use of public lands for agricultural activities where appropriate. Areas to encourage expansion would be lands identified as Prime Farmland or Farmland of Statewide Importance through Implementation Measure 1.0	AG-1.6	Agricultural Commissioner			■
6.1	Work with LADWP to expand agricultural opportunities as appropriate in areas identified as Prime Farmland or Farmland of Statewide Importance through Implementation Measure 1.0	AG-1.7	Planning Agricultural Commissioner	■		
7.0	The County shall continue to support sustainable agriculture through programs offered by the Farm Advisor and Agriculture Commissioner's office.	AG-1.8	Agricultural Commissioner ~~Farm Advisor~~			■

6.3 MINERAL & ENERGY RESOURCES

6.3.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to mineral and energy resources, the following definitions will apply.

Geothermal Energy. Geothermal energy is created by capturing steam that is created when water in the ground comes in contact with hot rocks underground and using this steam to run a turbine to generate electricity.

Hydroelectric Energy. Hydroelectric energy is generated by converting the movement of water into electricity. In Inyo County, many hydroelectric facilities are operated by piping water to a downhill location using the minimum grade necessary to keep the water moving, then letting the water fall (thereby increasing the water's speed) to a generating facility where the moving water turns a turbine and generates electricity.

Mineral Resources. Mineral resources are defined as naturally occurring materials in the earth that can be utilized for commercial purposes.

6.3.2 Goals & Policies

GOAL MER-1	Protect the current and future extraction of mineral resources that are important to the County's economy while minimizing impacts of this use on the public and the environment.

Policy MER-1.1 Resource Extraction and the Environment

Support the production of mineral resource where it would not significantly impact sensitive resources as defined by CEQA and this General Plan.

Policy MER-1.2 Minimize Land Conflicts

New mining operations shall be designed to provide a buffer between existing or likely adjacent uses to minimize incompatibility with nearby uses, and adequately mitigate their environmental and aesthetic impacts.

Policy MER-1.3 SMARA Compliance

The County shall ensure that all mining projects comply with the requirements of the California Surface Mining and Reclamation Act (SMARA), County ordinances, and any other applicable regulations. As part of this compliance, all mining operations shall prepare and implement reclamation plans that mitigate environmental impacts and incorporate adequate security to guarantee proposed reclamation.

Policy MER-1.4 Environmental Contamination

All mining operations will be required to take precautions to avoid contamination from wastes or incidents related to the storage and disposal of hazardous materials, or general operating activity at the site.

Policy MER-1.5 Maintain Accessibility

Ensure that extractive resource areas are protected from incompatible development that could interfere with extractive operations, now or in the future.

6.3.3 Implementation Measures

Table 6-3, Mineral and Energy Resources Implementation Measures, identifies implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-3. Mineral and Energy Resources Implementation Measures

				Timeframe		
	Implementation Measure	**Implements What Policy**	**Who is Responsible**	**2012-2015**	**2015-2020**	**On-going**
1.0	The County shall ensure compliance with the California Environmental Quality Act (CEQA) on all mining projects (on private and LADWP-owned lands in the unincorporated portions of the County), including the proposal of adequate and feasible mitigations to reduce on-site and off-site impacts to less than significant levels.	MER-1.1 MER-1.2 MER-1.4	Planning Public Works			■

Table 6-3. Mineral and Energy Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
2.0	The County shall not permit mining operations in areas containing existing sensitive receptors, such as residences, schools, hospitals, and similar uses, unless it can be demonstrated that impacts would be less than significant, and/or mitigation measures are incorporated into the project design to ensure that impacts would not occur.	MER-1.1 MER-1.2 MER-1.4	Planning			■
3.0	For mining operations that involve heavy truck traffic, the County shall ensure that mitigations are in place to reduce adverse impacts from dust, noise, and erosion, and to also ensure that operations contribute equitably for the maintenance of public roads.	MER-1.1 MER-1.2	Building and Safety Public Works Planning			■
4.0	The County shall continue to review mining projects pursuant to the requirements of the SMARA, County ordinances, and any other applicable regulations.	MER-1.3	Planning State Dept. of Conservation, Office of Mine Reclamation			■
5.0	All mining operators will be required to submit operating plans that contain spill prevention control plans and other measures that identify structural and non-structural methods to reduce environmental impacts.	MER-1.4	Environmental Health Planning			■
6.0	The County shall review development proposals to ensure that they would not conflict with mineral resource extraction.	MER-1.5	Planning			■

Table 6-3. Mineral and Energy Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
7.0	Discourage incompatible development on lands identified as containing significant mineral resources. Support uses that will not preclude future mining activities.	MER-1.5	Planning			■

6.4 Water Resources

6.4.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to water resources, the following definitions will apply.

Aquifer. An aquifer is a body of saturated rock or sediment through which water can move readily. An aquifer is the underground area that stores groundwater resources.

Groundwater Basin. A groundwater basin is the aboveground area from which water flows or seeps into a particular aquifer or series of linked aquifers.

Groundwater Transfer. Groundwater transfer refers to the mechanical or artificial relocation of groundwater resources to a location outside the source location.

Mining or Overdraft. Overdraft is a condition of a groundwater basin or aquifer in which withdrawals exceed recharge (i.e., more water is taken out than is put back in).

Water Table. The upper surface of an aquifer (zone of saturation).

6.4.2 Goals & Policies

GOAL WR-1	Provide an adequate and high quality water supply to all users within the County

Policy WR-1.1 Water Provisions
The County shall review development proposals to ensure adequate water is available to accommodate projected growth, and that water resources are used with conservation and efficiency in mind.

Policy WR-1.2 Domestic Groundwater
Support sustainable groundwater extraction for domestic use in rural areas

Policy WR-1.3 Water Reclamation
Encourage the use of reclaimed wastewater, where feasible, to augment groundwater supplies and to conserve potable water for domestic purposes.

Policy WR-1.4 Regulatory Compliance
Continue the review of development proposals and existing uses pursuant to the requirements of the Clean Water Act, LRWQCB, and local ordinances to reduce polluted runoff from entering surface waters.

Policy WR-1.5 Pollutant Reduction Through Education
Support education programs to inform the public of methods to reduce water pollution.

Policy WR-1.6 Water for Agriculture
Support existing and expanded sources of water for use in agriculture.

GOAL WR-2	Protect and preserve water resources for the maintenance, enhancement, and restoration of environmental resources.

Policy WR-2.1 Restoration
Encourage and support the restoration of degraded water surface and groundwater resources.

Policy WR-2.2 Watercourse Alterations
Encourage the preservation of existing natural conditions of watercourses when considering flood control projects.

Policy WR-2.3 New Hydroelectric Facilities
New or expanded hydroelectric power facilities that do not benefit the County shall be discouraged.

GOAL WR-3	Protect and restore environmental resources from the effects of export and withdrawal of water resources

Policy WR-3.1 Watershed Management
Protect, maintain, and enhance watersheds within Inyo County.

Policy WR-3.2 Sustainable Groundwater Withdrawal
The County shall manage the groundwater resources within the County through ordinances, project approvals and agreements, ensure an adequate, safe and economically viable groundwater supply for existing and future development within the County, protect existing groundwater users, maintain and enhance the natural environment, protect the overall economy of the County, and protect groundwater and surface water quality and quantity.

Policy WR-3.3 Water Resolutions
Support the implementation of the Long Term Groundwater Management Agreement between the County and LADWP, the MOU between LADWP, the County, the California Department of Fish and Game, the California State Lands Commission, the Sierra Club and the Owens Valley Committee, and the Inyo County Groundwater Ordinance (Ordinance 1004).

Policy WR-3.4 Return of Water Rights
If environmental restoration or economic development opportunities arise where additional private land or water rights are required and held by LADWP, the County should work with LADWP to regain landownership and water rights in the Owens Valley.

GOAL WR-4	Ensure the protection of water resources and human health related to potential contamination from development at the proposed Yucca Mountain Waste Nuclear Repository and past, present, and future activities at the Nevada Test Site.

Policy WR-4.1 Mitigation for Contamination
Require the U.S. Department of Energy (DOE) to incorporate sufficient engineering features into any future repository at Yucca Mountain to ensure no migration of radionuclides or other contaminants to groundwater resources.

Policy WR-4.2 Federal Responsibilities
Require that the DOE shall pay for and implement the monitoring, mitigation, and warning systems to ensure potential contaminated groundwater from the Yucca Mountain Repository does not adversely affect groundwater resources within the County.

6.4.3 Implementation Measures

Table 6-4, Water Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-4. Water Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County shall coordinate with LADWP and local water agencies to ensure that water supplies and facilities are planned to serve development projects planned within the County, and that conservation and water-efficient tools are used whenever possible.~~:~~	WR-1.1	Public Works Water			■
	The County shall review any new development proposals that involve a withdrawal of groundwater that is not regulated by the County's Groundwater Ordinance (Ordinance 1004) or the Inyo County/Los Angeles Water Agreement to ensure that with the proposed use, there will be an adequate, safe and economically viable supply of groundwater to supply all existing users of the groundwater as well as the future users under the proposed development.	WR-1.2	Water Planning Environmental Health			■
3.0	The County shall work with private industries to support the development of reclaimed water systems for non-potable uses. These efforts may include obtaining funding for subsidizing reclaimed water systems.	WR-1.3	Building and Safety Public Works			■
4.0	The County will review projects and ensure compliance with the Clean Water Act, including the requirements of the National Pollutant Discharge Elimination System (NPDES).	WR-1.4	Environmental Health LRWQCB			■

Table 6-4. Water Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
5.0	Industries that directly or indirectly discharge pollutants to surface waters shall be monitored for compliance with existing regulations.	WR-1.4	Environmental Health LRWQCB			■
6.0	Work with industries to reduce direct-source pollution into surface waters.	WR-1.4	Environmental Health LRWQCB CalEPA			■
7.0	New industrial development shall be reviewed to determine the appropriate mechanisms to reduce wastewater discharge. These mechanisms may include onsite treatment prior to discharge of materials.	WR-1.4	Planning Environmental Health LRWQCB			■
8.0	The County shall prepare information on methods to reduce water pollution to be made available to the public. This information should discuss disposal of household hazardous materials, erosion control, septic systems, and vegetation management near waterways.	WR-1.5	Environmental Health Integrated Waste Management	■		
9.0	The County shall work with LADWP and federal regulatory agencies to develop a Waterways Plan for the restoration of the Owens River. This plan shall be designed to manage water quality, quantity, and biological resources that are dependent upon the water. Funding shall be sought from federal and state agencies, as well as LADWP and the private sector.	WR-2.1	Water Planning		■	

Table 6-4. Water Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
10.0	The County shall identify degraded waterways (other than the Owens River) that are appropriate for restoration work.	WR-2.1	Water		■	
11.0	The County shall work to obtain funding and/or volunteer efforts to perform restoration and to return degraded waterways to ecological health.	WR-2.1	Water			■
12.0	When flood control is required, the County shall design facilities, or work with the Corps of Engineers or other responsible agencies, to design facilities that promote leaving watercourses in as natural a condition as possible.	WR-2.2	Public Works			■
13.0	The County shall actively discourage and object to the permitting and development of new or expanded hydroelectric energy facilities that do not benefit the County.	WR-2.3	Planning			■
14.0	Coordinate with federal and state land management agencies to ensure adequate protection of watersheds that are vital to Inyo County's groundwater and surface water resources.	WR-3.1	Planning Collaborative Planning Team Water			■
15.0	The County shall monitor and ensure the implementation of the MOU to rewater the lower Owens River.	WR-3.1 WR-3.3	Water	■		
16.0	Work with the State of Nevada and neighboring California and Nevada Counties to cooperatively manage common watersheds and groundwater basins to achieve the goal of maintaining an adequate, safe	WR-3.1 WR-3.2	Water Planning Nevada State Engineer			■

Table 6-4. Water Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
	and economically viable groundwater supply for existing and future development within the County and its neighboring jurisdictions, protecting existing groundwater users, maintaining the natural environment, protecting the economy of the County, and protecting or enhancing groundwater quality and quantity.					
	The County shall require that water exports not damage the County's environmental and economic resources by ensuring that "no unreasonable effect" occurs in the transfer and withdrawal of water resources pursuant to Section 1810 of the Water Code and the Inyo County Groundwater Ordinance. "No unreasonable effect" shall be defined as the following:					
17.0	▪ The action would not contribute to a significant decline in the population of any sensitive or protected plant, fish, or wildlife species; ▪ The action would not reduce water levels in any existing public or private groundwater wells to levels that preclude withdrawal by existing users or would significantly increase the costs or such withdrawal; ▪ The action would not contribute to a significant	WR-3.2	Planning Water			■

Table 6-4. Water Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
	change (degradation) in water quality or would reduce water quality below health standards or federal/state water quality standards; ▪ The action would not contribute to effects on water quality that would result in a deficiency by the water treatment agency's or individual's ability to treat water to appropriate standards; ▪ The action would not reduce available groundwater or surface water resources to levels that would make access and/or use of these waters uneconomical for development planned in accordance with this General Plan; ▪ The action would not directly or indirectly discharge contaminants into surface or groundwater resources. ▪ The action would not result in a land subsidence					
18.0	The term "No unreasonable effect" includes economic considerations. These considerations include the demonstration of the potential costs and economic benefits that could result in the County with a new or expanded water export operation.	WR-3.2	Water Planning			■

Table 6-4. Water Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
19.0	The County shall encourage land transfers and water agreements that return water rights back to private property owners and Inyo County.	WR-3.4	Planning Water			■
20.0	The County will work to ensure that the repository design incorporates features necessary to ensure there will be no migration of radionuclides or other contaminants into groundwater resources.	WR-4.1 WR-4.2	Planning			■
21.0	The County will monitor the activities of the DOE and other federal, state, and local agencies and work with these agencies to ensure that impacts from the proposed Yucca Mountain Nuclear Waste Repository to public safety are avoided or fully mitigated.	WR-4.1 WR-4.2	Planning			■
22.0	The County shall support existing and expanded sources of water for agricultural uses.	WR-1.6	Planning			■

6.5 BIOLOGICAL RESOURCES

6.5.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to biological resources, the following definitions will apply.

Sensitive Natural Community. A sensitive natural community is a community that is especially diverse, regionally uncommon, or of special concern to local, state, and federal agencies. Elimination or substantial degradation of such a community would constitute a significant impact under CEQA. The California Department of Fish and Game (DFG) monitors the condition of some sensitive natural communities in its Natural Diversity Database (NDDB), including the following communities present in Inyo County: active desert dunes, alkali meadow, alkali seep, the Amargosa River, bristlecone pine forest, cottonball marsh, mesquite bosque, Salt Creek, Great Basin desert spring outflow, Mojave riparian forest, stabilized and partially stabilized desert dunes, transmontane alkali marsh, and water birch riparian scrub. Other sensitive natural communities that are or may be present in Inyo County include diverse types of riparian forest and scrub, Joshua tree woodland, foxtail pine forest, desert sandfields (Holland 1986), and various types of wetlands.

Special-Status Species. Special-status species are plants and animals that are legally protected under the state and federal Endangered Species Acts (ESAs) or other regulations, and species that are considered by the scientific community to be sufficiently rare to qualify for such listing. Special-status plants and animals are species in the following categories:

- species listed or proposed for listing as threatened or endangered under the federal ESA (50 CFR 17.12 [listed plants], 50 CFR 17.11 [listed animals], and various notices in the Federal Register [FR] [species proposed for listing]);
- species that are candidates for possible future listing as threatened or endangered under the federal ESA (61 FR 7596-7613, February 28, 1996);
- species listed or proposed for listing by the State of California as threatened or endangered under the California ESA (14 California Code of Regulations [CCR] 670.5);
- species that meet the definition of rare, threatened, or endangered under CEQA (State CEQA Guidelines Section 15380);

- plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.);
- plants considered by the CNPS to be "rare, threatened, or endangered in California" (Lists 1B and 2 in Skinner and Pavlik 1994);
- animal species of special concern to DFG (Remsen 1978 [birds], Williams 1986 [mammals], and Jennings and Hayes 1994 [amphibians and reptiles]); and
- animals fully protected in California (California Fish and Game Code Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

Wetlands and Other Waters of the United States. Wetlands are defined in Section 404 of the Clean Water Act as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support (and do support, under normal circumstances) a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3[b], 40 CFR 230.3). Areas that fit this definition fall under the jurisdiction of the U.S. Army Corps of Engineers. (Corps). To be protected under Section 404 of the Clean Water Act, a wetland must support positive indicators for hydrophytic vegetation, hydric soil, and wetland hydrology. However, agencies other than the Corps may consider an area a wetland if it is lacking one or more of the three parameters set forth by the Corps but provides important wetland functions and values such as wildlife habitat and water quality maintenance.

The term "other waters of the United States" refers to seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface water features that exhibit an ordinary high-water mark but lack positive indicators for one or more of the three wetland parameters described above (33 CFR 328.4). These water bodies are often also protected by the Corps or other agencies because of their important ecological function and values.

6.5.2 Goals & Policies

GOAL BIO-1	Maintain and enhance biological diversity and healthy ecosystems throughout the County.

Policy BIO-1.1 Regulatory Compliance
The County shall review development proposals to determine impacts to sensitive natural communities, of both local and regional concern, and special-status species. Appropriate mitigation measures will be incorporated into each project, as necessary.

Policy BIO-1.2 Preservation of Riparian Habitat and Wetlands
Important riparian areas and wetlands, as identified by the County, shall be preserved and protected for biological resource value.

Policy BIO-1.3 Restoration of Biodiversity
Encourage the restoration of degraded biological communities.

~~**Policy BIO-1.4 Limitations for ERA's**~~
~~The County shall discourage development in Environmental Resource Areas (ERA).~~

Policy BIO-1.5 Develop Outside of Habitat Areas
Work with regulatory agencies and private developers to direct development into less significant habitat areas. Discourage urban development in areas containing sensitive natural communities or known to contain special-status species.

Policy BIO-1.6 Wildlife Corridors
The County shall work to preserve and protect existing wildlife corridors where appropriate.

Policy BIO-1.7 ~~Noxious~~ Invasive Weeds Species
Avoid activities that will promote the spread of ~~noxious~~ invasive weeds in the County.

Policy BIO-1.8 Owens River Restoration
The County will work with the LADWP and regulatory agencies to complete the restoration of habitat values along the historic Owens River channel as mitigation for degradation done with water export activities. This policy shall apply to the portion of the Owens River identified as the Lower Owens River Project.

GOAL BIO-2	Provide a balanced approach to resource protection and recreational use of the natural environment.

Policy BIO-2.1 Coordination on Management of Adjacent Lands
Work with other government land management agencies to preserve and protect biological resources while maintaining the ability to utilize and enjoy the natural resources in the County.

Policy BIO-2.2 Appropriate Access for Recreation
Encourage appropriate access to resource-managed lands.

Policy BIO-2.3 Hunting and Fishing
Promote hunting and fishing activities within the County pursuant to appropriate regulations of the California Fish & Game Code.

Policy BIO-2.4 Nature as Education
Provide and support passive recreational opportunities and interpretive education in the natural environment.

6.5.3 Implementation Measure

Table 6-5, Biological Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-5. Biological Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County shall review development proposals against the California NDDB, other available studies provided by the California Department of Fish and Game and consult, as appropriate, with the California Department of Fish and Game to assist in identifying potential conflicts with sensitive natural communities or special status species.	BIO-1.1 BIO-1.2 BIO-1.4 BIO-1.5	Planning			■
2.0	On project sites that have the potential to contain species of local or regional concern, sensitive natural communities or special-status species, the County shall require the project applicant to have the site surveyed and mapped by a qualified biologist. A report on the finding of this survey shall be submitted to the County as part of the application and environmental review process.	BIO-1.1 BIO-1.2 BIO-1.5 BIO-1.6	Planning			■
3.0	On project sites with the potential to contain wetland resources, a wetland delineation shall be prepared using the protocol defined by the Corps of Engineers. A report on the findings of this survey shall be submitted to the County as part of the application process.	BIO-1.1 BIO-1.2	Planning			■

Table 6-5. Biological Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	The County shall review development proposals in accordance with applicable federal, state, and local statutes protecting special-status species and jurisdictional wetlands. Appropriate mitigation measures will be incorporated into each project, as necessary.	BIO-1.1 BIO-1.2 BIO-1.5 BIO-1.6	Planning			■
5.0	Facilitate land exchanges to protect sensitive environmental resources from development as long as no net loss of developable private land in the County results.	BIO-1.1 BIO-1.2 BIO-1.3 BIO-1.4 BIO-1.5	Planning			■
6.0	The County shall identify degraded biological resource areas or communities that may be suitable for restoration or enhancement activities.	BIO-1.3	Planning Water			■
7.0	The County shall actively pursue funding for the enhancement of degraded environmental resources.	BIO-1.3	Planning Water			■
8.0	The County shall support the appropriate preservation, restoration, and enhancement of sensitive natural communities or special-status species habitats conducted by land management agencies in the County.	BIO-1.3	Collaborative Planning Team Planning			■
9.0	~~The County shall develop and maintain a diagram(s) showing the location of ERAs in the County. ERAs to be mapped shall be larger, contiguous areas known for containing sensitive natural communities or supporting special-status species.~~	~~BIO-1.4~~	~~Planning~~	■		

Table 6-5. Biological Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
10.0	~~Development shall be discouraged in designated Environmental Resource Areas (ERA) unless adverse effects to sensitive resources can be mitigated to a less than significant level.~~	~~BIO-1.4~~	~~Planning~~			■
11.0	The County shall work with regulatory agencies and organizations to develop a plan to identify and manage those weed species or weed infestation areas that pose the greatest threat to sensitive biological resources, agricultural areas, or other high priority resources.	BIO-1.7	Farm Advisor Agricultural Commis-sioner Planning Water			■
12.0	Project proponents will be required to survey and implement prevention measures, abatement measures, and post-project monitoring of noxious weeds as a component of land management or land development projects.	BIO-1.7	Farm Advisor Agricultural Commis-sioner Planning Water			■
	The County will work with other government agencies to provide designated access points, trails, and roads into and through resource-managed lands. The County will assist in discouraging random access to and inside sensitive ecological areas.	BIO-2.1 BIO-2.2	Planning Public Works LTC			■
14.0	The County shall support the preservation or reestablishment of fisheries in the rivers and streams within the County, whenever possible.	BIO-2.3	Planning			■

Table 6-5. Biological Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
15.0	The County shall work to inform and educate the public about the natural resources in Inyo County and the steps that they can take to help protect, enhance, restore, and enjoy these resources.	BIO-2.4	~~Collaborative Planning Team~~ Planning			■
16.0	The County, in cooperation with other agencies, shall seek funding for the development of interpretive facilities that educate the public on the natural environmental resources.	BIO-2.4	~~Collaborative Planning Team~~ ~~Coalition for Unified Recreation in the Eastern Sierra~~ Planning			■

6.6 Cultural Resources

6.6.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to cultural resources, the following definitions will apply.

Archaeology. The study of historic or prehistoric peoples and their cultures by analysis of their artifacts and monuments.

Cultural Resources. "Cultural resources" is a term used to group the study of prehistoric and historic human cultures.

Ethnography. Ethnography is the study of contemporary human cultures.

Historic/Prehistoric Resources. The term historic resource refers to cultures or artifacts from the time period of the first Euroamerican contact (approximately 1834) to present. The tem prehistoric resource refers to the time period before 1834. Historic resources are defined in Section 15064.5(a) of the CEQA Guidelines.

6.6.2 Goals & Policies

GOAL CUL-1	Preserve and promote the historic and prehistoric cultural heritage of the County.

Policy CUL-1.1 Partnerships in Cultural Programs
Encourage and promote private programs and public/private partnership that express the cultural heritage of the area.

Policy CUL-1.2 Interpretive Opportunities
Support and promote the development of interpretive facilities, such as roadside kiosks, museums, and restored historic buildings that highlight the County's cultural resources.

Policy CUL-1.3 Protection of Cultural Resources
Preserve and protect key resources that have contributed to the social, political, and economic history and prehistory of the area, unless overriding circumstances are warranted.

Policy CUL-1.4 Regulatory Compliance
Development and/or demolition proposals shall be reviewed in accordance with the requirements of CEQA and the National Historic Preservation Act.

Policy CUL-1.5 Native American Consultation
The County and private organizations shall work with appropriate Native American groups when potential Native American resources could be affected by development proposals.

6.6.3 Implementation Measures

Table 6-6, Cultural Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-6. Cultural Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County shall work in partnerships with private entities, other agencies, and educational institutions to support dissemination of knowledge of the historic and prehistoric past of the County. This may include acquisition of funding, promotion of festivals, and/or development of interpretive facilities.	CUL-1.1 CUL-1.2	~~Collaborative Planning Team~~ Eastern California Museum Bishop Museum & Historical Society Inyo Council for the Arts			■
2.0	The County should retain, and ~~maintain~~ update to the extent possible, ~~and update~~ the existing survey of historic structures (prepared by IMACA and IMAGE). ~~This document should identify key resources that should be the focus for preservation.~~	CUL-1.3	Planning Eastern California Museum			■

Table 6-6. Cultural Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
3.0	If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.	CUL-1.4	Eastern California Museum Planning			■
4.0	Native American groups shall be contacted at the preliminary stages of a project that may result in effects to Native American resources.	CUL-1.5	Planning Native American Heritage Commission			■

6.7 VISUAL RESOURCES

6.7.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to visual resources, the following definitions will apply.

View Corridor. A view corridor is a highway, road, trail, or other linear feature that offers travelers a vista of scenic areas within the County.

Viewshed. A viewshed is the area that can be seen from a given vantage point and viewing direction. A viewshed is composed of foreground items (items closer to the viewer) that are seen in detail and background items (items at some distance from the viewer) that frame the view. For instance, if a person were to stand midway up Whitney Portal Road, their foreground view may include the boulders and plants near them, and the background may include the Inyo and White Mountains, the Owen Valley, and Owens Lake.

If a person is moving, as when traveling along a roadway (a view corridor), the viewshed changes as the person moves, with the foreground items changing rapidly and the background items remaining fairly consistent for a long period of time.

6.7.2 Goals & Policies

GOAL VIS-1	Preserve and protect resources throughout the County that contribute to a unique visual experience for visitors and quality of life for County residents.

Policy VIS-1.1 Historic Character
The County shall preserve and maintain the historic character of communities within the County.

Policy VIS-1.2 Community Design
The County will encourage and assist in the establishment and maintenance of design themes within existing communities.

Policy VIS-1.3 Grading Impacts
Man-made slopes should be treated to reflect natural hillside conditions in the surrounding area.

Policy VIS-1.4 Equipment Screening
Within communities, building equipment shall be screened from public view.

Policy VIS-1.5 Outdoor Advertising
Outdoor advertising shall promote business in a manner that does not significantly degrade natural and community visual resources.

Policy VIS-1.6 Control of Light and Glare
The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Policy VIS-1.7 Street Lighting
Street lighting shall only be utilized where needed to protect public safety related to traffic movement.

6.7.3 Implementation Measures

Table 6-7, Visual Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-7. Visual Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	New development, alterations to existing structures, and proposed demolitions in areas designated as "CBD" on the County's Land Use Diagrams shall be subject to design approval in accordance with the following criteria (in addition to local guidance developed per Implementation Measure 2.0). ▪ Scale and style shall be similar to that of older structures. ▪ Continuity in building lines and setbacks maintained along the main street in the district (CBD area). ▪ Off-street parking should be located away from street corners and located behind or to the side of buildings. ▪ Older buildings that contribute to the character of the area should not be demolished or significantly altered in a manner that eliminates key architectural features.	VIS-1.1 VIS-1.2	Planning			■
2.0	In communities containing land designated ad "CBD", the County Planning Department will work with the community to establish a design theme or guidelines for new development in their communities.	VIS-1.2	Planning			■
3.0	In communities with established design themes or guidelines, the County will use these in the review of all future projects.	VIS-1.2	Planning			■

Table 6-7. Visual Resources Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	Graded slopes over five feet in height (the vertical height as measured from the base of the slope to its top) shall be re-vegetated within 60-days of grading completion. Use of native plants is encouraged.	VIS-1.3	Planning Building & Safety			■
5.0	Earthwork that involves mass grading of hillside areas should implement landform grading that conforms to or mimics the natural contours of the land to reduce visual disturbances.	VIS-1.3	Planning Public Works Building & Safety			■
6.0	During review of development applications, the County will require that appropriate screening be included for mechanical equipment or outdoor storage.	VIS-1.4	Planning			■

6.8 RECREATION

6.8.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to recreation, the following definitions will apply.

Active Recreation Area. This term is used to refer to sites that have been modified with structures or facilities designed for their enjoyment, such as a playground or recreation center. Examples in the County would include Dehy County Park in Independence and the hot springs in Tecopa.

Open Space. A publicly owned or managed area that may be enjoyed for recreational activities even though its primary purpose may be some other activity (watershed protection, habitat protection, rangeland).

Passive Recreation Area. Areas used in their natural state with few structures or facilities other than parking and trails.

Recreation Area. Any public or private space set aside or primarily oriented to recreational use.

6.8.2 Goals & Policies

GOAL REC-1	Develop a public parks, recreation, and open space system that provides adequate space and facilities to meet the varied needs of County residents and visitors.

Policy REC-1.1 Natural Environment as Recreation
Encourage the use of the natural environment for passive recreational opportunities.

Policy REC-1.2 Recreational Opportunities on Federal, State, and LADWP Lands
Encourage the continued management of existing recreational areas and open space, and appropriate expansion of new recreational opportunities on federal, state, and LADWP lands.

Policy REC-1.3 Existing Park Facilities
Enhance existing County recreational parks and campground sites.

Policy REC-1.4 Adequate Parkland
The County shall provide adequate parkland throughout the County. The County shall require parkland dedication and/or developer impact fees for new subdivisions within the County to provide adequate recreation space for residents.

Policy REC-1.5 Distribution of Community Parks
The County shall ensure that community parks are located to ensure equitable distribution of facilities within the County.

Policy REC-1.6 Range of Recreational Activities/Facilities
The County shall provide for a broad range of active and passive recreational activities in community parks designed to accommodate populations with special needs, such as the elderly, disabled, children, and teenagers. When possible, this should include active sports fields and facilities in community parks that will provide for the needs of leagues and programs.

Policy REC-1.7 Park Design
The County shall ensure that community members are involved in the design and development of all park facilities.

6.8.3 Implementation Measures

Table 6-8, Recreation Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 6-8. Recreation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	Work with federal and state agencies that manage land with Inyo County to ensure that appropriate access to open space and recreational areas is provided for all sectors of the population, including those with special needs.	REC-1.1 REC-1.2	Planning			■
2.0	Work with the LADWP to fully take advantage of the recreational opportunities associated with the Lower Owens River Restoration Project.	REC-1.1 REC-1.2	Planning Water	■		
3.0	Work with the LADWP to assist in the improvement and enhancement of County parks on LADWP lands.	REC-1.2 REC-1.3	Parks and Recreation			■
4.0	Develop park and campground improvement and maintenance plans to address each of the County's parks and campgrounds, making sure that populations with special needs are also accommodated.	REC-1.3	Parks and Recreation		■	
5.0	Explore an "Adopt-a-Park" concept with corporations, service clubs, and citizens. Identify interested entities and create an action plan tailored to fit the adopting organizations budget and interest.	REC-1.3	Parks and Recreation	■		
6.0	County staff shall pursue funding for direct, matching, and challenge grants from agencies and organizations as available.	REC-1.3 REC-1.4 REC-1.6	Parks and Recreation			■

Table 6-8. Recreation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
7.0	Implement Quimby Act (Subdivision Map Act) provisions to obtain park exactions from subdivision developments.	REC-1.4	Planning			■
8.0	Obtain funding and/or implement land transfers to acquire additional parkland within the County.	REC-1.4	Planning			■
9.0	Seek to maintain a level of service standard of 3 acres per 1,000 residents for community parks.	REC-1.4	Planning			■
10.0	During development review, ensure that appropriate dedications or in-lieu payments are made in keeping with County required parkland requirements.	REC-1.4	Planning			■
11.0	Parkland shall be distributed throughout the County in keeping with the locations of populations and geographic regions.	REC-1.5	Planning			■
12.0	Where possible, locate active recreation uses to minimize conflicts with residential areas, sensitive natural areas, and passive recreation areas.	REC-1.5	Planning			■
~~13.0~~	~~The County, as part of their Zoning Ordinance, shall establish minimum park standards to be used in assessing improvement needs, new park development plans, and available funding for maintenance.~~	~~REC-1.6~~	~~Parks and Recreation Public Works Planning~~	■		

Table 6-8. Recreation Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
13.0	Work with the Inyo Council for the Arts (ICA) to support recreational programs within the County.	REC-1.6	Parks and Recreation			■
14.0	The County shall involve the public early in the siting and design aspects of new park facilities.	REC-1.7	Parks and Recreation			■

7.0 PUBLIC SAFETY

7.0 Introduction

Inyo County is subject to a variety of natural and man-made hazards that could potentially affect County residents and visitors. This element identifies goals, policies and implementation measures designed to maintain a safe environment and to protect public safety and property. This element is divided into the following six topic areas:

- AQ Air Quality (Section 7.1)
- FLD Flood Hazards (Section 7.2)
- AVL Avalanches (Section 7.3)
- WF Wildfires (Section 7.4)
- GEO Geologic and Seismic Hazards (Section 7.5)
- NOI Noise (Section 7.6)

In addition to the topics listed above, this General Plan also describes emergency response capabilities (sheriff and fire protection) and existing emergency plans in Section 2.1, "Public Services and Utilities."

7.1 Air Quality

Air quality is a major issue affecting Inyo County. The Great Basin Unified Air Pollution Control District (GBUAPCD) is responsible for developing air quality plans, monitoring air quality, and reporting air quality data for the Great Basin air basin. The GBUAPCD works with other regional and local governments to reduce air pollutant emissions through regulation of the various sources.

7.1.1 Definitions

Ozone. Ozone is a pungent, colorless toxic gas created in the atmosphere rather than emitted directly into the air. Ozone is produced in complex atmospheric reactions involving oxides of nitrogen and reactive organic gases with ultraviolet energy from the sun. Motor vehicles are the major sources of these ozone precursors.

Photochemical. Some air pollutants are direct emissions, such as the carbon monoxide that is part of the exhaust from an automobile. Other pollutants, primarily ozone, are formed when two or more chemicals react (using energy from the sun) in the atmosphere to form a new chemical. This is a photochemical reaction.

PM10. Dust and other particulates come in a range of particle sizes. Federal and state air quality regulations reflect the fact that smaller particles are easier to inhale and can be more damaging to health. PM10 refers to dust/particulates that are 10 microns in diameter or smaller.

PM2.5. Dust/particulates that are 2.5 microns in diameter or smaller.

7.1.2 Goals & Policies

GOAL AQ-1	Provide good air quality for Inyo County to reduce impacts to human health and the economy.

Policy AQ-1.1 Regulations to Reduce PM10
Support the implementation of the State Implementation Plan and the agreement between GBUAPCD and the LADWP to reduce PM10.

Policy AQ-1.2 Attainment Programs
Participate in the GBUAPCD's attainment programs.

Policy AQ-1.3 Dust Suppression During Construction
Require dust-suppression measures for grading activities.

Policy AQ-1.4 Energy Conservation
Encourage the use of energy-conservation devices in public and private buildings.

Policy AQ-1.5 Monitor Regional Development
Publicly object to development proposals within the region that do not adequately address and mitigate air quality impacts, especially fugitive dust.

Policy AQ-1.6 Increased Emissions from Climate Change
Implement climate change adaptation strategies to include tracking, evaluating, and addressing the impacts from emissions resulting from new development proposals.

7.1.3 Implementation Measures

Table 7-1, Air Quality Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 7-1. Air Quality Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012-2015	2015-2020	On-going
1.0	Work with the LADWP and the GBUAPCD to reduce wind-raised dust from Owens Lake.	AQ-1.1	GBUAPCD LADWP Water			■
2.0	Work with the GBUAPCD to develop programs and project review requirements that will reduce air pollution generation, especially PM10.	AQ-1.2	Planning			■

Table 7-1. Air Quality Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
	The County shall require large development projects (hospitals, schools, high-occupancy public facilities, and industrial/commercial facilities over 20,000 square feet) to mitigate air quality impacts. Mitigations may include, but is not limited to the following:					
3.0	▪ providing bicycle access and parking facilities, ▪ provide preferential parking for high-occupancy vehicles and car pools, and ▪ establishing telecommuting programs or satellite work centers	AQ-1.2	Planning			■

Table 7-1. Air Quality Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	The County shall require contractors to implement dust suppression measures during excavation, grading, and site preparation activities. Techniques may include, but are not limited to the following: ▪ site watering or application of dust suppressants, ▪ phasing or extension of grading operations, ▪ covering of stockpiles, ▪ suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour), and ▪ revegetation of graded site.	AQ-1.3	Public Works Building and Safety			■
5.0	The County shall utilize energy-conserving equipment in public buildings and shall provide informational materials to the private sector to encourage the use of such materials in project design.	AQ-1.4	Building and Safety			■
6.0	The County shall review development proposals outside the County that are regionally significant, and could add to existing air quality issues.	AQ-1.5	Planning			■

Table 7-1. Air Quality Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
7.0	Evaluate the impacts from emissions for all new development proposals, as a tool for adapting to climate change.	AQ-1.6	Planning			■

7.2 FLOOD HAZARD

7.2.1 Definitions

In using this element and the goals, policies, and implementation measures that address flood hazard issues, the following definition will apply.

100-Year Flood Zone. ~~The 100-year flood zone is the land bordering a waterway that is subject to floods more often than once, but not as frequently as twice in a century.~~ Defined by the Federal Emergency Management Agency (FEMA) as the flood having a one percent chance of being equaled or exceeded in any given year.

7.2.2 Goals & Policies

GOAL FLD-1	Provide adequate flood protection to minimize hazards and structural damage.

Policy FLD-1.1 Floodplain Limitations
The County shall regulate development of habitable structures within floodplain areas (as established by FEMA), and areas within dam inundation zones. ~~(as recorded by the California Office of Emergency Services.~~

Policy FLD-1.2 Development in Floodplain
Prior to approval of any development in a floodplain area, the project applicant shall demonstrate that such development will not adversely impact downstream properties.

Policy FLD-1.3 Mudflow Constraints
Discourage development within known or potential courses of mudflows.

Policy FLD-1.4 Channelization
The natural condition of watercourses is to be maintained whenever feasible. The County shall discourage the channelization of watercourses unless necessary for the protection of public safety. If alterations of a watercourse are found to be necessary, the alterations shall be engineered to preserve or restore the natural characteristics of the watercourse to the greatest extent possible.

Policy FLD-1.5 Maintenance of Levees
Existing levees should be maintained and upgraded, if necessary, to provide adequate flood protection.

Policy FLD-1.6 Stormwater Retention/Detention and Groundwater Recharge
Develop stormwater retention/detention ponds and groundwater recharge areas to make efficient use of stormwater and to direct water away from hazard areas.

Policy FLD-1.7 Limit Surface Runoff

Require that water runoff from urban development project sites not contribute to flooding hazards for downstream areas.

7.2.3 Implementation Measures

Table 7-2, Flood Hazard Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 7-2. Flood Hazard Implementation Measures

				Timeframe		
	Implementation Measure	Implements What Policy	Who is Responsible	2012-2015	2015-2020	On-going
1.0	The County shall collect and maintain data/maps showing locations of future flooding or inundation, and shall make these maps available to the public for their use.	FLD-1.1	Public Works Southern California Edison LADWP	■		■
2.0	FEMA maps and other available information (Implementation Measure 1.0) shall be consulted in the review of development proposals to ensure that development of inhabitable structures would not occur within floodplains without adequate mitigation.	FLD-1.1	Planning			■

Table 7-2. Flood Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
3.0	Natural washes (defined as riparian areas and drainages) and areas defined as a 100-year floodplains are to be kept free from development that would ~~adversely~~ significantly impact floodway capacity or characteristics, natural/riparian areas, or natural groundwater recharge areas.	FLD-1.2	Planning			■
4.0	Public and private development projects will be evaluated to determine the effects of the projects on on-site and downstream drainage patterns and associated ecological systems as part of the CEQA review process. Projects shall be mitigated to eliminate significant downstream impacts.	FLD-1.2 FLD-1.7	Planning			■
5.0	The County shall identify and map areas of known landslides and mudflows.	FLD-1.3	Planning Public Works	■		■

Table 7-2. Flood Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
6.0	County maintained information on mudflows (Implementation Measure 5.0) shall be consulted in the review of development proposals to restrict and/or mitigate development of inhabitable structures from these areas.	FLD-1.3	Planning			■
7.0	Work with the Corps of Engineers and other appropriate agencies to develop alternative solutions to flood control other than lined channels.	FLD-1.4	Planning Public Works			■
8.0	Identify damaged and/or deficient levees and acquire funding to restore or upgrade these facilities.	FLD-1.5	Public Works			■
9.0	The County shall work with the Corps of Engineers and other appropriate agencies to develop stormwater retention/detention and recharge facilities to enhance flood protection and enhance groundwater recharge.	FLD-1.6	Public Works			■

Table 7-2. Flood Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
10.0	On-site detention facilities and velocity reducers will be required when necessary to maintain existing storm flows and velocities in natural drainage systems.	FLD-1.7	Public Works			■

7.3 Avalanche Hazard

7.3.1 Definitions

In using this element and the goals, policies, and implementation measures that address avalanche hazard issues, the following definitions will apply.

Avalanche. A mass of snow or ice and other material that may become incorporated therein as such mass moves rapidly down a mountain slope.

Powder Avalanche. Low-density, turbulent, high-velocity suspension of fine-grained snow particles accompanying fast moving, dry-snow avalanches and usually traveling farther into the runout zone than the dense avalanche debris.

Runout Zone. The lower portion of the avalanche path where avalanches decelerate and stop and a snow deposit occurs.

Wet-Snow Avalanche. An avalanche comprised primarily of wet, dense snow moving at moderate velocities.

7.3.2 Goals & Policies

GOAL AVL-1	Minimize hazards and structural damage resulting from avalanches.

Policy AVL-1.1 Limitations on Development
Discourage new development in areas of known or potential avalanche hazard.

Policy AVL-1.2 Education of Hazards
Provide education to the community and visitors on the hazards of avalanches.

Policy AVL-1.3 Access
Discourage access to avalanche-prone areas during hazardous conditions.

Policy AVL-1.4 Protect Existing Land Uses
Require structural protections for new buildings in an avalanche hazard zones or area otherwise identified as being at risk of avalanche damage.

Policy AVL-1.5 Emergency and Rescue Services
Provide emergency and rescue services for avalanche events.

Policy AVL-1.6 Emergency Preparedness and Response
Support implementation of the County Standardized Emergency Management System (SEMS).

Policy AVL-1.7 Disclosure of Avalanche Hazard
Require deeds on properties in potential avalanche hazard areas to be flagged or recorded (when property is sold) with information stating the avalanche hazard.

7.3.3 Implementation Measures

Table 7-3, Avalanche Hazard Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 7-3. Avalanche Hazard Implementation Measures

				Timeframe		
	Implementation Measure	Implements What Policy	Who is Responsible	2012-2015	2015-2020	On-going
1.0	The County shall ~~update and~~ maintain a map of avalanche hazard zones that are within areas of existing or potential development. The map ~~prepared~~ shall identify areas of low hazard (minor property damage potential but no safety risk) and high hazard areas (potential safety risk).	AVL-1.1 AVL-1.4 AVL-1.6 AVL-1.7	Planning			■

Table 7-3. Avalanche Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
2.0	Information on avalanche hazard zones (from existing information or updated information from Implementation Measure 1.0) shall be consulted in the review of development proposals to restrict development of ~~in~~habitable structures from these areas.	AVL-1.1 AVL-1.4	Planning			■
3.0	The County shall maintain a current copy of a fire hazard severity map based on inputs from the CDF and local fire district within the County.	AVL-1.2 AVL-1.3	Office of Emergency Services			■

Table 7-3. Avalanche Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	Access from County roadways to areas of known or potential avalanche hazards shall be closed and identified as hazard zones, if feasible, to preclude access into these areas during periods of high danger. For areas outside of County jurisdiction, the County shall coordinate with other government agencies to ensure the public safety.	AVL-1.3	Public Works Office of Emergency Services Sheriff			■
5.0	The County shall work with landowners and other public agencies to provide protection to existing inhabited structures that are located within identified avalanche hazard zones. These efforts may include, but not be limited to early warning and evacuation assistance.	AVL-1.4	Public Works Office of Emergency Services Sheriff			■

Table 7-3. Avalanche Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
6.0	The County will assist residents in Aspendell, South Fork, and Sage Flat obtain assistance from the Federal Emergency Management Agency (FEMA) and other agencies to add direct protection (reinforcement for avalanche loads) to houses exposed to avalanche hazards.	AVL-1.4	Public Works			■
7.0	The County shall implement the SEMS plan and work with other agencies to provide necessary emergency and rescue services in the event of an avalanche.	AVL-1.4 AVL-1.5 AVL-1.6	Office of Emergency Services			■
8.0	Volunteer corps, such as an Avalanche Watch Program, should be organized in areas of known avalanche hazards. The County shall encourage ~~sponsor~~ search and rescue training for local residents in hazard areas.	AVL-1.4 AVL-1.5 AVL-1.6	Office of Emergency Services			■

Table 7-3. Avalanche Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
9.0	Encourage the transfer of parcels within avalanche hazard zones with other available lands for future development.	AVL-1.1 AVL-1.4 AVL-1.7	Planning			■

7.4 Wildfire Hazard

7.4.1 Definition

In using this element and the goals, policies, and implementation measures that address wildfire hazard issues, the following definition will apply.

Wildfires. Typically a raging fire that travels and spreads rapidly.

7.4.2 Goals & Policies

GOAL WF-1	Prevent wildfires and provide public safety from wildfire hazards.

Policy WF-1.1 Fire Protection Agencies
Support expansion of fire protection agencies and volunteer fire departments, and continue to cooperate with federal, state, local agencies and private landowners to provide greater fire protection for the County.

Policy WF-1.2 Limitations in Fire Hazard Zones
Discourage development within high fire hazard severity zones.

Policy WF-1.3 Fuel Modification
Require fuel modification for structures within fire hazard zones.

Policy WF-1.4 Public Education/Notification of Increased Risks
Educate the public about the increased hazards of wildfires ~~and~~ due to changing climatic conditions, highlighting strategies such as fuel modification and fire breaks, which ~~methods to~~ reduce the potential for wildfires to occur.

Policy WF-1.5 Emergency Access
All County public roads shall be developed and maintained at adequate standards to provide safe circulation for emergency equipment.

7.4.3 Wildfire Hazard Implementation Measures

Table 7-4, Wildfire Hazard Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 7-4. Wildfire Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012-2015	2015-2020	On-going
1.0	The County Fire Marshall shall continue to coordinate with fire agencies, and work to establish additional fire protection organizations, with a principle goal of educating the public about the dangers of, and preventive strategies for, wildfires.~~.~~	WF-1.1	Fire Marshall			■
2.0	The County shall work with local fire districts and volunteer fire departments to develop community fire plans to identify the desired level of service and methods to obtain such services, as well as educating the public on preventive measures~~.~~	WF-1.1	Office of Emergency Services Fire Marshall Inyo LAFCO			■

Table 7-4. Wildfire Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
3.0	The County shall maintain a current copy of a fire hazard severity map based on inputs from the CDF and local fire districts within the County.	WF-1.2 WF-1.3	Fire Marshall CDF			■
4.0	During review of development proposals, the County shall require appropriate building setbacks and fuel modification requirements within fire hazard zones, as appropriate to the specific hazard zones.	WF-1.2 WF-1.3	Fire Marshall Planning			■

Table 7-4. Wildfire Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
5.0	The County, as well as local fire protection district staff, shall review all development plans and subdivision maps to provide recommendations for fire prevention and protection, including but not limited to safe circulation, ingress and egress, sprinkler requirements, ~~and~~ water pressure requirements, and wildfire protection measures for those areas adjacent to open space.	WF-1.2 WF-1.5	Fire Marshall CDF Local Fire Protection Agencies			■
6.0	The County shall develop information to provide guidance on proper fuel modification for distribution to the public.	WF-1.4	Fire Marshall CDF Local Fire Protection Agencies			■

7.5 GEOLOGIC & SEISMIC HAZARDS

7.5.1 Definitions

In using this element and the goals, policies, and implementation measures that address geologic and seismic hazard issues, the following definitions will apply.

Alquist-Priolo Fault Zone. The Alquist-Priolo Earthquake Fault Zoning Act, passed in 1972, requires the State Geologist to identify zones of special study around active faults.

Fault. A fault is a fracture in the Earth's crust that is accompanied by displacement between the two sides of the fault. An active fault is defined as a fault that has moved in the last 10,000-12,000 years. A potentially active fault is one that has been active in the past 1.6 million years.

Groundshaking. Movements on any of the active faults described above could cause groundshaking. The intensity and duration of the groundshaking increase along with the magnitude of an earthquake and proximity to the earthquake epicenter. The intensity of groundshaking and ground movement are frequently amplified in areas with horizontal layers of unconsolidated alluvium, such as those found in Inyo County valleys.

Liquefaction. During seismic events, liquefaction of fine-grained, unconsolidated sediments can be a serious hazard to structures built on these surfaces. Liquefaction frequently occurs in deposits where sediments are laid down in a quiet or calm water environment, such as historic lakebeds or inland sea areas. These deposits have a loose structure because undrained water remains between the pores of the sediments (the spaces between soil grains, usually filled with air or water), and groundshaking from earthquakes may trigger rapid consolidation of the soils, resulting in a complete loss of strength.

Magnitude. Earthquake magnitude is measured by the Richter scale, indicated as a series of Arabic numbers with no theoretical maximum magnitude. The greater the energy released from the fault rupture, the higher the magnitude of the earthquake. Magnitude increases logarithmically in the Richter scale; thus, an earthquake of magnitude 7.0 is thirty times stronger than one of magnitude 6.0. Earthquake energy is most intense at the point of fault slippage, which is called the epicenter because the energy radiates from that point in a circular wave pattern; the farther an area is from an earthquake's epicenter, the less likely it is that groundshaking will occur.

7.5.2 Goals & Policies

GOAL GEO-1	Minimize exposure to hazards and structural damage from geologic and seismic conditions.

Policy GEO-1.1 Development Hazard Constraints
Unless fully mitigated, ~~R~~restrict development of inhabitable structures in areas that are subject to severe geologic hazards, such as Alquist-Priolo Special Studies Zone, liquefaction zones, landslide areas, and seismically induced unstable soils.

Policy GEO-1.2 Seismic Retrofitting
Support and encourage seismic upgrades to older buildings that may be structurally deficient.

Policy GEO-1.3 Disaster Preparedness
Promote and provide education to prepare inhabitants of the County for disaster events.

Policy GEO-1.4 Design Measures
Require that new development of habitable structures that are located within potential seismic hazard zones provide appropriate engineering design strategies to comply with appropriate building standards.

~~**Policy GEO-1.5 Slope Constraints**~~
~~Restrict development on steep slopes (defined as slopes greater than 30%).~~

7.5.3 Implementation Measures

Table 7-5, Geologic and Seismic Hazard Implementation Measures, identifies the implementation measures that the County should take to implement the goals and policies of this General Plan. The implementation program lists the each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 7-5. Geologic and Seismic Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
1.0	The County shall work with the state to prepare maps of active faults in the County and designate Alquist-Priolo Special Study Zones as appropriate.	GEO-1.1	Planning			■
2.0	The County shall maintain a map showing known information on seismic hazards.	GEO-1.1	Planning			■
3.0	Structures in the Alquist-Priolo Special Studies Zones shall be set back 50 feet from each side of a mapped active fault or fault zone except as provided in state statute. The setback may be reduced based upon a geologic fault report that includes fault trenching.	GEO-1.1	Planning			■

Table 7-5. Geologic and Seismic Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
4.0	The County shall not site critical facilities in areas within Alquist-Priolo Special Studies Zones, in areas subject to liquefaction, in areas with a high landslide risk, or on seismically unstable soils unless engineering can mitigate potential risks. A geologic/seismic hazards geotechnical engineering study shall be performed to identify potential impacts and engineering recommendations prior to siting or site acquisition. Critical facilities include: ▪ schools~~,~~ ▪ hospitals~~,~~ ▪ day-care and senior citizen centers~~,~~ ▪ hazardous industrial facilities~~,~~ ▪ government operations/communi-cations centers~~,~~ ▪ police and fire stations~~,~~ ▪ assembly rooms with an occupant load of 250 or more persons~~, and~~ ▪ ~~hotels and apartment houses, 2 or more stories with more than 10 units.~~	GEO-1.1	Inyo County			■
5.0	The County shall work with private developers to support the seismic upgrades to existing facilities.	GEO-1.2	Building and Safety			■

Table 7-5. Geologic and Seismic Hazard Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
6.0	The County shall develop and adopt an effective program to inventory and seismically upgrade identified hazardous structures within the County. The program shall be in compliance with Senate Bill 547, which requires local jurisdictions to develop a program that reduces the hazard of structural damage in existing unreinforced masonry buildings during seismic events. The program shall include inventorying pre-1934 unreinforced masonry buildings within the County and developing a mitigation program that corrects the structural hazards identified with the inventoried buildings.	GEO-1.2	Building and Safety	■		
7.0	The County shall provide informational materials that are available to the public to promote disaster preparedness.	GEO-1.3	Office of Emergency Services			■
8.0	Ensure that new development meets the current seismic safety standards in accordance with the Uniform Building Code for the appropriate Seismic Hazard Zone. ~~[Seismic Safety Element – Modified Policy 6, Modified Policy 9]~~	GEO-1.4	Building and Safety			■
~~9.0~~	~~The County shall revise its Zoning Ordinance to set limits on the maximum slope and maximum average slope that can be built on.~~	~~GEO-1.5~~	~~Planning~~	~~■~~		

7.6 NOISE

Certain areas of the County can experience noise levels that can be a concern to local residents and visitors. Potential noise areas include areas adjacent to highways and roadways that experience high traffic volumes, near large mining or industrial facilities, near local airport facilities, and areas exposed to overflight by military aircraft.

Noise effects may differ depending upon who is exposed to the noise. Some sensitive receptors, such as residential areas, hospitals, convalescent homes and facilities, schools, and other similar uses are affected to a greater degree by noise impacts. Regardless of the source, noise can be a nuisance effect that can adversely impact humans and wildlife resources.

7.6.1 Definitions

In using this element and the goals, policies, and implementation measures that address noise issues, the following definitions will apply.

Ambient Noise. The total noise associated with a given environment and usually comprising sounds from many sources both near and far.

A-weighted decibel (dBA). The A-weighted decibel is a unit of measurement for noise having a logrithmic scale and measured using the A-weighted sensory network on the noise-measuring device. An increase or decrease of ten decibels corresponds to a ten-fold increase or decrease in sound energy. A doubling or halving of sound energy corresponds to a 3 dBA increase or decrease.

Day-Night Average Sound Level (Ldn). The term "Ldn" refers to the average sound exposure over a 24-hour period. Ldn values are calculated from hourly Leq values, with the Leq values for the nighttime period (10:00 p.m. to 7:00 a.m.) increased by 10 dB to reflect their greater disturbance potential.

Mobile/Stationary Noise Sources. Mobile noise sources are moving objects, such as vehicles on a roadway or aircraft. Stationary noise sources are fixed locations, such as an industrial use.

Noise Sensitive Land Uses (Receptors). Noise sensitive land uses (receptors) are defined to include residential areas, hospitals, convalescent homes and extended care facilities, schools, libraries, day-care centers, and other similar land uses as determined by the County.

Table 7-6-1. Future Traffic Noise Levels Along Inyo County Roadways (2020)

Roadway/Segment	Daily Traffic Volume	% Truck Traffic	Ldn at 100 feet	Distance (feet) to 70 Ldn Contour[a]	Distance (feet) to 65 Ldn Contour[a]	Distance (feet) to 60 Ldn Contour[a]
U.S. 395						
Bishop	22,430	8%	73	158	341	736
Big Pine	7,850	10%	69	86	185	398
Independence	8,573	11%	69	86	185	398
Lone Pine	8,570	11%	69	86	185	398
Olancha	8,140	11%	69	86	185	398

[a] *Measured from the roadway centerline.*

7.6.2 Goals & Policies

GOAL NOI-1

Prevent incompatible land uses, by reason of excessive noise levels, from occurring in the future. This includes protecting sensitive land uses from exposure to excessive noise and to protect the economic base of County by preventing the encroachment of incompatible land uses within areas affected by existing or planned noise-producing uses.

Policy NOI-1.1 Acceptable Noise Limits

The County shall utilize the noise levels shown in Table 7-6-2 for evaluating project compatibility related to noise.

Table 7-6-2. Maximum ~~Allowable~~ Recommended Ambient Noise Exposure by Land Use (County Noise Standards)

	Noise Level (Ldn)						
Land Use Type	0 – 55	56 – 60	61 – 65	66 – 70	71 – 75	75 – 80	> 81
Residential							
Hotels, Motels							
Schools, Libraries, Churches, Hospitals, Extended Care Facilities							
Auditoriums, Concert Halls, Amphitheaters							

Sports Arenas, Outdoor Spectator Sports						
Playgrounds, Neighborhood Parks						
Golf Courses, Riding Stables, Water Recreation, Cemeteries						
Office Buildings, Business Commercial and Professional						
Mining, Industrial, Manufacturing, Utilities, Agriculture						

Normally Acceptable. *Specified land use is satisfactory, based on the assumption that any buildings involved are of normal, conventional construction, without any special noise insulation requirements.*

Conditionally Acceptable. *New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed insulation features have been included in the design.*

Unacceptable. *New construction or development should not generally be undertaken.*

Policy NOI-1.2 Exposure to Existing Noise from Stationary Sources

The County shall not allow new development within areas where existing noise levels currently exceed County noise standards (as shown in Table 7-6-2), unless mitigation measures would reduce impacts to future occupants.

Policy NOI-1.3 Limit Increases in Noise Levels from Stationary Sources

Require that new development not increase the ambient exterior noise level (measured at the property line) above established County noise standards (as shown in Table 7-6-2), unless mitigation measures are included to ~~reduce~~ mitigate impacts. ~~to below County noise standards.~~

Policy NOI-1.4 Transportation-Related Noise

The development of new noise sensitive land uses adjacent to existing or planned transportation facilities, or development of new transportation facilities adjacent to existing or planned sensitive land uses, shall require a noise impact analysis study in areas where current or future exterior noise levels from transportation sources exceeds 65-dB Ldn. This study shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels. Areas subject to this criterion are defined as follows:

- **Roadway Noise.** For major roadways in the County, the future noise levels estimated on Table 7-6-1 shall be used to determine the applicability of this policy.

- **Aircraft Noise.** Existing noise contour information shall be used when available. For airports that do not have noise contour information, uses within ¼ mile shall be evaluated.

Policy NOI-1.5 Implementation of Mitigation Measures

Require that proponents of new projects provide or fund the implementation of noise-reducing mitigation measures to reduce noise to required levels.

Policy NOI-1.6 Indoor Noise Levels
In the event that acceptable outdoor noise levels cannot be achieved by appropriate noise mitigation measures, indoor noise levels for residential uses shall be designed to not exceed 45-dB Ldn.

Policy NOI-1.7 Noise Controls During Construction
Contractors will be required to implement noise-reducing mitigation measures during construction when residential uses or other sensitive receptors are located within 500 feet.

Policy NOI-1.8 Coordination with Agencies
The County will encourage other government agencies to implement noise-reducing measures when impacts to receptors within the County's jurisdiction occur.

GOAL NOI-2	Preserve and maintain a quiet rural environmental character.

Policy NOI-2.1 Rural Roadways
Maintaining two-lane County roadways is encouraged where feasible. Widening and expansion of County roadway facilities is discouraged unless required to provide necessary capacity.

Policy NOI-2.2 Limit Structural Attenuation
Discourage the use of sound walls along roadway facilities. Non-structural mitigation is preferred, such as soft berms, provision of landscaping, buffer distances, and elevated or depressed roadways or structures.

Policy NOI-2.3 Buffers
Provide buffers between sensitive noise receptors and highway facilities that currently carry, or have the potential to carry high vehicle loads.

7.6.3 Implementation Measures

Table 7-6-3, Noise Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

Table 7-6-3. Noise Implementation Measures

Implementation Measure		Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
~~1.0~~	~~The County shall prepare an updated Noise Ordinance as part of the Zoning Code update to reflect the goals and policies in this General Plan.~~	~~All~~	~~Planning~~	■		
~~2~~1.0	During initial project review, the County shall request the incorporation of noise reduction features to mitigate anticipated noise impacts.	~~All~~NOI-1.5	Planning			■
~~3~~2.0	The County shall require project-specific noise studies for projects where existing or project-related noise levels may exceed County noise standards.	NOI-1.1 NOI-1.2 NOI-1.3 NOI-1.4 NOI-1.5 NOI-1.6	Planning			■
~~4~~3.0	As part of future master planning activities for all public airports, the County shall prepare an updated map reflecting current and future airport noise contours.	NOI-1.4	Public Works			■

Table 7-6-3. Noise Implementation Measures

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
~~5.0~~	~~Construction activities within 500 feet of existing noise sensitive uses shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. No construction shall occur on Sunday or federal holidays without a special permit from the County for unusual circumstances.~~	~~NOI-1.7~~	~~Environmental Health Building and Safety Public Works~~			■
~~6.0~~	~~The County shall establish noise guidelines for construction activities.~~	~~NOI-1.7~~	~~Environmental Health Building and Safety Public Works~~			■
~~7~~4.0	Request Caltrans to perform a noise mitigation study as part of any modification of state highways that pass through communities in the County.	NOI-1.8	Environmental Health Building and Safety Public Works			■
~~8~~5.0	The County will work with Caltrans to support narrower roadway cross-sections and soft attenuation techniques (such as buffers and landscaping) along state highways.	NOI-1.8 NOI-2.3	Environmental Health Building and Safety Public Works			■

Table 7-6-3. Noise Implementation Measures

Implementation Measure		Implements What Policy	Who is Responsible	Timeframe 2012-2015	Timeframe 2015-2020	Timeframe On-going
~~9~~6.0	The County will work in coordination with other government agencies, including the military, to reduce noise impacts from out-of-county noise sources.	NOI-1.8	Environmental Health Building and Safety Public Works			■
~~10~~7.0	For County roads, the County shall support narrower roadway cross-sections and soft attenuation techniques (such as buffers and landscaping) along roadways.	NOI-2.1 NOI-2.3	Public Works			■
~~11~~8.0	During project review, the County shall ensure that structural mitigation along highways and roadways, such as sound walls, is minimized. In areas where sound walls are required, the walls shall be designed and landscaped to reduce the appearance and bulk of the walls.	NOI-2.2	Environmental Health Public Works			■

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REFERENCES – CODES & REGULATIONS

The references below include but are not all inclusive of codes and regulations requiring federal and state agencies to coordinate their efforts with the local agencies affected by their actions as they exist at the time of drafting this Section:

1. **Bureau of Land Management (BLM)**

   a. The Federal Land Policy and Management Act, 43 US. Section 1701-1712

   b. Similarly, BLM regulations 43 C.F.R. Section 1601

2. **U.S. Forest Service**

   a. 16 U.S.C. Section 1604 (a)

   b. Forest Service regulations:

   The 1982 Forest Planning Rule (47 FR 43037, Sept. 30,1982, as amended at 48 FR 29122, June 24,1983) described the coordination process. Subsequent Forest Planning Rules have referred to coordination without further description. The 1982 Forest Planning Rule includes the following:

   Sec. 219.7 Coordination with other public planning efforts.

   (a) The responsible line officer shall coordinate regional and forest planning with the equivalent and related planning efforts of other Federal agencies, State and local governments, and Indian tribes.

   (b) The responsible line officer shall give notice of the preparation of a land and resource management plan, along with a general schedule of anticipated planning actions, to the official or agency so designated by the affected State (including the Commonwealth of Puerto Rico). The same notice shall be mailed to all Tribal or Alaska Native leaders whose tribal lands or treaty rights are expected to be impacted and to the heads of units of government for the counties involved. These notices shall be issued simultaneously with the publication of the notice of intent to prepare an environmental impact statement required by NEPA procedures (40 CFR 1501.7).

   (c) The responsible line officer shall review the planning and land use policies of other Federal agencies, State and local governments, and Indian tribes. The results of this review shall be displayed in the environmental impact statement for the plan (40 CFR 1502.16(c), 1506.2). The review shall include—

   (1) Consideration of the objectives of other Federal, State and local governments, and Indians tribes, as expressed in their plans and policies;

(2) An assessment of the interrelated impacts of these plans and policies;

(3) A determination of how each Forest Service plan should deal with the impacts identified; and,

(4) Where conflicts with Forest Service planning are identified, consideration of alternatives for their resolution.

(d) In developing land and resource management plans, the responsible line officer shall meet with the designated State official (or designee) and representatives of other Federal agencies, local governments, and Indian tribal governments at the beginning of the planning process to develop procedures for coordination. As a minimum, such conferences shall also be held after public issues and management concerns have been identified and prior to recommending the preferred alternative. Such conferences may be held in conjunction with other public participation activities, if the opportunity for government officials to participate in the planning process is not thereby reduced.

(e) In developing the forest plan, the responsible line officer shall seek input from other Federal, State and local governments, and universities to help resolve management concerns in the planning process and to identify areas where additional research is needed. This input should be included in the discussion of the research needs of the designated forest planning area.

(f) A program of monitoring and evaluation shall be conducted that includes consideration of the effects of National Forest management on land, resources, and communities adjacent to or near the National Forest being planned and the effects upon National Forest management of activities on nearby lands managed by other Federal or other government agencies or under the jurisdiction of local governments.

3. **Endangered Species Act**

a. 16 U.S.C. Section 1533

b. 50 C.F.R. Section 423.16

4. **National Environmental Policy Act (NEPA)**

a. 16 U.S.C. Section 4331

b. 42 U.S.C. Section 4332

c. 40 C.F.R. Section 1502.16

d. 40 C.F.R. Section 1506.2

e. 40 C.F.R. Section 1506.2 (d)

5. **Historic Preservation Act of 1966 Regulations**

   a. 36 C.F.R. Section 800.5

6. **Clean Air Act**

   a. 33 U.S.C. Section 1252

7. **Soil and Water Resources Conservation Act**

   a. 16 U.S.C. Section 2003 (b)

   b. 16 U.S.C. Section 2008

8. **Rural Environmental Conservation Act**

   a. 16 U.S.C. Section 1508

9. **Resource Conservation Act of 1981**

   a. 16 U.S.C. Section 3411

   b. 16 U.S.C. Section 3432

   c. 16 U.S.C. Section 3451

   d. 16 U.S.C. Section 3455

   e. 16 U.S.C. Section 3456(a) (4)

10. **Presidential Executive Order 12866- Regulatory Planning and Review (Sept. 30, 1993)**

11. **Presidential Executive Order 12630 – Governmental Actions and Interference with Constitutionally Protected Property Rights (March 15, 1988)**

REFERENCES - MAPS

The following is a non-exhaustive listing of maps indicating the highly mineralized areas of Inyo County:

- **1987 B 1709-C**

  Mineral resources of the Nopah Range Wilderness Study Area, Inyo County, California

  Armstrong, Augustus K.; Smith, C. L.; Kennedy, G. L.; Sabine, Charles; Mayerle, R. T.

- **1987 B 1709-B**

  Mineral resources of the Greenwater Valley Wilderness Study Area, Inyo County, California

  Armstrong, Augustus K.; Garrison, M. T.; Frisken, J. G.; Jachens, R. C.; Rains, R. L.

- **1987 B 1709-A**

  Mineral resources of the Funeral Mountains Wilderness Study Area, Inyo County, California

  Armstrong, Augustus K.; Frisken, J. G.; Jachens, R. C.; Neumann, T. R.

- **1985 B 1708-B**

  Mineral resources of the Owens Peak and Little Lake Canyon Wilderness Study Areas, Inyo and Kern counties, California

  Diggles, M. F.; Tucker, R. E.; Griscom, Andrew; Causey, J. D.; Gaps, R. S.

- **1985 B 1708-A**

  Mineral resources of the Inyo Mountains Wilderness Study Area, Inyo County, California

  McKee, Edwin H.; Kilburn, J. E.; McCarthy, J. H., Jr.; Conrad, J. E.; Blakely, R. J.; Close, T. J.

- **1988 B 1705-D**

Mineral resources of the Sacatar Meadows Wilderness Study Area, Tulare and Inyo counties, California

Diggles, M. F.; Frisken, J. G.; Griscom, Andrew; Kuizon, Lucia

- **1987 B 1705-B**

  Mineral resources of the Southern Inyo Wilderness Study Area, Inyo County, California

  Conrad, James E.; Kilburn, J. E.; Blakely, R. J.; Sabine, Charles; Cather, E. E.; Kuizon, Lucia; Horn, M. C.

- **1943 B 936-Q**

  The Coso quicksilver district, Inyo County, California

  Ross, C. P.; Yates, R. G.

- **1941 B 922-Q**

  Tungsten deposits in the Tungsten Hills, Inyo County, California

  Lemmon, D. M.

- **1940 B 922-K**

  Antimony deposits of the Wildrose Canyon area, Inyo County, California

  White, Donald Edward

- **1987 MF 1913-A**

  Mineral resources potential map of the South Sierra Wilderness and the South Sierra Roadless Area, Inyo and Tulare counties, California

  Diggles, M. F.

- **1987 MF 1492-D**

  Mines and prospects of the Andrews Mountain, Mazourka, and Paiute Roadless Areas, Inyo County, California

  Schmauch, S. W.

- **1983 MF 1492-B**

  Mineral resource potential map of the Andrews Mountain, Mazourka, and Paiute Roadless Areas, Inyo County, California

  McKee, E. H.; Donahoe, J. L.; Blakeley, R. J.; Schmauch, S. W.; Lipton, D. A.; Gabby, P. N.

- **1983 MF 1426-B**

  Mineral resource potential map of the Coyote SE and Table Mountain Roadless Areas, Inyo County, California

  Elliott, G. S.; Chaffee, M. A.; Capstick, D. O.

- **1983 MF 1411-B**

  Mineral resource potential map of the Wheeler Ridge Roadless Area, Inyo and Mono counties, California

  Cosca, M. A.; Chaffee, M. A.; Capstick, D. O.

- **1986 MF 1361-F**

  Map showing mines and prospects of the White Mountains Roadless Area, Inyo and Mono Counties, California, and Esmeralda and Mineral counties, Nevada

  Schmauch, S. W.

- **1983 MF 1361-C**

Mineral resource potential map of the Blanco Mountain and Black Canyon roadless areas, Inyo and Mono counties, California

Diggles, M. F.; Blakely, R. J.

- **1987 OFR 87-11**

Analytical results and sample locality map of heavy-mineral-concentrate samples from the Southern Inyo Mountains (CA-010-056) Wilderness Study Area, Inyo County, California

Detra, D. E.; Kilburn, J. E.; Delaney, T. A.

- **1986 OFR 86-581**

Analytical results and sample locality map of heavy-mineral-concentrate and rock samples from the Greenwater Valley Wilderness Study Area (CDCA-148), Inyo County, California

Adrian, B. M.; Frisken, J. G.; Briggs, P. H.; Crock, J. G.; Conklin, N. M.

- **1986 OFR 86-402**

Analytical results and sample locality map of heavy-mineral-concentrate and rock samples from the Funeral Mountains Wilderness Study Area (CDCD-143), Inyo County, California

Adrian, B. M.; Frisken, J. G.; Bradley, L. A.; Briggs, P. H.; Crock, J. G.

- **1984 OFR 85-512**

Analytical results, geology, and sample locality map of mercury-sulfur-gypsum mineralization at Crater, Inyo County, California

Erickson, M. S.; Marsh, S. P.; Roemer, T. A.

- **1985 OFR 85-215**

Reevaluation of the mineral resource potential of part of the Little Sand Spring Wilderness Study Area, Inyo County, California

Wrucke, C. T.; Marsh, S. P.; Miller, M. S.

- **1985 OFR 85-121**

  Analytical results and sample locality map of stream-sediment, heavy-mineral-concentrate, and rock samples from the Little Sand Spring Wilderness Study Area (CDCA-119), Inyo County, California

  Detra, D. E.; Marsh, S. P.; Roemer, T. A.

- **1984 OFR 85-34**

  Analytical results and sample locality map of stream-sediment and heavy-mineral-concentrate samples from the Little Lake Canyon (CDCA 157) and Owens Peak (CDCA 158) Wilderness Study Areas, Inyo and Kern counties, California

  Detra, D. E.; Erickson, M. S.; Tucker, R. E.; Diggles, M. F.; Parduhn, N. L.

- **1984 OFR 84-754**

  Mineral resource potential map of the Slate Range Wilderness Study Area, Inyo County, California

  Koch, R. D.; Ach, J. A.; Sokaski, Michael; McMahan, A. B.; Rice, W. L.

- **1984 OFR 84-678**

  Mineral resources and mineral resource potential of the Panamint Dunes Wilderness Study Area, Inyo County, California

  Kennedy, G. L.; Kilburn, J. E.; Conrad, J. E.; Leszcykowski, A. M.

- **1984 OFR 84-676**

  Analytical results and sample locality map of stream-sediment, heavy-mineral-concentrate, and rock samples from the Nopah Mountain (CDCA-150) and Resting Spring (CDCA-145) Wilderness Study Areas, Inyo County, California

  Erickson, M. S.; Smith, C. L.; Detra, D. E.

- **1984 OFR 84-665**

  Mineral resources and resource potential of the Wildrose Canyon Wilderness Study Area, Inyo County, California

  Conrad, J. E.; Kilburn, J. E.; McKee, E. H.; McCarthy, J. H.; Willet, S. L.

- **1984 OFR 84-638**

  Mineral resources and resource potential of the Hunter Mountain Wilderness Study Area, Inyo County, California

  McKee, E. H.; Kilburn, J. E.; Conrad, J. E.; McCarthy, J. H.

- **1984 OFR 84-571**

  Analytical results and sample locality map of stream-sediment and panned-concentrate samples from the El Paso Mountains Wilderness Study Area (CDCA164), Inyo County, California

  Detra, D. E.; Erickson, M. S.; Tucker, R. E.; Diggles, M. F.; Parduhn, N. L.

- **1984 OFR 84-560**

  Mineral resources and mineral resource potential of the Saline Valley and Lower Saline Wilderness Study Areas, Inyo County, California

  Wrucke, C. T.; Marsh, S. P.; Raines, G. L.; Werschky, R. S.; Blakely, R. J.; Hoover, D. B.; McHugh, E. L.; Rumsey, C. M.; Gaps, R. S.; Causey, J. D.

- **1984 OFR 84-557**

  Mineral resources and mineral resource potential of the Little Sand Spring Wilderness Study Area, Inyo County, California

  Wrucke, Chester T.; Werschky, R. S.; Raines, G. L.; Blakely, R. J.; Hoover, D. B.; Miller, M. S.

- **1984 OFR 84-84**

  Analytical results and sample locality map of stream-sediment and panned-concentrate samples from the Slate Range Wilderness Study Area (CDCA), Inyo County, California

  Detra, D. E.; Goldfarb, R. J. ; Weaver, S. C.

- **1983 OFR 84-11**

  Analytical results and sample locality map of stream-sediment and panned-concentrate samples from the Inyo Mountains (CDCA 122), Hunter Mountains (CDCA 123), Panamint (CDCA 127), and Wildrose (CDCA 134) Wilderness Study Areas, Inyo County, California

  Detra, D. E.; Kilburn, J. E.; Chazin, B.

- **1980 OFR 80-1164**

  Lithology and lithium content of sediments drilled in a test hole on Alkali Flat (Franklin Lake), Inyo County, California

  Pantea, Michael P.

- **1979 OFR 79-1089**

  Lithologic log, lithium content, and mineralogy of sediments penetrated in test boring drilled in Eureka Valley, Inyo County, California

- **1982 OFR 82-380**

  Mineral resources of the Buttermilk Roadless Area, Inyo County, California

  McKee, E. H.; Iverson, S. R.

- **1958 OFR 58-42**

  Structure and ore deposits of the Darwin quadrangle, Inyo County, California

  Hall, Wayne Everett

- **1949 OFR 49-37**

  The Sally Ann copper area, Ubehebe Peak quadrangle, Inyo County, California

  MacKevett, E. M.

- **1945 OFR 45-96**

  Pine Creek and Adamson tungsten mines, Inyo County, California

  Bateman, P. C.

- **1965 PP 502-A**

  The hydrology and mineralogy of Deep Springs Lake, Inyo County, California

  Jones, Blair F.

- **1963 PP 408**

  Geology of the Cerro Gordo mining district, Inyo County, California

  Merriam, Charles Warren

- **1962 PP 368**

  Geology and ore deposits of the Darwin quadrangle, Inyo County, California

  Hall, Wayne Everett, MacKevett, E. M., Jr.

REFERENCES – ACKNOWLEGEMENTS

The Inyo County General Plan was only possible with the support provided by the people of Inyo County. The County would like to give a special thanks to the following individuals and groups who participated in the preparation of the Inyo County General Plan:

Board of Supervisors

Planning Commission

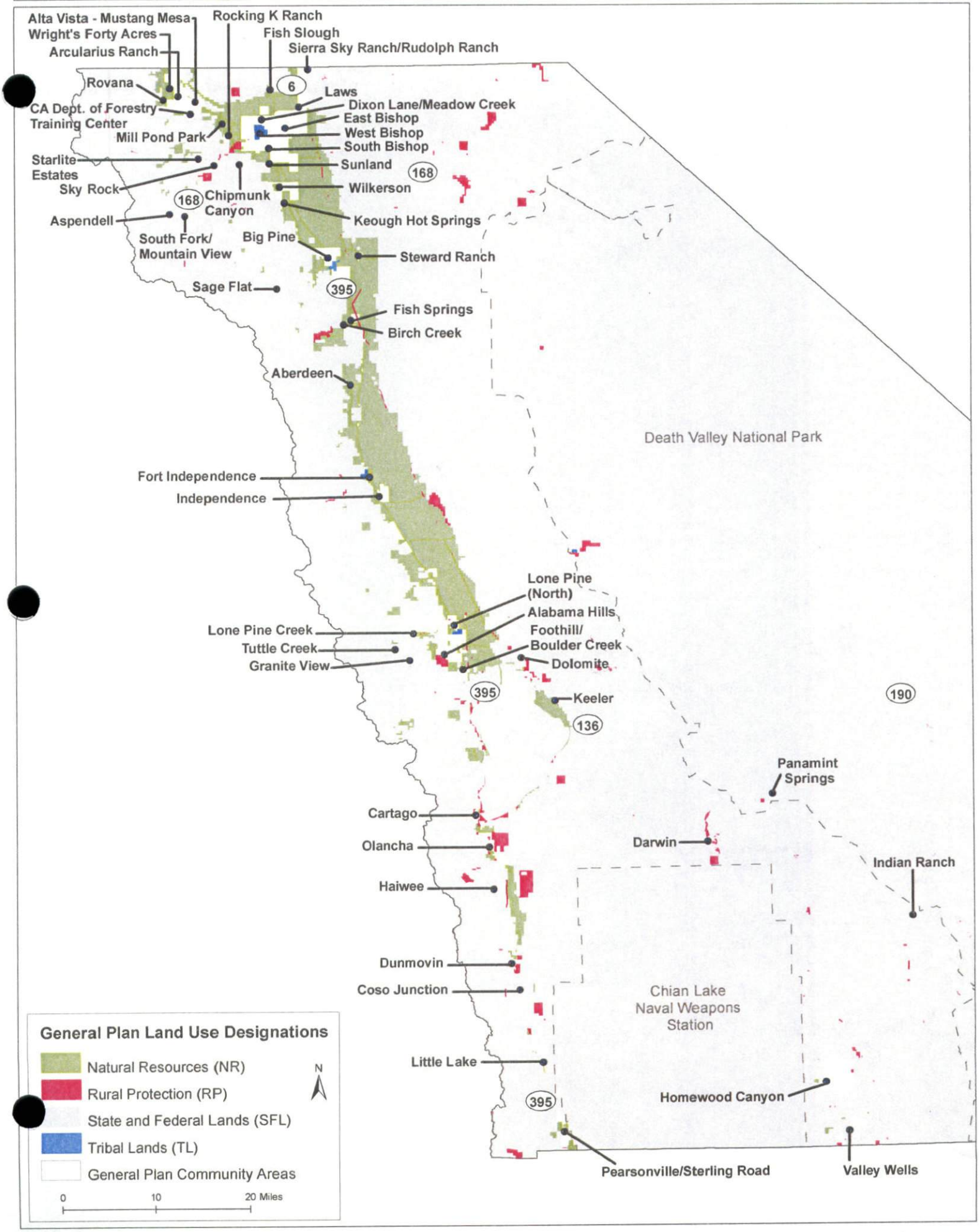
Advisory Committees

Inyo County Staff

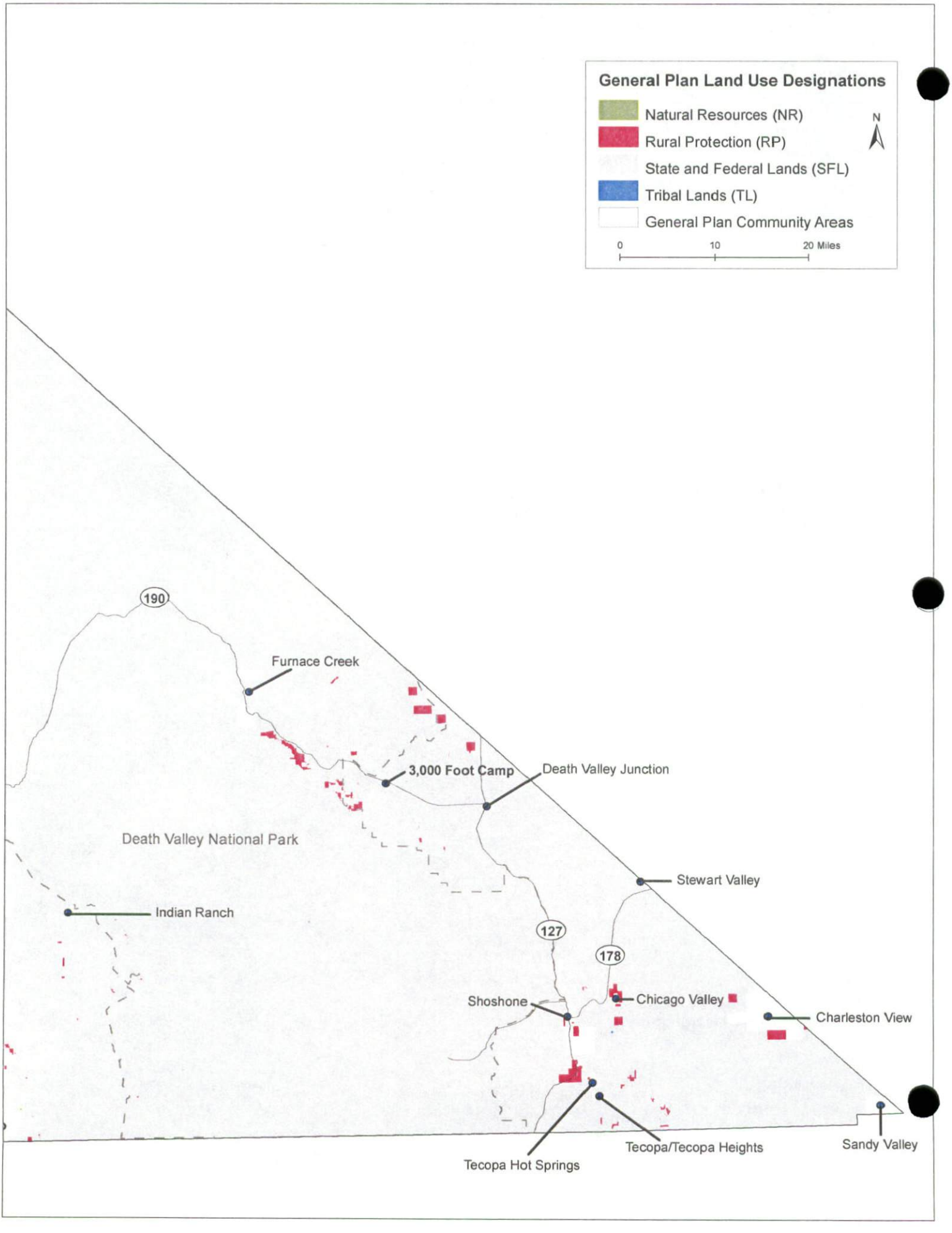
Inyo County 2020 Forum

Others

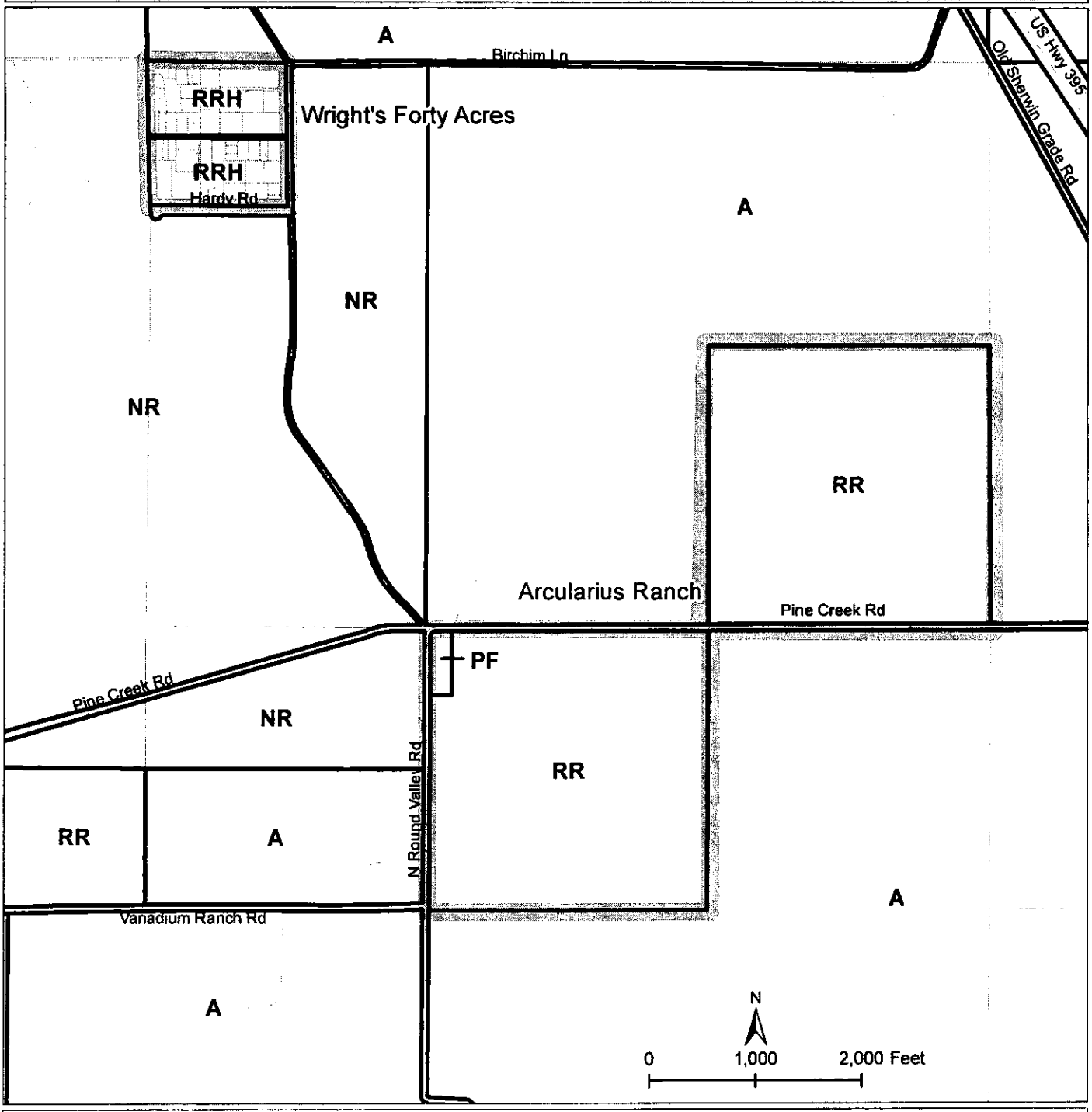
Countywide - Diagram 1a



Countywide - Diagram 1b



Wright's Forty Acres and Arcularius Ranch - Diagram 2



Inyo County General Plan
Land Use Designations

Residential

- RR Residential Ranch
- RE Residential Estate
- RRM Residential Rural Medium Density
- RRH Residential Rural High Density
- RVL Residential Rural Very Low Density
- RL Residential Low Density
- RM Residential Medium Density
- RMH Residential Medium-High Density
- RH Residential High Density

Industrial

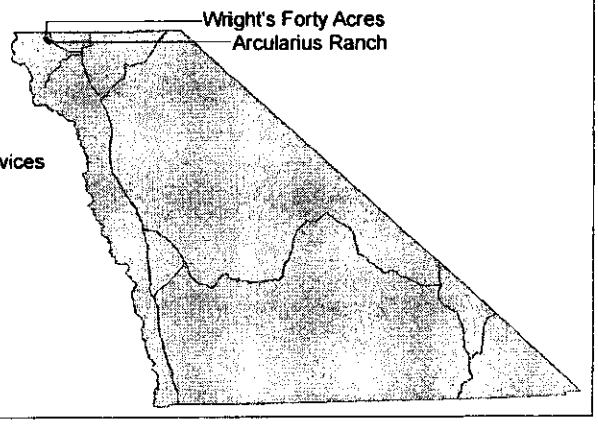
- LI Light Industrial
- GI General Industrial

Commercial

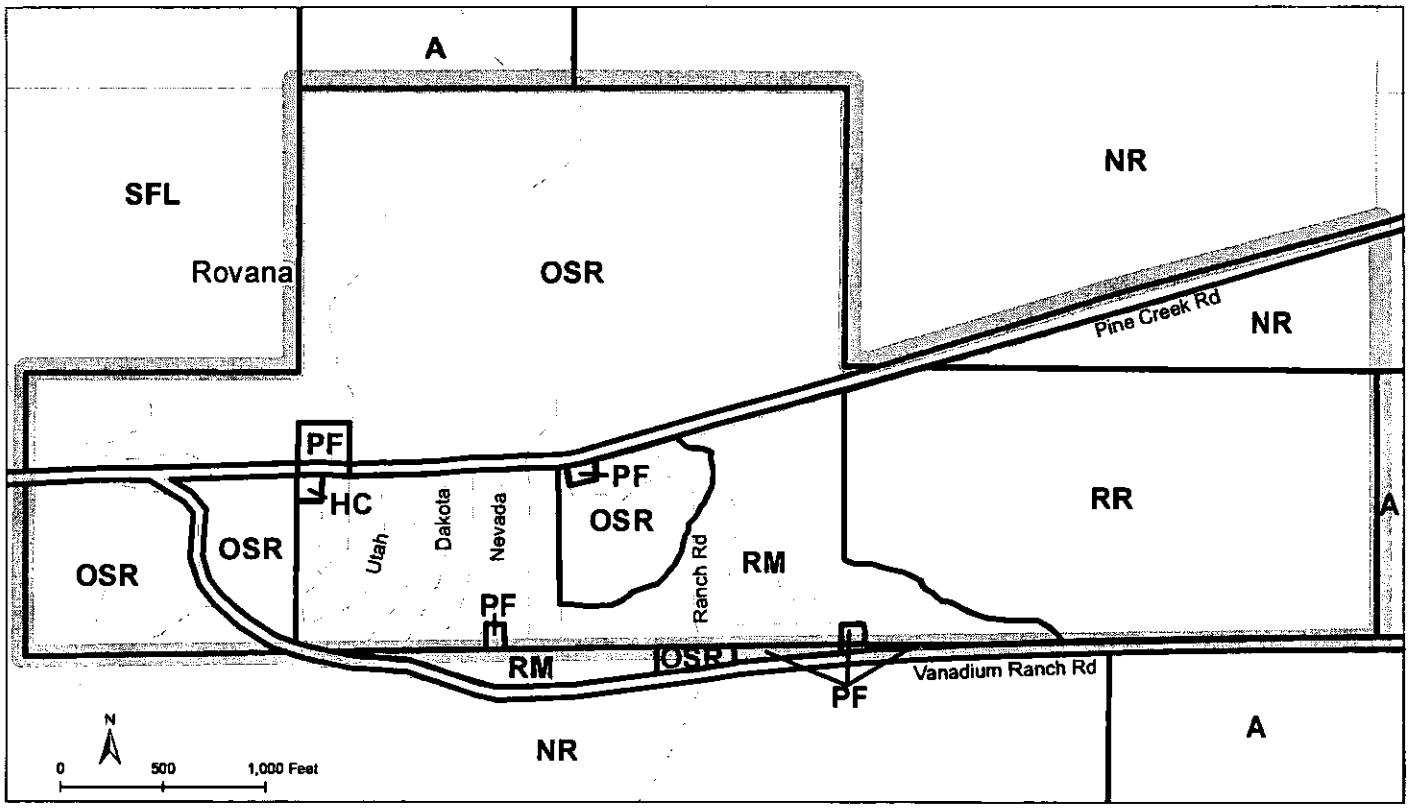
- CBD Central Business District
- RC Retail Commercial
- HC Heavy Commercial/Commercial Services
- REC Resort/Recreational

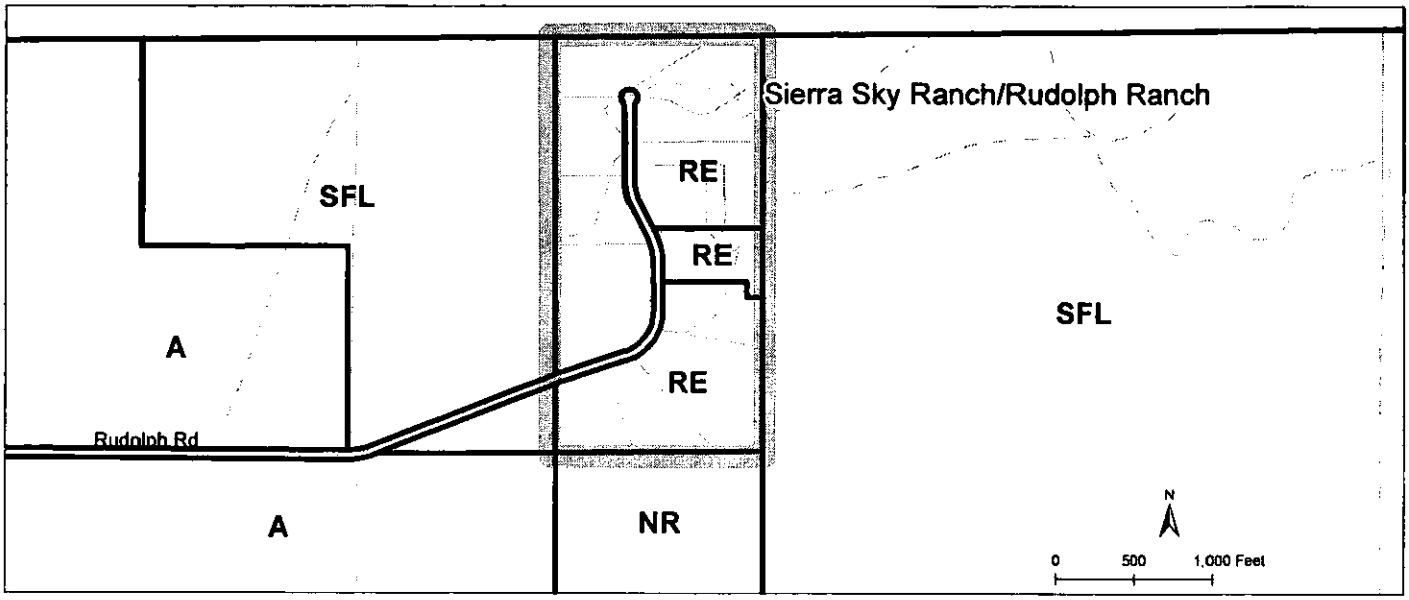
Other

- NH Natural Hazards
- OSR Open Space and Recreation
- PF Public Service Facilities
- A Agriculture
- NR Natural Resources
- SFL State and Federal Lands
- TL Tribal lands



Rovana and Sierra Sky Ranch/Rudolph Ranch - Diagram 3





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RVL	Residential Rural Very Low Density
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RM	Residential Medium Density
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Industrial

LI	Light Industrial
GI	General Industrial

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CBD	Central Business District
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HC	Heavy Commercial/Commercial Services
REC	Resort/Recreational

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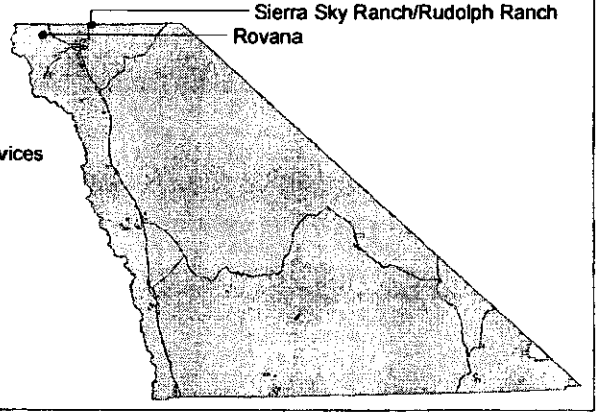
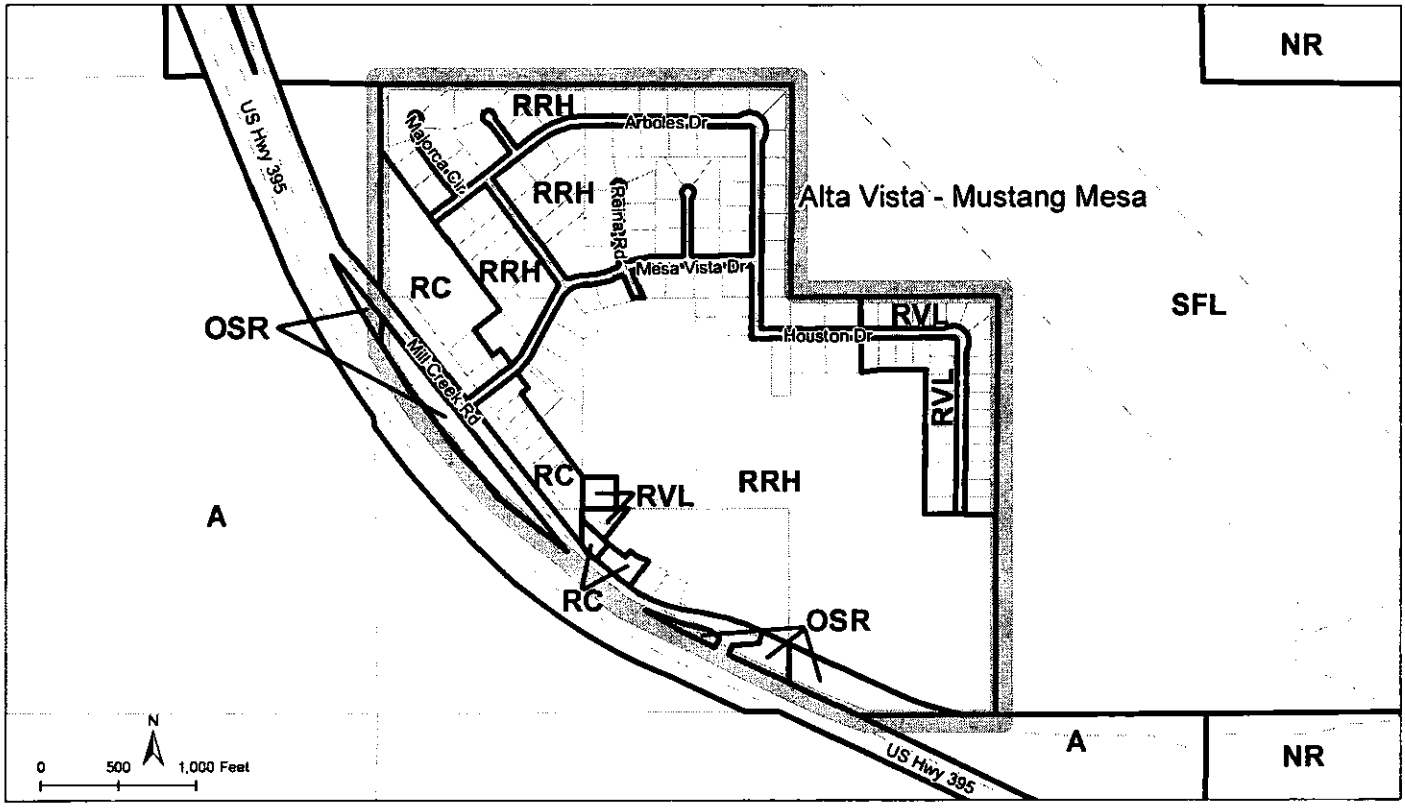
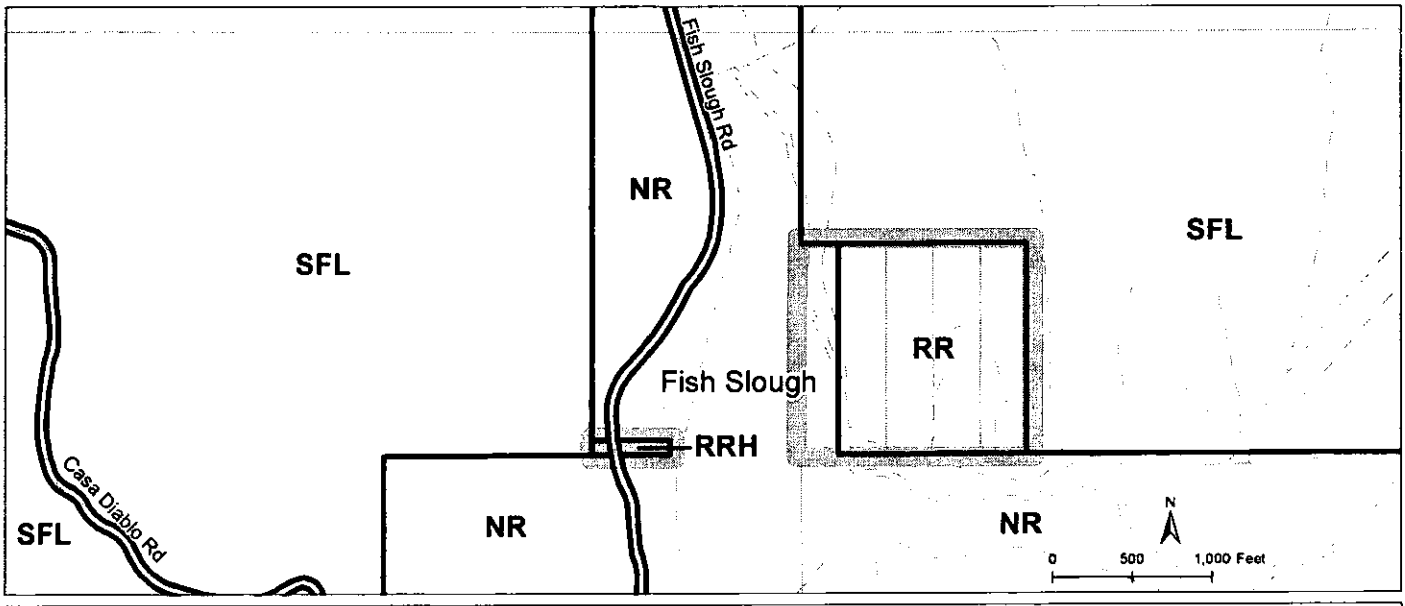
PF	Public Service Facilities
A	Agriculture
NR	Natural Resources
SFL	State and Federal Lands
TL	Tribal lands



Alta Vista - Mustang Mesa and Fish Slough - Diagram 4





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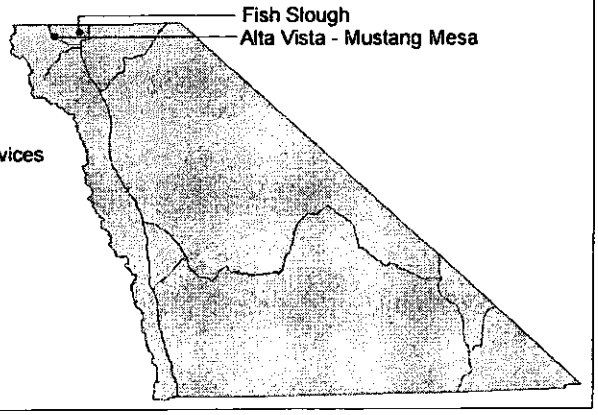
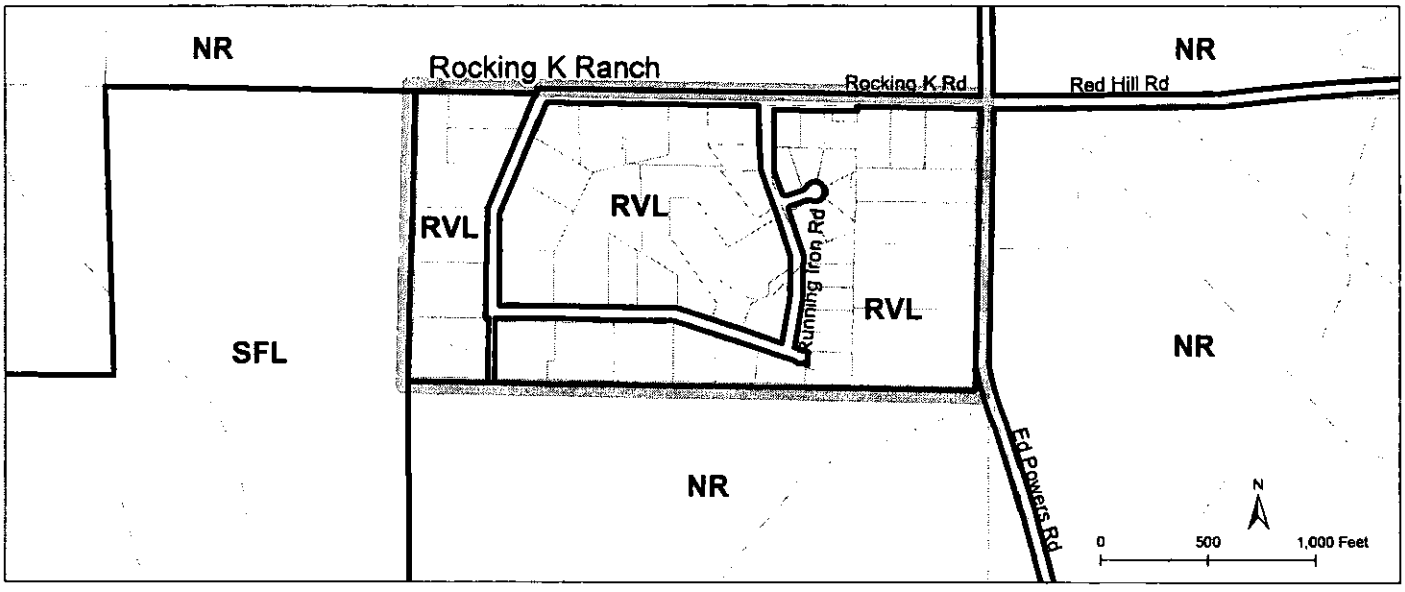
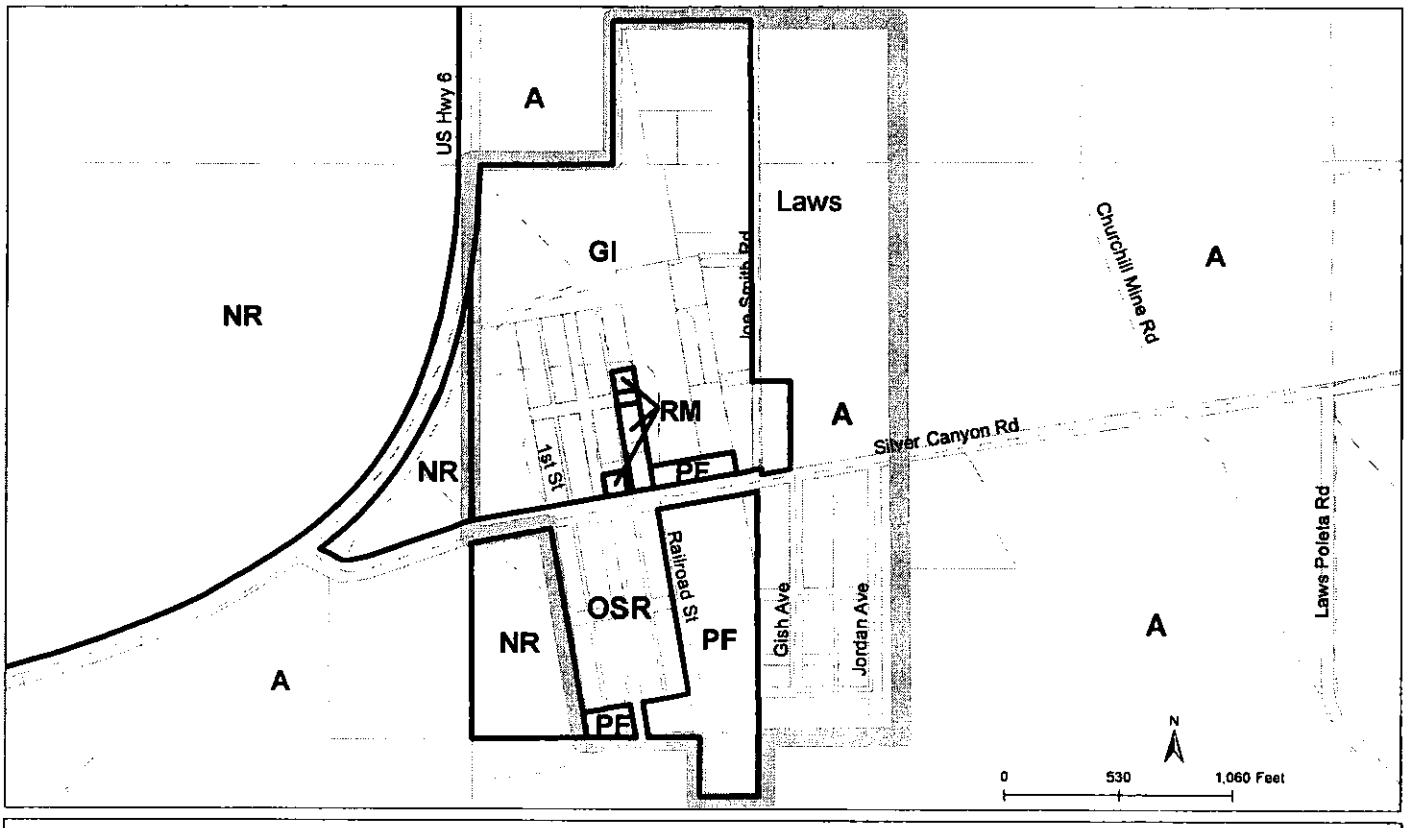


Rocking K Ranch and Laws - Diagram 5





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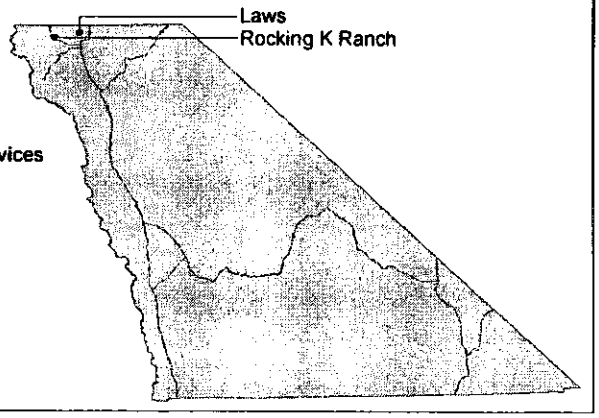
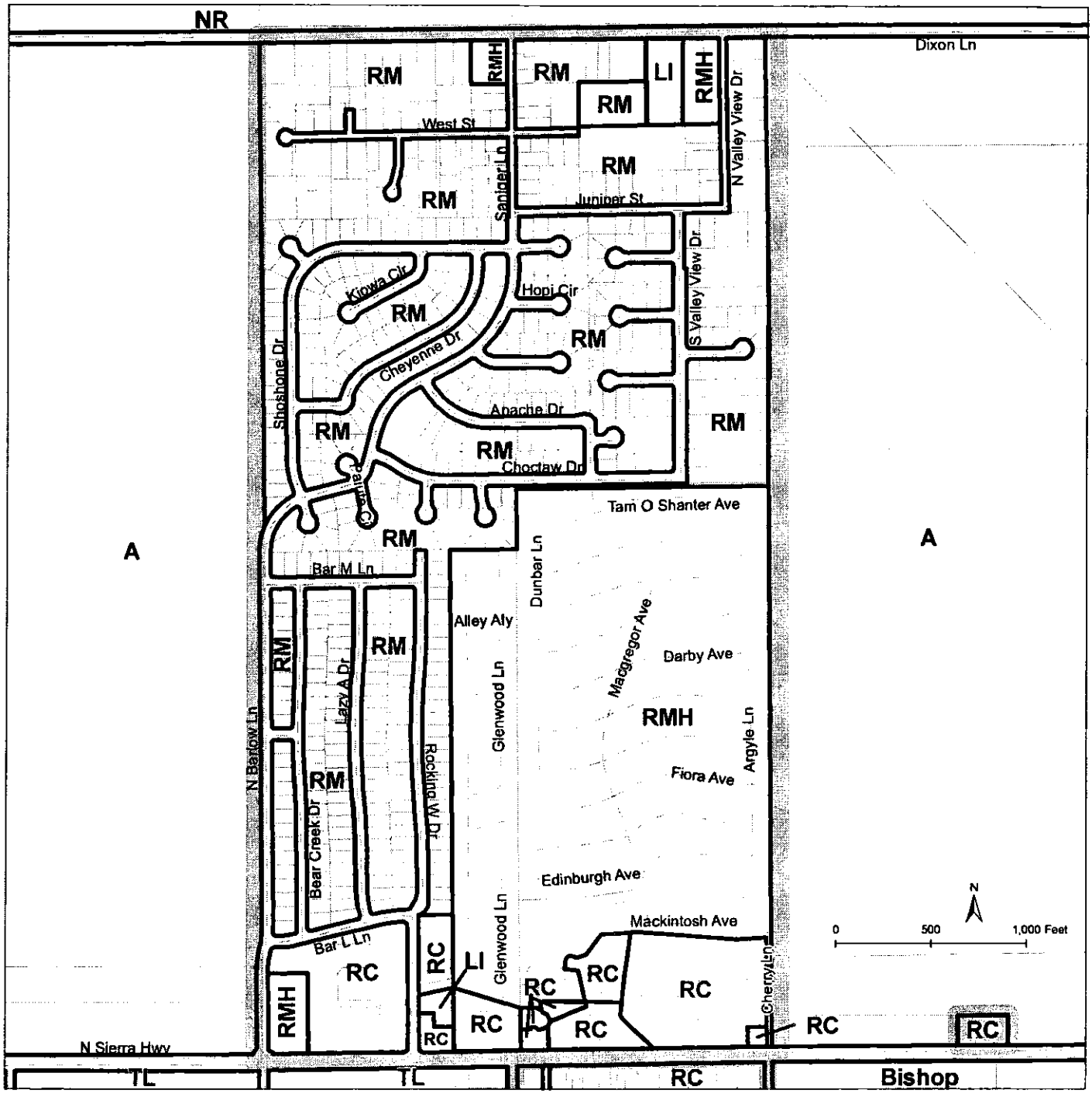


Dixon Lane/Meadow Creek - Diagram 6



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- PF Public Service Facilities
- A Agriculture
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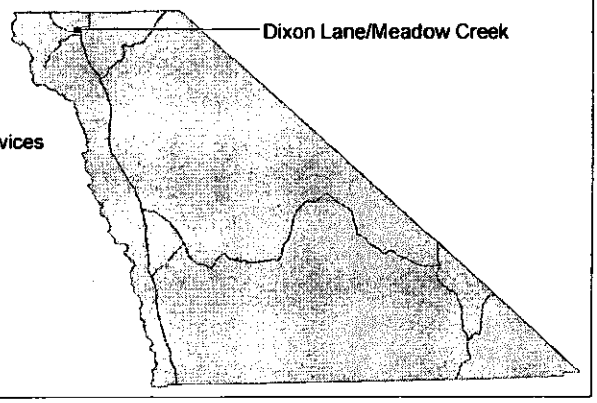
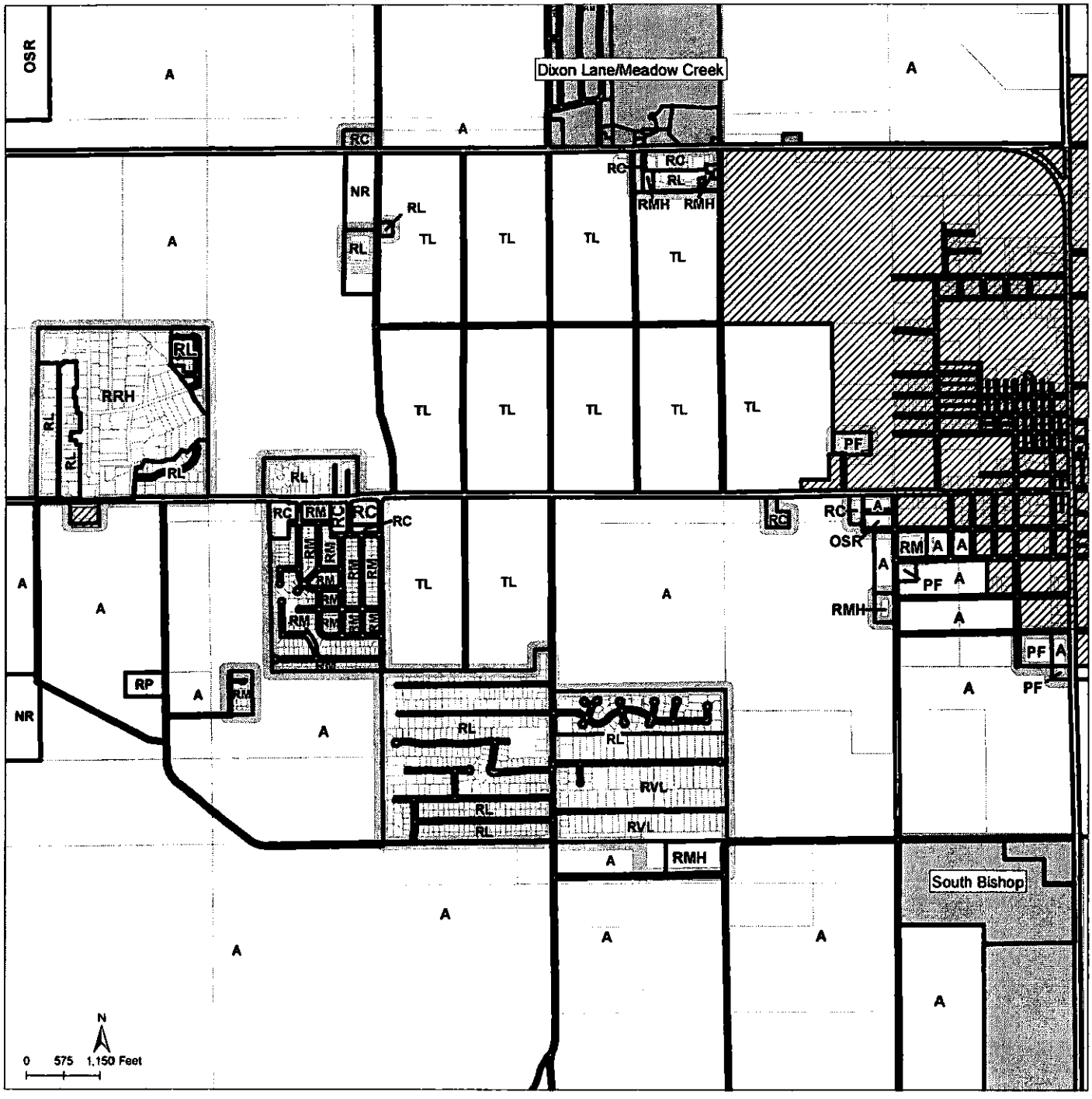


West Bishop - Diagram 7



Inyo County General Plan
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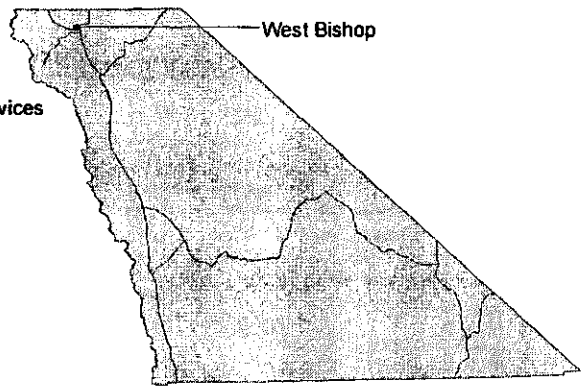
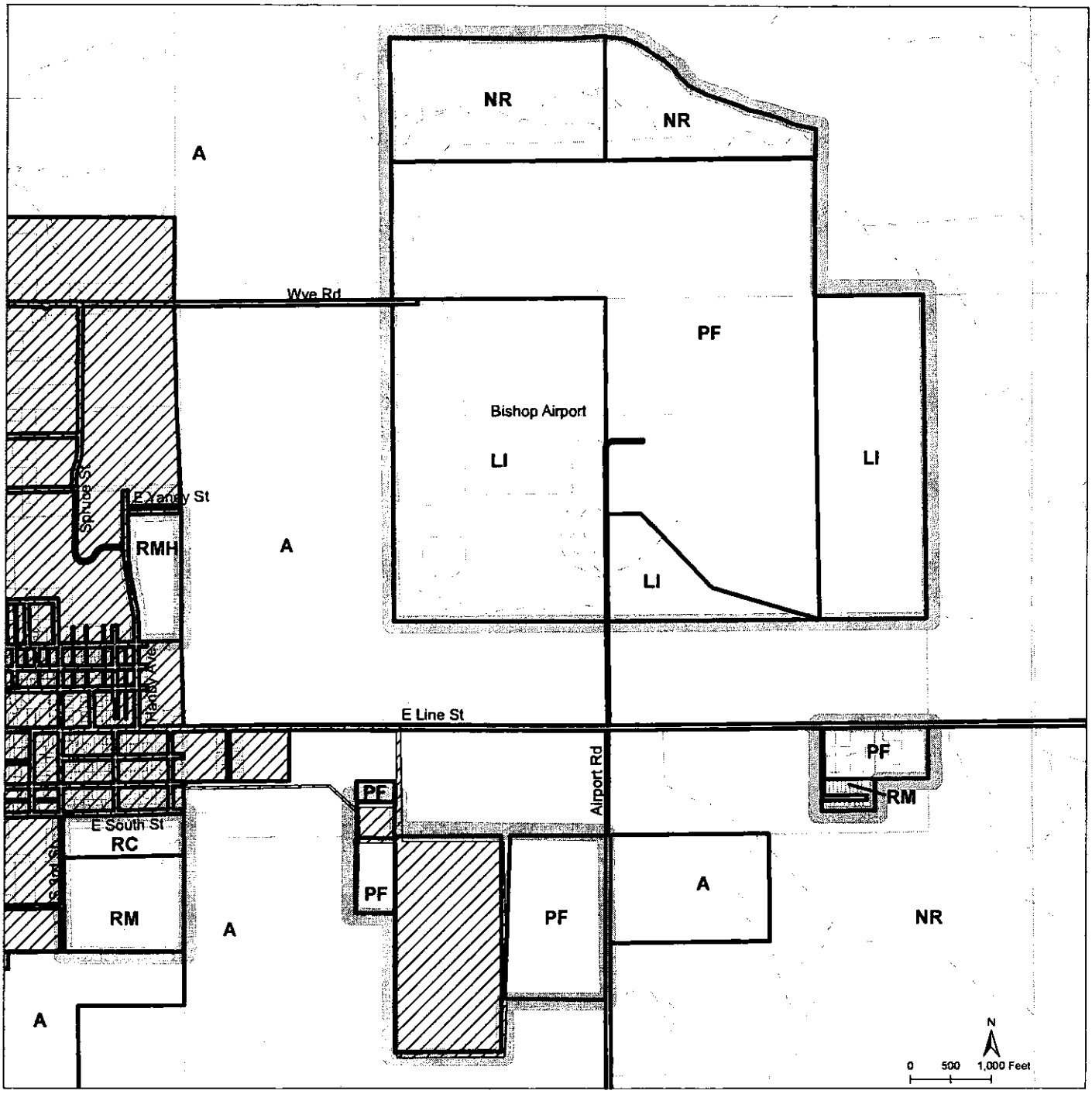


East Bishop - Diagram 8



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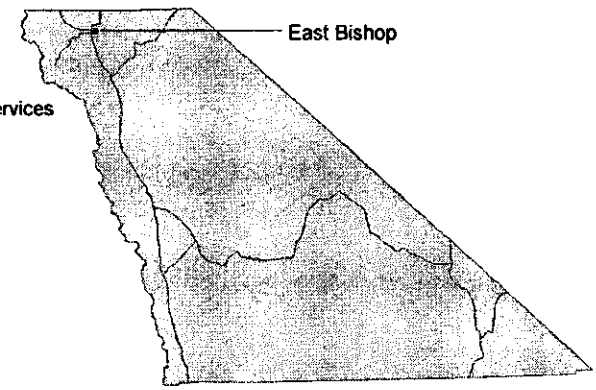
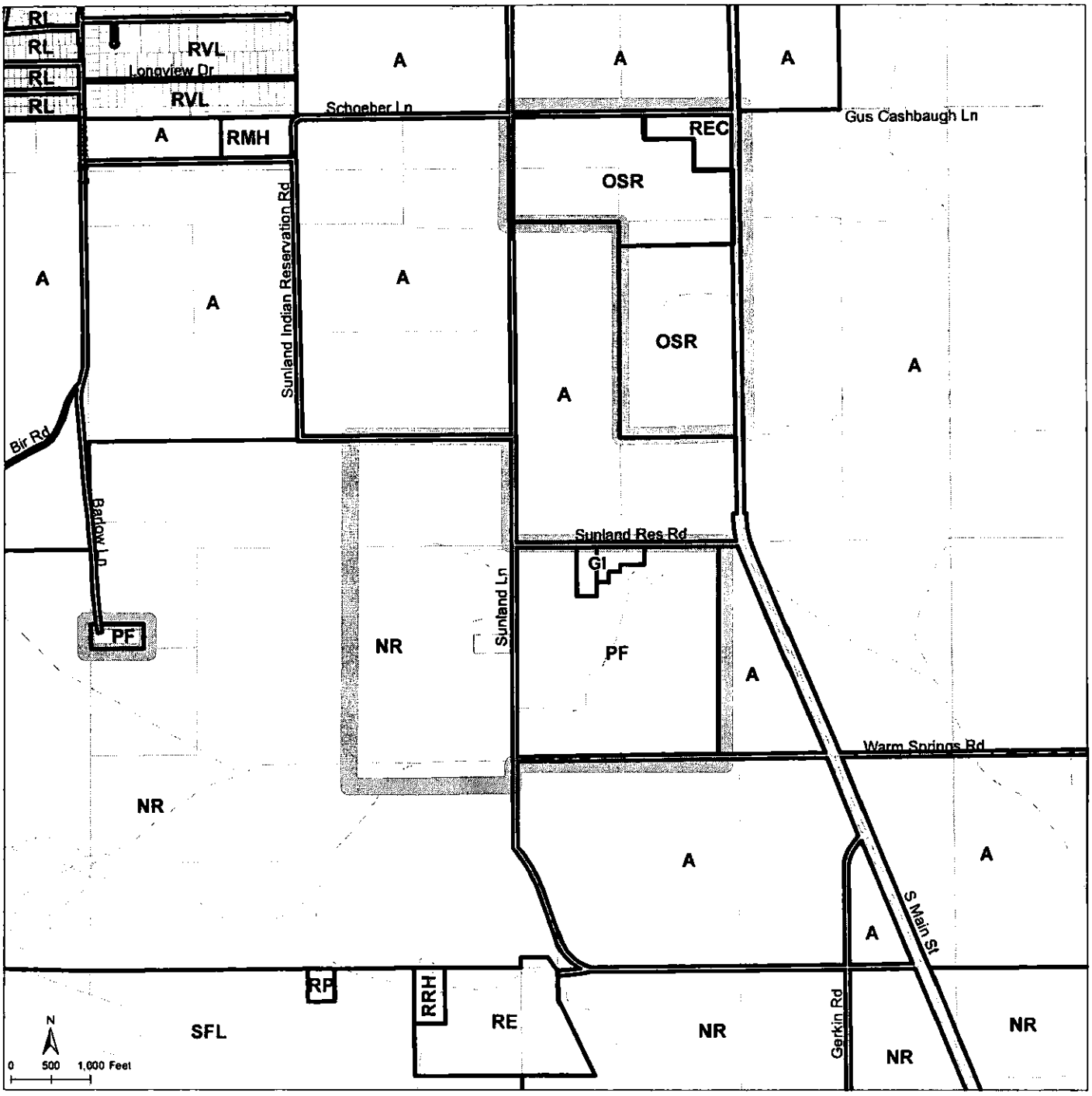


South Bishop - Diagram 9



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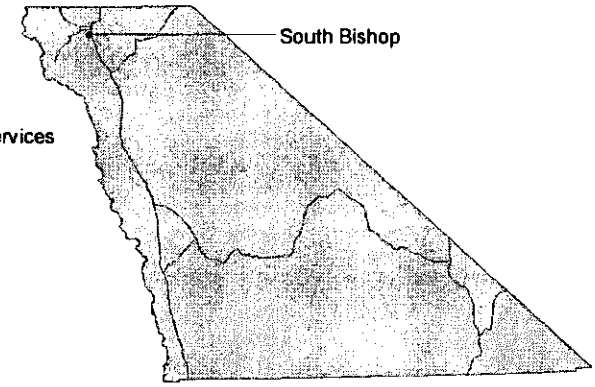
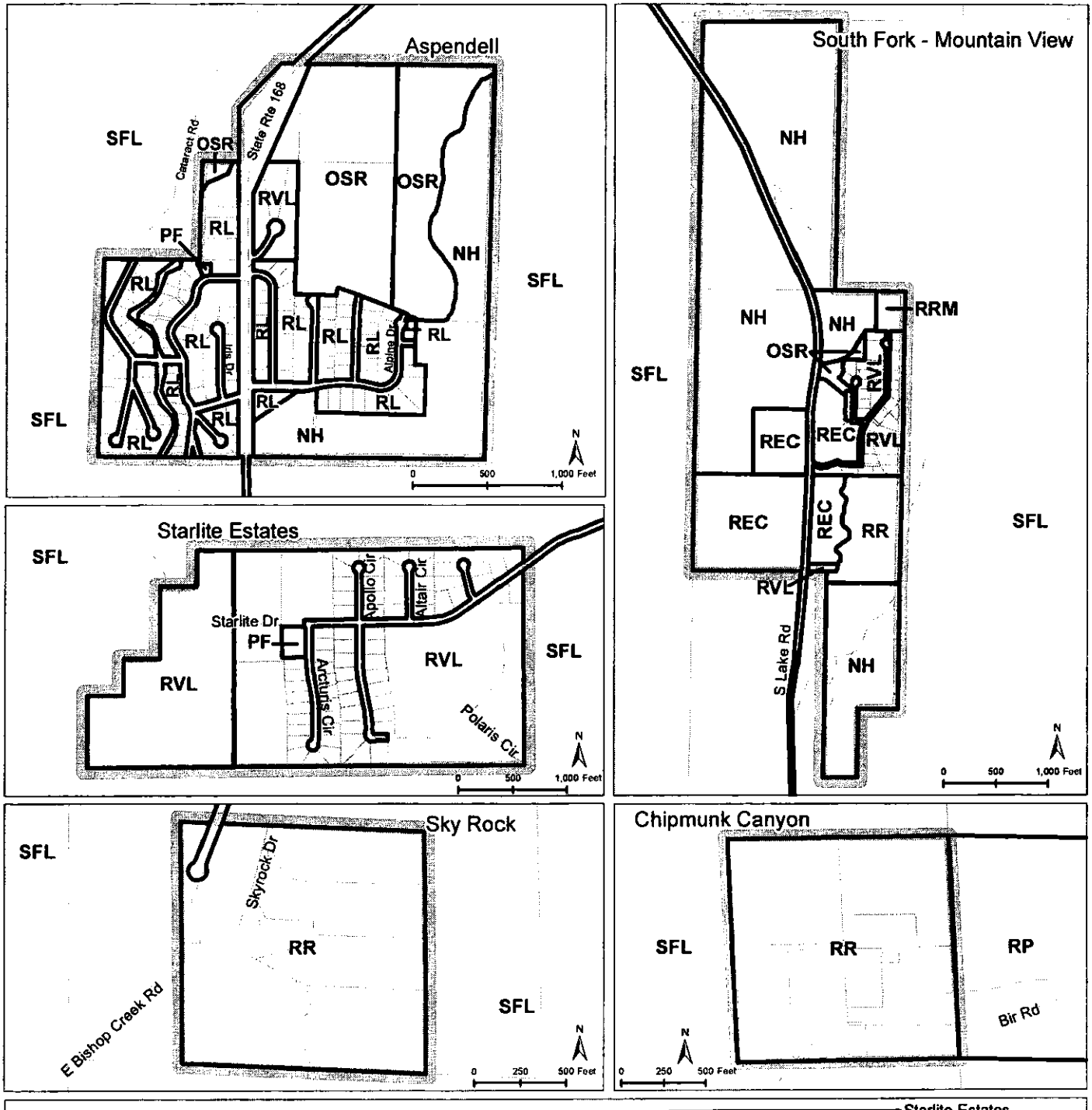


Aspendell, Starlite Estates, Sky Rock, South Fork Mountain View, Chipmunk Canyon - Diagram 10



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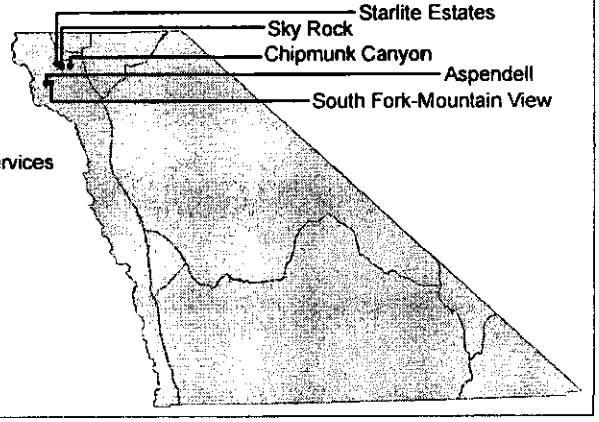
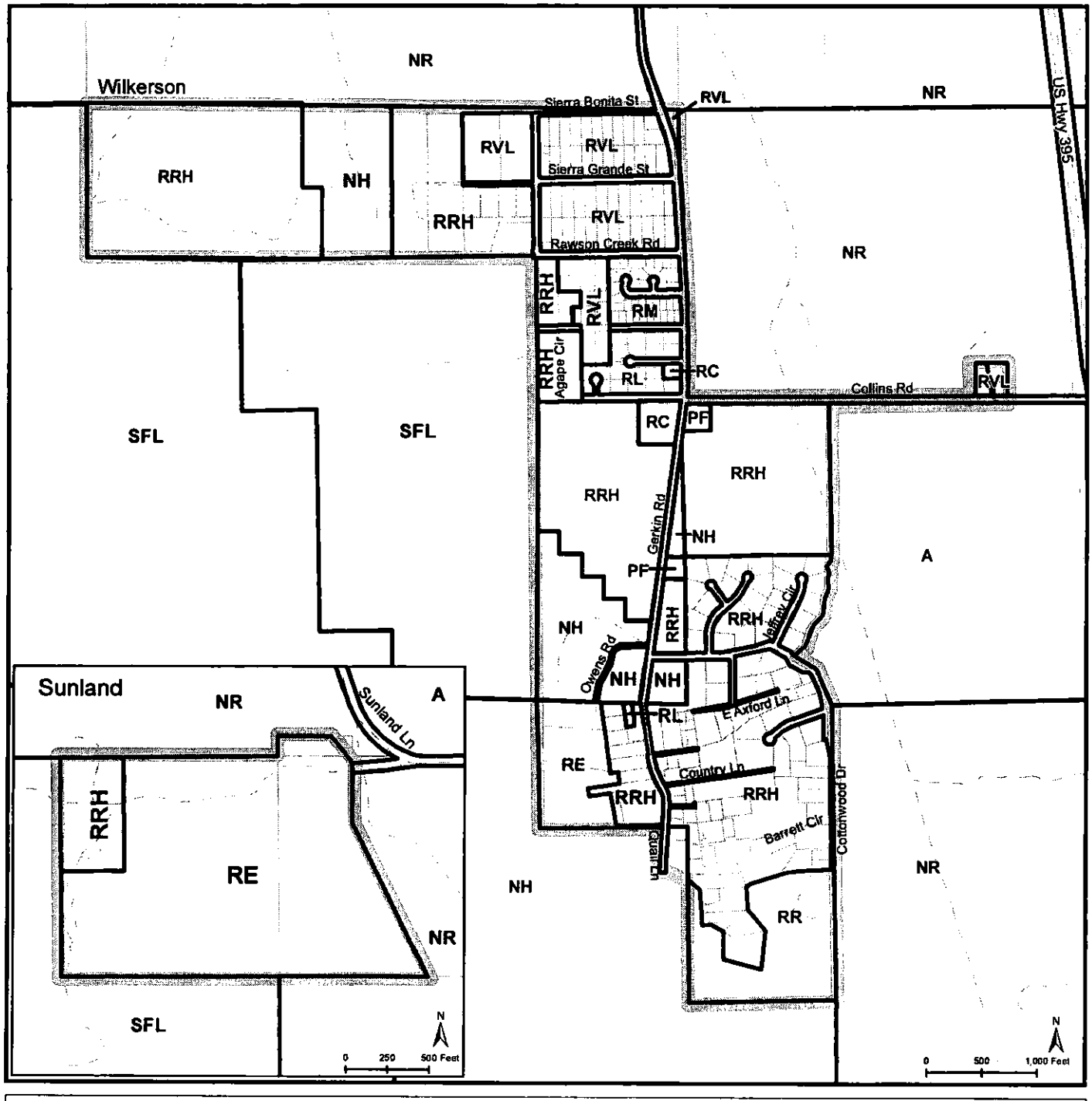


Wilkerson and Sunland - Diagram 11



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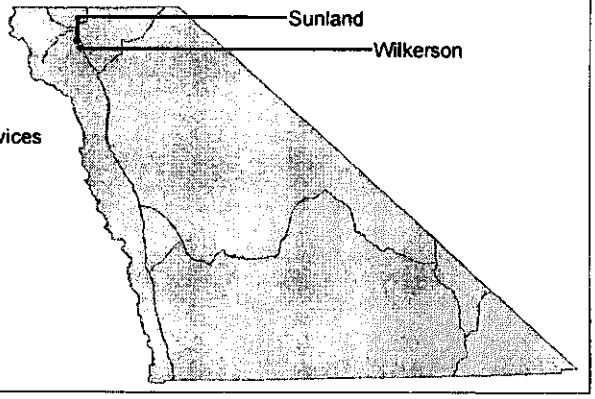
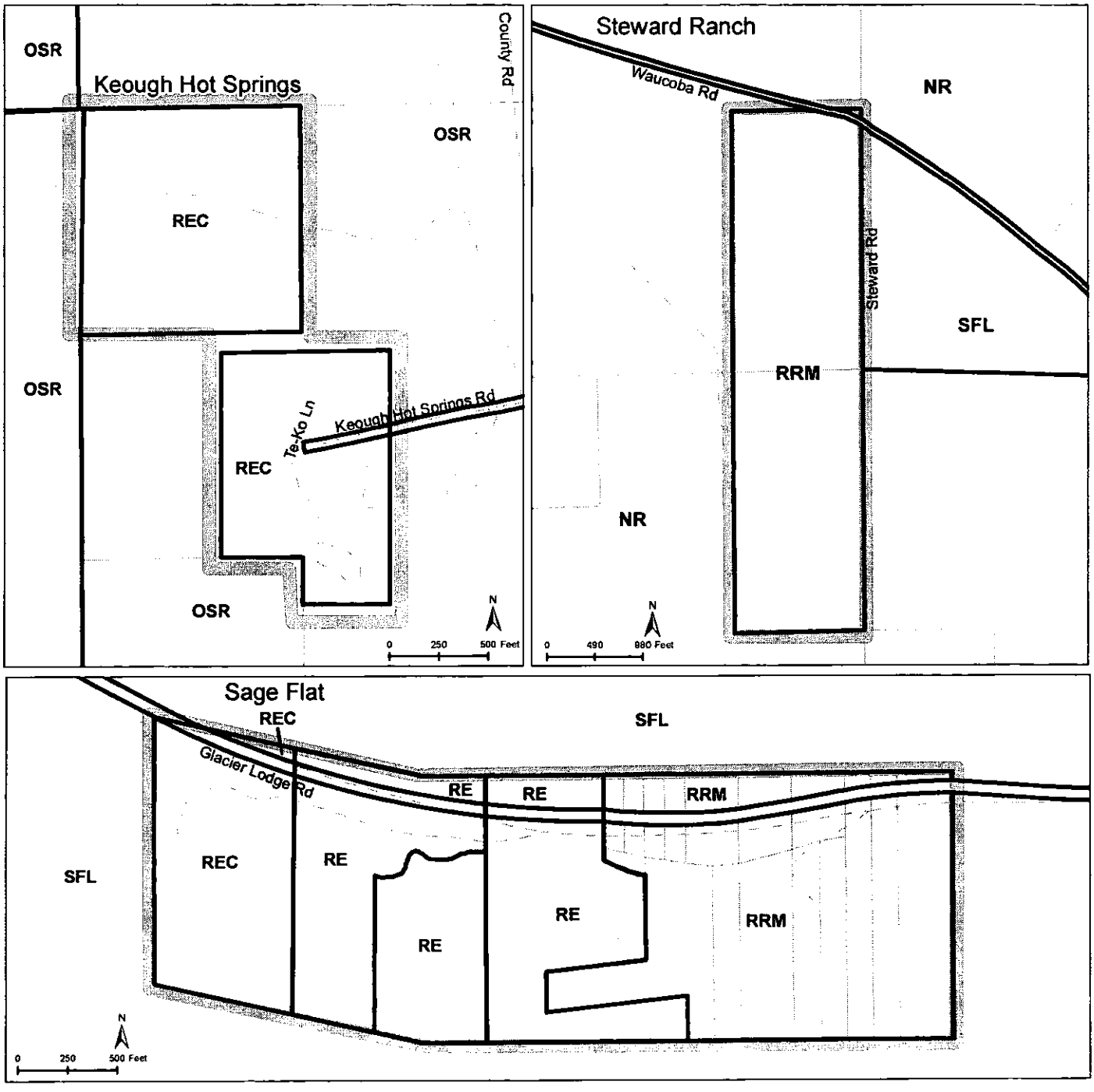


Keough Hot Springs, Steward Ranch, Sage Flat - Diagram 12



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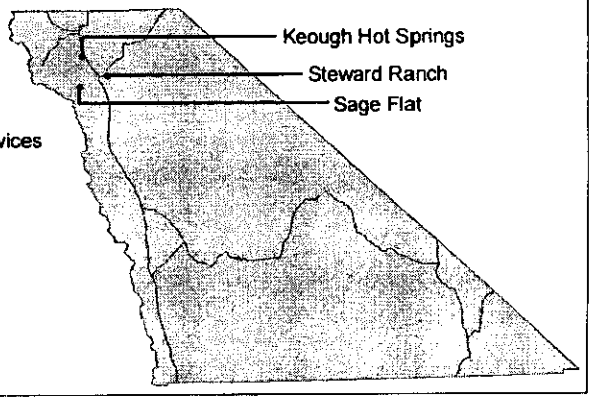
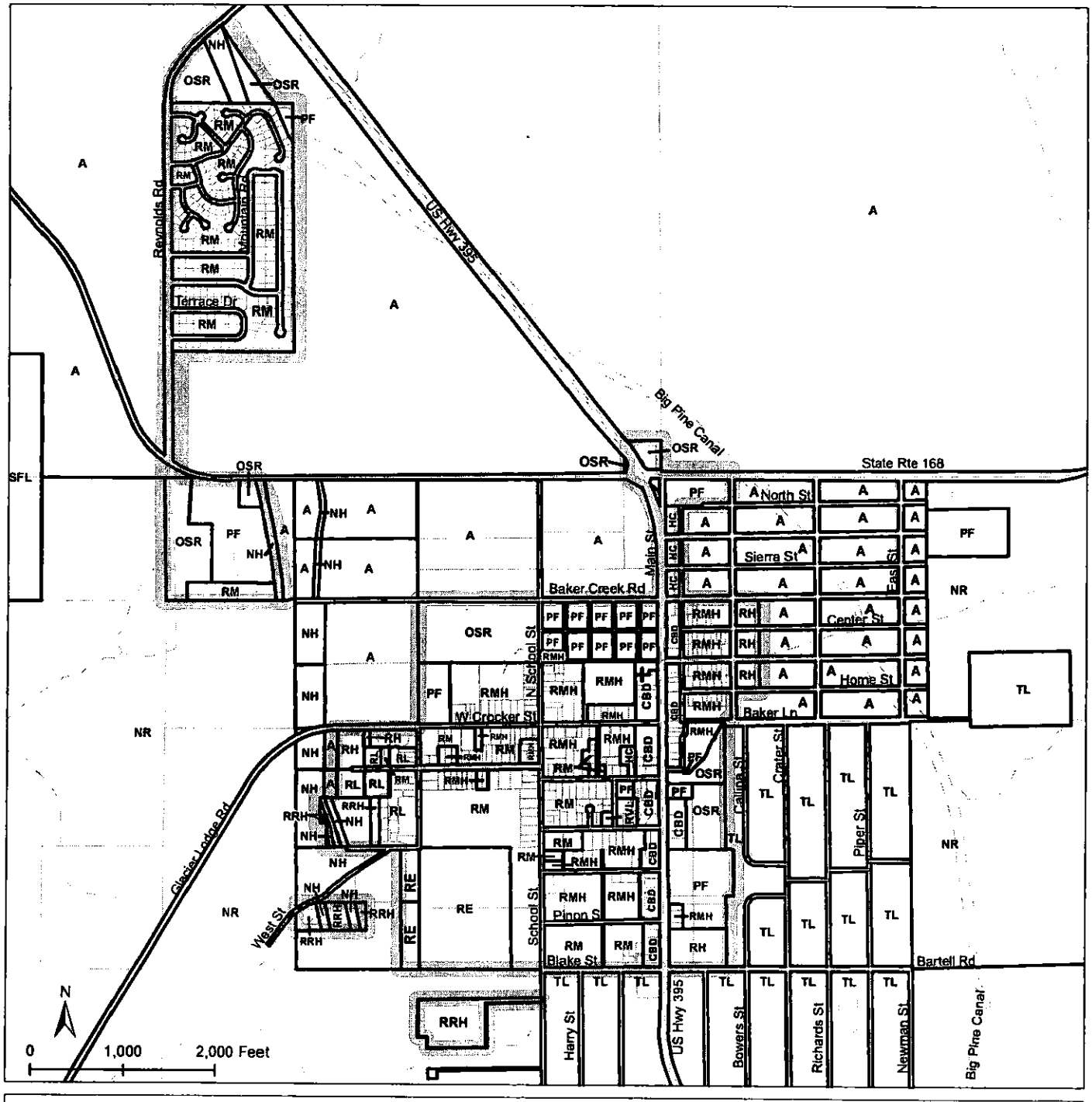


Big Pine - Diagram 13



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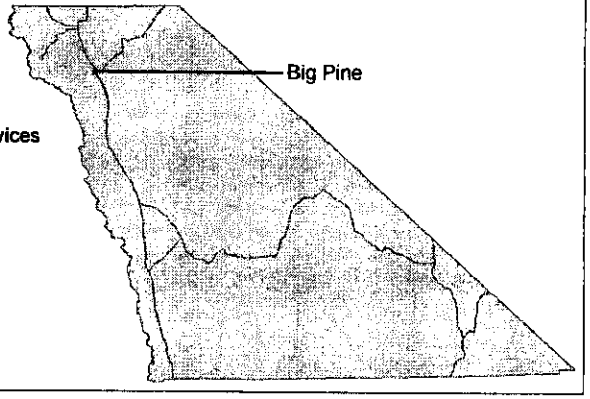
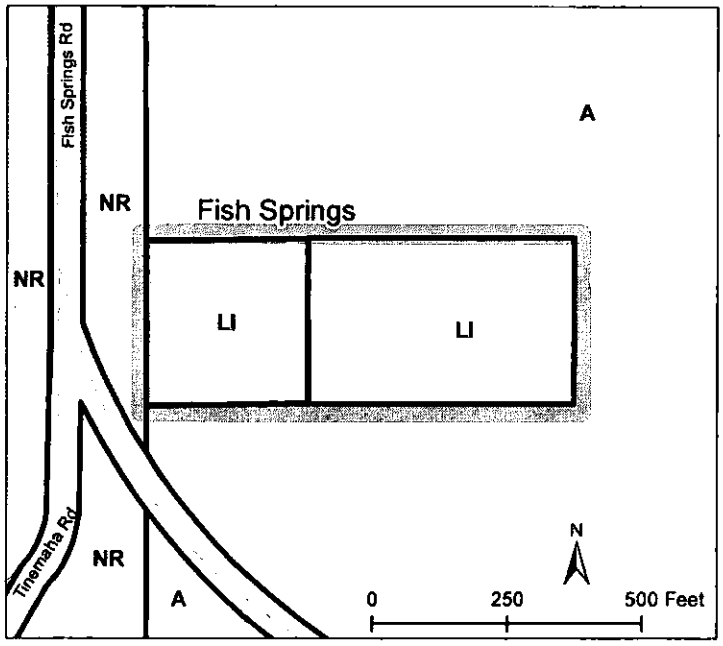
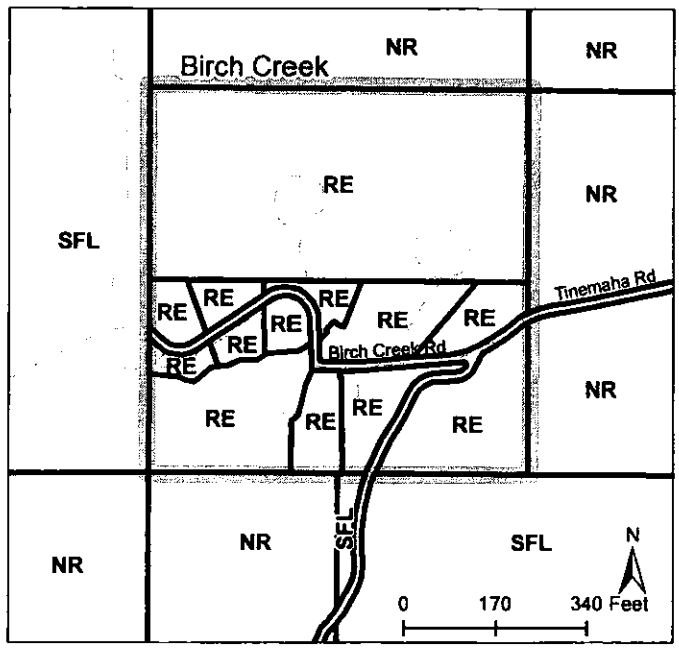
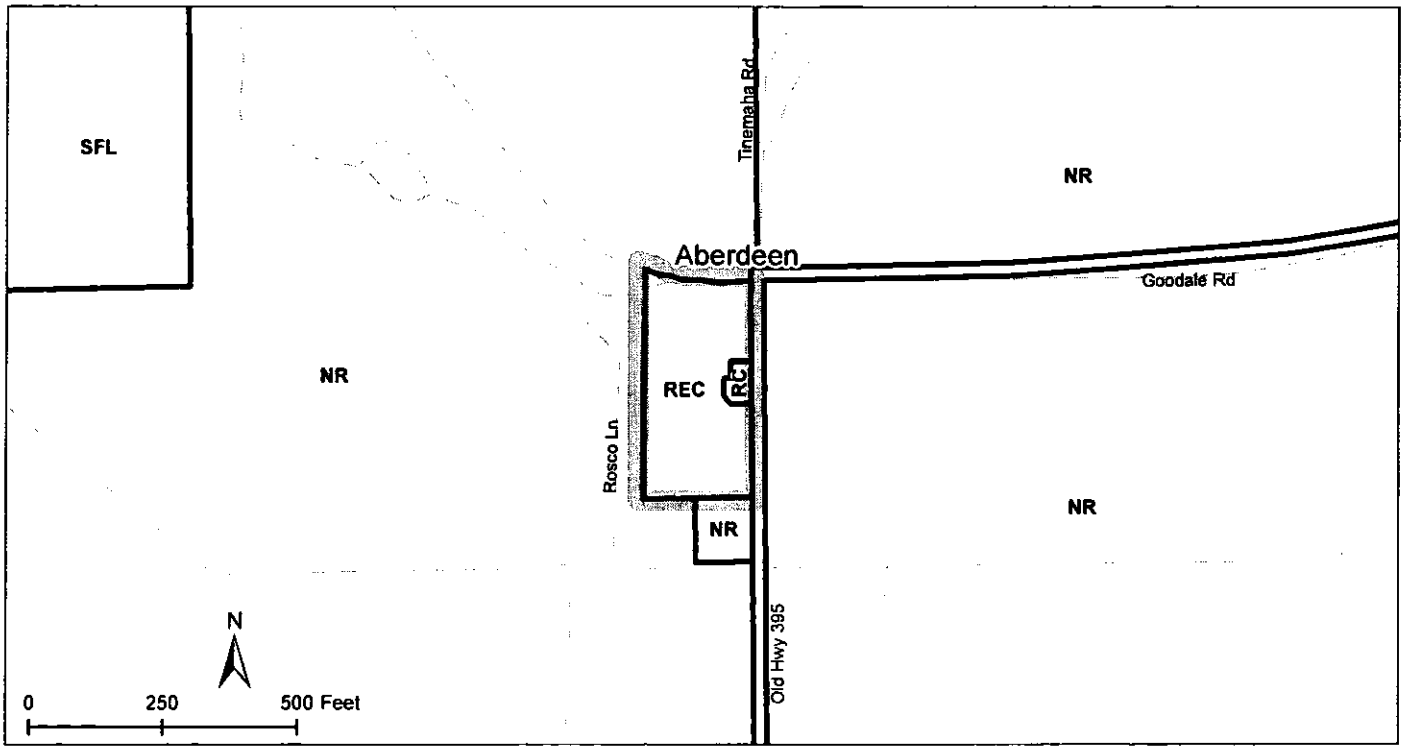


Fish Springs, Birch Creek, Aberdeen - Diagram 14







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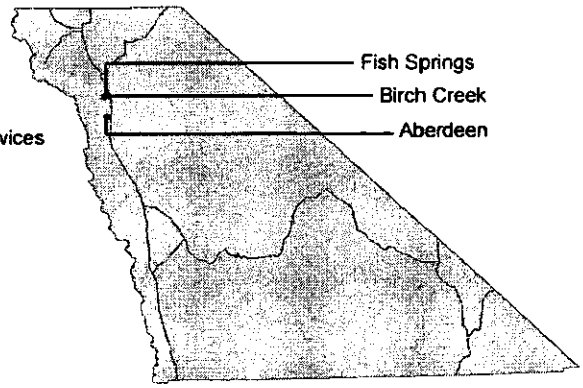
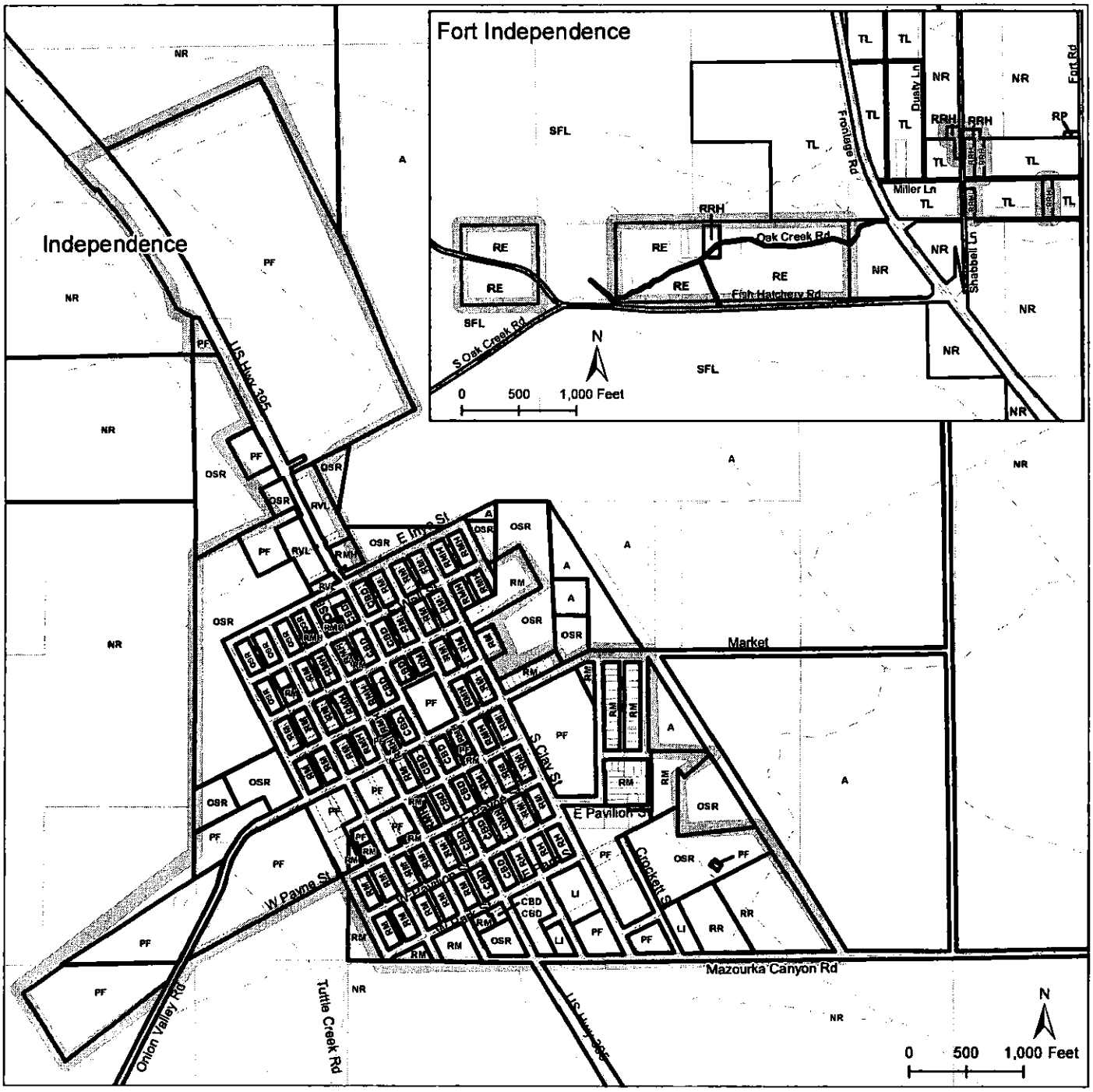


Fort Independence and Independence - Diagram 15



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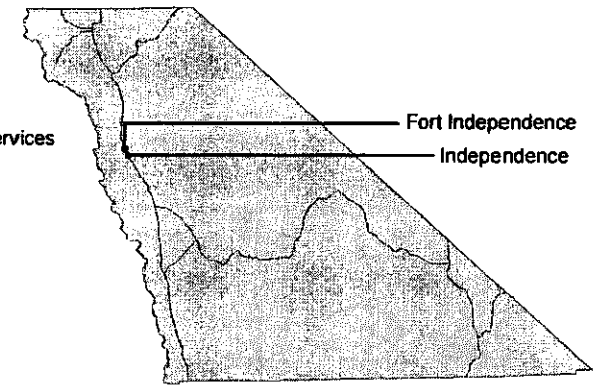
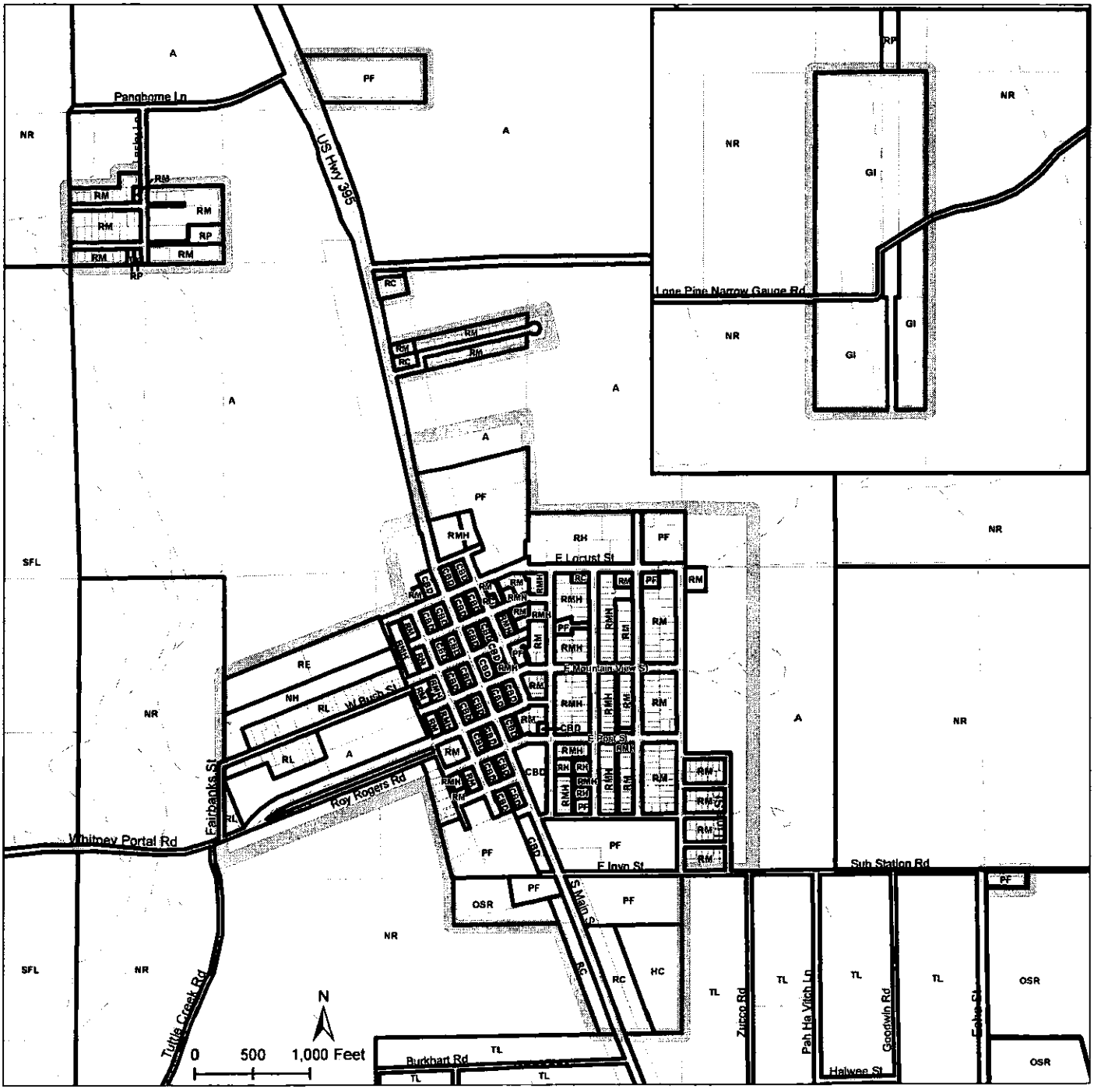


Lone Pine (North Portion) - Diagram 16



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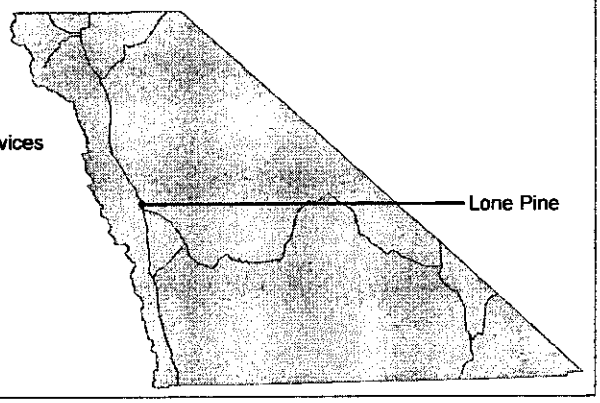
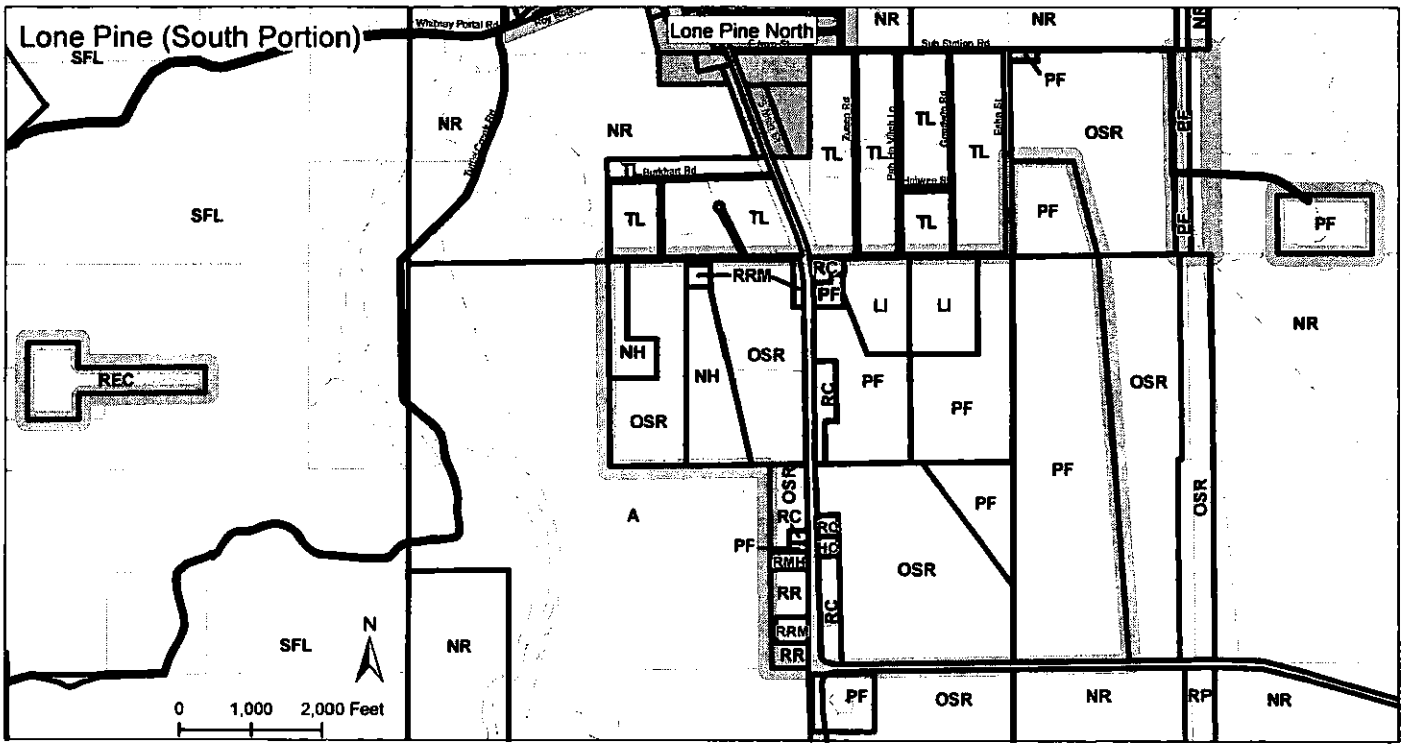
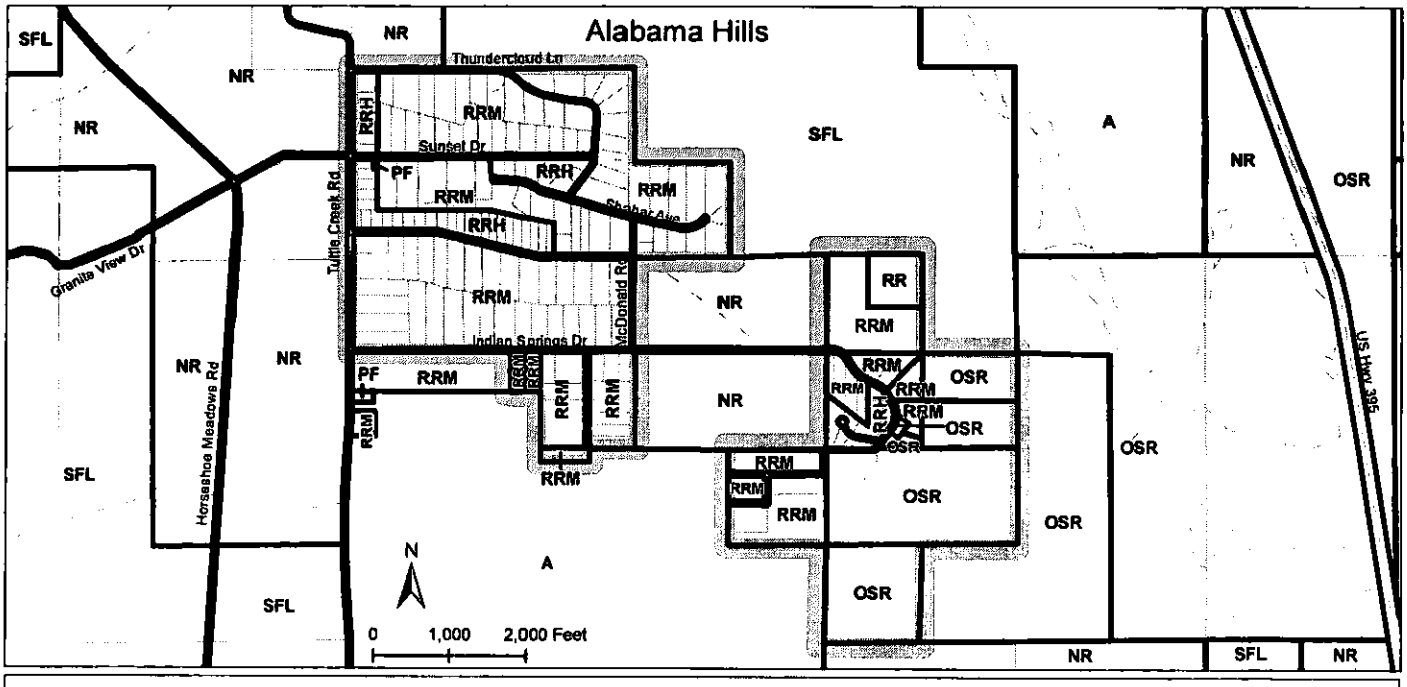


Lone Pine (South Portion) and Alabama Hills - Diagram 17





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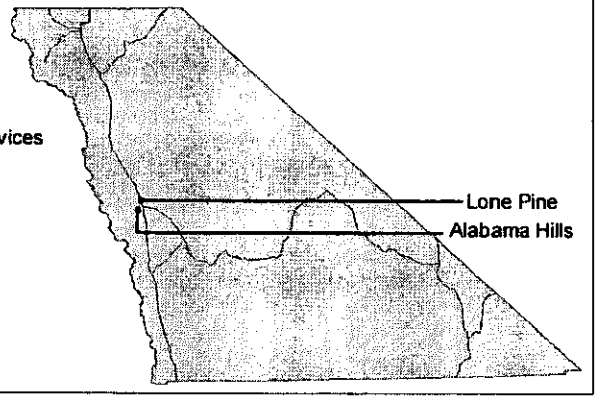
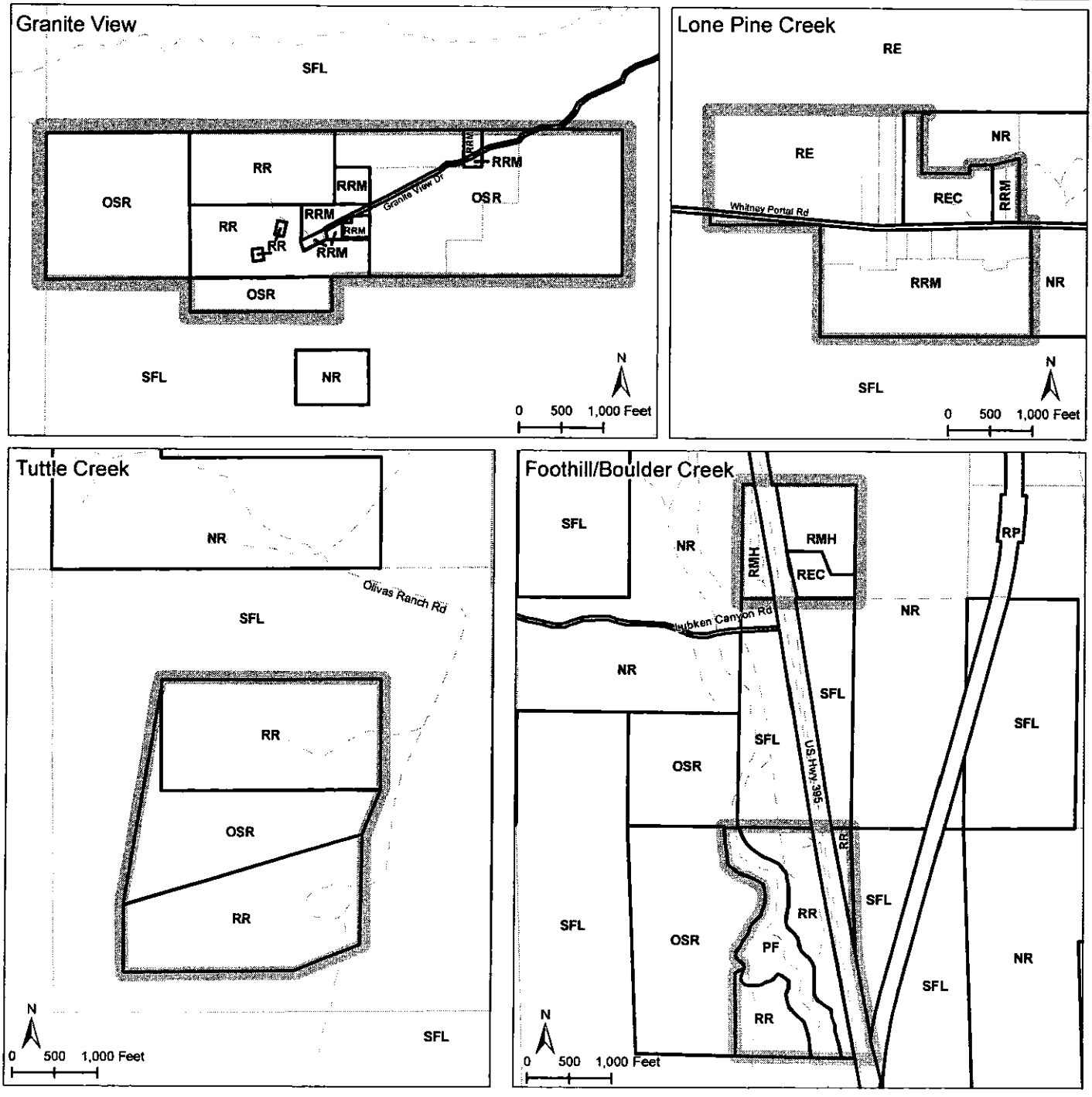


Granite View, Lone Pine Creek, Tuttle Creek, Foothill/Boulder Creek - Diagram 18



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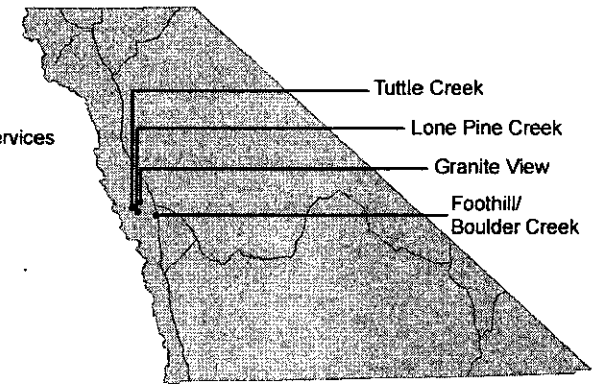
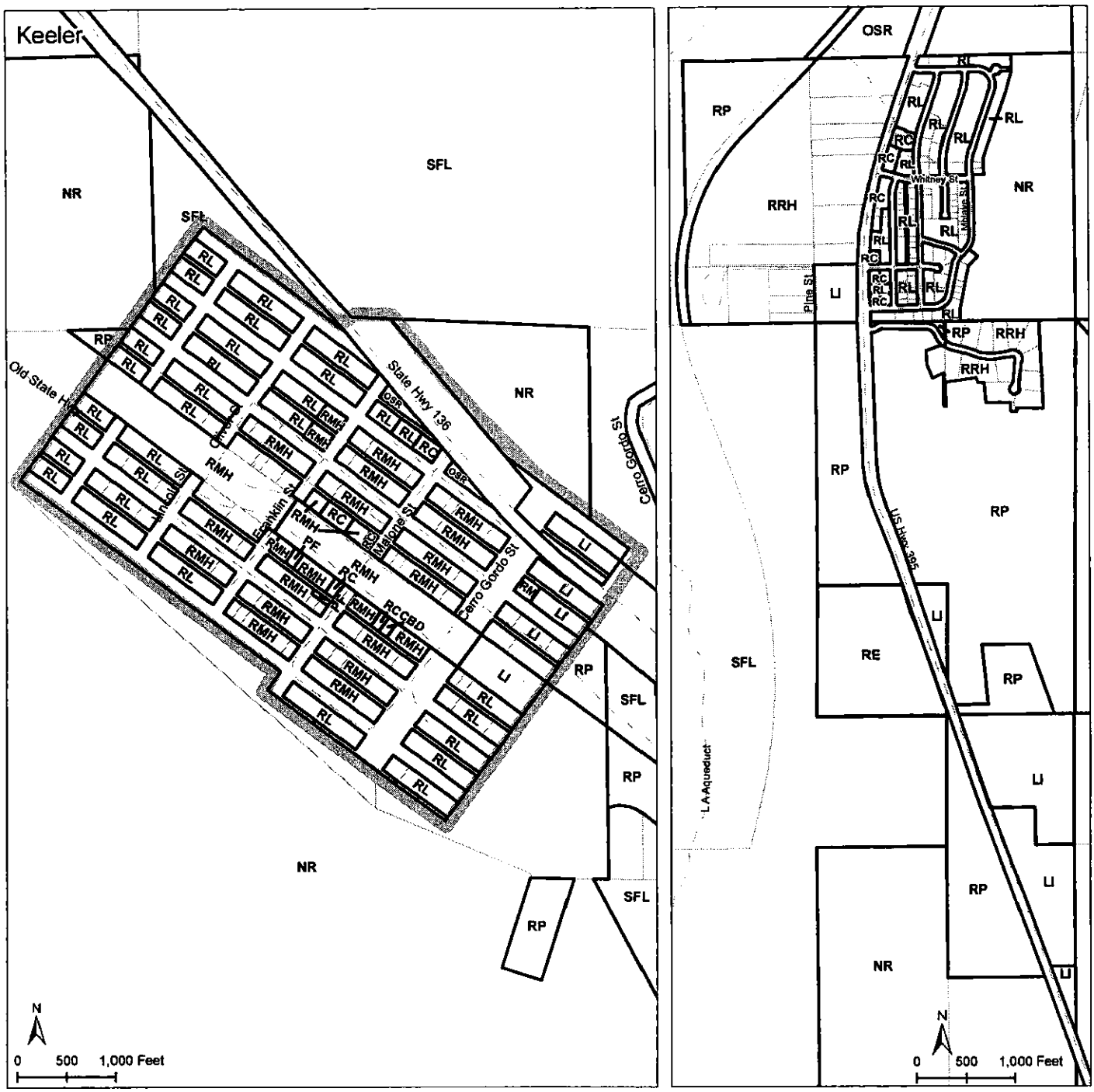


Keeler and Cartago - Diagram 19



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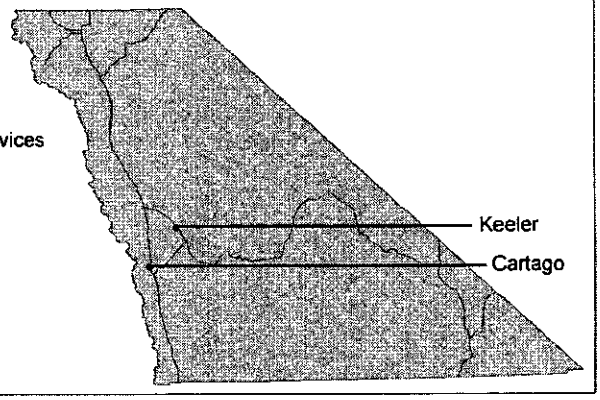
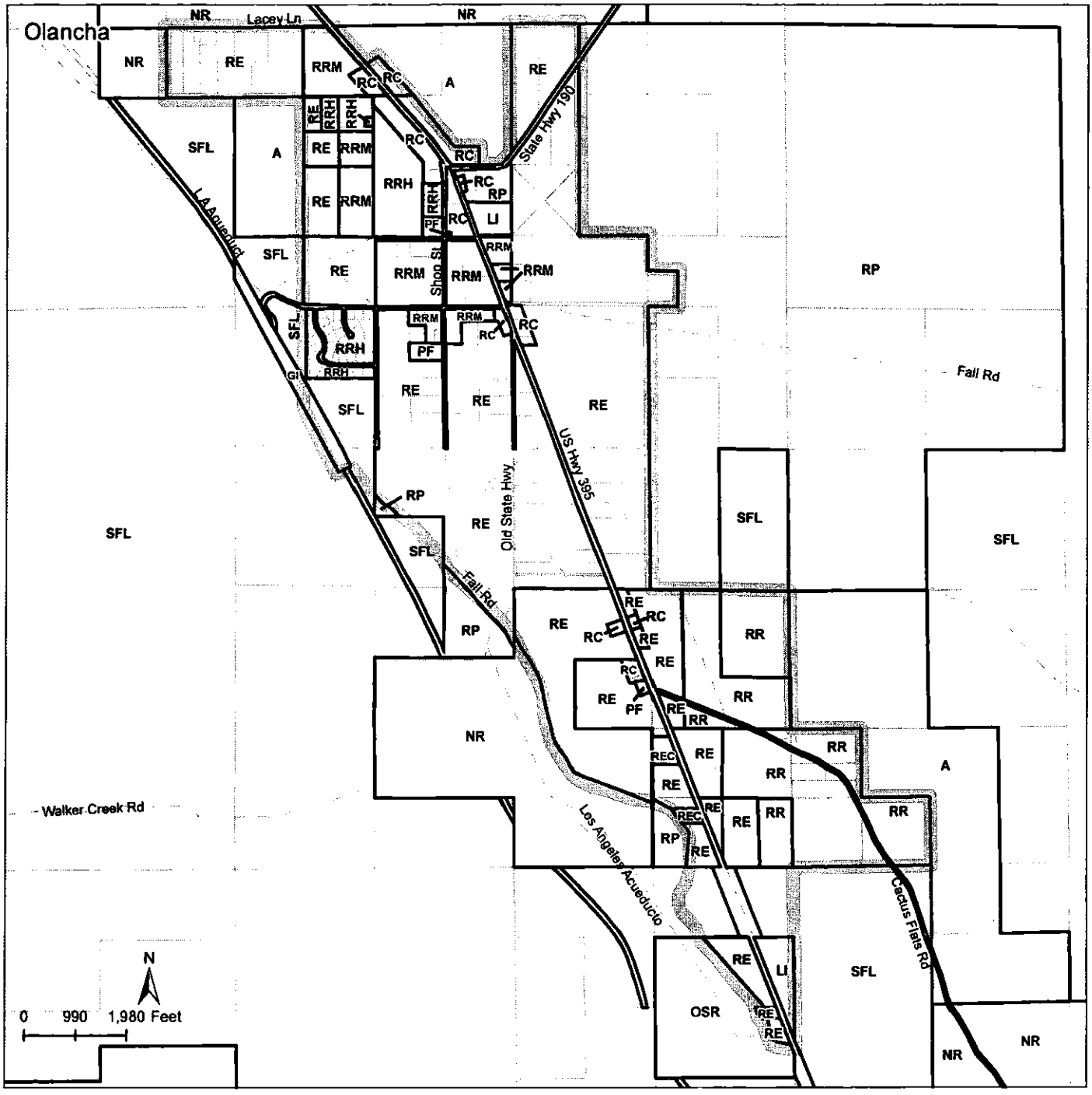


Olancha - Diagram 20



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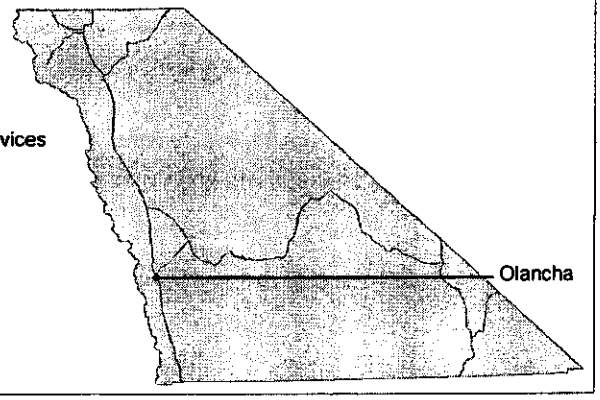
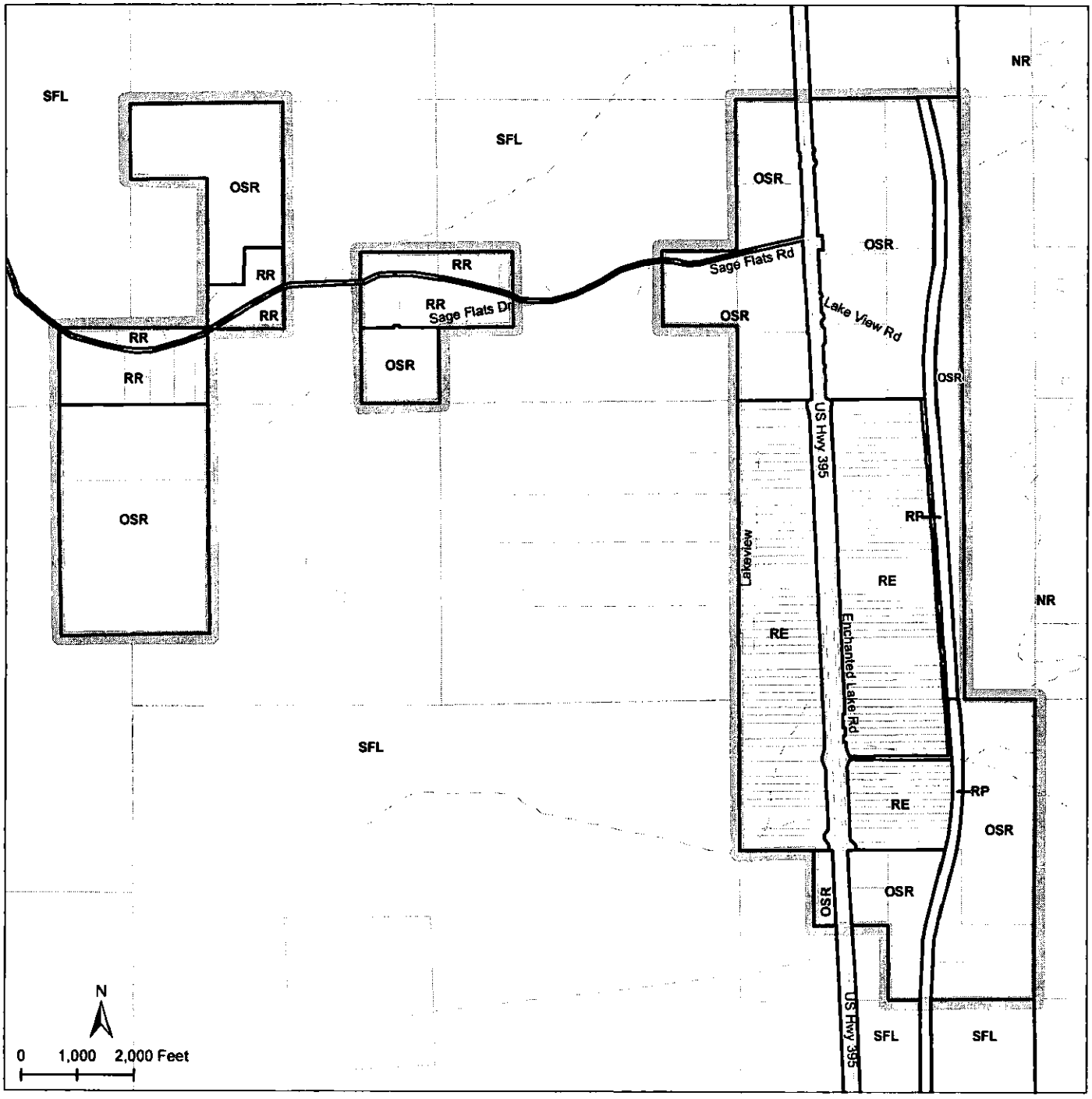


Haiwee - Diagram 21



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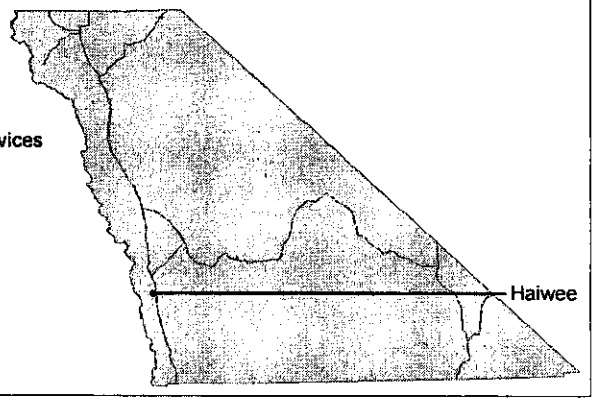
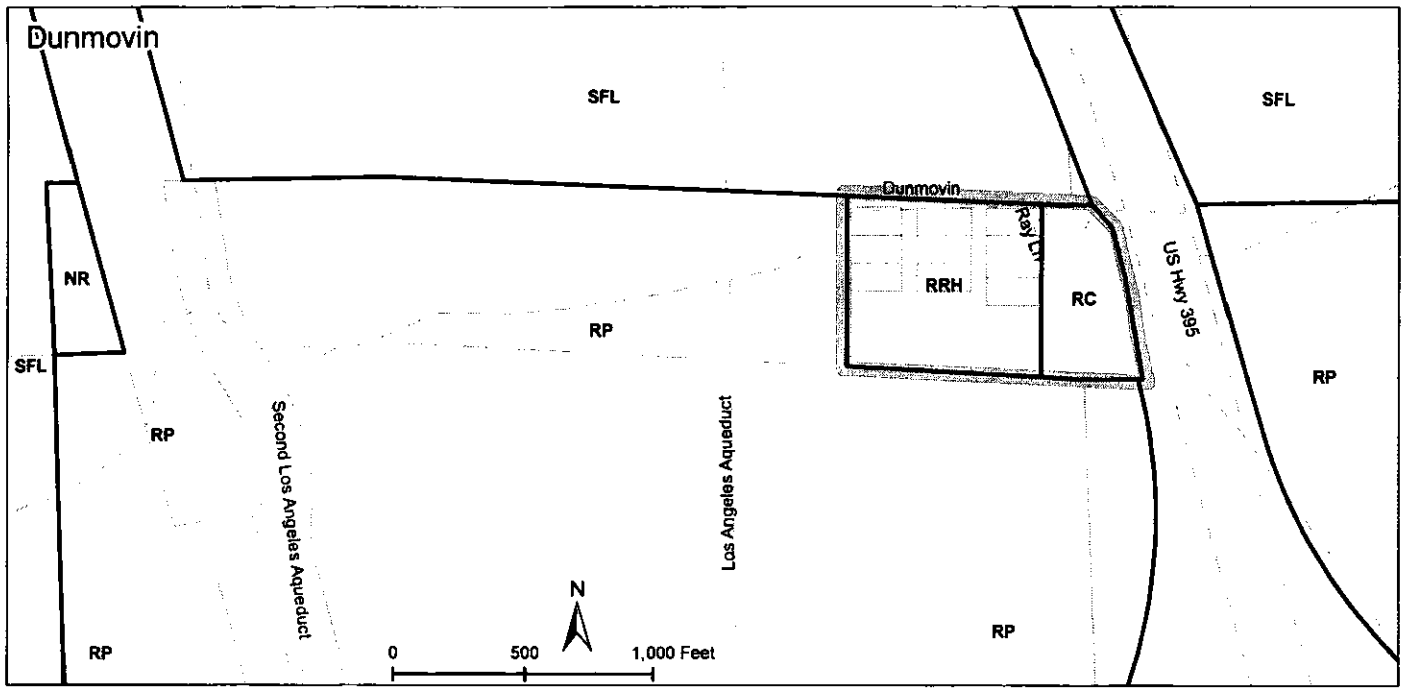
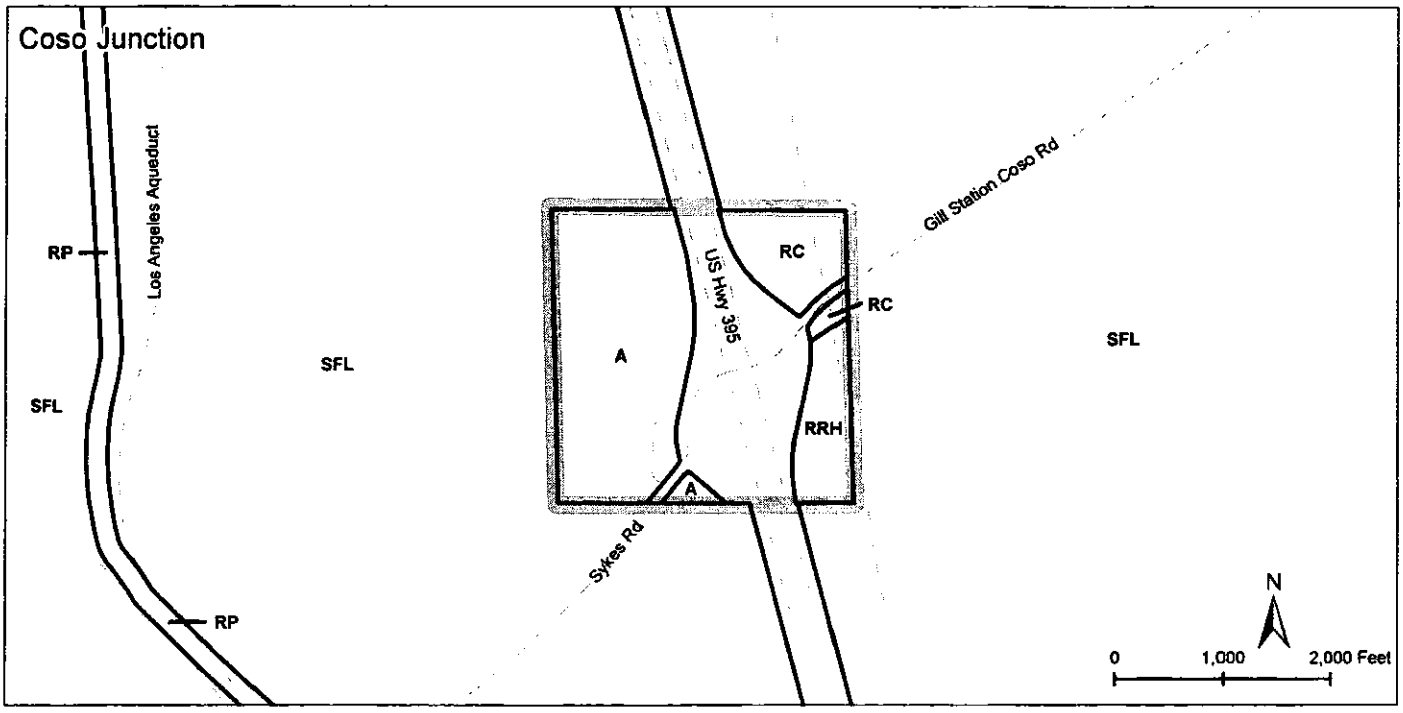


Dunmovin and Coso Junction - Diagram 22





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RM	Residential Medium Density
RMH	Residential Medium-High Density
RH	Residential High Density

Industrial

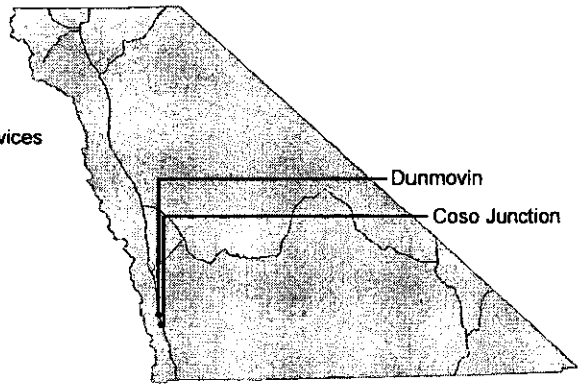
LI	Light Industrial
GI	General Industrial

Commercial

CBD	Central Business District
RC	Retail Commercial
HC	Heavy Commercial/Commercial Services
REC	Resort/Recreational

Other

NH	Natural Hazards
OSR	Open Space and Recreation
PF	Public Service Facilities
A	Agriculture
NR	Natural Resources
SFL	State and Federal Lands
TL	Tribal lands



Pearsonville/Sterling Road and Little Lake - Diagram 23

Inyo County General Plan
Land Use Designations

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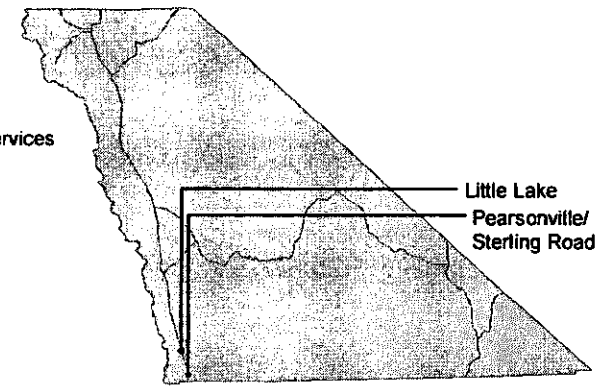
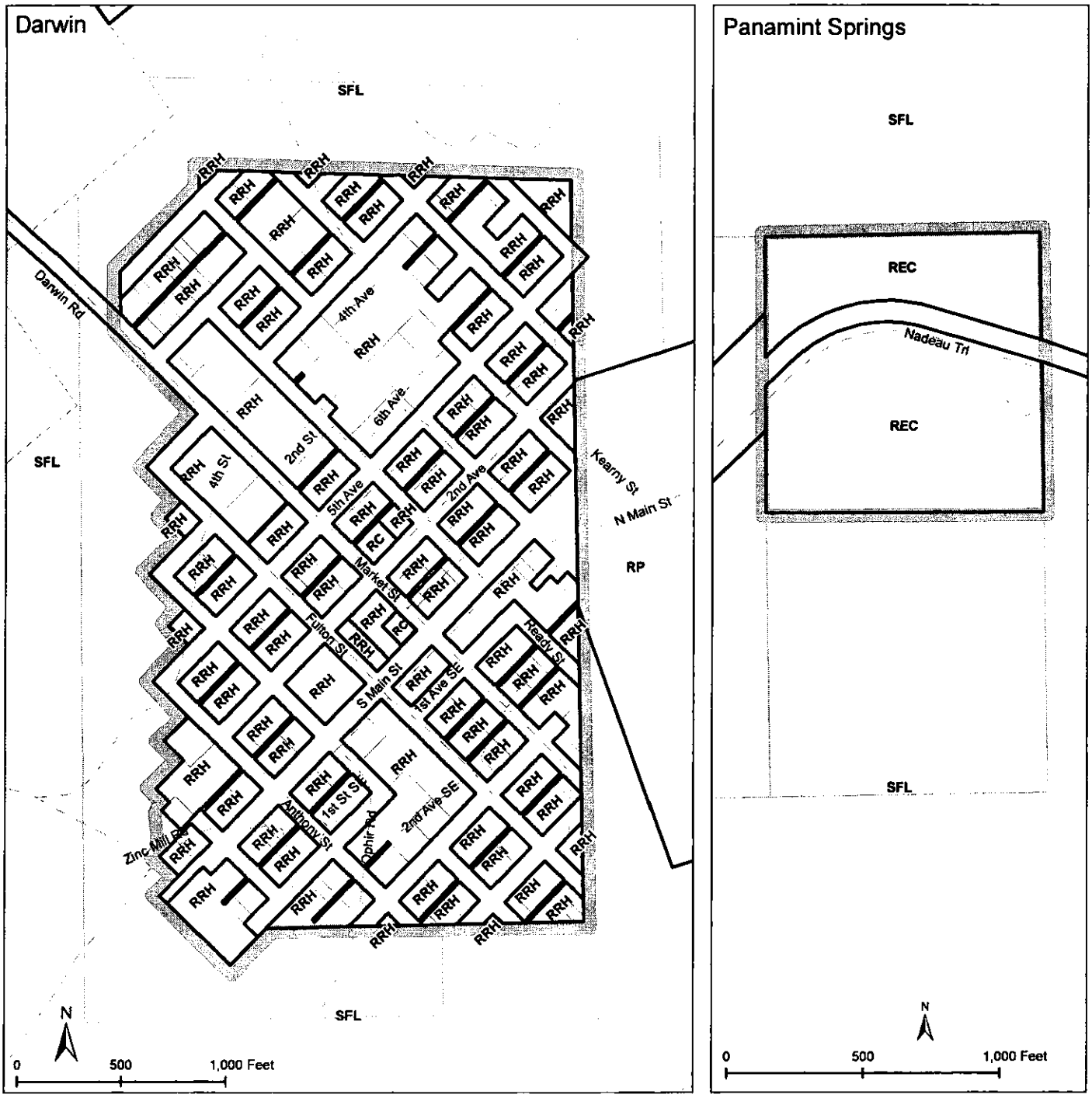


Darwin and Panamint Springs - Diagram 24



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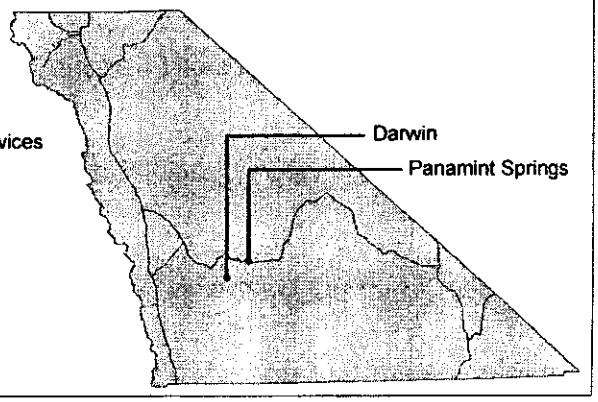
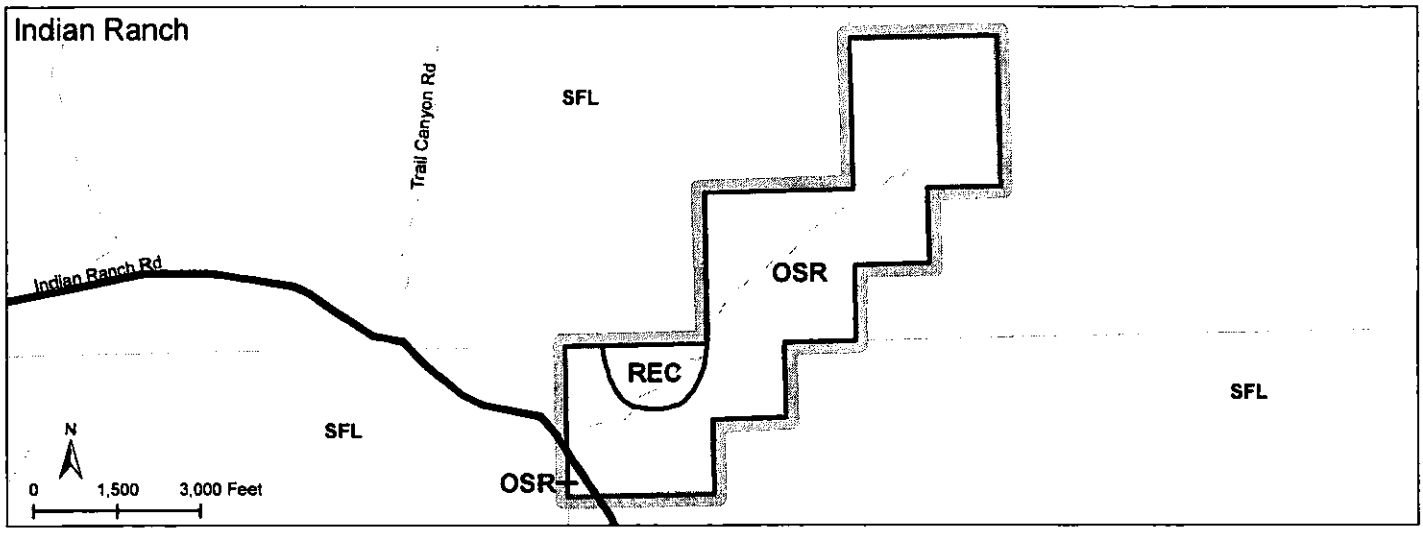
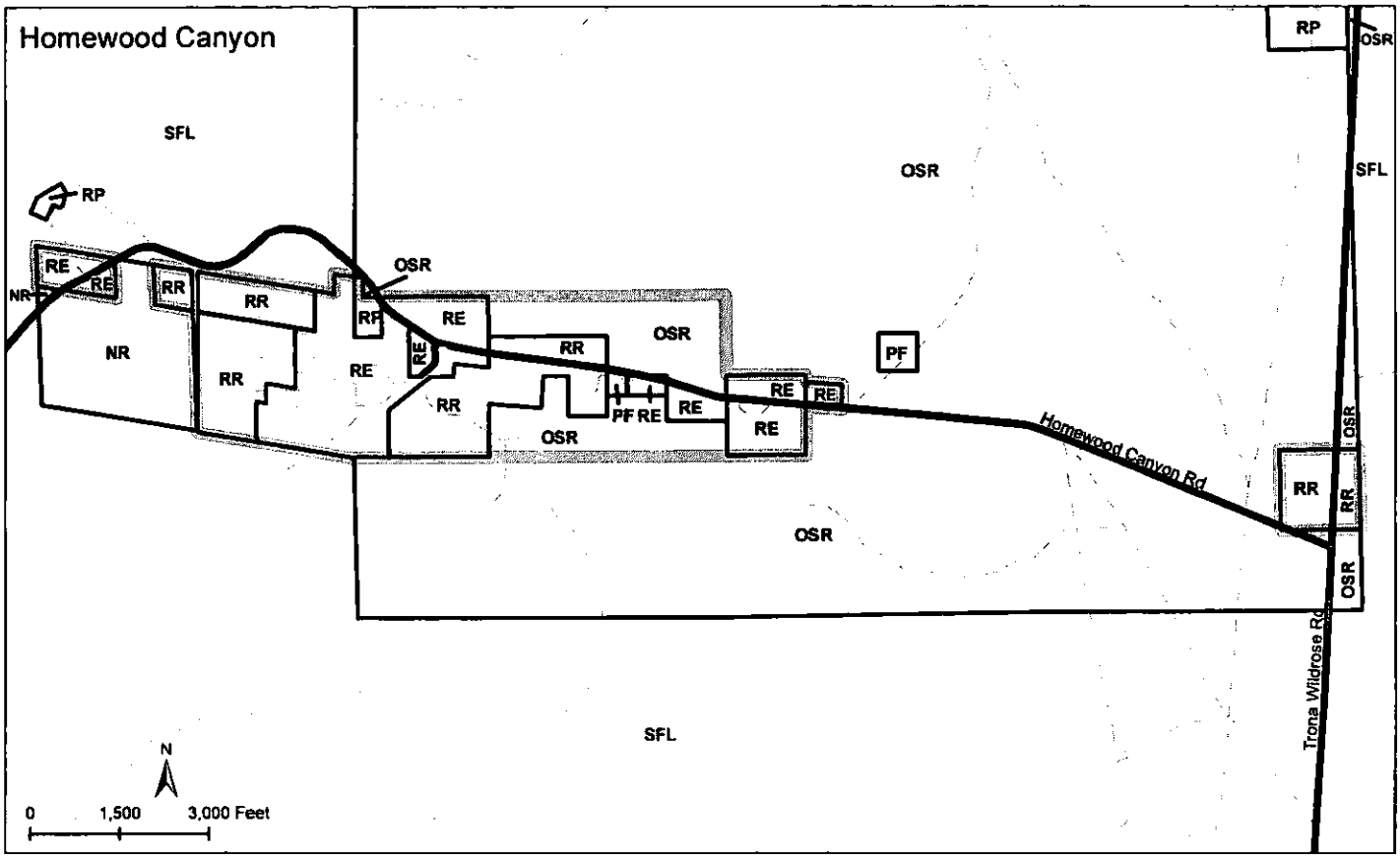


Indian Ranch and Homewood Canyon - Diagram 25





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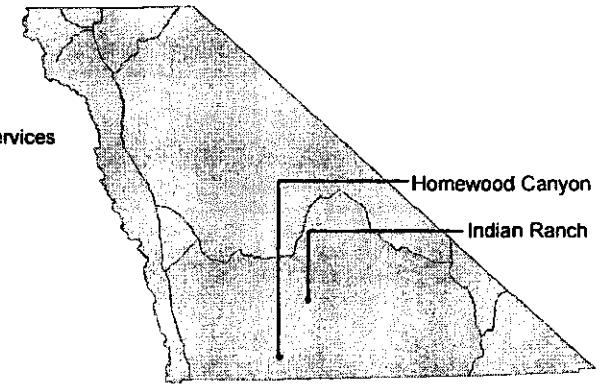
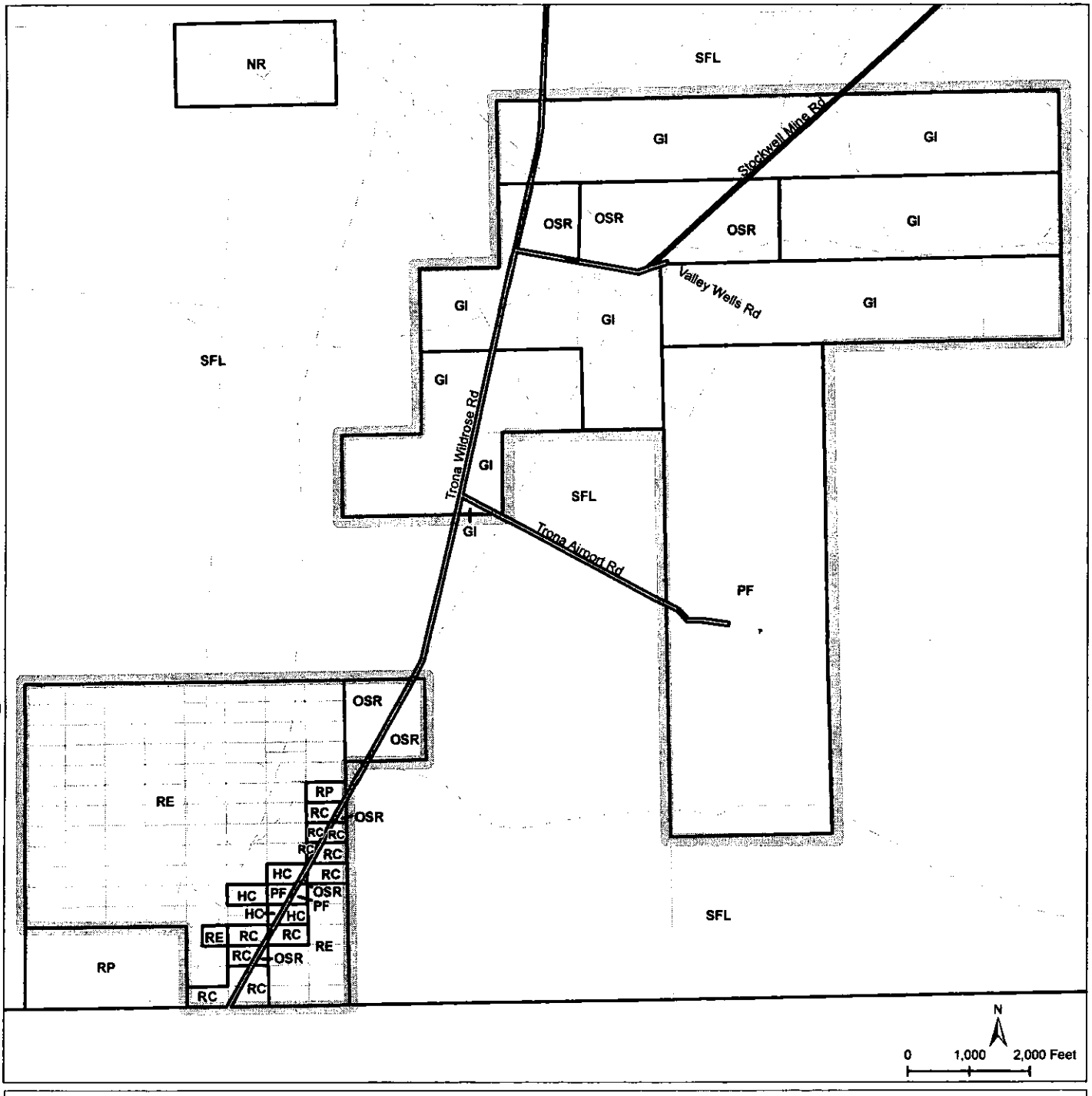


Valley Wells - Diagram 26



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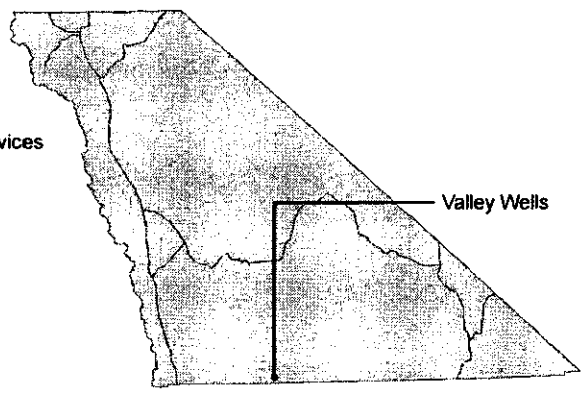
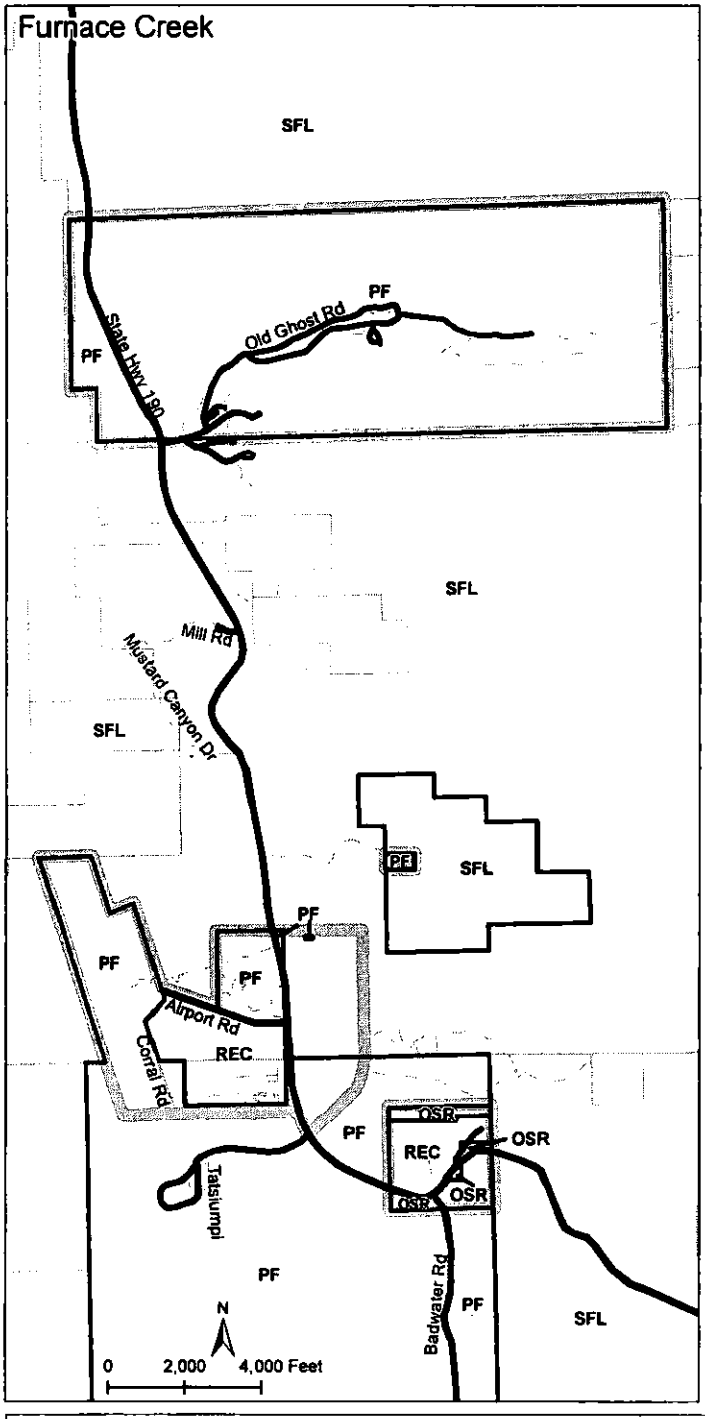
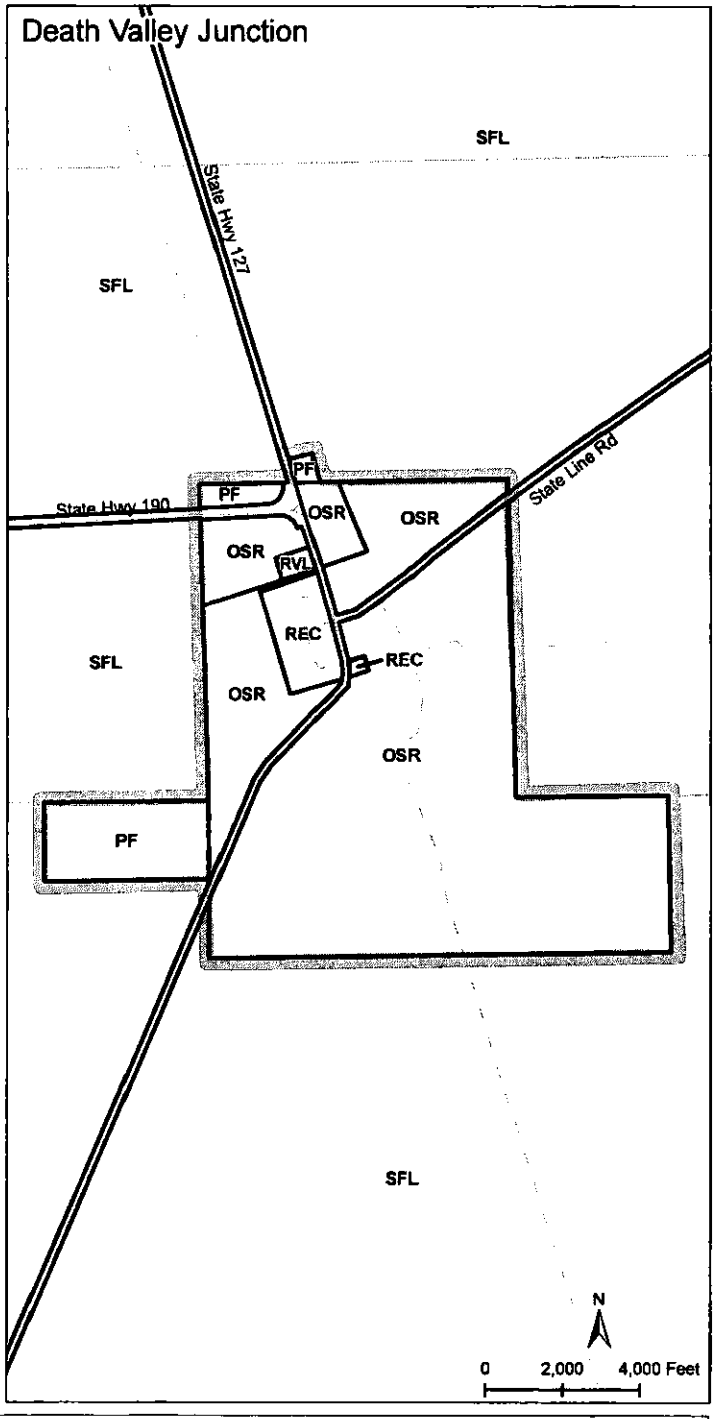


Furnace Creek and Death Valley Junction - Diagram 27





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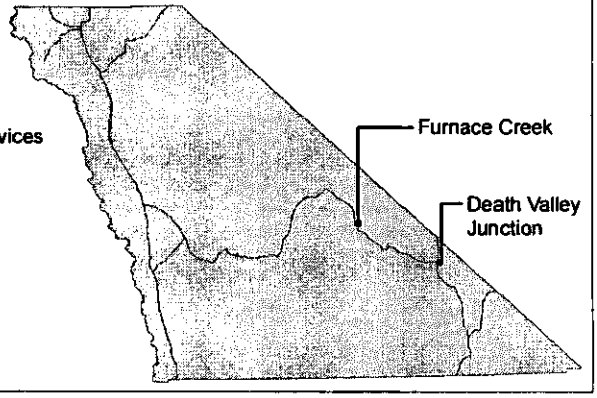
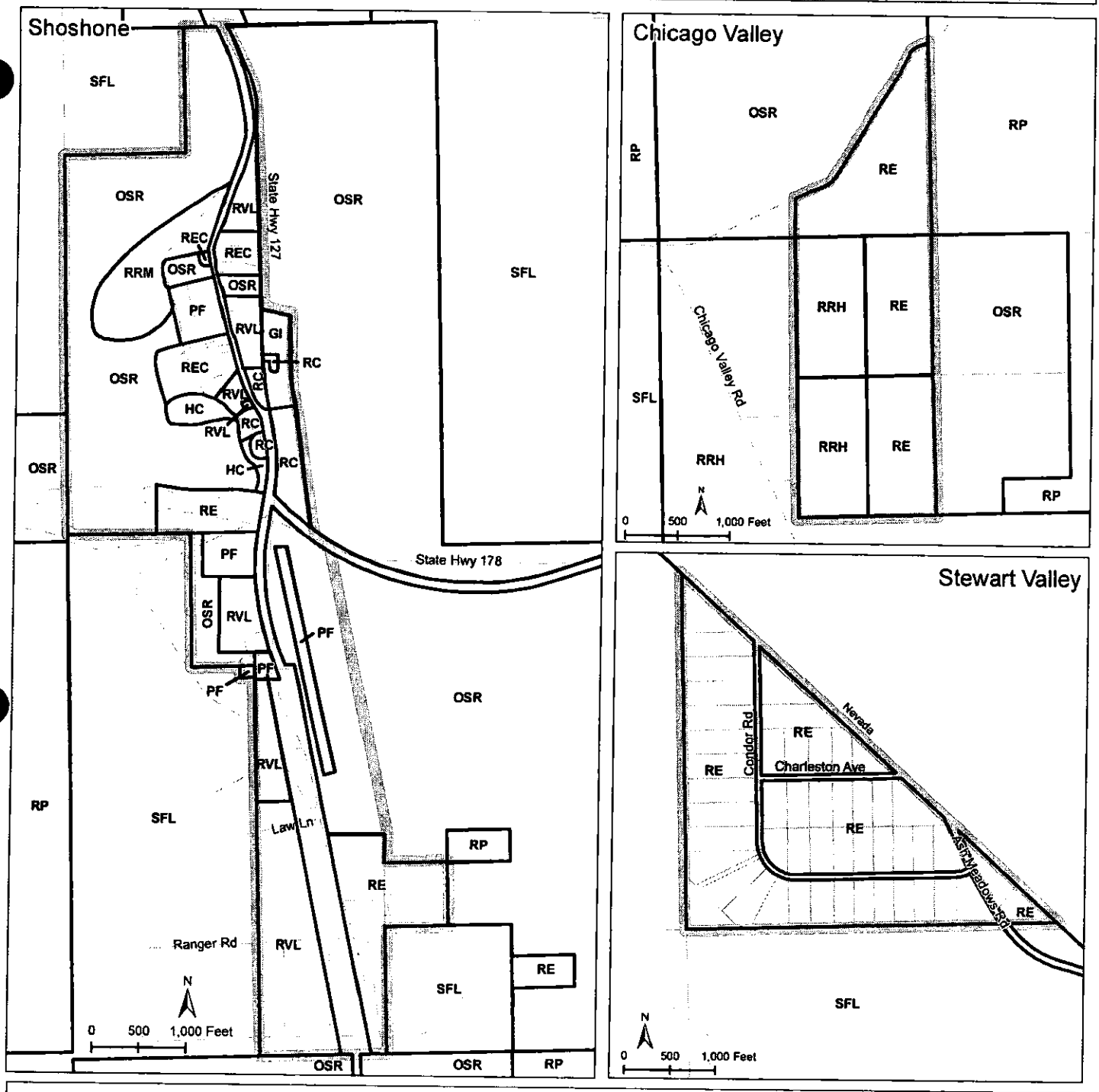


Shoshone, Chicago Valley, Stewart Valley - Diagram 28



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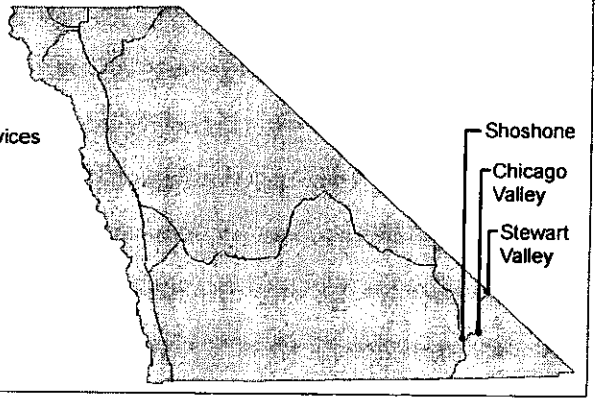
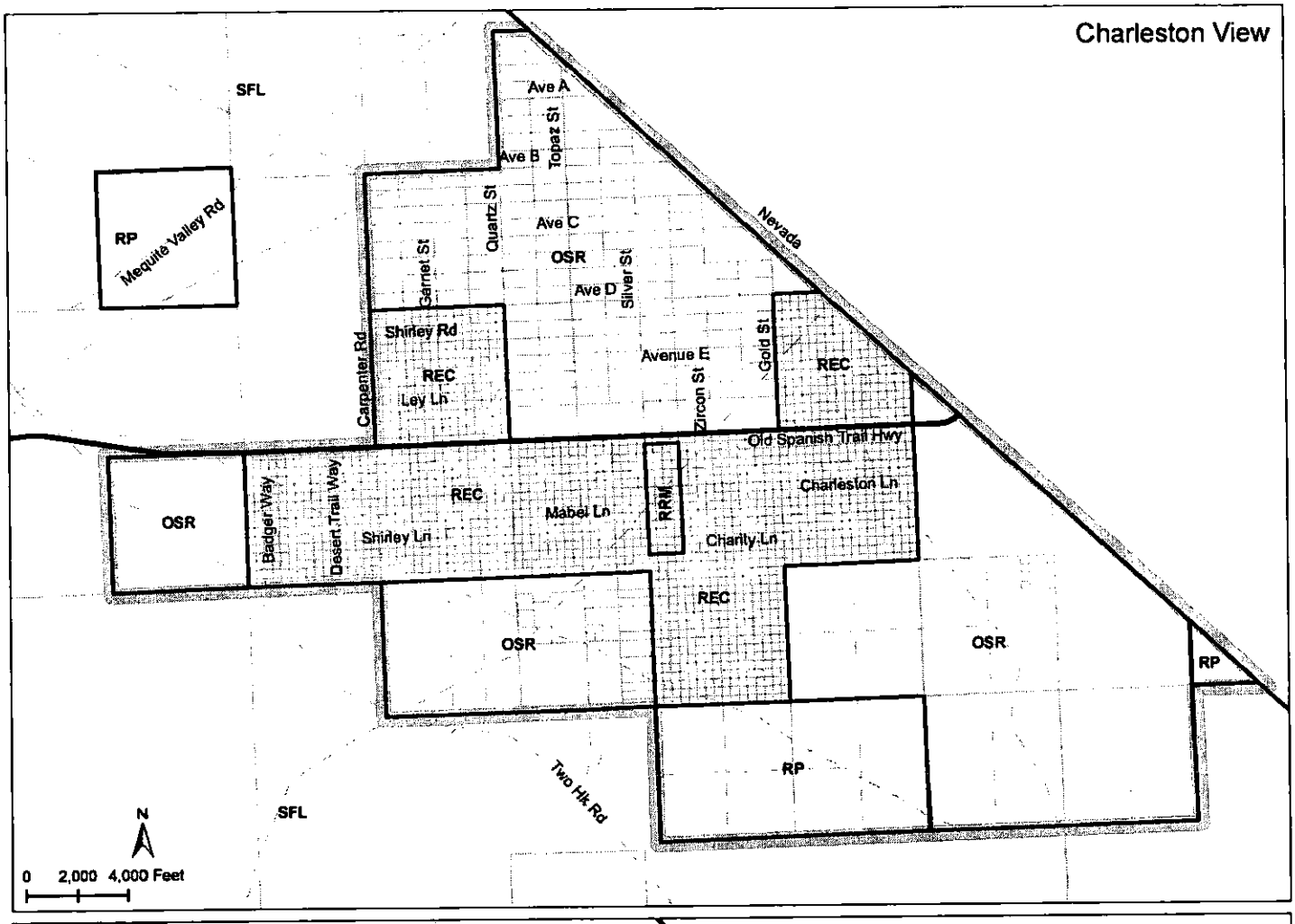
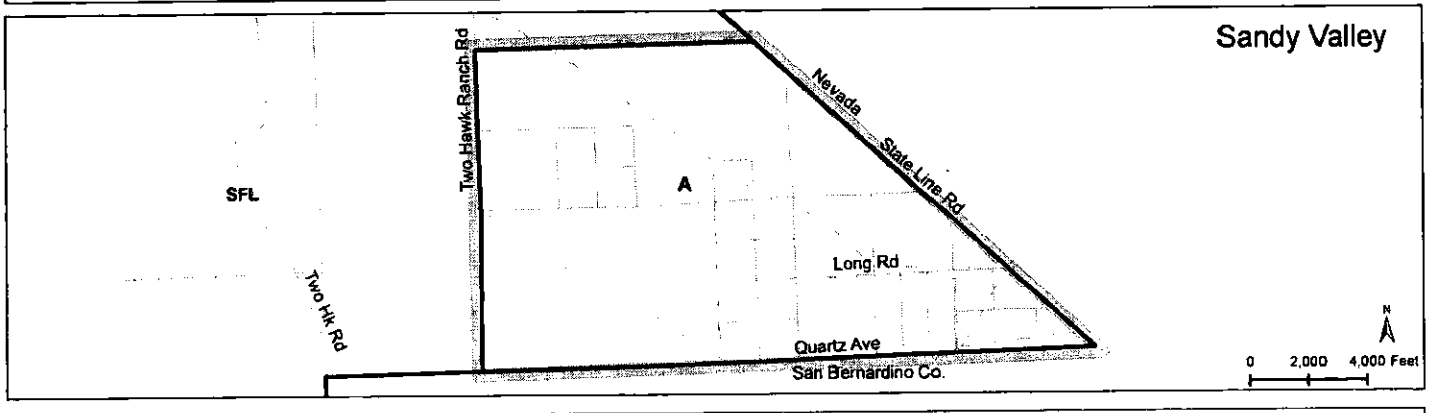


Charleston View and Sandy Valley - Diagram 29





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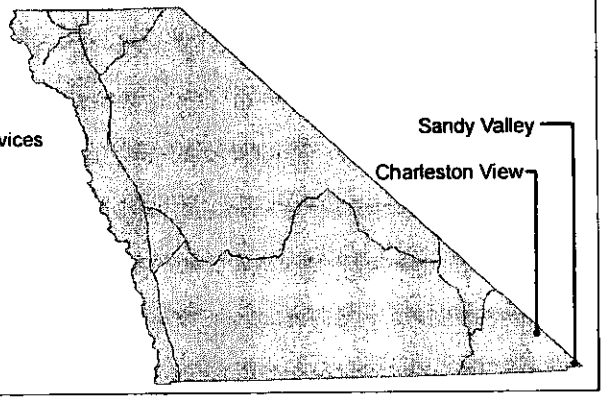
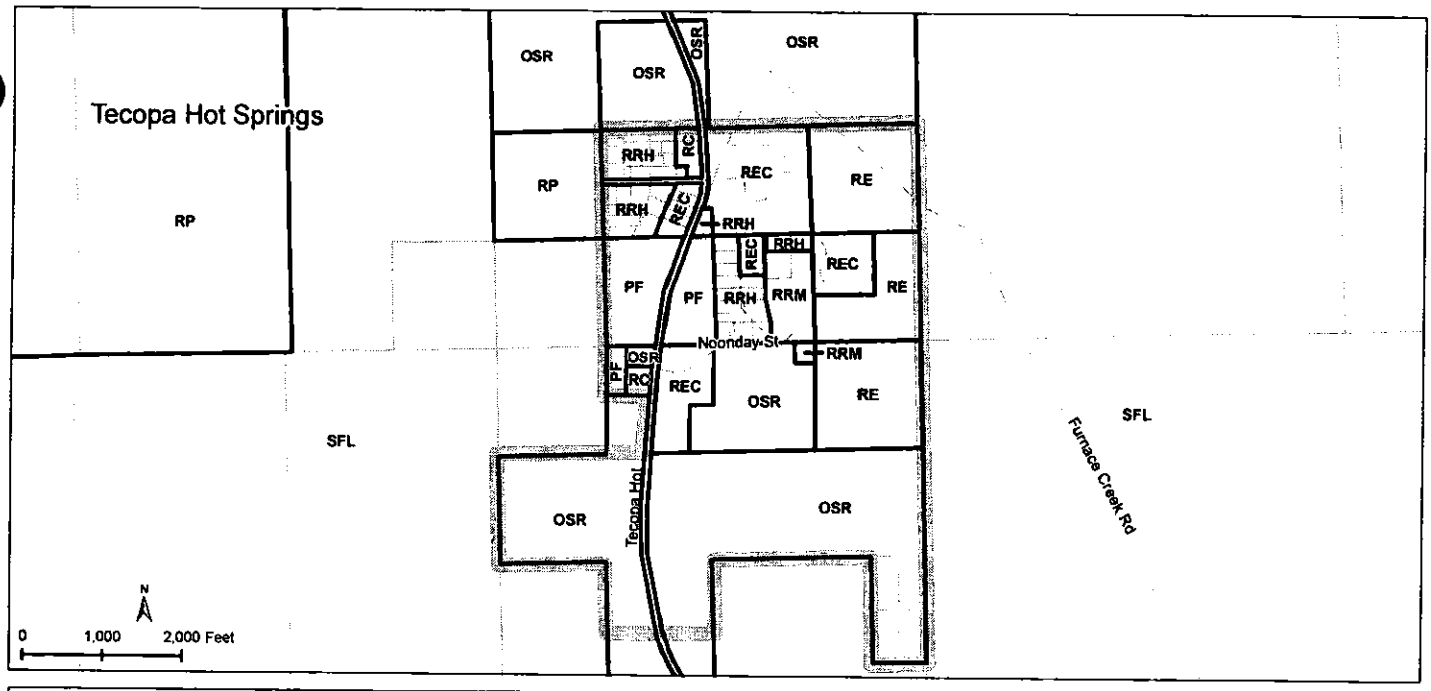
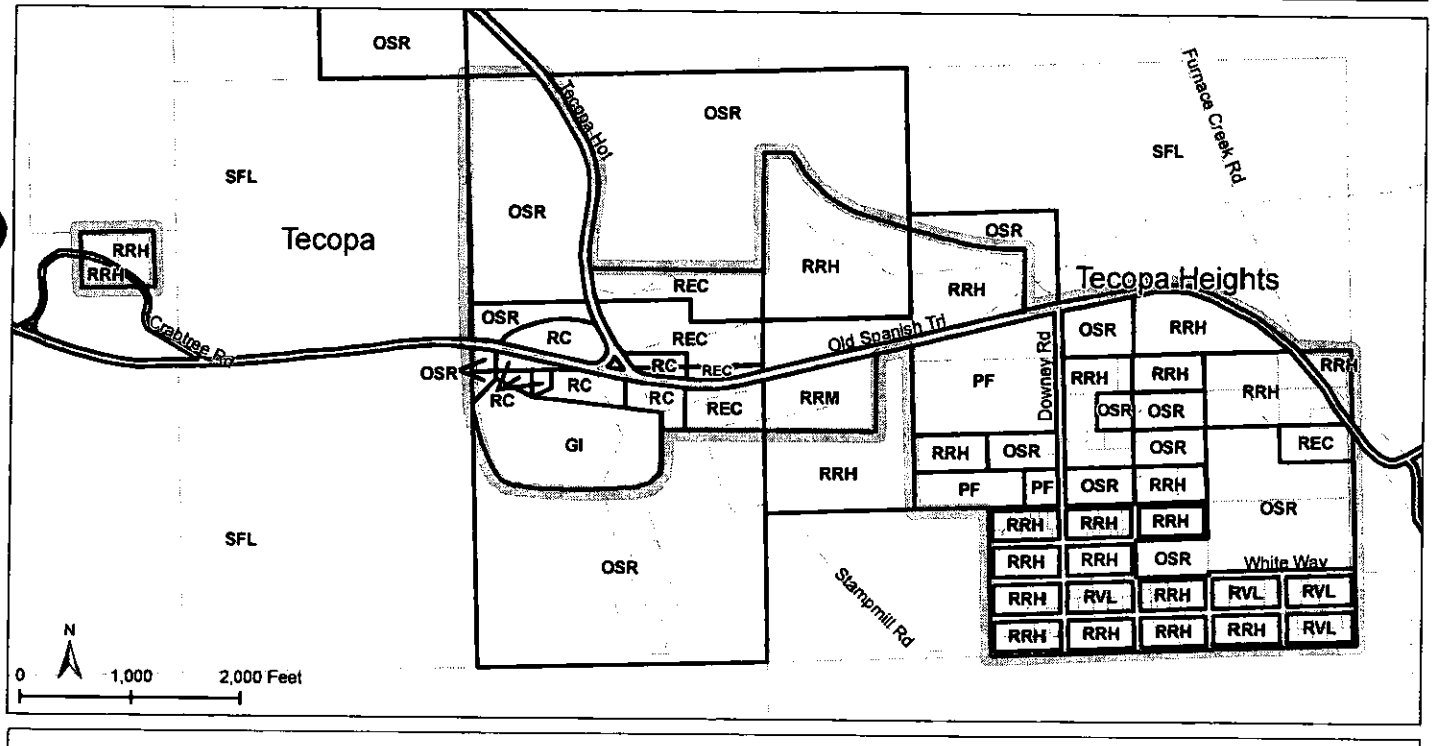


Tecopa Hot Springs, Tecopa, Tecopa Heights - Diagram 30





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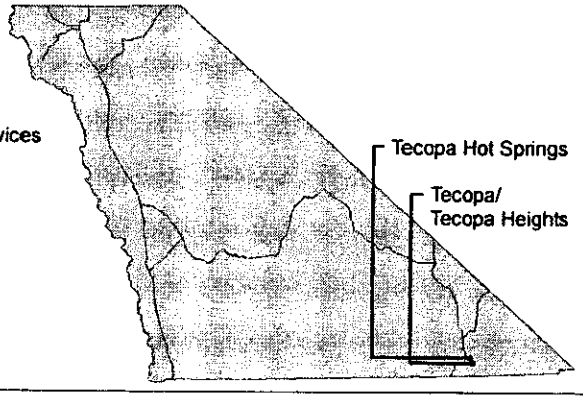
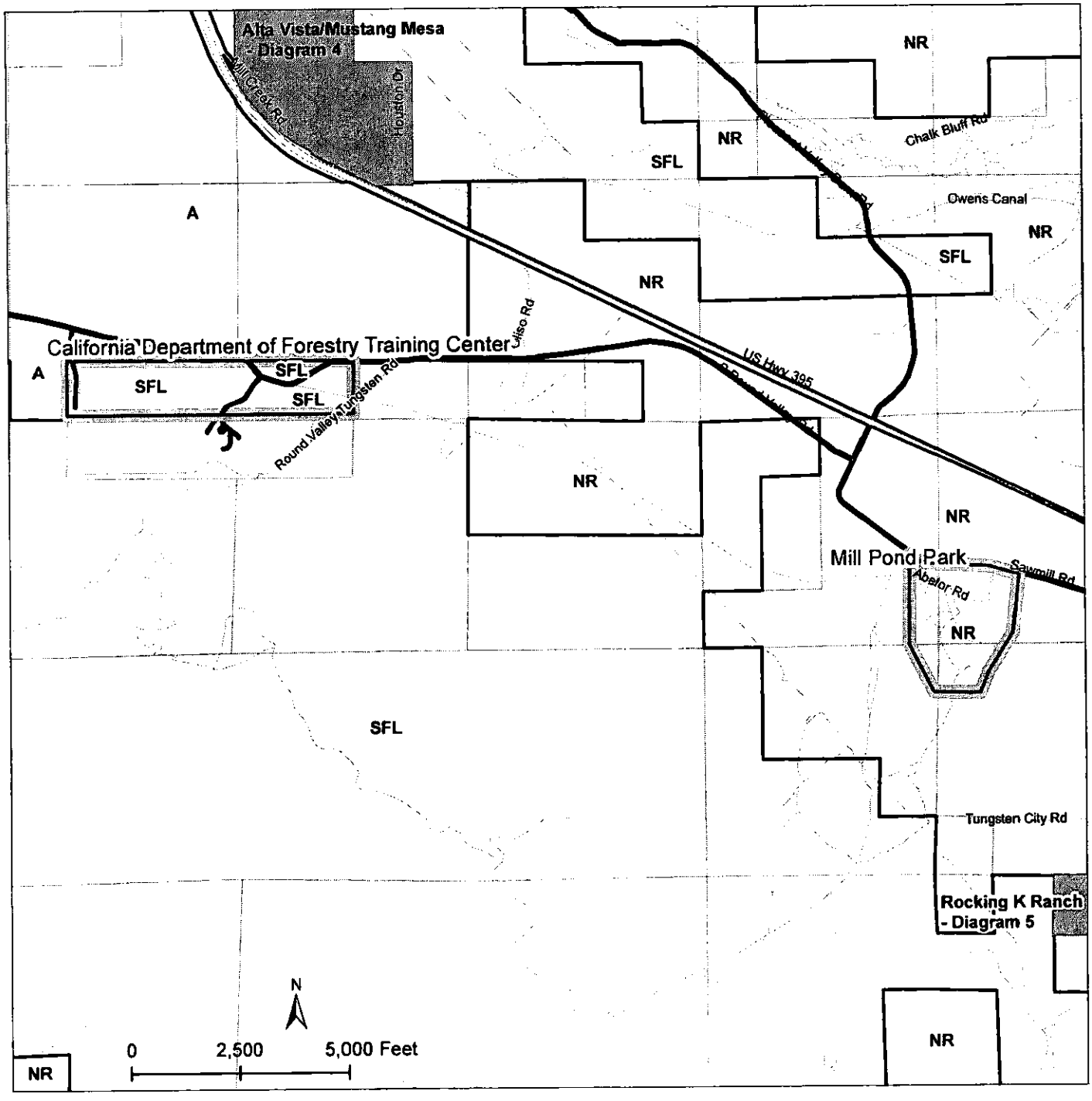


California Department of Forestry Training Center and Mill Pond Park - Diagram 31



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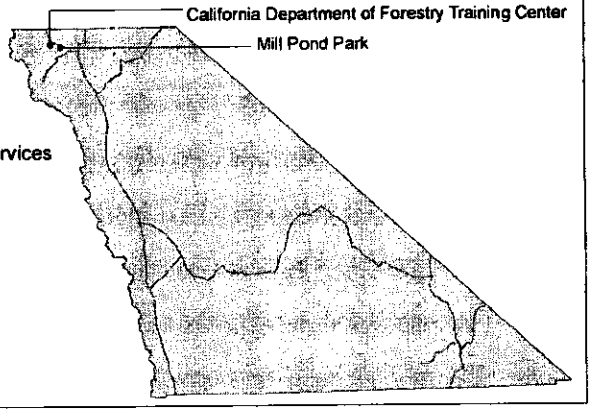
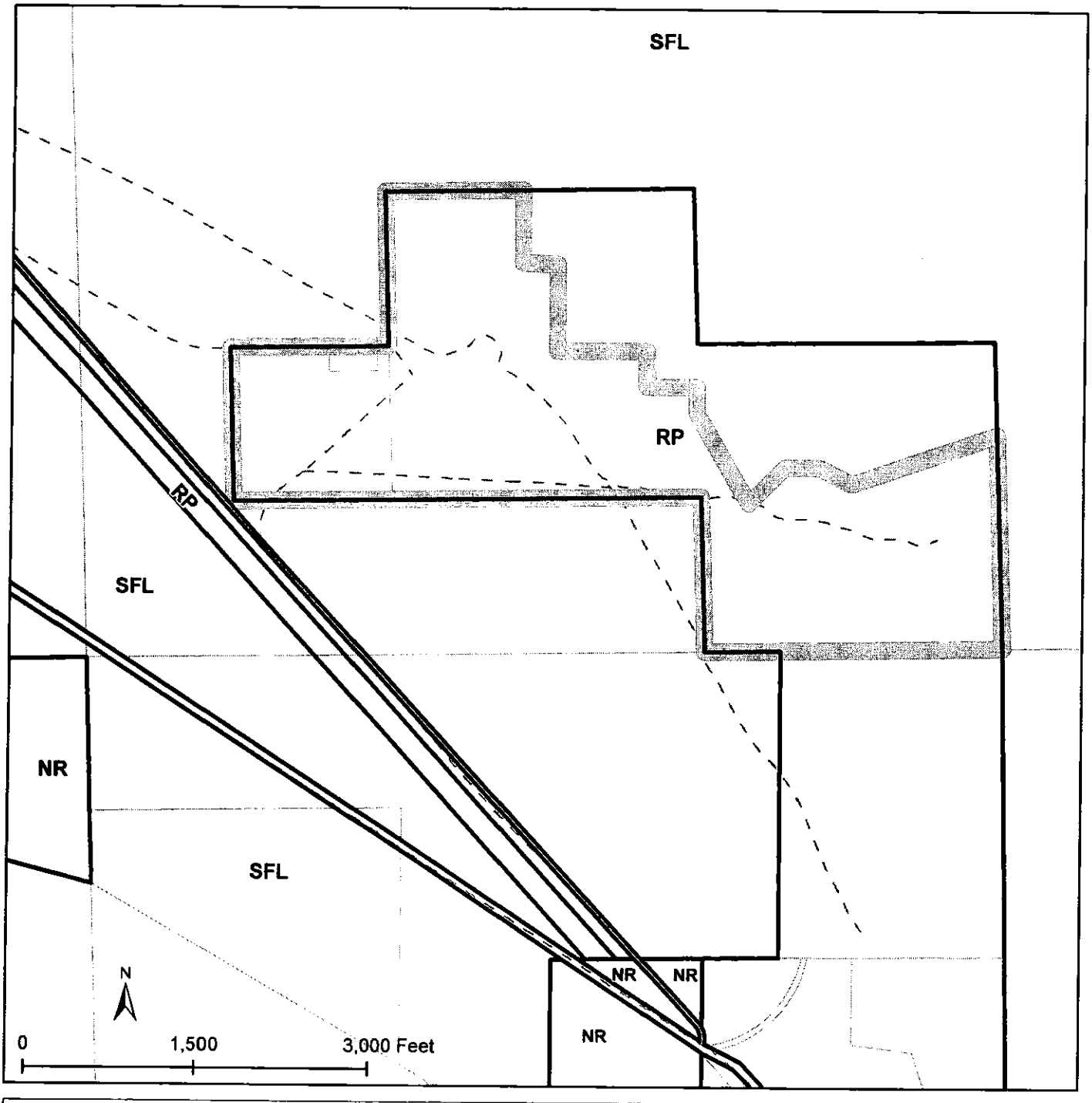


Dolomite- Diagram 32



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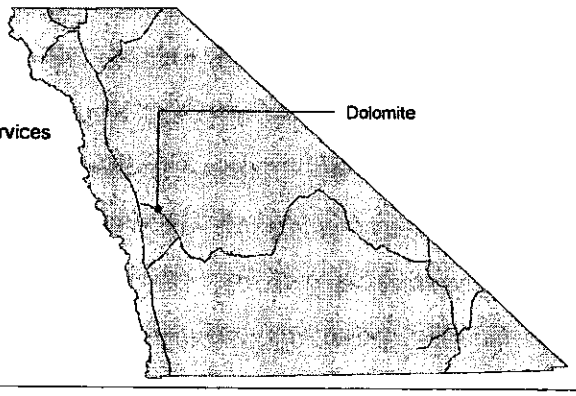
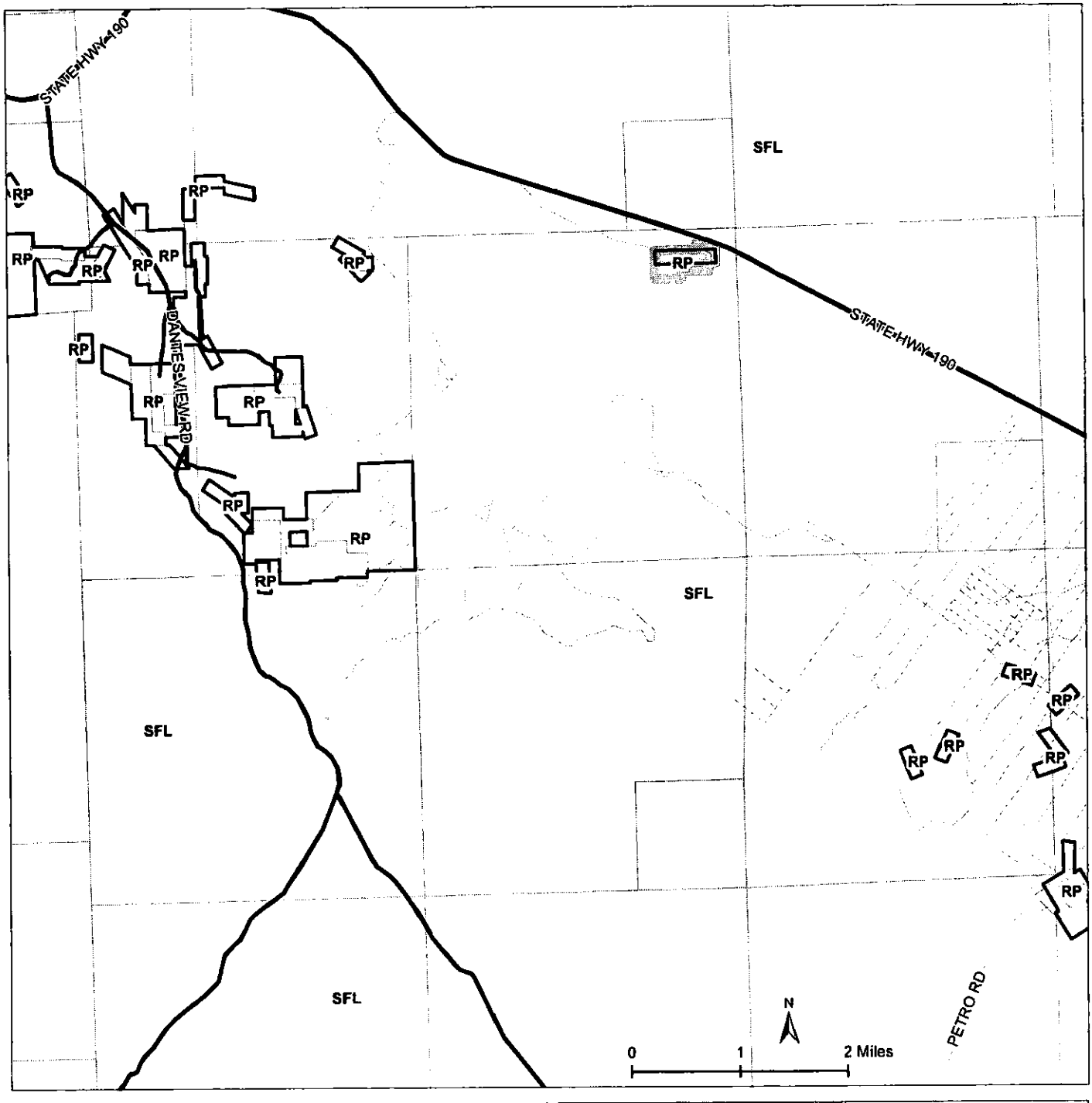


3,000 Foot Camp - Diagram 33



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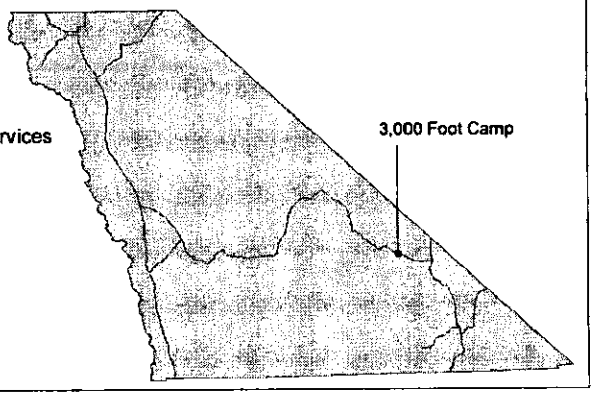
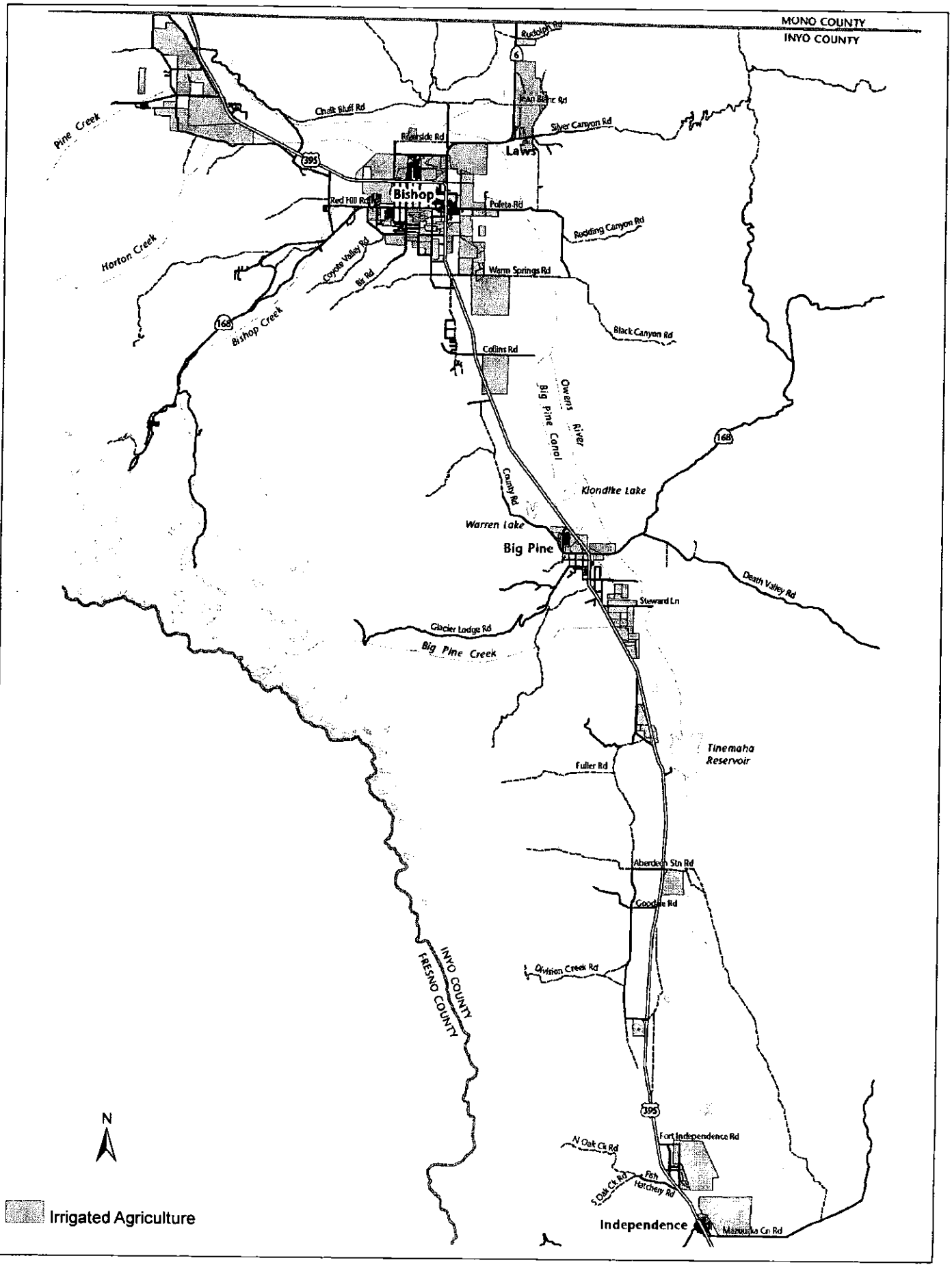
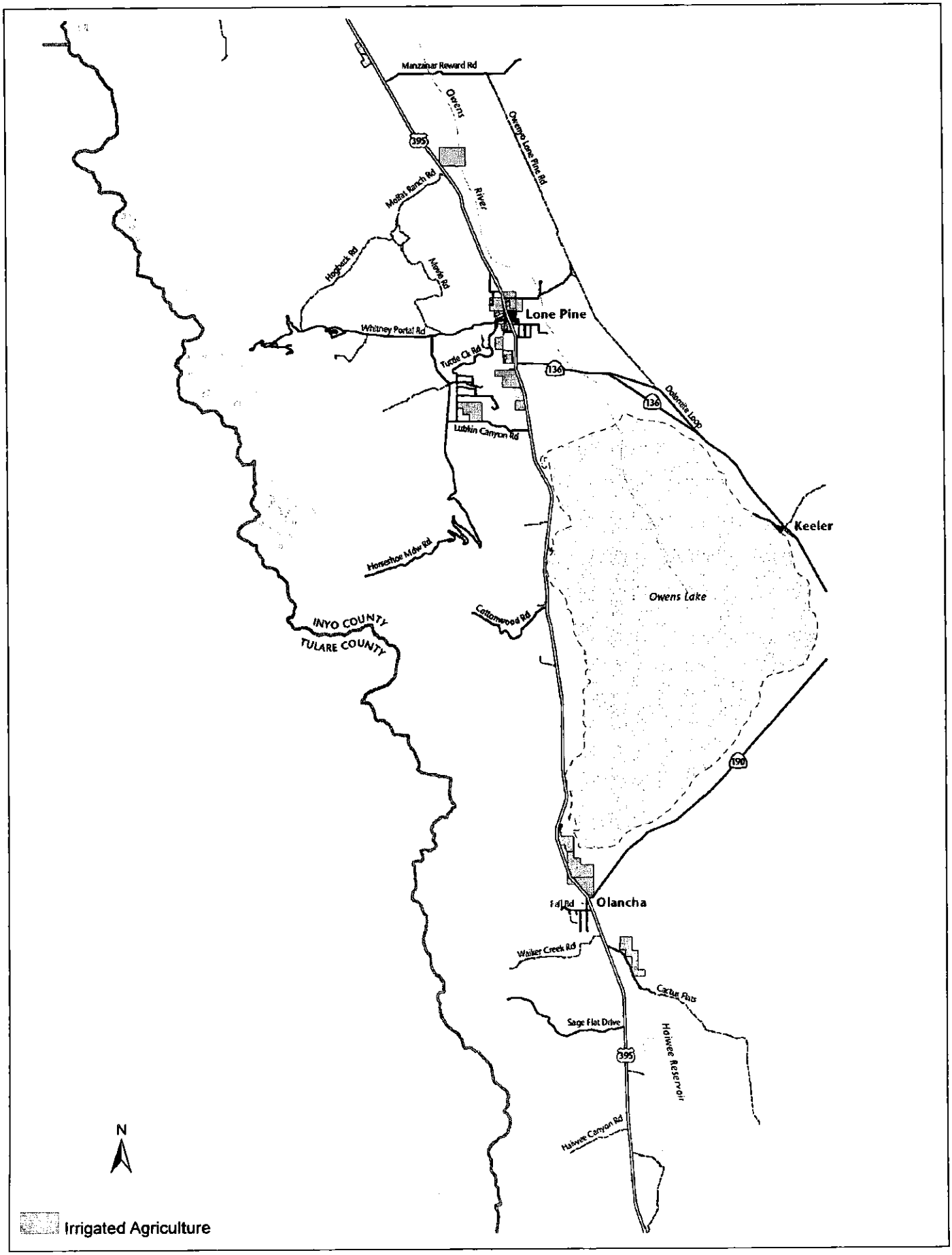
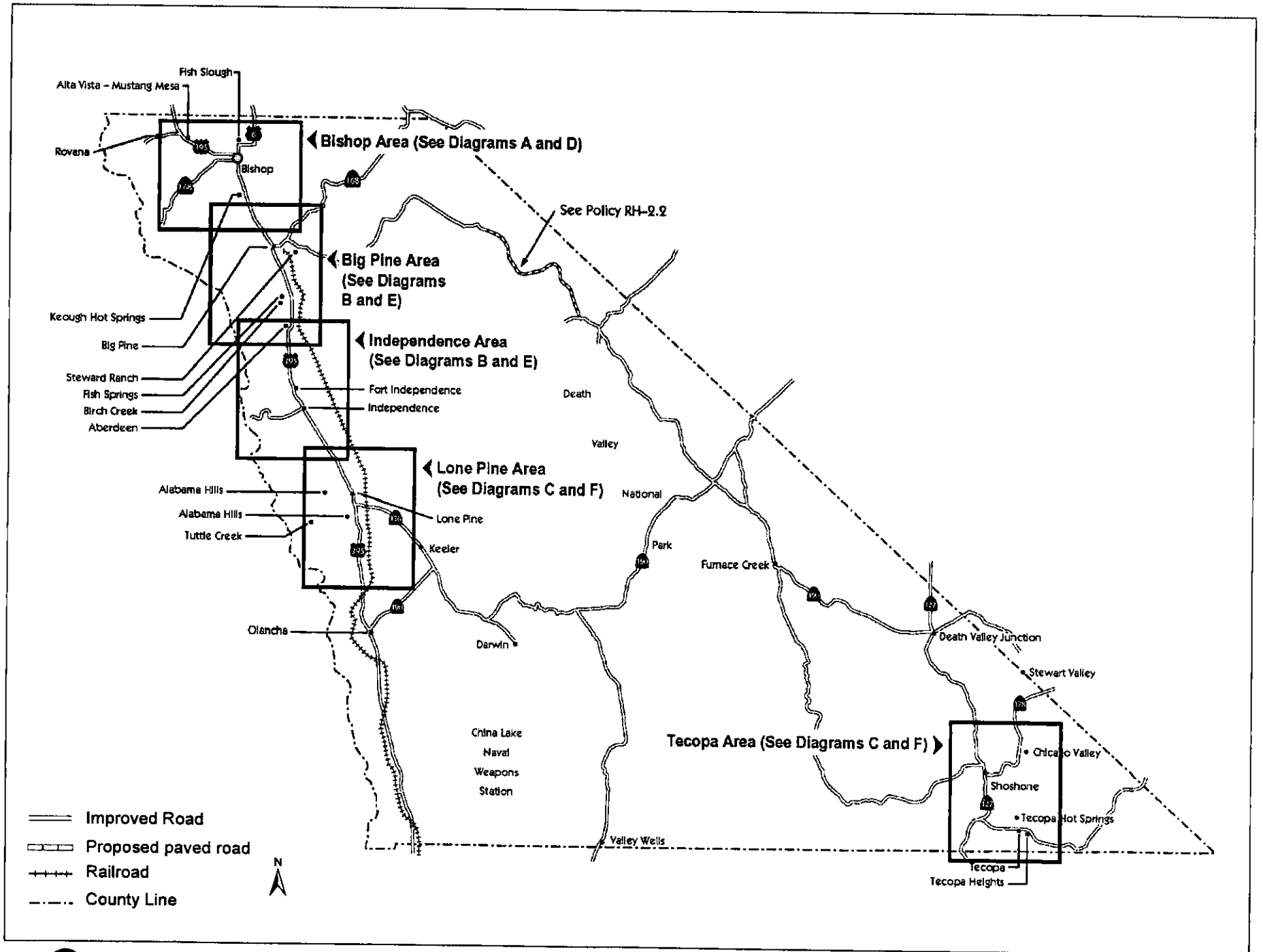


Agriculture Designated Lands: Owens Vallley North - Diagram 34

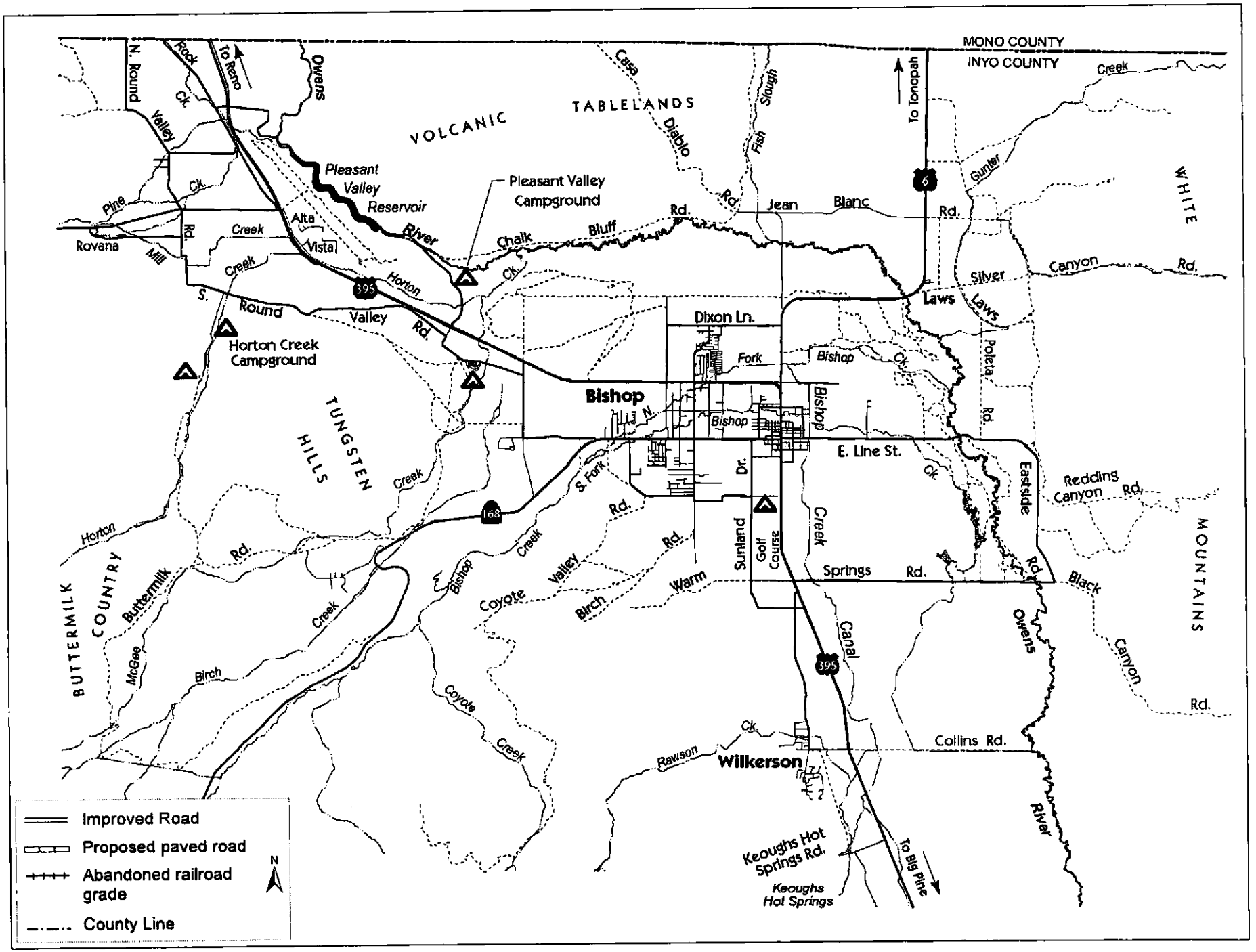


Agriculture Designated Lands: Owens Valley South - Diagram 35

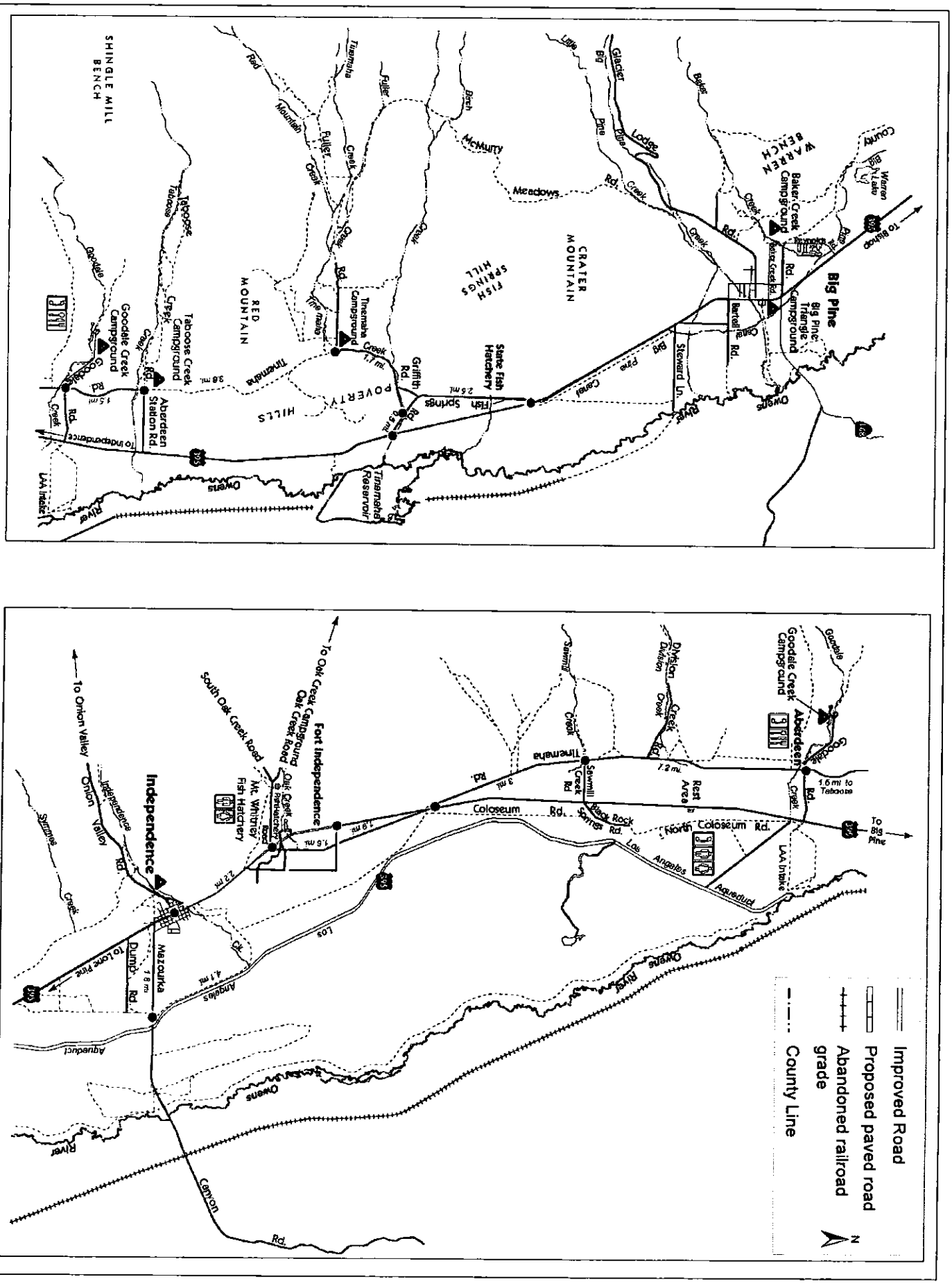



Fish Slough
Alta Vista – Mustang Mesa
Rovana
Bishop
Bishop Area (See Diagrams A and D)
See Policy RH-2.2
Big Pine Area (See Diagrams B and E)
Keough Hot Springs
Big Pine
Steward Ranch
Fish Springs
Birch Creek
Aberdeen
Independence Area (See Diagrams B and E)
Fort Independence
Independence
Death
Valley
Lone Pine Area (See Diagrams C and F)
Alabama Hills
Alabama Hills
Tuttle Creek
Lone Pine
Keeler
National
Park
Furnace Creek
Olancha
Darwin
Death Valley Junction
Stewart Valley
China Lake
Naval
Weapons
Station
Tecopa Area (See Diagrams C and F)
Chicago Valley
Shoshone
Tecopa Hot Springs
Valley Wells
Tecopa
Tecopa Heights
Improved Road
Proposed paved road
Railroad
County Line
N

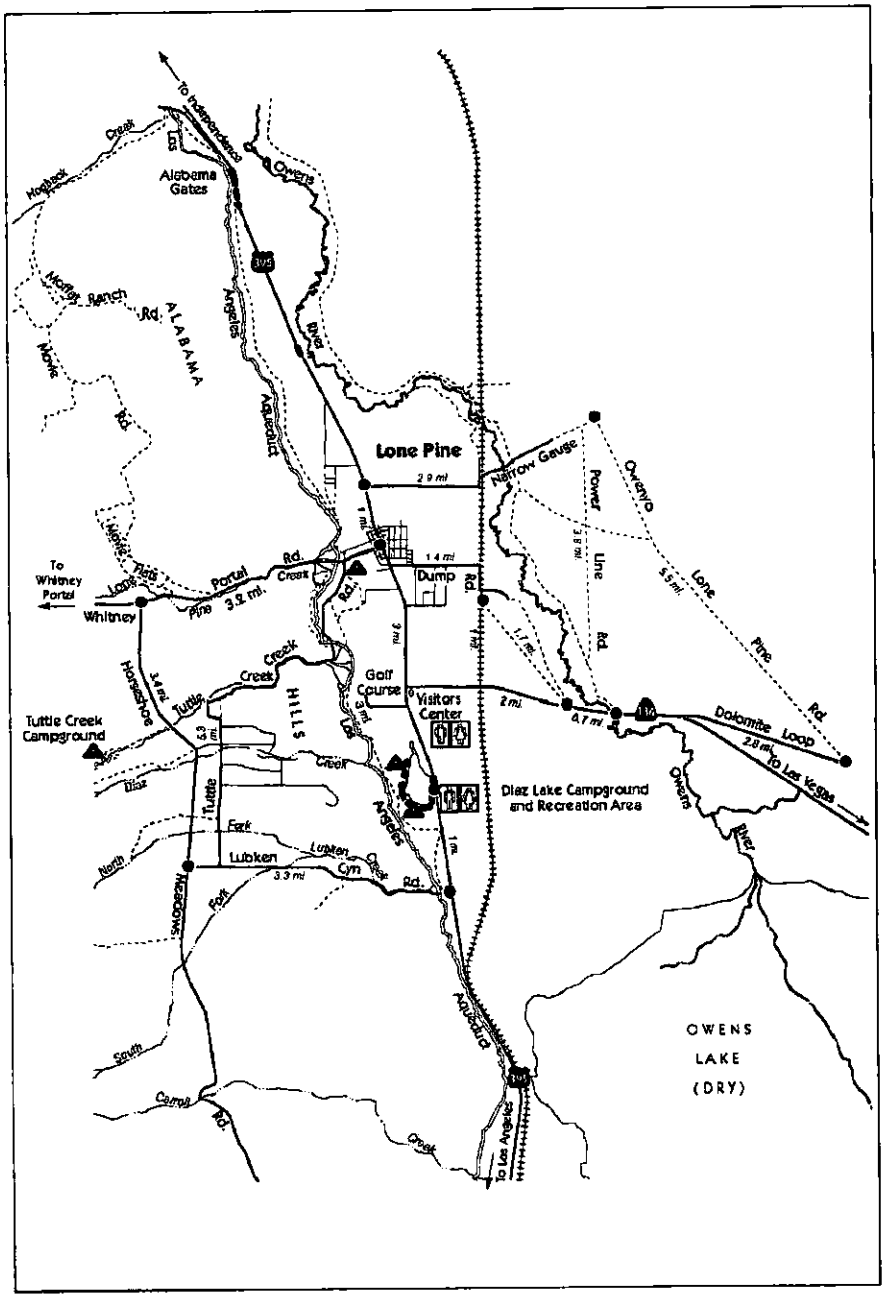
Circulation Element: Bishop Area Roadways - Diagram A

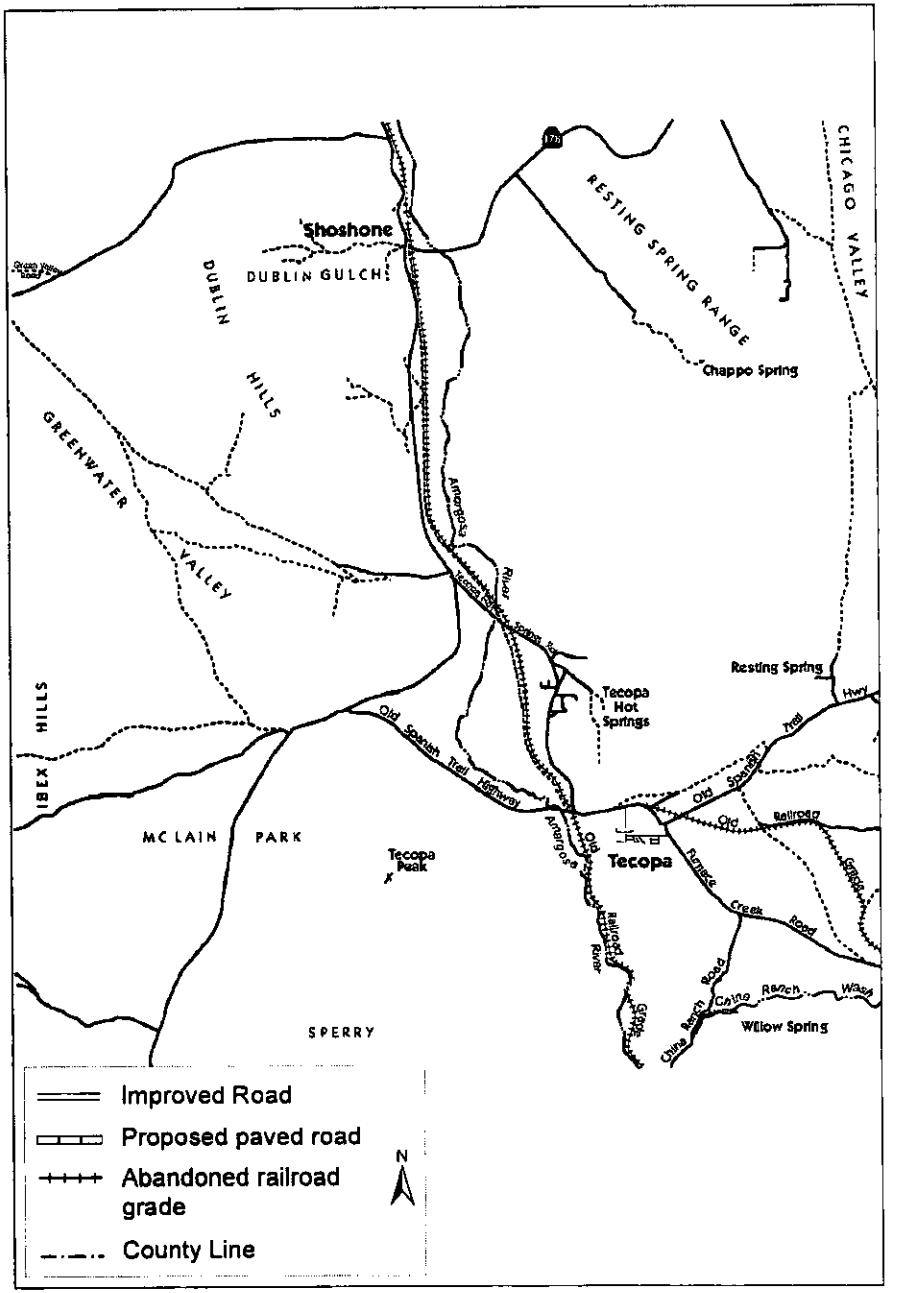


Circulation Element: Big Pine and Independence Area Roadways - Diagram B

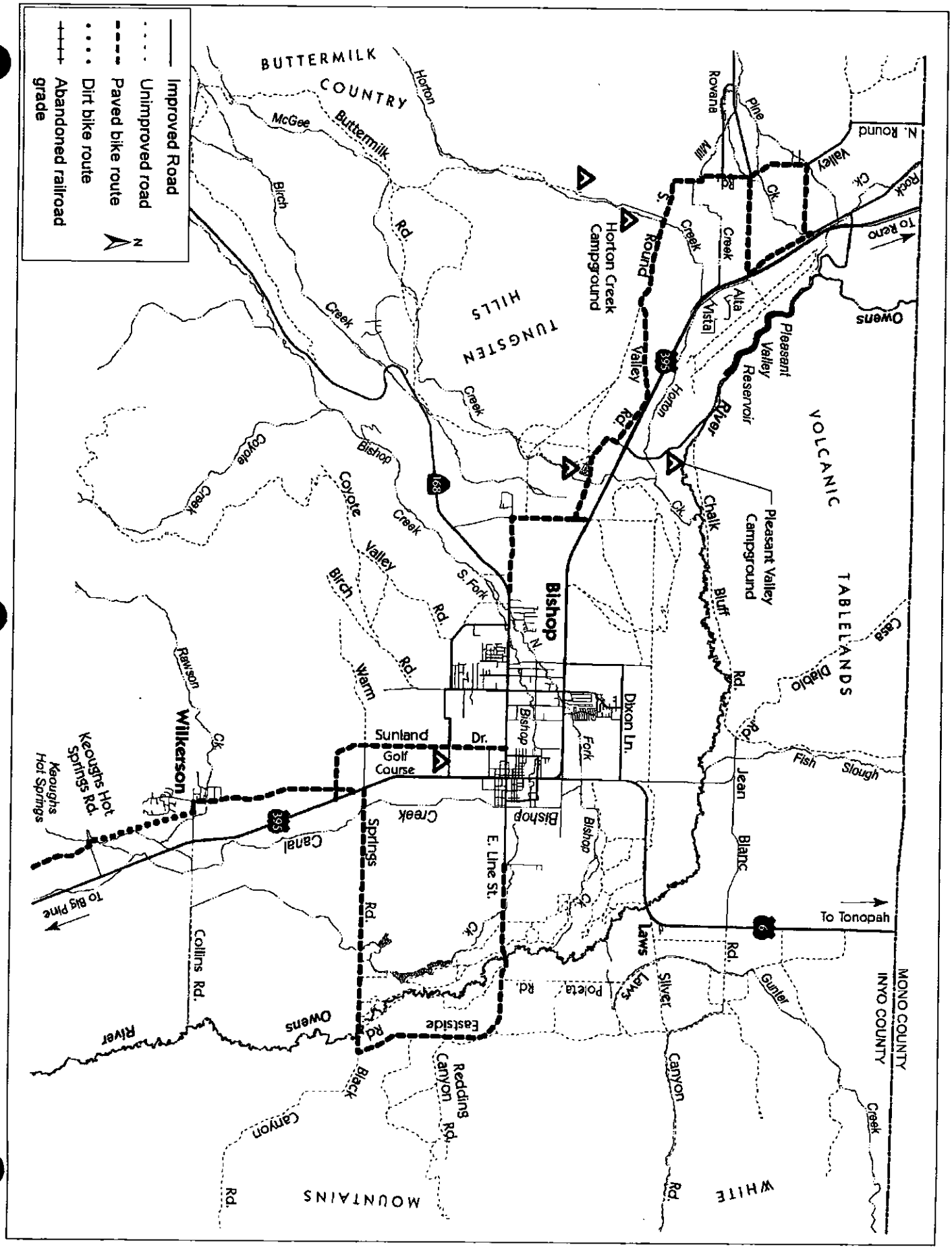


Circulation Element: Lone Pine and Tecopa Area Roadways - Diagram C

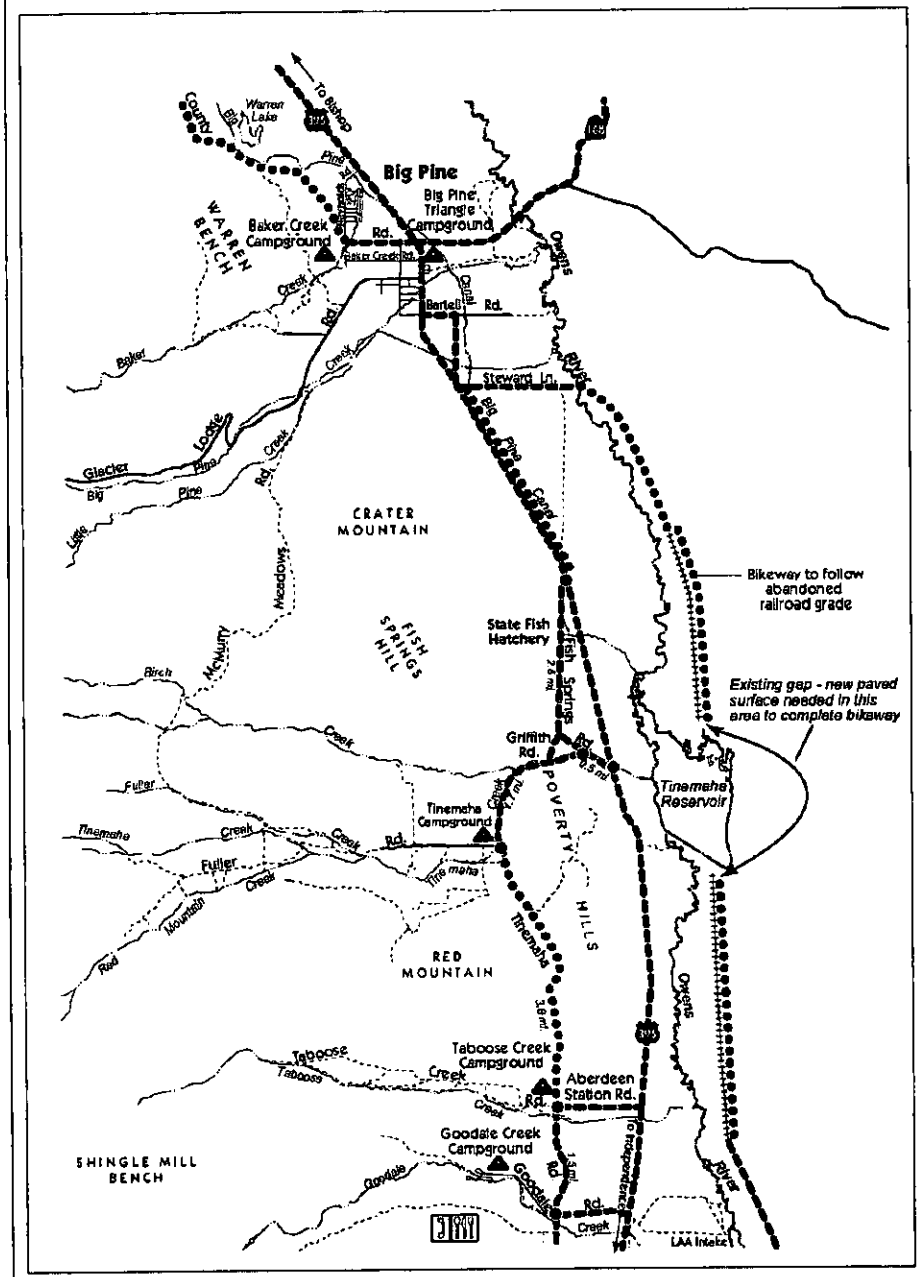


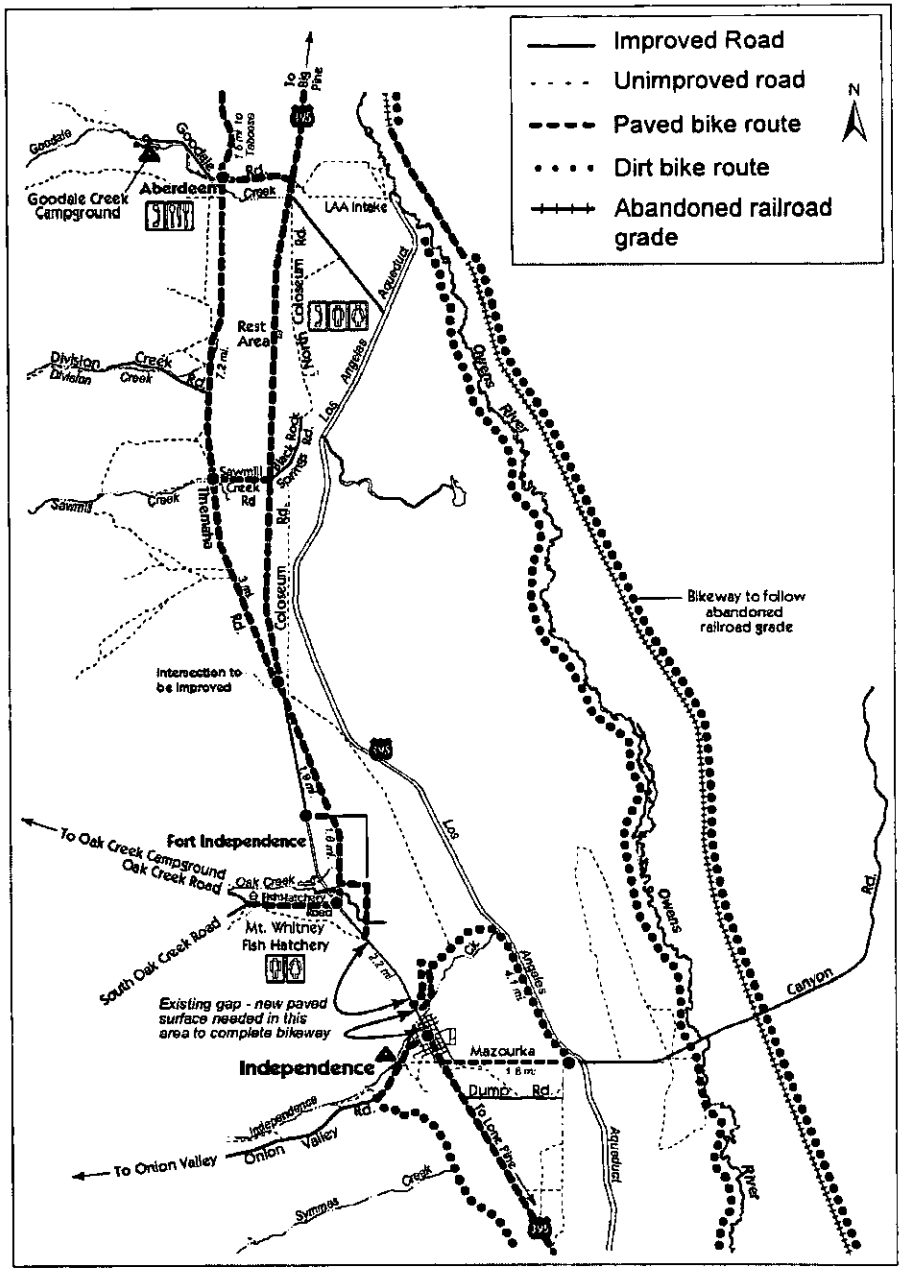


Circulation Element: Bishop Area Bikeways - Diagram D

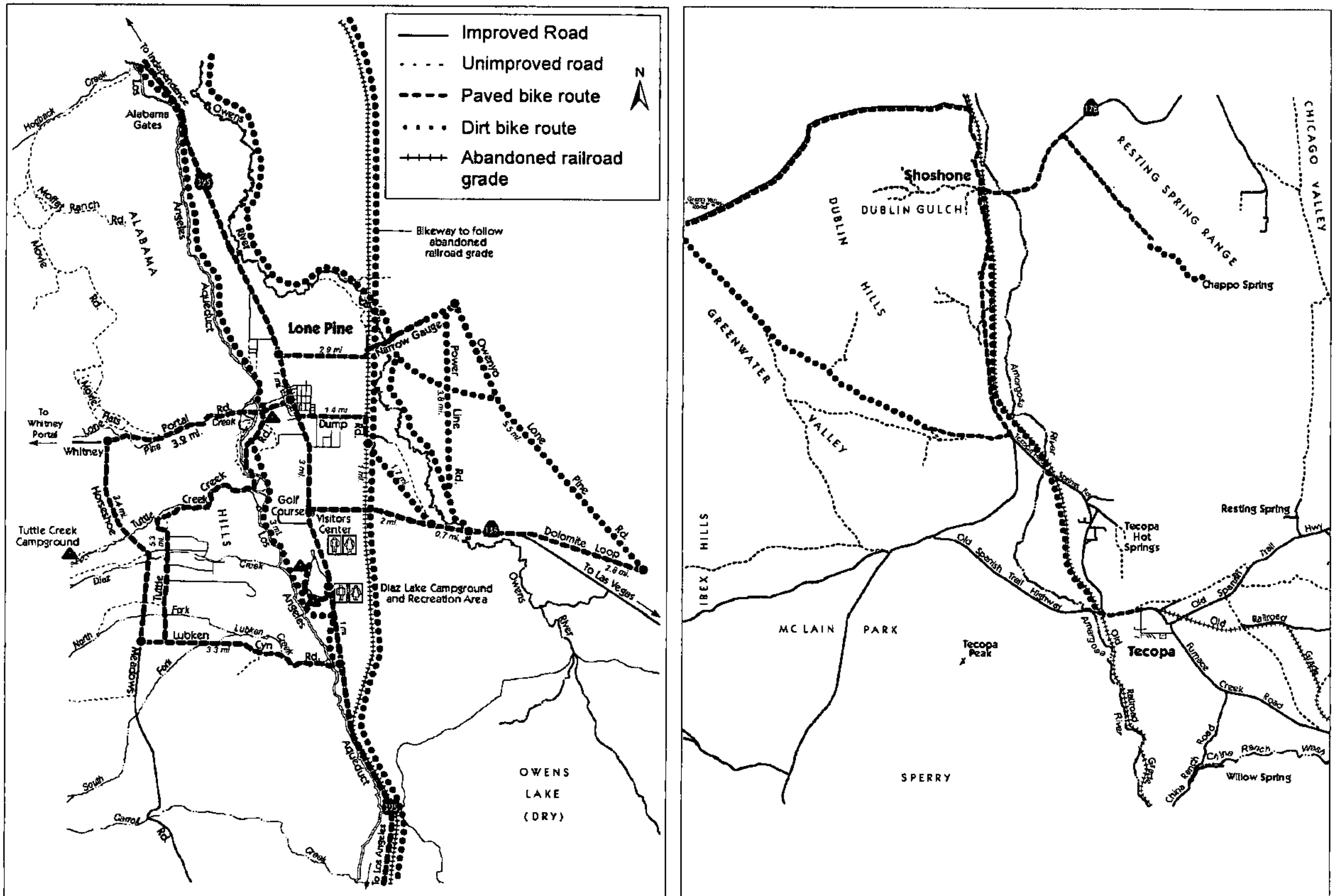


Circulation Element: Big Pine and Independence Area Bikeways - Diagram E





Circulation Element: Lone Pine and Tecopa Area Bikeways - Diagram F



Joshua Hart

From: Fox, Timothy H CIV NAVFAC SW, OPDK3/242 <timothy.h.fox@navy.mil>
Sent: Tuesday, May 29, 2012 5:19 PM
To: Joshua Hart
Subject: Military Operations Area Overlay
Attachments: Airspace Overview - Inyo County. CA.pdf

Mr. Hart,

Thank you again for meeting with me 23 May 2012 to discuss military airspace. Per our discussion, I am requesting a Military Operations Area (MOA) Overlay be added to the Inyo County Code to promote public awareness of, and land use compatibility with military operations in the R-2508 Airspace Complex and Military Training Routes.

The R-2508 Airspace Complex established in the mid 1950's, covers a large portion of Inyo County and is made up of Restricted Areas, Military Operations Areas and Air Traffic Control Assigned Airspace. Typically, Restricted Areas are reserved for live fire and other operations that would be hazardous to the public and are generally located over the land ranges. Military Operations Areas and Air Traffic Control Assigned Airspace are used to conduct non-hazardous military aviation activities. The R-2508 Airspace complex is managed and used by all three branches of the Department of Defense with over 17,000 sorties flown yearly.

The airspace above Inyo County is also traversed by Military Training Routes that have been in existence since the late 1960's. These routes were set up by the Federal Aviation Administration and the Department of Defense to provide for high-speed, low-level military activities, and to deconflict military and civilian use of the airspace.

The MOA Overlay could be defined as a three dimensional airspace designated for military training and transport activities that has a defined floor (minimum altitude) and ceiling (maximum altitude) above mean sea level. The MOA boundaries and minimum altitudes could be identified in Military Operations Area Figures such as the one attached. We would like to request that new development which could present the following potential hazards to aircraft overflight be reviewed by the Military:

- Uses that release into the air any substance such as steam, dust and smoke which would impair pilot visibility;
- Uses that produce light emissions, glare or distracting lights which could interfere with pilot vision or be mistaken for airfield lighting;
- Uses that physically obstruct any portion of the MOAs due to relative height above ground level.
- Uses that produce frequency emissions.

I believe this is no different than the current level of Military review and coordination that takes place on proposed developments in Inyo County however it is hoped that the code revision will promote a greater awareness of military operations and therefore lessen the chance of future conflicts.

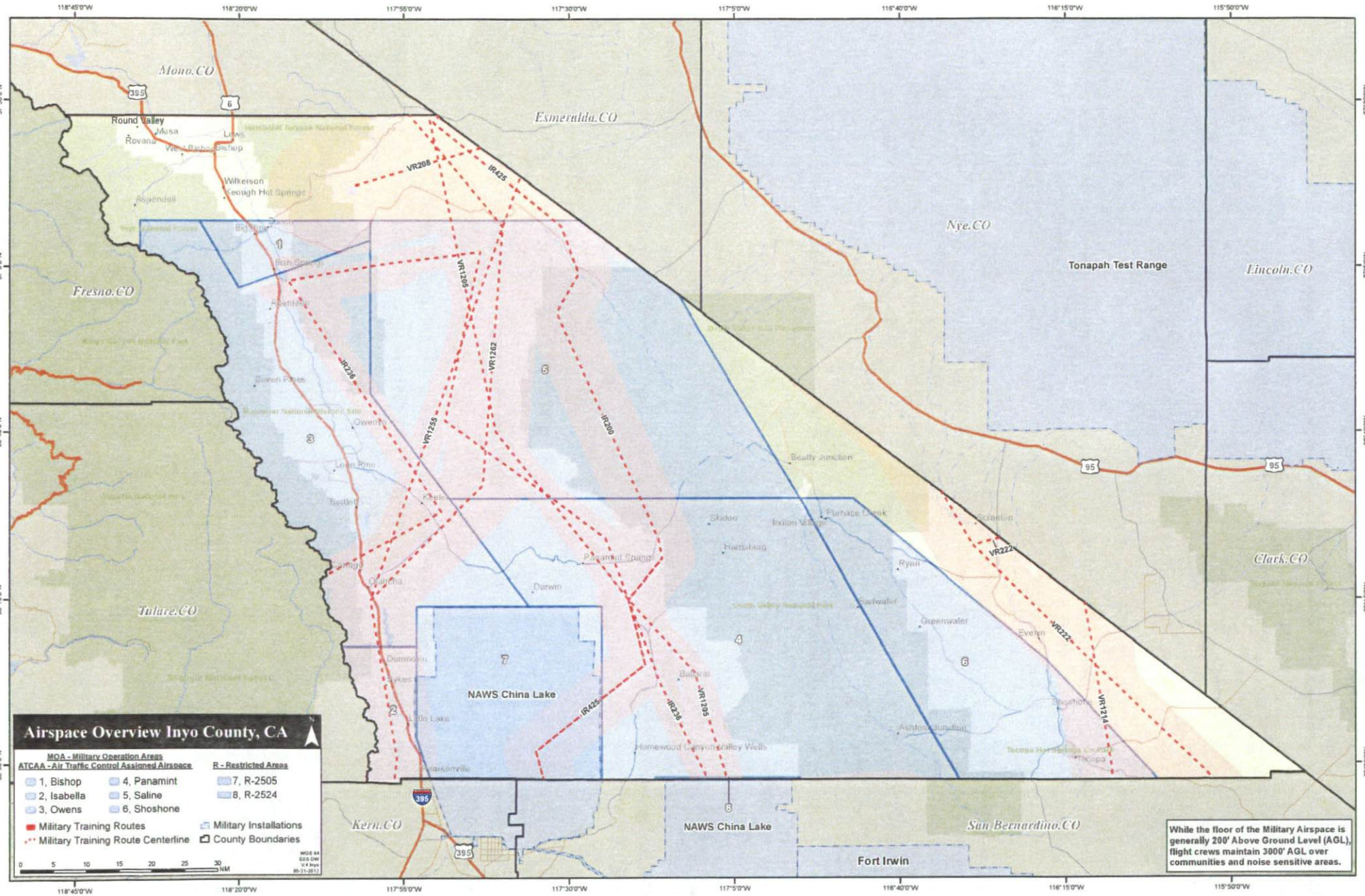
I can answer any questions, comments or concerns either in person, email or phone.

Thank you again for your consideration.

V/R,

Tim Fox
Community Plans & Liaison Officer
NAWS China Lake, CA
(760) 939-9438

Attachment 7


Airspace Overview Inyo County, CA
MOA - Military Operation Areas
ATCAA - Air Traffic Control Assigned Airspace
1, Bishop
2, Isabella
3, Owens
4, Panamint
5, Saline
6, Shoshone
R - Restricted Areas
7, R-2505
8, R-2524
Military Training Routes
Military Training Route Centerline
Military Installations
County Boundaries
0 5 10 15 20 25 30 NM
While the floor of the Military Airspace is generally 200' Above Ground Level (AGL), flight crews maintain 3000' AGL over communities and noise sensitive areas.
Mono.CO
Esmeralda.CO
Nye.CO
Lincoln.CO
Clark.CO
Fresno.CO
Tulare.CO
Kern.CO
San Bernardino.CO
Tonapah Test Range
NAWS China Lake
NAWS China Lake
Fort Irwin
VR208
IR425
VR1206
VR1262
IR236
VR1255
IR200
VR222
VR1214
VR1205
Round Valley
Wilkerson
Keough Hot Springs
Aspendell
Owens
Darwin
Panamint Springs
Beatty Junction
Furnace Creek
Stateline
Skidoo
Ryan
Greenwater
Evelyn
Saltwater
Ashford Junction
Tecopa
Tecopa Hot Springs
Homewood Canyon
Valley Wells
Olancha
Dunmovin
Little Lake
Ridgecrest
Inyokern
Randsburg
Barstow
Trona
Searles Valley
Death Valley National Park
Sequoia National Forest
Inyo National Forest
Humboldt-Toiyabe National Forest
Mojave National Preserve
Kings Canyon National Park
Sequoia National Park
Manzanar National Historic Site
Bishop
Big Pine
Lone Pine
Keeler
Bartlett
Mesa
Lava
Rovana
West Bishop
Fish Springs
Death Valley Junction
Shoshone
Resting Spring
Salt Wells Valley
Indian Wells Valley
Harbison Canyon
Pleasant Springs
Coleville
Topaz
Bridgeport
Walker
Yerington
Hawthorne
Tonopah
Goldfield
Silver Peak
Lida
Gabbs
Hadley
Benton
Benton Hot Springs
Mono Lake
Mammoth Lakes
June Lake
Lee Vining
Crowley Lake
Long Valley
Bodie
Bodie State Historic Park
Devils Postpile National Monument
Yosemite National Park
Hoover Wilderness
Ansel Adams Wilderness
Minaret Summit
Tioga Pass
Tioga Lake
Tuolumne Meadows
Yosemite Valley
Wawona
Oakhurst
Coarsegold
Ahwahnee
Fish Camp
Mariposa
Merced
Modesto
Stockton
Sacramento
Fresno
Bakersfield
Visalia
Hanford
Lemoore
Kingsburg
Reedley
Dinuba
Sanger
Selma
Kingsburg
Orange Cove
Exeter
Lindsay
Porterville
Tulare
Visalia
Hanford
Lemoore
Corcoran
Kettleman City
Avenal
Coalinga
Huron
Lost Hills
Wasco
Shafter
Delano
McFarland
Wasco
Arvin
Lamont
Weedpatch
Edison
Buttonwillow
Taft
Maricopa
Fellows
Derby Acres
Bakersfield
Oildale
Rosamond
Mojave
Edwards AFB
Lancaster
Palmdale
Victorville
Hesperia
Apple Valley
Adelanto
Barstow
Yermo
Daggett
Newberry Springs
Ludlow
Amboy
Twentynine Palms
Joshua Tree
Yucca Valley
Morongo Valley
Desert Hot Springs
Palm Springs
Cathedral City
Rancho Mirage
Palm Desert
Indio
Coachella
La Quinta
Indian Wells
Thermal
Mecca
Oasis
Salton City
Bombay Beach
Niland
Calipatria
Westmorland
Brawley
Imperial
El Centro
Holtville
Calexico
Seeley
Heber
Winterhaven
Yuma
Blythe
Needles
Parker
Lake Havasu City
Kingman
Bullhead City
Laughlin
Searchlight
Boulder City
Henderson
Las Vegas
North Las Vegas
Nellis AFB
Indian Springs
Pahrump
Amargosa Valley
Beatty
Goldfield
Tonopah
Hawthorne
Yerington
Fallon
Lovelock
Winnemucca
Battle Mountain
Austin
Eureka
Ely
Caliente
Panaca
Alamo
Pioche
Hiko
Caliente
Rachel
Crystal Springs
Mercury
Desert Rock Airport
Creech AFB
Nellis AFB
Indian Springs
Pahrump
Amargosa Valley
Beatty
Goldfield
Tonopah
Hawthorne
Yerington
Fallon
Lovelock
Winnemucca
Battle Mountain
Austin
Eureka
Ely
Caliente
Panaca
Alamo
Pioche
Hiko
Caliente
Rachel
Crystal Springs
Mercury
Desert Rock Airport
Creech AFB

11

NORTHERN INYO HOSPITAL

Northern Inyo County Local Hospital District

150 Pioneer Lane
Bishop, California 93514
(760) 873-5811 voice
(760) 872-2768 fax

NIH

People you know, caring for people you love

Board of Directors

- Peter J. Watercott
  President
- John Ungersma, M.D.
  Vice President
- Denise Hayden
  Treasurer
- M.C. Hubbard,
  Secretary
- D. Scott Clark, M.D.
  Director

Mission

To provide quality healthcare by maintaining an environment that is positive and caring for the patients, staff and community we serve, in a financially responsible manner.

Web Site
www.nih.org

July 2, 2012

Inyo County Board of Supervisors
P.O. Drawer N
Independence, CA 93526

Re: Elections Request

Dear County Board of Supervisors:

Pursuant to the enclosed copy of Resolution 12-04, adopted by the Northern Inyo County Local Hospital District Board of Directors, we respectfully request permission to hold the Hospital District election of Directors at the time of the general election on November 6, 2012.

Also, enclosed please find a copy of our Notice of Election filed with the Inyo County Clerk.

Thank you for your consideration of this request.

Respectfully,

John Halfen, Administrator
Northern Inyo Hospital

Enclosures

RESOLUTION 12-04
OF THE
NORTHERN INYO COUNTY LOCAL HOSPITAL DISTRICT
BOARD OF DIRECTORS

WHEREAS, On April 17, 2002, the Northern Inyo County Local Hospital District ("District") Board of Directors adopted Resolution 02-01 establishing zones for the members of said Board, including in such zones certain voting precincts of the County of Inyo, and

WHEREAS, the 2010 decennial census having been completed, it is now in the best interests of the District that the boundaries of said zones be adjusted to comply with the requirements of the United States and California constitutions, and applicable law,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District, meeting in regular session on this 20th day of June 2012, that the zones of said District be adjusted to include the following numbered Inyo County precincts:

ZONE I

1. (Round Valley, Mustang Mesa area)
2. (Round Valley, South of Pine Creek Road
3. (Rocking K, Sawmill, Buttermilk, Starlite)
4. (Aspendell, Bishop Creek)
39. (East side of McLaren to Otey Road)
40. (East of McLaren to Brockman)
41. (Westridge)
42. (Westridge)
43. (Westridge)
49. (Reservation, South of West Line Street)

ZONE II

7. (West of Lazy A)
8. (East of Lazy A)
9. (Glenwood Mobile Home Park)
10. (Highlands)
11. (Highlands)
12. (Highlands)
14. (Dixon Lane, Meadowcreek area)
20. (Early Pond)
34. (Laws)

ZONE III

21. (Northwest – City)
22. (Northeast – City, Park area)
23. (City – Rome to Keough, West of Main Street)
24. (City – East Pine to East Yaney, East of Main Street)
25. (City – Keough to West Pine, West of Main Street)
26. (City – Keough to West Pine, West of Main Street)
27. (City – East Pine to Willow, East of Main Street)
28. (City – West Pine to West Line, West of Main Street)
29. (City – East Line, Hanby area, East side of City)
31. (City – Willow to South end of City, East of Main Street)

ZONE IV

30. (City – West Line to South end of City, West of Main Street)
44. (Highland, Sunset, Watterson)
45. (North of Sierra Vista Way, Irene Way)
46. (South of Sierra Vista Way, Underwood)
47. (Reservation, West of Barlow, North of West Line)
48. (Reservation, East of Barlow, North of West Line)
50. (South of West Line, Barlow to Main Street)

ZONE V

32. (City – East Line to East South, East side of City)
33. (City – East Line to East South, East side of City)
35. (Airport, Van Loon, Poleta area)
58. (North of Collins, Rawson Creek area)
59. (South of Schober Lane, Rossi Hill, to North of Rawson Creek area)
60. (South of Collins, Wilkerson area)
61. (Big Pine, West of 395, South of Pine Road)
62. (Big Pine, Knight Manor, Rolling Green to Pine Road)
63. (Big Pine, Townsite, North side)
64. (Big Pine, Townsite, South side)
65. ((Big Pine, East of 395)
66. (Deep Springs)
67. (Fish Springs, Tinemaha, Aberdeen)

AND BE IT FURTHER RESOLVED, that the Hospital Administrator be, and he is hereby, directed to file copies of this Resolution with the County of Inyo Board of Supervisors, and with the County of Inyo Clerk-Recorder, Registrar of Voters.

Moved, Seconded, and adopted this 20th day of June, 2012.

Peter J. Watercott, President

Attest:

M.C. Hubbard, Secretary

Notice to County Clerk of Elective Offices to be Filled and Transmittal of Map and Boundaries

(Residential and Landowner Voting Districts)
(Elections Code §10509, 10522, 10524)

Northern Inyo County Local Hospital District
(Name of District)

To the County Clerk of Inyo County.

(1) Notice is hereby given that the elective offices of the district to be filled at the General District Election on November 6, 2012 are as follows:

2 yr. Board member, District Zone I
Board Member, District Zone II
4 yr. Board Member, District Zone IV

(2) The divisions of the district, if any, in which a director is to be elected is as follows:[1]

See Attached Zone Descriptions

(3) The elective officers of the district to be elected are as follows:[2]

Name of officers: Zone I; John Ungersma
Zone II; Denise Hayden
Zone IV; D. Scott Clark

(4) A map showing the boundaries of the district and the boundaries of the divisions of the district, if any, within this county is attached hereto.

(5) The qualifications of a nominee and of an elective officer of the district are as follows:[3]

Resident elector within the District or Division thereof, if any

(6) The [4] District is to pay for the publication of a Candidate's Statement, pursuant to E.C. §13307.

(7) Measures, if any:[5]

Dated: July 2, 2012

Sandra J. Blumberg
(District Secretary)

Seal of the District

---

[1] Insert name or number designating the division as it is to appear on the ballot

[2] If officers are to be elected by division write NONE in this space

[3] The qualifications of a nominee and of an elective officer of a district are determined by the principal act of that district (E.C. §10514). Generally the qualification for a resident voting district is "resident elector within the district or division thereof, if any." The qualification for a landowner voting district is "resident and freeholder within the district or division thereof, if any."

[4] Insert either "district" or "candidate."

[5] Include proposals for change in the number of divisions or units or the method of electing directors. If space is insufficient note and attach full text of proposal.

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3566 Brookside Dr.
Bishop, Ca 93514
June 28, 2012

Inyo County Board of Supervisors
224 North Edwards St.
P. O. Drawer N
Independence, Ca 93526

Subject: Opposition to transfer of Off Highway Vehicle Assistance Funds to State Parks

We are asking the Inyo County Board of Supervisors to join the County of Tehama in their effort to prevent the diversion of Off Highway Vehicle Trust Fund monies to address the State Parks budget shortfall.

Your consideration on this very important issue would be appreciated.

Sincerely,

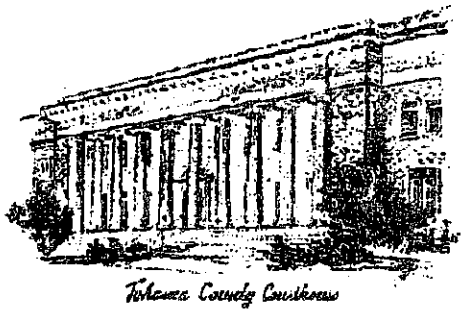
Dick Noles

Dick Noles, President
Eastern Sierra ATV Adventure Trails

Board of Supervisors

COUNTY OF TEHAMA

District 1 – Gregg Avilla
District 2 – George Russell
District 3 – Dennis Garton
District 4 – Bob Williams
District 5 – Ron Warner



Tehama County Courthouse

Williams J. Goodwin
Chief Administrator

June 19, 2012

Honorable Governor Jerry Brown
State Capitol, Suite 1173
Sacramento, CA 95814

Re: Opposition to Transfer of Off Highway Vehicle Local Assistance Funds to State Parks

Dear Governor Brown:

The Tehama County Board of Supervisors took action this date to voice their opposition to the diversion of Off Highway Vehicle (OHV) Trust Fund monies to address the State Parks budget shortfall.

OHV recreation areas throughout California depend heavily on these funds, which are financed by a share of State fuel taxes. The OHV Trust Fund grant program helps pay for operations, maintenance, restoration, improvements, education and safety at California's OHV recreation areas. Elimination of the program will subject 27 million acres of public lands in California to the perils of unmanaged and unchecked OHV use, eventually leading to increased risk to the users and possible closure of trails. Communities that depend on managed OHV tourism may experience job losses and economic hardship.

For these reasons, the Board of Supervisors respectfully requests your opposition to the diversion of OHV Trust Fund monies. Thank you for your positive consideration.

Sincerely,

Bob Williams
Chairman

Cc: Assembly Budget Committee
Senator Doug LaMalfa

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
14-15-16
17-18-19
20-21

☐ Consent ☐ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for X Closed Session ☐ Informational

FROM: COUNTY COUNSEL

FOR THE BOARD MEETING OF: July 10, 2012

SUBJECT: ISSUES TO BE DISCUSSED IN CLOSED SESSION

DEPARTMENTAL RECOMMENDATION:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(a)]. *County of Inyo v. Department of the Interior, et al.* United States District Court for the Eastern District Case No. 1:06-cv-1502-AWI-DLB

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code § 54956.9(c)]. - Decision Whether to Initiate Litigation (one case).

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: Labor Relations Administrator, Sue Dishion, Information Services Director, Brandon Shults, and Planning Director Josh Hart.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators:Labor Relations Administrator Sue Dishion.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators:CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators' Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* R Approved: — Date 7.3.12

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) R Date: 7.3.12
(The Original plus 20 copies of this document are required)