

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.

December 3, 2013

9:00 a.m. 1. **PUBLIC COMMENT**

CLOSED SESSION

2. **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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion.
3. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**

OPEN SESSION

10:00 a.m. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**
5. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

6. **Information Services** – Request approval of the Lease Agreement between the County of Inyo and Canon Financial Services for Countywide photocopy machine upgrade and management for a 60 month period at the rate of \$82,800 per year (based on the estimated number of copies using actual copy counts of FY 12-13), contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign.

HEALTH AND HUMAN SERVICES

7. **Health Services** – Request approval of the Memorandum of Understanding for participation as a partner in a federal grant application for coordinated health care in Inyo County along with Toiyabe Indian Health Project as lead agency, Northern Inyo Hospital, and Pioneer Home Health.

PUBLIC WORKS

8. Request approval of Amendment No. 1 to the Contract between the County of Inyo and Preferred Septic and Disposal, Inc., adding trash removal service at the Inyo County Animal Shelter and increasing the monthly Contract amount by \$101.38, for a total monthly amount of \$3,011.22 for the remaining 24 months of the Contract, for a total Contract amount not to exceed \$107,187.40, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
9. Request approval of the Reversion to Acreage No. 2012-01 Final Map pursuant to the California Subdivision Map Act and Board of Supervisors Resolution No. 2013-11, passed and adopted February 19, 2013.

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

10. **SHERIFF** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Office Technician exists in the Sheriff's general budget, as certified by the Sheriff, and concurred with by the County Administrator and Auditor-Controller; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply and C) approve the hiring of one Office Technician I at Range 55 (\$2,968 – \$3,608), or II at Range 59 (\$3,258 - \$3,958) depending upon qualifications.
11. **SHERIFF** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Animal Control Officer comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and Auditor-Controller; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply and C) approve the hiring of one Animal Control Officer at Range 56 (\$2,980 - \$3,618) or Senior Animal Control Officer at Range 60 (\$3,271 - \$3,973).
12. **PUBLIC WORKS** – Request approval of Amendment No. 20 to the Contract between the County of Inyo and Owenyo Services for the operation and maintenance of the Independence, Laws, and Lone Pine town water systems, extending the term of the Contract through March 31, 2014 unless terminated earlier, and increasing the Contract amount by \$26,985.83 per month for the three months of the extension, for a total Contract amount not to exceed \$2,212,839.16, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
13. **PUBLIC WORKS** – Request Board receive an update regarding the development of the Standard Operating Procedures for the County owned water systems located in Laws, Lone Pine and Independence.
14. **ROAD DEPARTMENT** – Request Board conduct a workshop to discuss avalanche areas and the impacts that avalanches have on County roads and the road crews that perform snow removal work, including safety concerns to residents that may live in or be visiting these areas during the winter months.
15. **PLANNING** – Request Board receive a presentation from staff about coordination with Forest Service Staff regarding the Inyo National Forest Plan Update/Revision and provide input.
16. **CLERK OF THE BOARD** – Request approval of the minutes of the Board of Supervisors Meetings as follows: A) Regular Meeting of November 12, 2013; and B) Special Meeting of November 12, 2013.

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

- 1:30 p.m. 17. **ENVIRONMENTAL HEALTH** – Request Board A) conduct a **public hearing** on an ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Inyo County Code, Chapter 7.52, Sections 7.052.010, 7.52.020, and 7.52.040 and Adding Section 7.052.130, Relating to Service and Permit Fees of the Inyo County Department of Environmental Health Services" amending the fee schedule to waive the temporary food facility permit fees for Cottage Food Operators selling their products adjacent to, and during, certified farmers markets and adding "Organized Camps" annual permit fee of \$296 to the Recreational Safety section of the fee schedule; and B) waive the first reading of the ordinance and schedule the enactment for Tuesday, December 10, 2013, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

18. **PLANNING** – Request Board conduct a workshop regarding the draft Zoning Code/General Plan Update and provide direction to staff.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

19. **PUBLIC COMMENT**

CORRESPONDENCE - INFORMATIONAL

20. **LICENSES** – Application for Alcoholic Beverage License for Pearsonville Shell and Mini Mart.
21. **CALIFORNIA STATE CONTROLLER** – Notification of Court Revenue Audit of Inyo County.
22. **INYO NATIONAL FOREST** – Notification of the release of the Forest's Draft Assessment Report for the Forest Plan Revision.
23. **NATIONAL PARK SERVICES** – Notification of preparation of Environmental Assessment analyzing a proposal from Rio Tinto, a pre-1914 water rights claim holder at Navel Spring, to perform maintenance, repairs and improvements to its water system in Death Valley National Park.



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 Closed Session Informational

FROM: County Administrator – Information Services

FOR THE BOARD MEETING OF: **December 3, 2013**

SUBJECT: Countywide Photocopy Machine Upgrade and Management

DEPARTMENTAL RECOMMENDATION:

Request your Board A) approve a lease agreement with Canon Financial Services having a term of 60 months in an amount estimated not to exceed \$82,800 per year (based on the estimated number of copies using actual copy counts of FY12-13), contingent on adoption of future budgets for fiscal years covered by term of Agreement and; B) Authorize the Chairperson of the Board to sign.

SUMMARY DISCUSSION:

The County relies heavily on 39 photocopy machines throughout the organization to process in excess of 2,100,000 copies annually through daily work. In December 2003, for the first time, the Board approved a five-year lease for photocopy machines Countywide. Based on the actual cost of operation at the time, by leveraging the photocopy volume of the County, it is estimated the County saved in excess of \$130,000 in photocopy costs during that lease period.

In 2008, the Board approved a second five year lease. While no cost analysis was performed, the machines proved highly reliable and the support from the Canon service provider, American Business Machines, was exemplary. In anticipation of the expiration of the second five-year agreement, Information Services evaluated options. A newly available option was State approved contracted pricing for Canon equipment through the efforts of the California State University system and the University of California. The State approved contract option provides the ability of the County to replace the old photocopy machines presently in use with new equipment and retain the maintenance services of American Business Machines at an operating cost estimated to save in excess of \$67,000 over the previous lease.

ALTERNATIVES:

Your Board could choose not to approve this request in which case there are some options: the County could acquire the existing equipment at Fair Market Value (roughly \$40,000) and pay for maintenance, toner and drums (this option is not recommended as the present machines have been heavily used for five years; maintenance alone is estimated at \$135.00 per hour + travel); your Board could direct Departments to return to the practice of individually negotiating the acquisition of photocopy equipment (this option is not recommended due to the higher cost identified for that approach in the 2003 study); a request for proposal for photocopy equipment and services could be developed, issued and evaluated; or the present lease could be extended on a month-to-month basis which would not be recommended due to its higher cost and continued use of the aged equipment. It is not likely that the County could fulfill business obligations as effectively without use of photocopy technology and therefore, an option of elimination of photocopy machines is not recommended.

OTHER AGENCY INVOLVEMENT:

All County agencies/departments are affected.

FINANCING:

Funding for the estimated cost for FY2013-14 is included in the approved FY2013-14 Board Approved Budget [011801-5285]. Funding for obligations in future years will be requested in the Information Services budget for those years. Information Services collects copy counts on a monthly basis and makes lease payments and charges to departments quarterly.

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: <u>yes</u> Date <u>11/27/2013</u>
AUDITOR/CONTROLLER: 	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: <u>yes</u> Date <u>11/27/2013</u>
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: 11/27/13



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

7

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

FROM: HEALTH & HUMAN SERVICES

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Authorize the HHS Director to sign an MOU for coordinated health care

DEPARTMENTAL RECOMMENDATION:

Request Board authorize the Health & Human Services (HHS) Director to sign a Memorandum of Understanding (MOU) to participate as a partner in a federal grant application for coordinated health care in Inyo County along with Toiyabe Indian Health Project as lead agency, Northern Inyo Hospital and Pioneer Home Health.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

This federal grant opportunity would allow several of our major health care providers to begin formalizing our previous informal relationships as we learn together about health care reform implementation and the local impacts. Toiyabe Indian Health Project is the lead agency, and they, along with Northern Inyo Hospital invited HHS to participate to ensure targeted outreach to our aging Medicare population. Should the grant be funded locally, HHS' role would be largely the same as it is currently with our aging population.

The grant is due by the end of the first week of December 2013.

ALTERNATIVES:

Board could choose to deny this request which would mean the grant would not move forward, as it requires at least three (3) local governmental or hospital entities to agree to participate, and HHS is one of the three.

OTHER AGENCY INVOLVEMENT:

Toiyabe Indian Health Project, Northern Inyo Hospital, Pioneer Home Health

FINANCING:

There is no financing involved with this grant application.

MEMORANDUM OF UNDERSTANDING

WHEREAS Toiyabe Indian Health Project, Northern Inyo Hospital (Rural Health Clinic), Pioneer Home Health Care, Inc. and Inyo County Department of Health and Human Services are joining together to form a rural health network with the purpose of collaboratively delivering home health services;

Description of Partner Agencies

Toiyabe Indian Health Project is a federally qualified and Indian Health Service health center that serves the American Indian population and low-income populations of Inyo and Mono Counties, eastern California

Northern Inyo Hospital is a 25 bed, Critical Access, non-profit hospital in Bishop, California, that also operates a federally designated Rural Health Clinic that serves low-income residents

The Inyo County Department of Health and Human Services is a department of local county government in Inyo County, California, and, as such serves low-income, the incarcerated, and aging residents through direct clinical and case management services, as well as public health education.

Pioneer Home Health Care, Inc. in Bishop, California, is a full service home health agency in Bishop, California that is a California licensed and Medicare certified home health agency serving the Inyo County rural communities from Bishop to Lone Pine.

Development of Relationships

Toiyabe Indian Health Project, Northern Inyo Hospital, Inyo County Department of Health and Human Services and Pioneer Home Health Care, Inc. have worked collaboratively for more than 20 years to deliver a continuum of care to residents that are patients of all facilities at some point during their lives. The agencies have collaborated on various public health campaigns for the benefit of the entire community. The agencies wish to continue their collaborative efforts by their joining in and supporting the grant application designed to further coordinated health care to the community.

Roles and Responsibilities

The abovementioned agencies will partner in delivering home monitoring health services through established Community Health Workers to residents of Inyo County aged 60 and over.

Referrals will be made through each agency for appropriate recipients of care to receive home monitoring devices that will forward information to respective medical providers in order to ascertain progression of medical conditions requiring further outpatient or inpatient care. The intent is to collaboratively reduce the need for hospitalization through the prevention of a progression of chronic diseases, especially Congestive Heart Failure, Pneumonia, Myocardial Infarctions, Diabetes and Behavioral Health. As the grant progresses, additional sites and shared health information technology will be assumed by all four agencies. Recipients of the telehealth monitoring (beyond being monitored) will also be empowered through the telehealth teaching modules to learn better independent management of their chronic diseases.

Timeline

The abovementioned roles and responsibilities will commence at the onset of the grant receipt and continue for the three subsequent years of grant funding with an ongoing framework continuing past the funding cycle.

CEO, Toiyabe Indian Health Project

CEO, Northern Inyo Hospital

CEO, Pioneer Home Health Care, Inc.

Director, Inyo County Health and Human Services



AGENDA REQUEST FORM

BOARD OF SUPERVISORS

COUNTY OF INYO

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Schedule time for
 Closed Session
 Informational

For Clerk's Use Only:
AGENDA NUMBER
8

FROM: Public Works Department

FOR THE BOARD MEETING OF: December 10, 2013

SUBJECT: Request approval of Amendment No. 1 to the current Inyo County Buildings and facilities trash disposal service Agreement, to add trash disposal services at the Inyo County Animal Shelter, Big Pine.

DEPARTMENTAL RECOMMENDATIONS:

1. Approve Amendment No. 1 to the current Standard Contract #113 with Preferred Septic and Disposal, Inc., in order to add trash removal service at the Inyo County Animal Shelter to the current trash disposal services contract. This Amendment will increase the current monthly service contract amount of \$2,909.84 by \$101.38, resulting in a new per month trash service payment amount of \$3,011.22 for the remaining 24 months of the contract. The will be an increase of \$2,433.16 to the current not-to-exceed contract amount of \$104,754.24 resulting in a revised not-to-exceed amount of \$107,187.40.
2. Authorize the Chairperson to sign the Amendment to the Contract contingent upon the appropriate signatures being obtained and contingent upon adoption of future budgets.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

On November 20, 2012, Inyo County entered into an Agreement with Preferred Septic and Disposal, Inc. to provide waste disposal and recycling services at specific County buildings and facilities. This is a three (3) year agreement, for the period that began December 1, 2012 until November 30, 2015. Previous trash disposal service for the Animal Shelter facility has been obtained by the Sheriff's Department issuing a Request for Bids and processing a Purchase Order for the lowest responsible bid. On October 17, 2013, the Sheriff's Department issued a Request for Bids to local waste haulers for trash service at the County Animal Shelter. Bids were received on November 1, 2013, and Preferred Septic and Disposal, Inc. submitted the low bid of \$2,433.16 to provide this service from December 1, 2013 until November 30, 2015. The County Auditor's Office has indicated that based on the current county purchasing policy and because of Preferred Septic and Disposal, Inc. submitting the lower bid price, Public Works can amend the current Agreement with Preferred Septic and Disposal, Inc. to provide this additional trash disposal service. Also, this Animal Shelter trash disposal service location will be included on future Inyo County Buildings and Facilities trash disposal Request for Proposals.

ALTERNATIVES:

Your Board could deny this amendment to the contract and direct the Sheriff's Department to obtain a separate purchase order to obtain the Animal Shelter trash disposal service, however, that is not recommended as it would be an agreement is already in place to obtain these additional services by executing a contract amendment.

OTHER AGENCY INVOLVEMENT:

County Counsel
Auditor

FINANCING:

The funds for this Contract will be provided through the County's Public Works Department, Building & Maintenance of Ground Division budget 011100, Object Code 5265. Any required Departmental budget adjustments will be made during mid-year budget revisions.

Agenda Request Form
Meeting of December 10, 2013
Preferred Septic and Disposal, Inc., Amendment No. 1

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.) <i>Margaret Kemp-Williams</i> Approved: <input checked="" type="checkbox"/> Date <u>11/25/13</u>
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) <i>[Signature]</i> Approved: <u>yes</u> Date <u>11/25/2013</u>
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: <u>N/A</u> Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

[Signature]

Date: 11-26-13

**AMENDMENT NO. 1
TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Preferred Septic and Disposal, Inc.
FOR THE PROVISION OF WASTE DISPOSAL SERVICES**

WHEREAS, the County of Inyo (hereinafter referred to as "County") and Preferred Septic and Disposal, Inc. of Bishop, CA (hereinafter referred to as "Contractor"), have entered into an Agreement for the provision of goods dated November 20, 2012, on County of Inyo Standard Contract No. 113, for the term from December 1, 2012 to November 30, 2015.

WHEREAS, County and Contractor do desire and consent to amend such Agreement as set forth below.

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

County and Contractor hereby amend such Agreement as follows:

1. SCOPE OF WORK, Attachment A – REVISE Exhibit A as follows:

Add to Exhibit A, page 2 of 5 – Location (Big Pine), the following additional Trash Disposal Service requirement:

<u>Location (Big Pine)</u>	<u>Size of Dumpster</u>	<u>Quantity</u>	<u>Frequency</u>
County Animal Shelter	2 CY	1	1/week
1001 County Road	96 gallon rolling cart(s)	3	1/week

3. CONSIDERATION, Section A. Compensation. REVISE as follows:

County shall pay to Contractor the sum total of (a monthly payment of) Three Thousand and Eleven Dollars and Twenty-Two cents (\$3,011.22) for performance of all of the services and completion of all the work described in Attachment A.

D. Limit Upon Amount Payable Under Agreement. The total sum of all payments made by the County to contractor for services and work performed under this Agreement shall not exceed One-Hundred Seven Thousand One-Hundred Eighty Seven and 40/100 Dollars (\$107,187.40).

The effective date of this amendment to the Agreement is November 26, 2013.

All other terms and conditions of the Agreement are unchanged and shall remain the same.

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
____th DAY OF _____, 2013.

COUNTY OF INYO

By: _____

Dated: _____

APPROVED AS TO FORM AND
LEGALITY:

Margaret Kemp-Williams
County Counsel

APPROVED AS TO ACCOUNTING
FORM:

[Signature] 11/25/2013
County Auditor

APPROVED AS TO PERSONNEL
REQUIREMENTS:

Director of Personnel Services

APPROVED AS TO RISK ASSESSMENT:

County Risk Manager

CONTRACTOR

By: Dale Coulter

Dated: 11-19-13

Taxpayer's Identification Number:

80-0026993



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:

AGENDA NUMBER

9

Consent Departmental Correspondence Action

Public Hearing Schedule time for Closed Session Informational

FROM: Public Works Department

FOR THE BOARD MEETING OF: December 03, 2013

SUBJECT: Approval of Reversion To Acreage No. 2012-01 Final Map

DEPARTMENTAL RECOMMENDATIONS:

1. Approve the Reversion To Acreage No. 2012-01 Final Map pursuant to the California Subdivision Map Act and Board Resolution No. 2013-11 passed and adopted February 19, 2013.

CAO RECOMMENDATIONS:

SUMMARY DISCUSSION:

Board Resolution No. 2013-11, passed and adopted February 19, 2013, resolves that, the dedication or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes and all of the owners of an interest in the real property within the subdivision have consented to this reversion. Said Board Resolution No. 2013-11 further resolves that, based on that all of the information in the public record and on recommendation of the Planning Commission, your Board thereby approved the General Plan Amendment No. 2010-01 and Reversion to Acreage No. 2012-01.

Approval of the Reversion To Acreage No. 2012-01 Final Map will not affect the current maintenance/access as there have been no improvements within the subdivision being reverted. Adequate access to the reversionary parcels has been provided.

The Final Parcel Map has been reviewed by Public Works staff and the County Surveyor and has been found to conform to all requirements. The required Planning Department conditions of approval have been met.

Public Works recommends that your Board approve the Reversion To Acreage No. 2012-01 Final Map.

ALTERNATIVES:

Section 66458 of the Government Code states that the legislative body shall, at the meeting it receives the map or, at the next regular meeting after the meeting at which it receives the map, approve the map if it conforms to the Subdivision Map Act and also conforms to the local subdivision ordinance. If the map does not conform, the legislative body shall disapprove the map. Further, if the legislative body does not approve or disapprove the map within the prescribed time, or any authorized extension of time, and the map conforms to all requirements, the map shall be deemed approved. With that said, your Board may:

1. Not approve the map at this time and approve the map at the next regular meeting.
2. Not approve the map and allow it to be deemed approved. This is not recommended because the map conforms to the Planning Commission, Planning Department, and your Board's requirements.

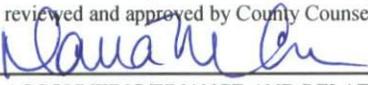
OTHER AGENCY INVOLVEMENT:

Planning Department and the Planning Commission.
County Surveyor
County Counsel for review of this Agenda item.

FINANCING:

Time to prepare the ARF and review the maps and documents.

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: <u></u>	Date <u>11/12/13</u>
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)	Approved: _____ N/A _____	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: _____ N/A _____	Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 11/20/13

Attachments:

- 1.) BOS Order February 19th, 2013
- 2.) BOS Resolution No. 2013-08
- 3.) BOS Resolution No. 2013-09
- 4.) BOS Resolution No. 2013-10
- 5.) BOS Resolution No. 2013-11
- 6.) BOS Order Attachment "A"
- 7.) Inyo County Assessor Parcel Map 33-44
- 8.) Subdivision Map, Tract No. 161, Bk 4, Pgs 3-7
- 9.) Reversion To Acreage 2012-01 Final Map



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 Closed Session Informational

FROM: Sheriff Bill Lutze

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Request to fill vacant Office Technician position

DEPARTMENTAL RECOMMENDATION:

Request the Board find consistent with the adopted Authorized Review Policy;

1. The availability of funding for the requested position of Office Technician exists in the Sheriff's general budget, as certified by the Sheriff, and concurred with by the County Administrator, and the Auditor Controller, and
2. Where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply and
3. Approve the hiring of one Office Technician I at Range 55 (\$2,968-\$3,608) or Office Technician II at Range 59 (\$3,258-\$3,958), depending on qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

This Office Technician position that serves the Lone Pine Substation and provides support for the Administrative office, was vacated the end of October. This position is vital to the operation of the Sheriff's Department as it handles records, sensitive information gathering, report writing, check investigations and public information. It's essential that this position filled as soon as possible, as it provides a much needed service to the department and the public.

ALTERNATIVES:

Deny filling the Office Technician position.

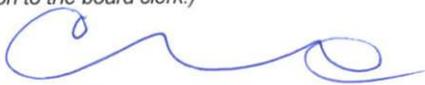
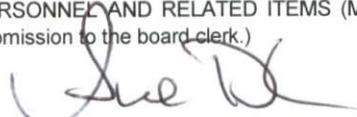
OTHER AGENCY INVOLVEMENT:

Auditor
Personnel

FINANCING:

This Office Technician position is currently budgeted in the 2013-2014 Sheriff General budget (022700)

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: <u>yes</u> Date <u>11/25/2013</u>
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: <u>✓</u> Date <u>11/26/13</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 11-25-13



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerks Use Only

AGENDA NUMBER

11

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

FROM: Sheriff's Department

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Request to fill vacant Animal Control Officer or Senior Animal Control Officer Position

DEPARTMENTAL RECOMMENDATION:

Request the Board find that consistent with the adopted Authorized Review Policy; A) the availability of funding for the requested position comes from the General Fund, as certified by the Sheriff, and concurred by the County Administrator and the Auditor-Controller; and B) 1) and where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the positions, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the open recruitment and hiring of (1) one Animal Control Officer position (Range 56, \$2980 - \$3618) or (1) one Senior Animal Control Officer position (Range 60, \$3271 - \$3973).

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

In October 2013, (1) one Animal Control Officer position became vacant after separation of employment with the Department. We are currently in the process of recruiting and testing for the position and once testing is completed we are requesting to fill the vacancy, depending on qualifications, with either an entry level or Senior level Animal Control Officer.

ALTERNATIVES:

Deny the filling of the (1) one Animal Control Officer or Senior Animal Control officer position.

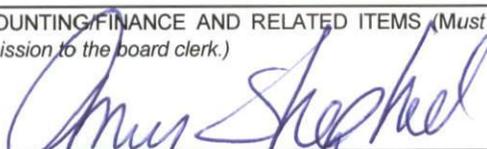
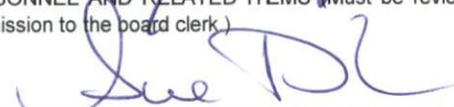
OTHER AGENCY INVOLVEMENT:

Personnel Department, City of Bishop, CHP

FINANCING:

The Animal Control Officer position is budgeted in the Animal Service's FY2013/2014 budget 023900, object code 5001, salaried employees.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>  Approved: <input checked="" type="checkbox"/> Date <u>10/10/13</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>  Approved: <input checked="" type="checkbox"/> Date <u>10/11/13</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 10-14-13



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER <i>12</i>

- Consent Departmental Correspondence Action
 Public Hearing Schedule time for Closed Session Informational

FROM: Public Works Department

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Approve Amendment #10, extending the contract term and amount with Owenyo Services for the operation and maintenance of the Independence, Lone Pine and Laws Town Water Systems.

DEPARTMENTAL RECOMMENDATIONS:

1. Approve Amendment #10 to the current Standard Contract #116 with Owenyo Services for the operation and maintenance of the Independence, Laws, and Lone Pine town water systems, extending the term through March 31, 2014 unless terminated earlier. The total sum of all payments made by the County to contractor for services and work performed under this agreement shall increase the previous contract amount of \$2,104,895.84 by \$26,985.83 per month for the three months of this extension for a total extension increase of \$80,957.49 for a new contract total amount not to exceed \$2,212,839.16.
2. Authorize the Chairperson to sign the Amendment to the Contract contingent upon the appropriate signatures being obtained and contingent upon adoption of future budgets.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Inyo County first entered into an agreement with Owenyo Services to provide operations and maintenance services for the Lone Pine, Independence and Laws water distribution systems on June 15, 1999. The current agreement with Owenyo Services was approved on June 26, 2007, and has been extended 9 times previously, most recently on August 27, 2013 for four months to extend to December 31, 2013.

Based on direction provided by the Board on August 20, 2013, members of the Public Works staff with assistance from the Director of Resource Development, California Rural Water Association have developed a list of Standard Operating Procedures for the town water systems of Laws, Lone Pine and Independence. These procedures are a key component to the creation of an RFP that more clearly delineates the responsibilities associated with the operations and maintenance of the systems. It is hoped that the elimination of subjectivity will result in significantly more cost effective proposals.

If approved, the contract extension should provide staff adequate time to complete the RFP process and return to your Board with a long term solution to this issue.

ALTERNATIVES:

Your Board could deny the amendment to this contract and direct the Public Works Department to operate and maintain the system using county forces, however, that is not recommended as the Public Works Department does not have sufficient staffing or appropriate certificates to accomplish it.

Your Board could extend the current agreement for a shorter term. This is not recommended because the agreement can be terminated earlier if all the issues are resolved and staff is prepared to submit the recommendation earlier.

OTHER AGENCY INVOLVEMENT:

County Counsel
 Auditor

FINANCING:

Financing for this contract is included in the Preliminary and Proposed 2013-2014 budgets for the Lone Pine, Independence, and Laws water systems (152101, 152201, and 152301), object code 5265, Professional & Special Services. The funding is generally from water user fees established by Inyo County Ordinance 1008.

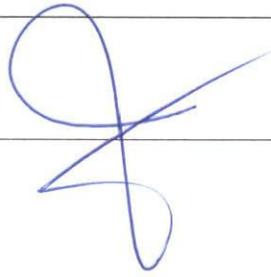
Agenda Request Form
Meeting of December 3, 2013
Owenyo Amendment #10

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.) <i>Margaret Kemp-Williams</i> Approved: <input checked="" type="checkbox"/> Date <u>11/21/13</u>
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) <i>CR</i> Approved: <u>yes</u> Date <u>11/21/2013</u>
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: <u>N/A</u> Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 11/21/13

**AMENDMENT NUMBER 10 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
OWENYO SERVICES
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES**

WHEREAS, the County of Inyo (hereinafter referred to as "County") and
OWENYO SERVICES, of LONE PINE, CA
(hereinafter referred to as "Contractor"), have entered into an Agreement for the Provision of Independent
Contractor Services dated June 26, 2007, on County of Inyo Standard
Contract No. 116, for the term from December 31, 2013 to March 31, 2014.

WHEREAS, County and Contractor do desire and consent to amend such Agreement as set forth
below;

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

County and Contractor hereby amend such Agreement as follows:

Amend Section 2, TERM, to read as follows:

2. TERM

The term of this agreement shall be from July 1, 2007 to March 31, 2014 unless terminated as provided below.

Amend Section 3D, CONSIDERATION, to read as follows:

3. D. Limit upon the amount payable under Agreement. The total sum of all payments made by the County to contractor for
services and work performed under this agreement shall increase the previous contract amount of \$2,104,895.84 by \$26,985.83
per month for the three months of this extension for a total extension increase of \$80,957.49 for a new contract total amount not
to exceed \$2,212,839.16.

The effective date of this Amendment to the Agreement is December 3, 2013.

All the other terms and conditions of the Agreement are unchanged and remain the same.

AMENDMENT NUMBER 10 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
OWENYO SERVICES
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
____ DAY OF December, 2013.

COUNTY OF INYO

By: _____

Dated: _____

CONTRACTOR

By: _____

Signature

Type or Print

Dated: _____

APPROVED AS TO FORM AND LEGALITY:



County Counsel

Taxpayer's Identification Number:

77-0516844

APPROVED AS TO ACCOUNTING FORM:

County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

Personnel Services

APPROVED AS TO RISK ASSESSMENT:

County Risk Manager

AMENDMENT NUMBER 10 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
OWENYO SERVICES
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES

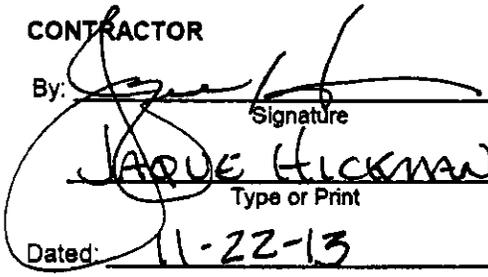
IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
DAY OF _____

COUNTY OF INYO

By: _____

Dated: _____

CONTRACTOR

By:  _____
Signature

JARUE HICKMAN
Type or Print

Dated: 11-22-13

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



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

- Consent Departmental Correspondence Action Public Hearing
 Schedule time for Closed Session Informational

For Clerk's Use
Only:

AGENDA NUMBER

13

FROM: Public Works Department

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Town Water System Update

DEPARTMENTAL RECOMMENDATIONS:

Request your Board receive an update regarding the development of the Standard Operating Procedures for the County owned water systems located in Laws, Lone Pine and Independence.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

In January 2012, the Public Works Department released a Request For Proposals for operation and maintenance of the town water systems located in Laws, Lone Pine and Independence. This RFP differed from previous requests in that it attempted to solicit proposals developed utilizing an "outside of the box" approach. Unfortunately, the three proposals received didn't contain the desired creativity or ingenious flavor that had been imagined. Consequently, the Department is proposing a much more traditional RFP that will include as a key component, a very objective list of Standard Operating Procedures. This list of tasks will clearly delineate the responsibilities associated with the operation and maintenance of the systems. In addition, the RFP will include an inventory of those areas of responsibility to be assumed by the County and clearly define the types of maintenance and repairs that fall outside the scope of the proposed operations and maintenance agreement. It is hoped this elimination of subjectivity will result in the receipt of more cost effective proposals.

ALTERNATIVES:

The Board could choose to not receive the update and redirect staff.

OTHER AGENCY INVOLVEMENT:

FINANCING:

There are no immediate financial ramifications for this update.

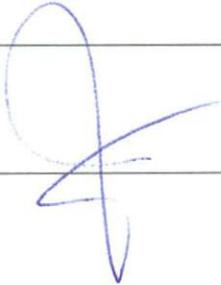
APPROVALS

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: 11/20/13



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

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

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Inyo National Forest Plan Update/Revision

RECOMMENDATION: Receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.

SUMMARY DISCUSSION: The Inyo National Forest is working on updating the Inyo National Forest Plan.¹ Staff is working with Forest Service staff in developing the Plan, and will report on recent activities. Input from the Board is requested to guide staff in future coordination efforts with Forest Service staff.

OTHER AGENCY INVOLVEMENT: Department of Agriculture, U.S. Forest Service; Mono, Fresno, Madera, and Tuolumne counties; other interested persons and organizations.

FINANCING: General fund resources are utilized to monitor planning work in the Forest. Resources for Willdan's assistance with the effort are funded by operating transfer from the Geothermal Royalties fund.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (<i>Must be reviewed and approved by county counsel prior to submission to the board clerk.</i>)
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (<i>Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.</i>)
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: 11/22/13

¹ Refer to <http://inyoplanning.org/InyoNationalForest.htm> for more information about the County's participation in the Plan Update/Revision.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 16

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

FROM: CLERK OF THE BOARD
By: Patricia Gunsolley, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Approval of Minutes

DEPARTMENTAL RECOMMENDATION: - Request approval the minutes of the Board of Supervisors Meetings as follows: A) Regular Meeting of November 12, 2013; and B) Special Meeting of November 12, 2013.

SUMMARY DISCUSSION: - The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's web page at www.inyocounty.us.

ALTERNATIVES: - Staff awaits your Board's changes and/or corrections.

OTHER AGENCY INVOLVEMENT: - n/a

FINANCING: n/a

APPROVALS

BUDGET OFFICER:	BUDGET AMENDMENTS <i>(Must be reviewed and approved by Budget Officer prior to being approved by others, as needed, and submission to the Assistant Clerk of the Board.)</i>
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the Assistant Clerk of the Board.)</i> 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

17

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

FROM: Marvin Moskowitz, Director, Environmental Health Services

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Amend Environmental Health Fee Ordinance

DEPARTMENTAL RECOMMENDATION:

Request Board take the following action:

1. Conduct a public hearing on an ordinance entitled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, amending Inyo County Code, Chapter 7.52, Sections 7.052.010, 7.52.020 and 7.52.040 and adding Section 7.052.130, relating to service and permit fees of the Inyo County Department of Environmental Health Services". It is recommended that (1) the fee schedule established by the Board for the Inyo County Department of Environmental Health be amended to waive the temporary food facility permit fees for Cottage Food Operators selling their products adjacent to, and during, certified farmers markets, and (2) to add an "Organized Camps" annual permit fee of \$296 to the Recreational Safety section of the fee schedule; and
2. Request Board to waive the first reading of the ordinance and schedule the enactment for Tuesday, December 10, 2013 in the Board of Supervisors Room, at the County Administrative Center in Independence.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The Cottage Food Act was enacted by the State of California, effective January 1, 2013. Cottage foods encourage healthy eating and promotes local food production. Cottage food operators are required to pay a fee for producing their cottage foods. Current fee schedule also requires cottage food operators to obtain a temporary food facility permit to sell their products away from their homes. This proposed fee ordinance amendment would eliminate the temporary food facility fees for cottage food operators selling their products adjacent to and during certified farmers markets. The cottage food operators will continue to be required to obtain a cottage food permit, as provided for in Chapter 7.52. The purpose here is to stimulate the local food production industry, as feedback from the community indicated the current fee schedule was financially prohibitive to many potential small producers.

Organized Camp fees were not included in previous EH fee schedules as EH was unaware of any organized camps located in Inyo County. EH recently learned of the existence of at least one organized camp in the County that requires permitting as stipulated in the California Organized Camp Regulations, California Health & Safety Code, Division 13, Part 2.3, Sections 18897 - 18897.7, and Organized Camps, California Code of Regulations, Title 17, Sections 30700 - 30753. This addition will help meet these requirements. The requested fee of \$296.00 is based on the estimated cost to the EH Department, including the time necessary to travel to the identified camp, the time for inspection and the costs of testing.

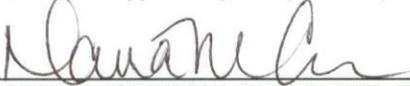
ALTERNATIVES:

- 1) Not adopt the proposed amendments to the fee ordinance, allowing existing fees to remain for CFO's and allowing organized camps to operate without a permit.

OTHER AGENCY INVOLVEMENT:

FINANCING:

The net impact to the General Fund resulting from this action is minimal. The proposed fee waiver for CFO's would eliminate some fees, but this could be offset somewhat by increased Cottage Food Operators permit applications. Cottage foods currently account for approximately one per cent of annual retail food program revenues. The addition of a permit fee for organized camps will help offset the cost of the Organized Camp program.

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: <u>Uph</u> Date <u>11-22-13</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>11-22-2013</u>
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) M. Moskowitz by Sherat Date: 11/22/13

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,
AMENDING INYO COUNTY CODE, CHAPTER 7.52, SECTIONS 7.052.010, 7.52.020 AND
7.52.040 AND ADDING SECTION 7.52.130, RELATING TO SERVICE AND PERMIT FEES OF
THE INYO COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH SERVICES**

The Board of Supervisors of the County of Inyo, State of California, ordains as follows:

SECTION ONE. PURPOSE.

The purpose of this Ordinance is to update certain of the fees charged by the Inyo County Environmental Health Services Department pursuant to the applicable Schedule of Fees. Specifically, it is the purpose of this Ordinance to establish a fee for organized camp facilities and to eliminate the temporary food facility fee for cottage food operators selling their products adjacent to and during certified farmers markets.

SECTION TWO. AUTHORITY.

This Ordinance is enacted pursuant to the authority given the Inyo County Board of Supervisors by various provisions of California statutes, including: California Health and Safety Code Sections 101325, and 101280 which permits the County to adopt fees to defray its costs to enforce public health statutes when that cost is not met by the fees prescribed by statute; California Health and Safety Code Division 20, Chapter 6.5 (commencing with Section 25100), Chapter 6.7 (commencing with Section 25280), Chapter 6.95 (commencing with Section 25500) and Chapter 6.11 (commencing with Section 25404); part 7 of division 104 of the Health and Safety Code (commencing with Section 13700); California Water Code (commencing with Section 13700) and California Constitution, Article XI, Section 7; Health and Safety Code, Division 13, Part 2.3, Sections 18897-18897.7; Health and Safety Code Sections 116340; 116565; 116570; 116595; and Public Resources Code Section 43213; and Government Code Section 54985 which permits a county to increase the amount of a fee authorized by State law in order to meet the County's actual cost of providing the service associated with the fee.

SECTION THREE. FINDINGS.

This Board hereby finds, upon the documentary and oral information presented to it in connection with its consideration of this ordinance, that the fees established herein are fair, reasonable, and exceed neither the actual nor reasonable cost to the County of administering and enforcing the various state statutes, regulations, orders, quarantines, and local laws, relating to public health in Inyo County.

SECTION FOUR. INYO COUNTY CODE SECTION 7.52.010 AMENDED

Inyo County Code Section 7.52.010 is amended to read as follows:

7.52.010 Definitions.

As used in this Chapter, the following terms have the following meanings:

"Environmental Health service fee" means the fee paid upon application and annually thereafter for permit, service, and inspection fees to operate or engage in the activities defined

in this Chapter, or a one-time fee paid by any person for a plan-check, filing, and/or construction inspections for new construction, expansion, replacement, or modification of any activity as defined in and/or regulated by this Chapter.

“Organized Camp Facility” means a site with program and facilities established for the primary purposes of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives, for five days or more during one or more seasons of the year.

“Permit” means the public health permit required to operate or engage in any activity as defined in or regulated by this Chapter.

“Person” means any natural person, firm, partnership, corporation, association, club, organization, or political subdivision.

SECTION FIVE. INYO COUNTY CODE SECTION 7.52.020 AMENDED

Inyo County Code Section 7.52.020 is amended to read as follows:

7.52.020 Activities Requiring Permits – Payment of Fees.

Except as provided elsewhere in this code or state law, it is unlawful for any person to operate any of the following facilities or equipment, or engage in the following activities as defined in this Chapter, unless that person has first applied for and obtained appropriate permit from the Inyo County Department of Environmental Health Services and paid the appropriate permit, inspection, or service fees, unless such fees are waived in accordance with this Chapter:

- A. Retail Food Establishment
- B. Septic System installation/repair/abandonment/pumping vehicles
- C. Small water systems
- D. Well construction/abandonment
- E. Integrated waste disposal/transfer facility
- F. Commercial or public swimming pool, spa, or hot bath
- G. Hazardous materials
- H. Body Art
- I. Organized Camp Facility

SECTION SIX. INYO COUNTY CODE SECTION 7.52.040(B) AMENDED

Inyo County Code Section 7.52.040(B) is amended to read as follows:

B. Annual Operating Permit

- 1. Restaurants.
 - a. Zero to twenty-four seats: \$179.00
 - b. Twenty-five to fifty seats \$216.00
 - c. Fifty-one to one hundred seats: \$261.00
 - d. More than one hundred seats: \$290.00
- 2. Bar only, no prepared food: \$175.00
- 3. Markets w/food prepared on site, i.e. meat market, bakery and/or deli:
 - a. One to three thousand square feet:..... \$232.00

- b. Three thousand one to ten thousand square feet:.....\$290.00
- c. Ten thousand and one to twenty five thousand square feet.....\$406.00
- d. More than twenty five thousand square feet:\$579.00
- 4. Markets w/no food prepared on site:
 - a. One to five hundred square feet:\$115.00
 - b. Five hundred one to three thousand square feet:\$175.00
 - c. Three thousand one to ten thousand square feet:\$232.00
 - d. Greater than ten thousand square feet:\$290.00
- 5. Produce Stand:\$ 73.00
- 6. Bakery:\$162.00
- 7. Bed & Breakfast\$175.00
- 8. Other Food Related Activities
 - a. Mobile Food Facilities (potentially hazardous food).....\$115.00
 - b. Mobile Food Facilities (non-potentially hazardous food).....\$ 73.00
 - c. Community Event Organizer Application Fee
 - 1. Community event, one day.....\$100.00
 - 2. Community event, multiple days.....\$232.00
 - d. Temporary Food Facilities: ... \$ 50.00
 - 1. Annual Temporary Food Permit.....\$150.00
 - 2. Annual Temporary Food Permit for Sale By Class A or B Permitted Cottage Food Facility at Certified Farmers MarketsNo Charge
 - e. Caterers.....\$175.00
 - f. Cottage Food Facility
 - 1. Class A Operation - Direct Sales Only.....\$ 50.00
 - 2. Class B Operation - Direct & Indirect Sales.....\$146.00

SECTION SEVEN. INYO COUNTY CODE SECTION 7.52.130 ADDED

Inyo County Code Section 7.52.130 is added to Inyo County Code Chapter 7.52 to read as follows:

A. Pursuant to the California Organized Camp regulations, every applicant for and every holder of an Environmental Services Department permit to operate an organized camp facility in Inyo County shall, upon application and registration, annually pay the following fees, as adjusted in accordance with section 7.52.030(B):

- 1. Organized Camp Facilities:\$296.00

SECTION SIX. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the remaining portion of this Ordinance. This Board of Supervisors hereby declares that it would have enacted this Ordinance and every section, subsection, sentence, clause, or phrase hereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION SEVEN. EFFECTIVE DATE

This ordinance shall take effect and be in full force and effect on January 1, 2014. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this ordinance together with the names of the Board members voting for or against the same.

PASSED AND ADOPTED this _____ day of _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

LINDA ARCULARIUS, Chairman
Inyo County Board of Supervisors

ATTEST: Kevin Carunchio
Clerk of the Board

By _____
Patricia Gunsolley
Assistant Clerk of the Board



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 18
--

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for 1:30 p.m. Closed Session Informational

FROM: Planning Department and Planning Commission

FOR THE BOARD MEETING OF: December 3, 2013

SUBJECT: Zoning Code/General Plan Update Workshop

DEPARTMENTAL RECOMMENDATION: Conduct a workshop regarding the draft Zoning Code/General Plan Update, and provide direction 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 between 2011 and 2013. Staff incorporated this input into a comprehensive Zoning Code update and prepared a related General Plan update,¹ which were reviewed by the Planning Commission and Board of Supervisors in 2012. Two issues were identified for further analysis (code enforcement and special event permits), which were reviewed in several iterations later in 2012 and early 2013. Upon resolution of these issues, staff was directed to proceed with public outreach to solicit input from interested parties about the proposed updates.

Preliminary draft documents were published in May 2013 for public review, and staff proceeded to notify potentially interested stakeholders about the update effort and educate stakeholders regarding the proposals. Small group meetings were subsequently held during the summer of 2013 followed by community workshops in September and October of 2013 in Bishop, Big Pine, Independence, Lone Pine, and Tecopa. Community meetings were also held in Keeler, Olancho, and Trona/Homewood Canyon focused on the potential for community overlays.

A robust community outreach effort was prepared and executed to inform the public, stakeholders, community organizations, public agencies, and other interested persons and entities about the Update effort. Attachment 1 summarizes the community outreach effort. Correspondence submitted during the outreach effort is included in Attachment 2. General themes and staff's proposed approach in response are addressed below. The Planning Commission reviewed the results of the outreach and provided input on October 30, 2013; recommendations from the Commission are discussed below.

¹ Refer to <http://inyoplanning.org/GPandZoningUpdates.htm> for more details regarding the update effort, including the May 2013 version of the Zoning Code/General Plan update.

Zoning Code

Code Enforcement

Community sentiment regarding the proposal for code enforcement varies throughout the County. In general, the sentiment disfavors proactive code enforcement, rather than the current reactive policy based on written complaints; this feeling seems stronger in Keeler, Darwin, Olancho, Cartago, Big Pine and Independence, and many people in these communities objected to code enforcement provisions being the same throughout the County. Community sentiment in Lone Pine, Bishop, and Tecopa seems less opposed to the proposed changes. Although apparently less disfavorable than active code enforcement, community sentiment also seems opposed to more stringent code enforcement mechanisms. Transfer of most code enforcement responsibilities to the office of County Counsel from the District Attorney appears acceptable. One individual recommended that code enforcement cases not be appealable.

Based on the outreach, staff recommends working with County Counsel to develop a code enforcement procedure that maintains the current policy of responding to violations upon written complaint, but includes more stringent procedures to abate the violation in the event the violator refuses to comply; the Planning Commission concurred with this approach. Staff plans to update the Code Enforcement section per Board direction and conduct a Board workshop for this specific issue in the new year.

Junk

During the public outreach process, many people expressed concern that the existing Zoning Code's Junk definition is too broad and that it should be relaxed. On the other hand, a significant minority expressed concern about Junk. If the County wishes to relax the standards, the definition could be modified to remove construction materials, wood, or other materials. The current Code restricts Junk visible from public view to 200 square feet or less in most zoning districts; this could also be enlarged. Staff is concerned about allowing more Junk due to its potential deleterious, health and safety, visual, and other adverse effects. A recommendation to explicitly exempt cultural resources from the definition of Junk was made; staff plans to carry this forward. The Planning Commission concurred with this approach.

Open Space Zoning

Input has been received requesting to change the name of the Open Space (OS) zoning district for private property, primarily since these lands are distinct from public lands with the same zoning. Staff recommends proceeding with this work, and suggests a new name for the district of Rural Private. The Planning Commission concurred with this approach.

Short-term Rentals

Concern was expressed about codifying the existing policy prohibiting short-term rentals in Residential zones due to a desire for more economic development opportunities. Staff understands that this issue was debated extensively previously resulting in the current policy, and recommends codification. Staff understands that the rationale behind the current policy is that

commercial recreation uses are not compatible within residential neighborhoods. The Planning Commission concurred with this approach.

Second Dwelling Units

Concern was expressed about the extensive existing requirements for second dwelling units, such as parking, setbacks, etc. The referenced requirements are consistent with State law, and staff recommends maintaining them. The Planning Commission concurred with this approach.

Fence Height

Concern was expressed about raising fence heights in the required front yard from three and ½ feet to four feet because of potential visibility and clearance issues when backing out of driveways. Concern was also expressed any limitation on fence heights. Due to potential safety issues, staff seeks reconsideration of raising the fence height to four feet in the required front yard. The Planning Commission did not express strong sentiments about either approach.

Residences in Commercial Zones

Several stakeholders expressed concern about the current Code's prohibition on single-family residences in commercial zones. Staff understands that this issue was debated extensively during the Central Business (CB) rezone and that it was ultimately decided that single-family residences should not be permitted, and that the prohibition continue. The Planning Commission concurred with this approach.

Temporary Occupancy Permits

Input was received about apparent permitting duplication for the proposal for Temporary Occupancy Permits, particularly permits during construction. Suggestions were also received to rename the permits "Temporary Use Permits", define screening requirements for storage containers, and specify that no habitation be permitted. Staff recommends proceeding with these suggestions, and the Planning Commission concurred.

Special Event Permits

Staff proposes several minor changes to the proposed Special Event Permits. First, staff recommends that commercial filming be exempted from the permit requirements, except in Residential zones, where a permit would be required for more than a few instances per year. Second, it is recommended that approval from the Building Official be required for Outdoor Festivals. The Planning Commission concurred with this approach.

Limitation on Recreation Vehicles

The existing Code limits storage of recreation vehicles in specified zoning districts (primarily Residential Zones) to four or fewer units in the open. Staff inadvertently failed to carry this requirement forward into the proposed Code, and recommends adding it. However, concern was expressed about this provision. Staff recommends maintaining this requirement due to the

potential proliferation of recreational vehicles visible from public view in Residential zoning districts. The Planning Commission concurred with this approach.

Storage in Required Yards

Many residents expressed concern about the proposal to limit storage in required front and corner side yards. Based on previous input from the Planning Commission and Board, staff recommends carrying this proposal forward. The Planning Commission concurred with this approach.

Lighting

Public input regarding the proposed zoning regulations for lighting appears positive. A suggestion was received to prohibit direct light spillover onto adjacent properties, which staff recommends. Concern was expressed about sign lighting; staff believes that much of the concern is regarding signs not regulated by the County (e.g., schools), and believes that limited sign lighting is conducive to economic vitality and wayfinding, and does not suggest any changes to the sign ordinance. Suggestions to incorporate dark skies policies were also made; based on the previous discussions with the Planning Commission and Board, staff believes that qualitative lighting standards are adequate to promote dark skies. The Planning Commission concurred with this approach.

Telecommunication Conditional Use Permits

The current Zoning Code indicates that Conditional Use Permits (CUP) for wireless telecommunication facilities shall automatically expire after 10 years. Staff believes that this requirement is onerous and unnecessary since the Planning Commission can review any CUP under the proposed new Code. Therefore, staff recommends that this requirement be deleted. The Planning Commission concurred with this approach.

Blighted Buildings

May stakeholders expressed concern about vacant and blighted buildings along the County's main streets. Staff shares this concern, and believes that existing zoning and other planning programs are working to address such concerns to the extent possible without utilizing eminent domain. Staff believes that a strong economic development policy is the most proactive approach to addressing this issue. The Planning Commission concurred with this approach.

Animal Keeping

After the Planning Commission's consideration, additional correspondence was received recommending additional setback for animal keeping (refer to Attachment 2). Based on the previous extensive deliberations regarding this topic, staff recommend that the five-foot setback continue to be required, with the new requirement to ensure that animals are not kept closer to neighboring residences than the on-site residence.

Overlays

Per the Board's direction, staff discussed potential overlays with the various communities during the outreach effort. The purpose of the discussion was to accommodate distinct community character within the context of strengthened code enforcement. Based on the staff's outreach, there appears to be interest in Zoning Overlays for the communities below. Depending on Board direction, staff plans to develop Overlays for the communities and present drafts to the communities during the environmental review phase. All of the communities below expressed support for varying code enforcement provisions; based on previous input from County Counsel, staff does not recommend varying code enforcement by community.

Independence – the potential for varying standards for an Overlay were discussed with Independence Civic Club representatives and at the community workshop, including more stringent standards for trees and historic resources, and relaxations on Junk, recreational vehicle storage, storage in yards, parking, and height requirements. Staff recommends proceeding with crafting regulations for these issues. Some residents opined that single-family residences should be permitted within the CB zone; as discussed previously, staff does not concur. The Overlay boundary would coincide with the townsite boundary. The Planning Commission concurred with this approach.

Keeler/Darwin – residents of Keeler and Darwin expressed concern for Junk, fence height, animal keeping, storage in required yards, recreational vehicle storage, and existing structures that encroach into paper streets in Darwin in particular. Staff recommends proceeding with an Overlay for these issues, except for structures that encroach into paper streets. Potential standards include allowing Junk for non-commercial purposes by right and requiring a Modification permit for commercial purposes, providing some measure of health and safety for Junk, allowing fence heights up to eight feet, providing for animal keeping in Keeler on lots under ½ acre with a Modification permit, allowing for some limitation on storage containers (such as four on lots less than 9,000 square feet and up to eight on larger lots in Keeler, and four on lots less than 10,000 square feet and up to eight on larger lots in Darwin), and continuing to allow for storage in required front and corner side yards. Staff believes that encroachment of structures into streets should not be permitted; the County can work with residents to adjust property boundaries on a case-by-case basis, or through a broader effort. The Overlay boundary would coincide with the townsite boundary. The Planning Commission concurred with this approach.

Olancho/Cartago – residents at the community meeting expressed general disdain for standards of any kind. In particular, those speaking generally supported waiving all standards related to Junk, fence height, recreational vehicle storage, storage in required yards, and storage containers. Several residents expressed support for some limitation for these issues. Staff believes that residents at the meeting may not be representative of general sentiments in the community, and recommends a more limited approach to relaxing standards, including providing for health and safety standards for Junk, providing a maximum fence height (such as 12 feet), limiting the number of storage container (such as to four on lots up to an acre and up to eight on larger lots), and continuing to allow for storage in required front and corner side yards. The Overlay boundary would generally encompass non-OS zoning in the towns. The Planning Commission concurred with this approach.

Tecopa – interest was expressed for a nuanced approach to Junk, as well as greater fence heights in the front yard, more flexibility for animal keeping, and no limitation on storage in required side and corner side yards or recreational vehicle storage. Staff recommends allowing fence heights up to six feet in the required front yard, allowing for animal keeping on lots less than ½ acre with a Modification permit, and eliminating requirements for recreational vehicle storage and storage in yards. The Overlay boundary would generally encompass the non-OS zoning in Tecopa.

Charleston View – only one resident of Charleston View was present at the community workshop in Tecopa. While he expressed general support for the views of the Tecopa residents, it is unclear what is the general community sentiment. Staff's further discussions with property owners in Charleston View indicate that any desire for an overlay is mixed. Any Overlay would encompass private lands within the Charleston View area. Staff recommends not proceeding with a community overlay for Charleston View at this time; the Planning Commission generally concurred.

Trona/Homewood Canyon – staff met with residents of Trona and Homewood Canyon, who expressed interest in an overlay. Based on the input, staff recommends allowing for fence heights up to 12 feet, eliminating storage requirements in required yards, and allowing storage of up to eight recreational vehicles.

General Plan

Digital 395

Community input regarding incorporating Digital 395 into the General Plan seems positive. Staff recommends adding a Digital-395-specific chapter to the Land Use Element or Economic Development Element, and additional references in the Land Use, Economic Development, and Circulation elements. Potential policies include tying economic development opportunities to the Digital 395 network and community interconnection, facilitating broadband infrastructure in new development and redevelopment, and encouraging dig-once policies to minimize the expense and disruption of adding fiber in the future. The Planning Commission concurred with this approach. Staff plans develop this component per Board direction and conduct a Board workshop for this specific issue in the new year.

Healthy Communities

Input regarding strengthening the General Plan's approach to healthy communities appears positive. Staff recommends incorporating more healthy communities goals, policies, and implementation measures into the General Plan. Potential policies include supporting greater dial-a-ride service, further encouraging biking and pedestrian travel, and promoting locally grown fresh food and street trees. The Planning Commission concurred with this approach.

Energy Efficiency

Input regarding incorporating voluntary programs to encourage energy efficiency into the General Plan appears positive. Staff recommends adding a chapter to the Conservation/Open Space Element to address energy efficiency. Potential policies include incentive programs for energy

efficiency in new development, promoting a rewards program for energy efficient projects and persons/entities, and requiring the County to include energy efficiency in its new facilities if cost effective. As this effort is being funded by Southern California Edison (SCE), staff will work with SCE staff to either incorporate this work into the current effort or proceed separately. The Planning Commission concurred with this approach.

Scenic Highways

Concern was expressed about the proposal to eliminate and/or modify existing General Plan requirements to pursue scenic highway designation in the Circulation Element. This proposal evolved from a scheme presented to the Board several years ago to pursue scenic highway designation for a portion of Highway 395 consistent with existing General Plan, and the Board's rejection of the proposal, primarily due to its potential impacts to private property. If there is a desire to continue to encourage scenic highway designations in the County, staff, recommends that caveats be included to protect private property interests. The Planning Commission concurred with this approach.

Safety Element

Calfire provided extensive comments regarding the Safety Element pursuant to its new responsibilities under Senate Bill (SB) 1241 (refer to Attachment 2). Staff recommends addressing this input in an attachment to the General Plan Update Summary, including more detail about SB1241 in the Summary, and updating the Safety Element as needed. Staff plans to coordinate with local and State Calfire personnel throughout the process to work to ensure ultimate approval of the Safety Element update. The Planning Commission concurred with this approach.

Other General Plan Issues

Various other General Plan issues arose during the public outreach process.

Other Planning Efforts – Staff recommends adding several planning efforts from the last decade to the General Plan Update Summary, and if appropriate, updating the General Plan accordingly. These include the Eastern Sierra Land Ownership Adjustment Project, the Blueprint Planning Project, and the US Highway 395 Corridor Enhancement Project. The Planning Commission concurred with this approach.

Bishop Airport – Input was received to broaden goals, policies, and implementation measures to encourage development at the Bishop Airport. Staff recommends doing so, and the Planning Commission concurred with this approach.

Emergency Response/Access – Staff recommends that additional focus be provided for emergency response and access issues, in concert with the changes being discussed with Calfire. The Planning Commission concurred with this approach.

Circulation Element – Local Transportation Commission staff has recommended minor enhancements to the Circulation Element, primarily regarding details about the Eastern Sierra Transit Authority. The Planning Commission concurred with this approach.

Natural Wastewater Treatment – Inquiries have been received about the General Plan's approach to natural wastewater treatment. Staff recommends working with the Environmental Health Department to address such issues. The Planning Commission concurred with this approach.

Other Outreach

Staff alerted numerous State agencies with statutory responsibilities related to the proposed changes to the General Plan, and with the exception of Calfire, no responses have been received. Staff contacted appropriate representatives from the Department of Defense (DOD) about the update, as required by State law; although no official response has been received, a DOD representative reported verbally to County staff general acceptance of the proposed Military Operations Overlay and the other changes proposed. Staff also has created a comprehensive mail list of stakeholders and public agencies for the project; input received through this outreach effort is discussed herein.

Next Steps

Staff plans to present more detailed proposals to the Board for Code Enforcement and Digital 395 in January for direction. Once these are vetted, staff plans to update the Zoning Code and General Plan per the Board's direction (together with the direction from this workshop), publish the next iteration of the Zoning Code/General Plan document, and embark on environmental review later in winter, with final consideration later in the 2014. Additional opportunities for public input will be provided, and staff will continue to review and update the documents iteratively throughout the process.

ALTERNATIVES: The Board could direct staff to alter the approach to specific issues, or bring back specific issues for more in-depth consideration. Also, the Board previously directed staff to work directly with itself and the Planning Commission on the update; the Board could instead direct staff to form a General Plan Advisory Committee.

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. Funds for Willdan to prepare the draft Code were allocated from geothermal royalties by operating transfer to the General Fund/Planning Department budget.

APPROVALS

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 11/22/13

Attachments

1. Public Outreach Report
2. Correspondence

Introduction

During September and October of 2013, the Inyo County Planning Department held stakeholder meetings, interactive public outreach workshops, and public meetings throughout Inyo County as part of the 2013 General Plan and Zoning Code Update.

The outreach meetings were intended to educate government agencies, civic groups and the community about proposed updates to the General Plan and Zoning Code, and garner feedback on the proposed updates prior to commencing environmental review.

Stakeholder meetings were organized with other government agencies and civic groups to gather initial feedback on the proposed General Plan and Zoning Code Updates. The stakeholder meetings included meetings with the City of Bishop, Bishop City Council, the Bishop Planning Commission, the Inyo County Local Transportation Commission, the Bishop City Chamber of Commerce, the Independence Civic Club, the Eastern Sierra Broadband Consortium, the Death Valley Natural History Association, CALFIRE, the Integrated Regional Water Management Program, Death Valley Unified School District, the Olancha Community Services District (CSD), the Keeler Community Services District (CSD), as well as various business owners. Tribal Communities consultations were also initiated pursuant to Senate Bill 18.

Public workshops were held in Bishop, Lone Pine, Independence, Big Pine and Tecopa. Additionally, smaller outreach meetings tailored to specific community concerns were held in Keeler and Olancha. The workshops were primarily intended to educate Inyo County residents on the proposed General Plan and Zoning Code Updates, and in particular, to gauge public opinion on the proposals to strengthen code enforcement and the development "community character overlays." The public workshops provided the opportunity to gain an understanding of each community's unique character, hear the goals and concerns of each Inyo County community, and solicit input on General Plan policies addressing energy efficiency, healthy community strategies and Digital 395 opportunities.

In addition to stakeholder outreach and the community meetings, Inyo County constituents were encouraged to submit written comments via mail or email, and several written comments were received.

Stakeholder Outreach

Stakeholder meetings were held with pertinent government agencies and civic organizations in Inyo County that requested consultation. Invitations to participate in stakeholder session were issued to the Inyo County Planning Department general mailing list, which includes stakeholders from the County, State and Federal agencies, Inyo County school districts, community services districts, the military, environmental groups, civic organizations and other interested constituents. Additionally, public notices were placed in *The Inyo Register*, *The Sierra Reader*, *El Sol de la Sierra*, *The Sierra Wave*, and *Blogging Bishop*. The Stakeholder Outreach meetings were intended to gather initial input on the proposed General Plan and Zoning Code updates from affected government and civic agencies, and were held prior to general public workshops in part to inform the outreach process.

Staff alerted numerous State agencies with statutory responsibilities related to the proposed changes to the General Plan, and with the exception of CALFIRE, no responses were received. Staff contacted appropriate representatives from the Department of Defense (DOD) as required by State law about the update; although no official response has been received, a DOD representative reported verbally to County staff general acceptance of the proposed Military Operations Overlay and the other changes proposed.

Additional outreach included a staff presentation of the General Plan and Zoning Code Update to Inyo County Department heads on July 19th, a meeting with Mono County Planning Department staff on August 15th, a presentation to the Agricultural Commission on August 19th, and a meeting with the U.S. Forest Service on September 30th.

Keeler CSD, July 8th and August 8th, 2013

Keeler representatives were primarily concerned that the proposal for proactive code enforcement would place an undue financial burden upon residents due to the unique character of their community, and would inhibit their freedom of personal expression. In particular, proactive enforcement of the "Junk" provision would curtail their ability to have "Yard Art." During the meeting with the Keeler CSD, the Planning Department explained the option of developing a Community Character Overlay that would tailor zoning enforcement to the Keeler community. It was agreed that Keeler residents needed to define the health, safety and welfare distinctions between "yard art" and "junk". The Planning Department agreed to host a community outreach workshop in Keeler with residents to help develop a Community Character Overlay.

Natural Resources Advisory Committee, August 8th, 2013

The Inyo County Natural Resource Advisory Committee (NRAC) expressed concern regarding the proposal for strengthened code enforcement and advised that language be included to exempt cultural resources from the "junk" provision. NRAC also voiced concern over the removal of policies encouraging the scenic designations for Highway 395.

City of Bishop, August 16th, 2013

The City of Bishop is the only incorporated city in Inyo County. The City of Bishop is surrounded by unincorporated County land and may be indirectly affected by the updated General plan and Zoning Code policies. The City of Bishop staff was supportive of the proposal for proactive zoning enforcement. The Planning Department explained that a community character overlay zone could be created for the Bishop area community if requested. It was also discussed that a community character overlay may be appropriate for areas affected by the RMH and R-1 zone merge.

Olancha CSD, Monday August 19th, 2013

Similarly to the community of Keeler, Olancha and Cartago residents are concerned that strengthened, and in particular *proactive* code enforcement would penalize their lifestyle and alter the character of the community. Specifically, residents expressed concerns that the enforcement of the "junk" provision is unfair to low income residents who need to maintain storage of materials in their yard because they

can't afford new items, and will not be able to pay for removal or screening of items to be in compliance with new ordinances. Residents expressed that they would prefer to have an overlay that exempts them from any code enforcement, and that the community should be involved in developing a definition for "junk" and be empowered to define their own community character. The Planning Department agreed to host a community outreach workshop in Olancho with residents to help develop a Community Character Overlay.

Local Transportation Commission, August 21st, 2013

The Local Transportation Commission expressed concern regarding inconsistencies between Economic Development policies and the proposed removal of General Plan polices related to Scenic Highway Designations. The Planning Department explained that the Board of Supervisors declined to continue pursuing the Scenic Highway Designation because the regulations were too burdensome for adjacent property owners. The Local Transportation Commission asserted that it is inconsistent to propose strengthened and proactive code enforcement, while removing polices that would result in increased tourism to the County due to the perception that the regulations associated with the designations would be overly burdensome to property owners.

Independence Civic Club, August 26th, 2013

The Independence Civic Club expressed the desire to see preservation of historic resources codified in the zoning code. The Civic Club expressed particular concern that the proposal to strengthen code enforcement would increase regulatory burdens on properties, while neglecting to include enforcement to protect County historical resources that attribute to the character of the community and make Inyo County communities unique. The Civic Club expressed concern that proactive zoning enforcement will incur economic hardships on low income and elderly residents that do not have the means to come into compliance. The Civic Club advised that the zoning ordinance shouldn't be enforced the same throughout Inyo County due to sweeping diversity in community character and demographics found throughout the County. The communities of southern Inyo County are different from Lone Pine, Independence, Big Pine, and Bishop.

The Independence Civic Club also conveyed concern regarding the protection of "dark skies" in the zoning code and suggest the Planning Department consider case studies of Dark Sky Communities to identify polices that could be incorporated in the Inyo County General Plan and Zoning Code.

In addition, the Independence Civic Club suggested that the Planning Department consider including a tree ordinance that would protect trees, especially street trees, throughout Inyo County.

Other concerns discussed during the meeting with the Independence Civic Club included the impacts of the revised Special Event Permits on festivals in Independence, the number of vehicles allowed per property, code enforcement addressing distracting LED signage along Highway 395, setback requirements from alleys receiving state funding and the exclusion of single family residences in the Central Business District. The Independence Civic Club felt that allowing single family residences in the Central Business District on Highway 395 in Independence could serve as an incentive to attract infill development into their community.

Additionally, the Independence Civic Club suggested including policies in the General Plan to support expansion of Eastern Sierra Transit Authority routes to currently underserved populations in Southern Inyo Communities.

Finally, the Independence Civic Club expressed interest in developing a Community Character Overlay for Independence.

City of Bishop Planning Commission, August 27th, 2013

The Inyo County Planning Department made a presentation to the City of Bishop Planning Commission on the proposed updates to the General Plan and Zoning Code. The City of Bishop Planning Commission had limited comments on the proposed updates, but expressed support for strengthened code enforcement.

Inyo County Associate Dinner, September 16th, 2013

Planning staff made a presentation during the Inyo County Associates Dinner describing the General Plan and Zoning Code Updates, the planning process and inviting the public to participate in the upcoming community outreach workshops. Staff had previously announced the opportunity for public involvement in the General Plan and Zoning Code updates at the Inyo County Associates Dinner in 2012.

Bishop Chamber of Commerce, September 18th, 2013

The Bishop Chamber of Commerce was primarily concerned with the proposed policy to ban short term rentals in Inyo County. The Chamber asserted that Inyo County is a tourist based economy, and visitors to the region frequently ask if there are vacation home rentals available in the area that could accommodate a family. The Chamber said that banning short term rentals would make the region less competitive with other family destinations. They Chamber also was interested in the development of General Plan policies supporting economic development, particularly those associated with tourism and the construction of Digital 395.

State Board of Forestry and Fire Protection, September 27th, 2013

Pursuant to SB 1241, Planning Staff submitted the proposed updates to the General Plan Safety Element to the State Board of Forestry and Fire Protection (CALFIRE) for review and comment, who provided standard recommendations to improve the Safety Element and to comply with updated legislation. Planning Staff held a subsequent meeting with CALFIRE to obtain clarification on their review and determine how to proceed with adopting the updated Safety Element. In general, many of CALFIRE's comments are addressed by policies in other elements of the General Plan or are not relevant to Inyo County due to the character of the County. Staff will work to address CALFIRE's outstanding concerns and resubmit the updated Safety Element to the CALFIRE at least 90 days prior to adoption.

Inyo County Public Works Department, September 30th, 2013

The Inyo County Planning Department consulted with the Inyo County Public Works Department to ensure that the proposed General Plan and Zoning Code Updates were in compliance with Building and Safety regulations, and accommodated the concerns of the Public Works Department. The Public Works department indicated that they were supportive of proposed fence height restrictions, noting that any built structure over six feet high needs to be engineered and requires a building permit. Public works is somewhat concerned about the proposed four and a half foot fence height limitation within the front yard setback for to prevent potential accidents due to line of sight limitations that could occur with higher fence heights above the current three feet in front yards.

In regards to proposed code enforcement updates, the Public Works department requested that the Planning Department work with them to ensure the administrative hearing process is consistent between County Departments.

David Blacker, Death Valley Natural History Association, October 3rd, 2013

Staff met with David Blacker, Executive Director of the Death Valley History Association to discuss proposed updates to the General Plan and Zoning Code. While he was supportive of the proposed updates he stressed the priority of providing certain basic infrastructure to legacy communities, including broadband access. He suggested the County make a thorough inventory of the infrastructure needs in all legacy communities, including Pearsonville, Sage Flat, Chicago Valley, Stuart Valley, and Sandy Valley, and ensure they are addressed in the updated General Plan policies.

He also expressed significant interest in economic development for the Southeast County. He observed that Shoshone and Tecopa have the largest amount of developable land, and asked the County to identify strategies to diversify the economy beyond tourism. He suggested one strategy for investing in long term economic development is to invest in the infrastructure to support additional economic growth.

Cynthia Kinetz, Death Valley Hostel, October 4th, 2013

Staff met with Cynthia Kinetz of the Death Valley Hostel in Tecopa. Ms. Kinetz also expressed concern for general plan policies addressing economic development, particularly those promoting tourism in the Southeast County. She expressed the Old Spanish Trail and the remote nature of the Tecopa area both present opportunities to draw increased tourism from Las Vegas.

Jim Copeland, Death Valley Unified School District, October 4th, 2013

Staff presented the proposed General Plan and Zoning Code Update to Jim Copeland, Superintendent of the Death Valley Unified School District. He expressed strong support for strengthened code enforcement, particular to deal with code violations in Charleston View. He suggested that a lack of code enforcement in the Southeast County has resulted in people dumping unused mobile homes in the Charleston View vicinity, squatters, and other illegal activity. He suggested that the culmination of these factors has diminishes opportunities for development in the Southeast County.

Inyo-Mono IRWMP Program, October 14th, 2013

Staff met with the Inyo Mono Integrated Regional Water Management Plan (IRWMP) Program to discuss integration of their efforts into the Inyo County General Plan Update. IRWMP is a nonprofit group that is part of a statewide effort to find and implement truly integrated and solutions for water management issues. They have been working with Inyo and Mono Counties on a computer mapping project that will allow counties to implement their water system boundaries into a statewide online database. They were specifically interested in collaborating to share information and resources regarding recently implemented state legislation, and also looking to more generally align IRWMP goals with county planning goals to present a common approach going forward with respect to future projects. In particular, IRWMP was interested in Inyo County's General Plan policies addressing legacy communities, and identifying opportunities for map sharing between Inyo and Mono Counties. Staff will continue to engage IRWMP as the General Plan Update progresses.

Bishop City Council, October 15th, 2013

Staff presented the proposed General Plan and Zoning Code Update to the Bishop City Council. The Bishop City Council was supportive of the proposed updates. Councilman Glidewell inquired as to whether the County was amenable to including General Plan policies encouraging use of solar streetlights in future County projects. Subsequent conversations with the Director of Public Works indicated support for including such policies in the General Plan update.

Trona & Homewood Canyon, October 19th, 2013

Staff met with residents of Trona and Homewood Canyon regarding the General Plan and Zoning Code update, as well as Digital 395. Residents expressed interest in an overlay. In particular, residents expressed interest in having no restrictions on junk, fence heights, or requirements for storage in yards and recreational vehicle storage.

Eastern Sierra Broadband Consortium, October 24th, 2013

Staff met with Julie Langlou of the Eastern Sierra Broadband Consortium to discuss General Plan policies addressing Digital 395. The Eastern Sierra Broadband Consortium is interested in collaborating the County to develop General Plan policies that will ensure the success of Digital 395 infrastructure as a communications and economic development tool. The Consortium is particularly interested in helping the County developing "dig once" policies to encourage further construction of broadband conduit when appropriate and minimize future costs of infrastructure development. Staff agreed to develop general plan policies promoting and encourage construction of and economic development associated with Digital 395 and will work with the Public Works department to determine the appropriate implementation mechanisms for General Plan policies.

Community Outreach Workshops

Community Outreach Workshops were held in the communities of Bishop, Lone Pine, Independence, Big Pine and Tecopa. Public meetings were held in the communities of Keeler and Olancho. To encourage public participation Planning staff distributed outreach flyers in each community, sent direct mailings to stakeholders and community advocates, held one-on-one consultation phone calls, and placed public notices in *The Inyo Register*, *The Sierra Reader*, *El Sol de la Sierra*, *The Sierra Wave*, and *Blogging Bishop*. A press release describing the planning process and inviting the public to participate was published in *The Inyo Register* and *The Sierra Reader*. Staff also gave radio interviews on KIBS and KBOV describing the planning process and inviting the community to participate. There were 132 public workshop attendees countywide (see Figure 1).

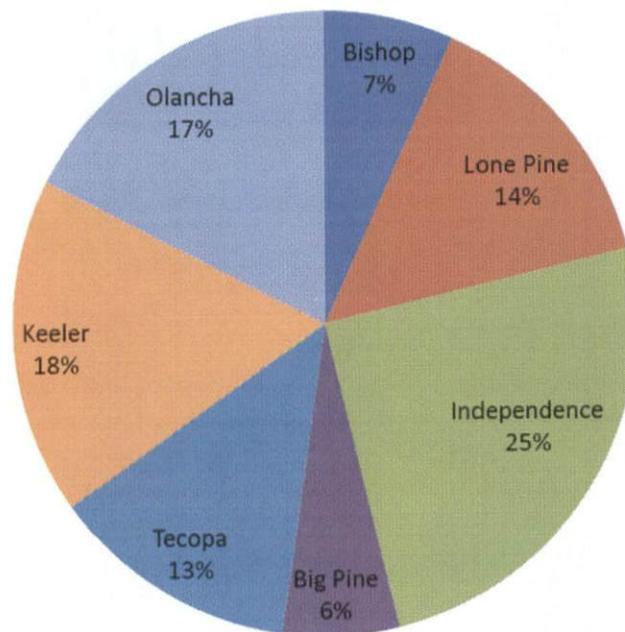


Figure 1: Workshop Participation

Workshop Goals

A community workshop is a facilitated public meeting intended to engage project stakeholders and community members in articulating a vision for the future of their community. A community workshop allows the community to have a participatory role in the planning process and encourages the community to take ownership of proposed plans and policies. The goals of the public outreach workshops were to:

- Identify how residents define their community character.
- Develop an understanding of what the community wants to be in the future and how that vision can be implemented through specific policies.
- Collect qualitative feedback on community members' preferences on General Plan policies addressing energy efficiency, healthy communities, and Digital 395.

- Allow community members to define what constitutes “junk” and should be regulated by the County as a violation to the health, safety or welfare of the community.
- Gauge public opinion on the proposal for strengthened and proactive code enforcement.

Process and Methodology

The public outreach workshops were designed to be informative and interactive. Planning staff began workshops by explaining the background of the General Plan and Zoning Code updates, and providing a brief, but thorough overview of the updates. After the introduction, workshop participants were asked to describe their community character and participate in interactive policy exercises. A typical workshop agenda is described below:

- Introductions
- General Plan and Zoning Code Overview
- Community Character Exercise
- Policy Exercises
 - Code Enforcement
 - “Junk” vs. “Art” Exercise
 - Energy Efficiency Policies
 - Healthy Community Policies
 - Digital 395
- Summary Discussions
- Public Comment



Figure 2: Residents Participating in Policy Exercise

During the community character exercise, participants were asked to describe what characteristics make their community unique, what aspects of their community they like, what aspects of their community they would like to see changed, and what they would like their community to look like in ten years. The results of the community character exercise will be discussed further in the analysis of workshop results for each individual community.

Residents were asked to indicate their support for or against proactive and strengthened code enforcement on a scale ranging from “I do not support” to “Highly Supported.”

In order to facilitate a discussion around the definition of “junk” and how to appropriately enforce zoning regulations for junk, residents were presented with a series of images of that fit within Inyo County’s definition of junk, and asked to indicate which images they felt constituted a potential health, safety and welfare hazard with a red voting sticker. Images which they felt did not constitute a hazard were indicated with a green voting sticker.

During the interactive policy exercises, potential General Plan policies addressing healthy communities, energy efficiency, and Digital 395 were displayed, and residents were asked to vote for or against policies they either would support or would not support including in the General Plan.

A group discussion regarding the development of a community character overlay was also included in the agenda for workshops held in Keeler, Olancho and Tecopa.

Each community was also given the opportunity to define what they love and hate about their community, describe what the County has overlooked in the update and to write their own policy suggestions. Independence was the only community that provided feedback in this exercise.

After the interactive exercise, Planning staff summarized their understanding of how the community feedback, and asked for clarification as necessary. The meetings closed with an open public comment period.



Figure 3: Staff leads Community Character Exercise

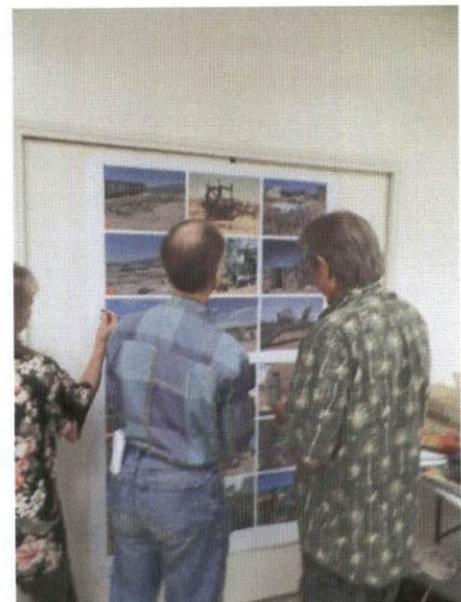


Figure 4: Residents vote on "art" vs. "junk"



Figure 5: Residents participate in interactive exercises

Public Workshop Summary

Strengthened Code Enforcement

Overall, the proposal for strengthened and proactive code enforcement is not popular in Inyo County. Eighty-three percent of participants indicated that they do not support the proposal (see figure 6). Many participants indicated that they were not opposed to policies that would strengthen code enforcement, such as fines and referral to the County Counsel for failure to comply. In fact, many residents suggested that strengthened code enforcement could be a valuable tool to solve problems with ongoing violators in their communities. However, most residents indicated that they were strongly opposed to proactive code enforcement. Residents expressed distrust in authorizing the County to issue citations upon observation.

Workshop participants were also asked to provide feedback on how they would define “junk” through an interactive exercise. In general, most Inyo County residents exhibited a high level of tolerance for allowing “junk” on their own or their neighbors’ properties. There was general consensus that the definition of “Junk” in the Inyo County Codebook is overly broad and should be rewritten to be more specific. In particular, many residents expressed that items that can be reused for a purpose should not necessarily be considered “junk” and that there is a distinction between “junk” and “trash”. Another frequently voiced concern was that limiting “junk” in legacy communities places a financial burden on low income, elderly and disabled populations. Finally, workshop participants generally agreed that items that are potentially hazardous, toxic or pose a danger to the community should be regulated by the County and subject to enforcement under new zoning code policies.

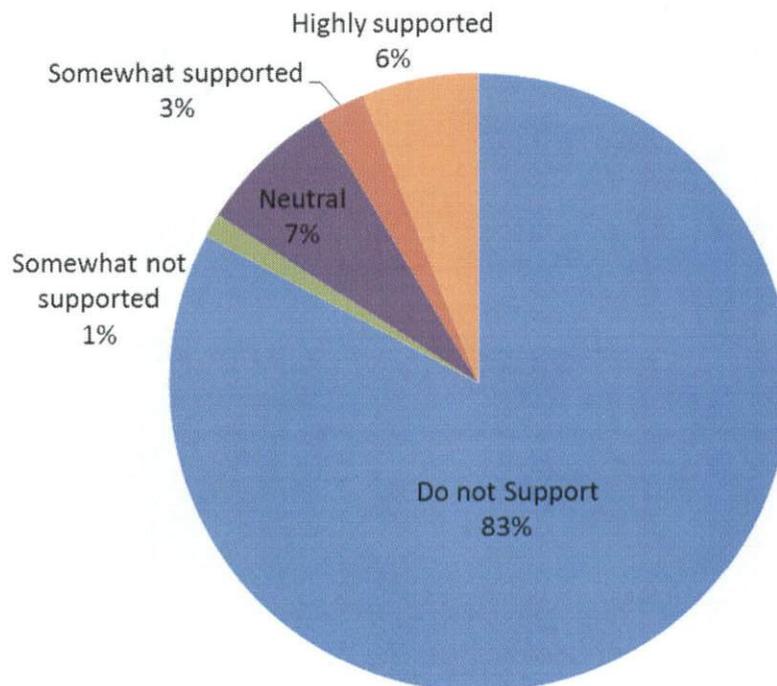


Figure 6: Support for Proactive Code Enforcement

Energy Efficiency Policies

Workshop participants were asked to indicate their support for incorporating various energy efficiency initiatives into the General Plan, including policies from the Inyo County Cost, Energy, and Service Efficiencies Action Plan (CESEAP) and policies that would either provide incentive or require new construction to exceed new State regulations for energy efficiency.

The CESEAP is a study developed by the Inyo County Planning Department in 2012 which outlines strategies and programs that will guide energy reduction at County facilities. The CESEAP also establishes a long term vision and plan for energy efficiency in the County. The County is proposing that when it is cost effective and there are obvious cost savings to the County it will voluntarily use standards 15% to 30% more efficient than the mandatory State standards. Sixty-five percent of workshop participants indicated that they would support incorporating actions from the County of the Inyo CESEAP into the General Plan (see figure 7).

Overall, County residents were supportive of incorporating policies into the General Plan that would provide incentives and recognition for new construction exceeding state energy efficiency requirements, but were opposed to the County requiring new construction to exceed state requirements. Residents supported incentive policies for both new residential and commercial construction.

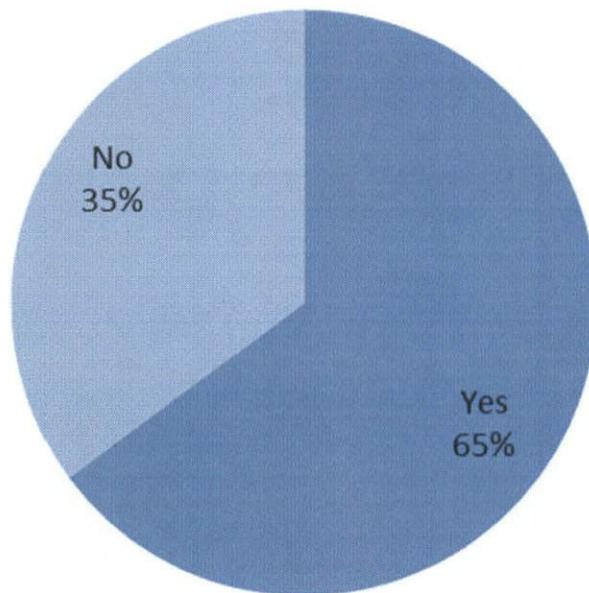


Figure 7: Support for Incorporating Policies from the CESEAP Policies into the General Plan

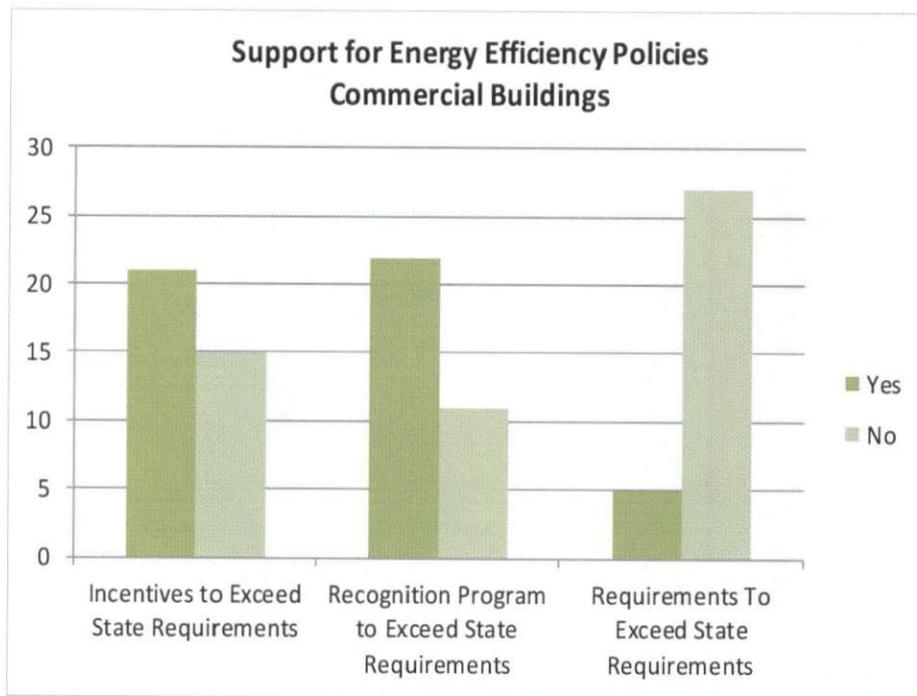


Figure 8: Support for Energy Efficiency Policies for Commercial Buildings

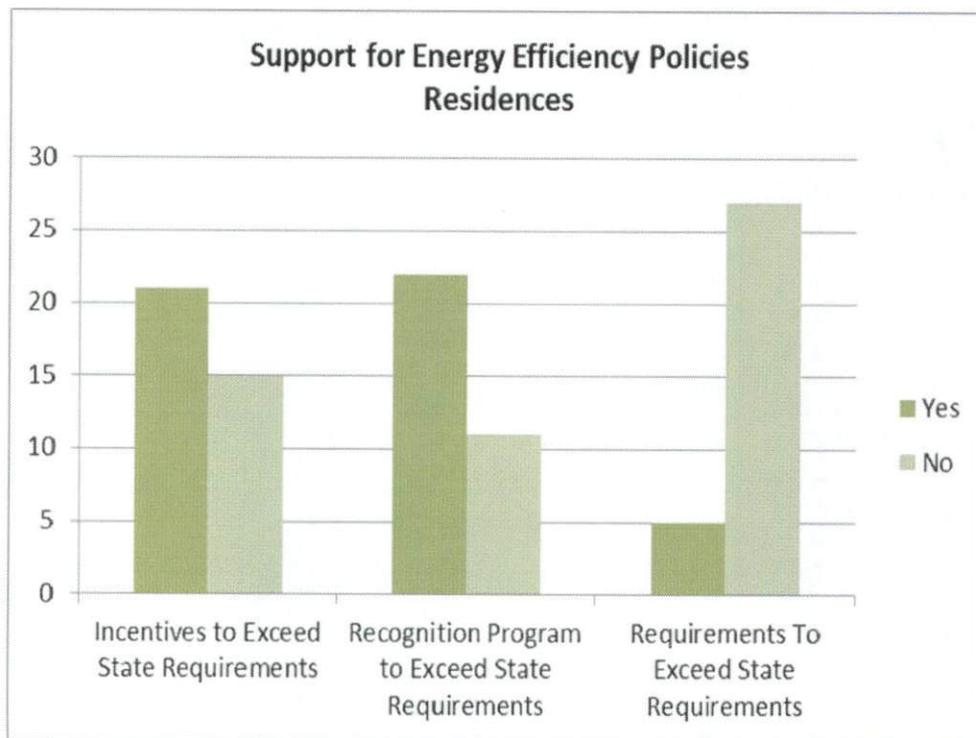


Figure 9: Support for Energy Efficiency for Residential Buildings

Access to Local Produce

Workshop participants were asked to provide feedback on proposed policies addressing healthy communities, including policies encouraging access to local produce, and policies that encourage more walkable neighborhoods and accessibility for elderly and disabled residents.

Residents were largely supportive of including general plan policies that would encourage farmers' markets, community gardens and access to local produce.

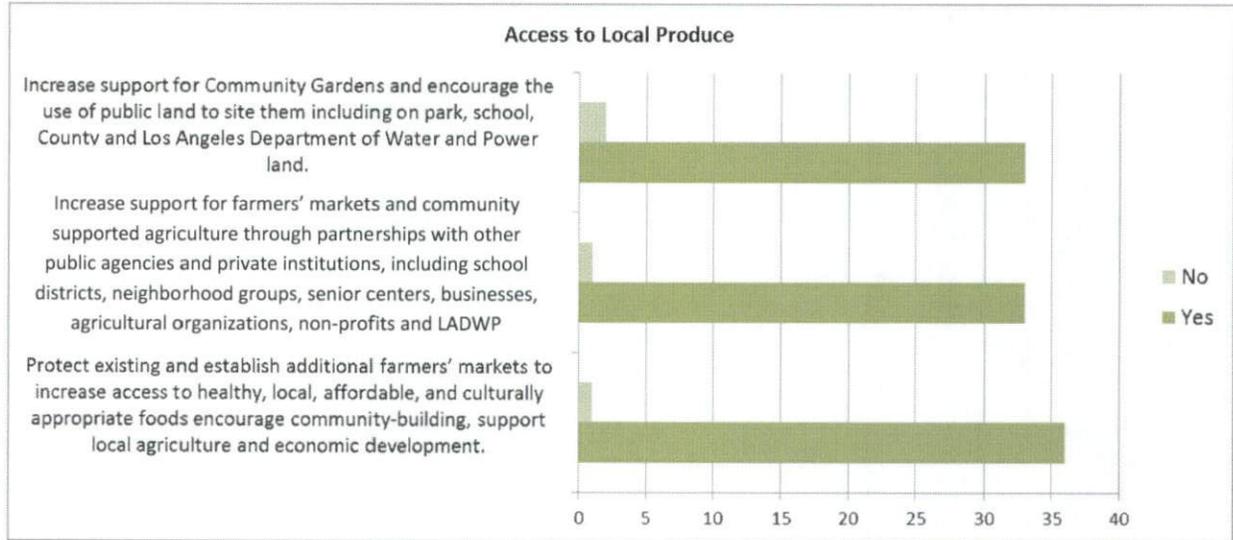


Figure 10: Support for Policies Encouraging Access to Local Produce

Walkability and Accessibility

In general, participants were supportive of polices addressing more walkable and accessible communities. There was near unanimous support for identifying missing links in sidewalk networks near essential public facilities and identifying funding opportunities for construction and maintenance. Other popular policy ideas included developing bike and walking paths in communities, expanding Eastern Sierra Transit Authority routes and working with higher education institutions to develop a cost/benefit analysis of street trees in communities.

Policies to create diagonal parking off on side streets from Highway 395 to create a more pedestrian friendly environment were not supported by workshop participants.

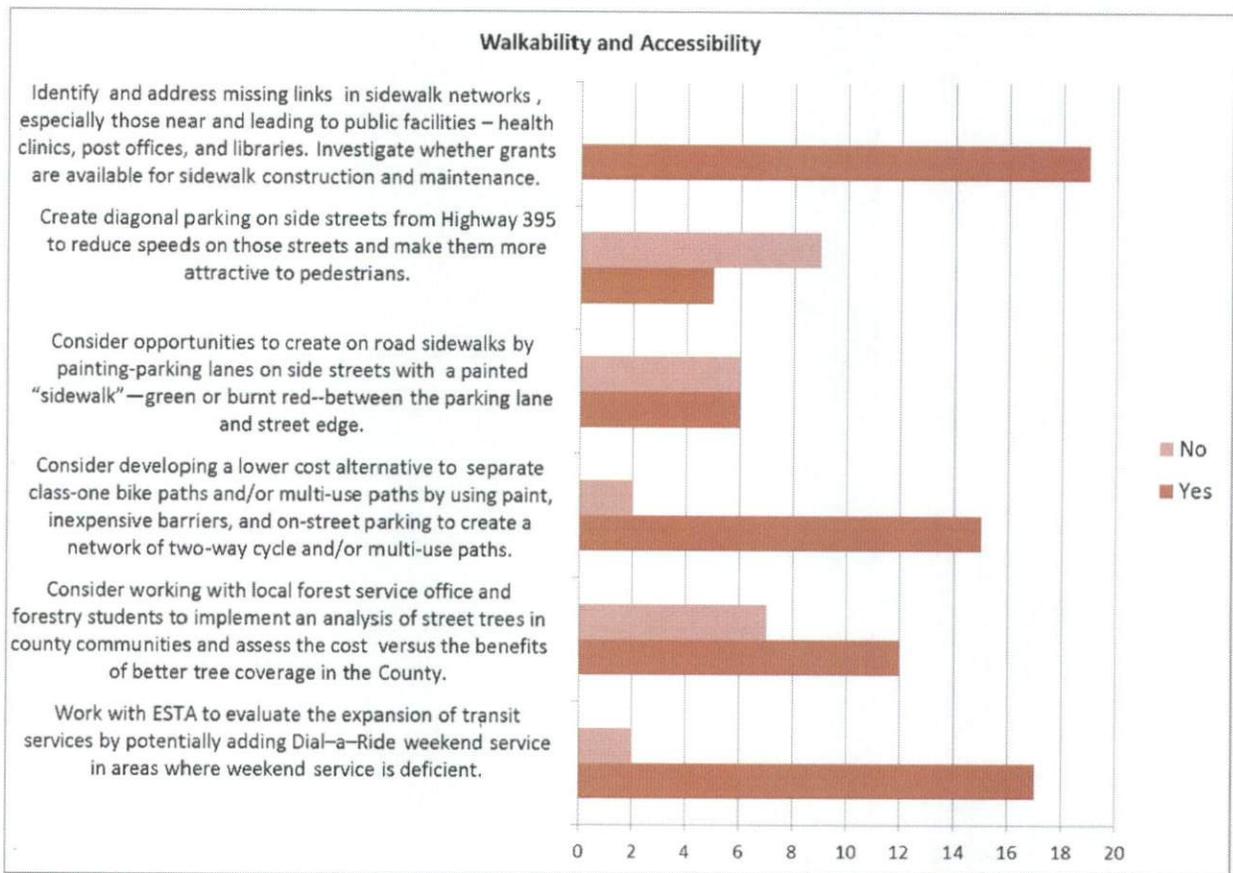


Figure 11: Support for Policies to Encouraging Walkable and Accessible Communities

Digital 395

In response to the nearly-completed construction of the Digital 395 project, the Planning staff, in collaboration with the Mono County Planning Department, developed several general plan policies addressing opportunities and future information system infrastructure construction in Inyo County. Workshop participants were asked to provide indicate their support for including such policies in the General Plan.

Workshop residents strongly supported all polices associated with Digital 395, especially policies that would support future construction of broadband in Inyo County, and policies to increase government accountability through improved information systems.

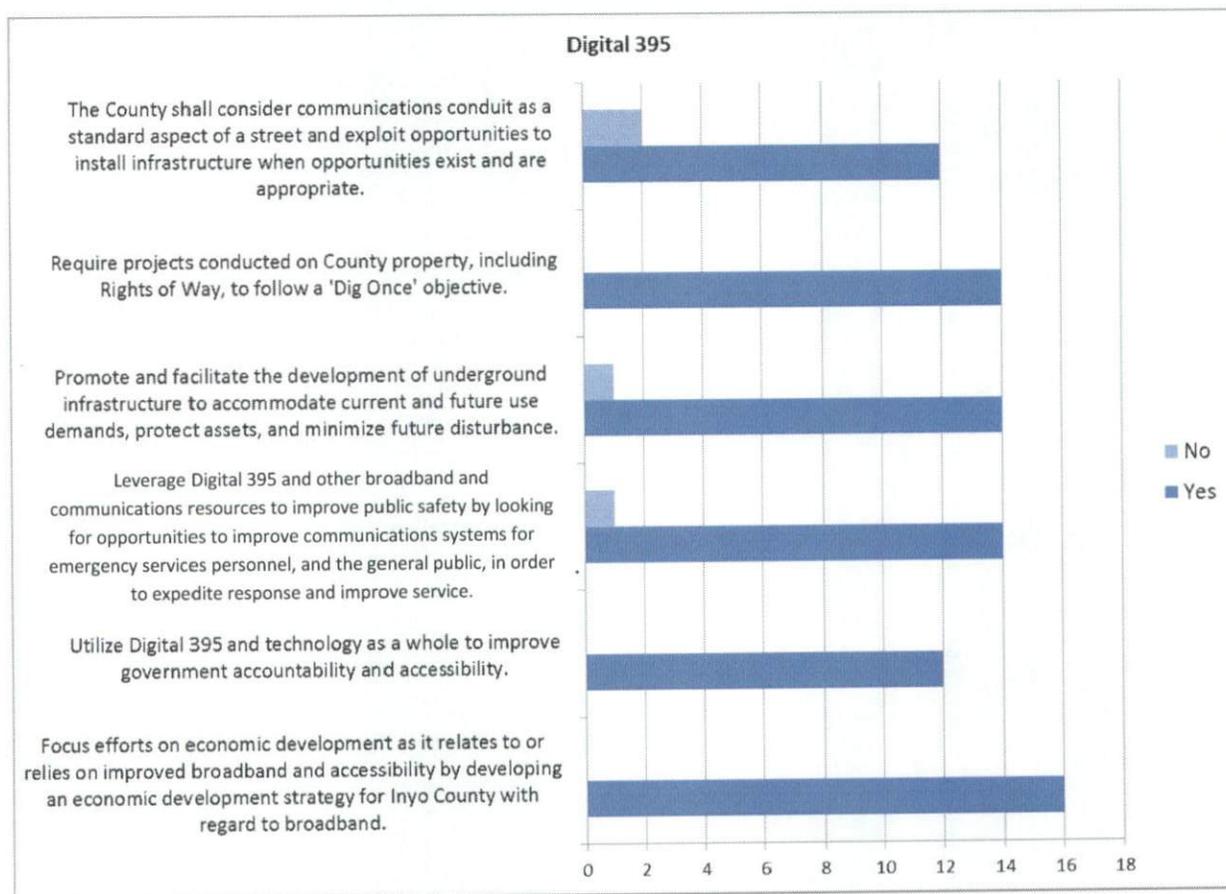


Figure 12: Support for Policies Addressing Digital 395

Bishop Public Outreach Workshop

The Bishop Public Outreach Workshop was held on Wednesday, September 11th, at 6:00 pm. There were nine people in attendance, including three Supervisors and two Planning Commissioners.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Bishop and what makes their community unique:

- Surrounded by open space
- Mountain views
- Homey
- Creeks and streams
- Dynamic
- Family oriented
- CC&Rs shape the character of the community
- Beautiful
- Not “junk-up” by haphazard uses
- Family Oriented, tight-knit neighborhoods
- Working landscapes
- Connected to schools

Workshop participants made the following comments regarding what is not working in their community:

- Blanket zoning and regulations don't work because neighborhoods and communities are very diverse
- Zoning changes can cause confusion between new and old property owners
- Would like to see more mixed-use zoning

Strengthened Code Enforcement

In general, Bishop residents were neutral on the subject of strengthened and proactive code enforcement policy. Approximately one third of workshop participants stated that they did not support proactive code enforcement.

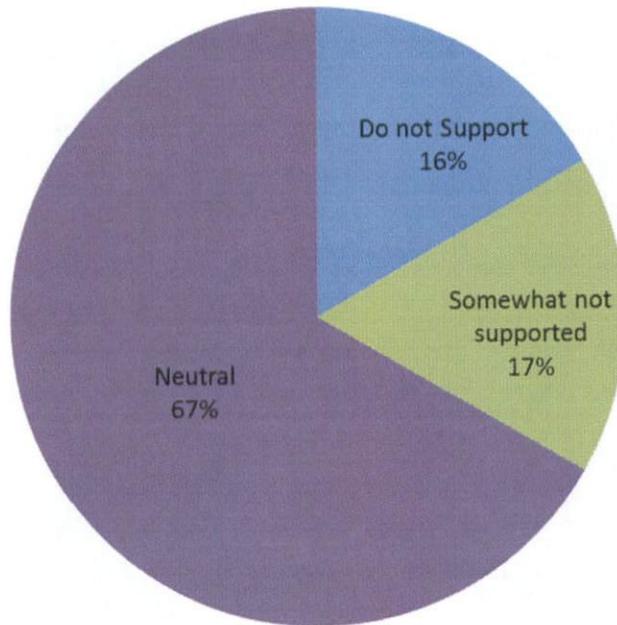


Figure 13: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a green voting sticker.

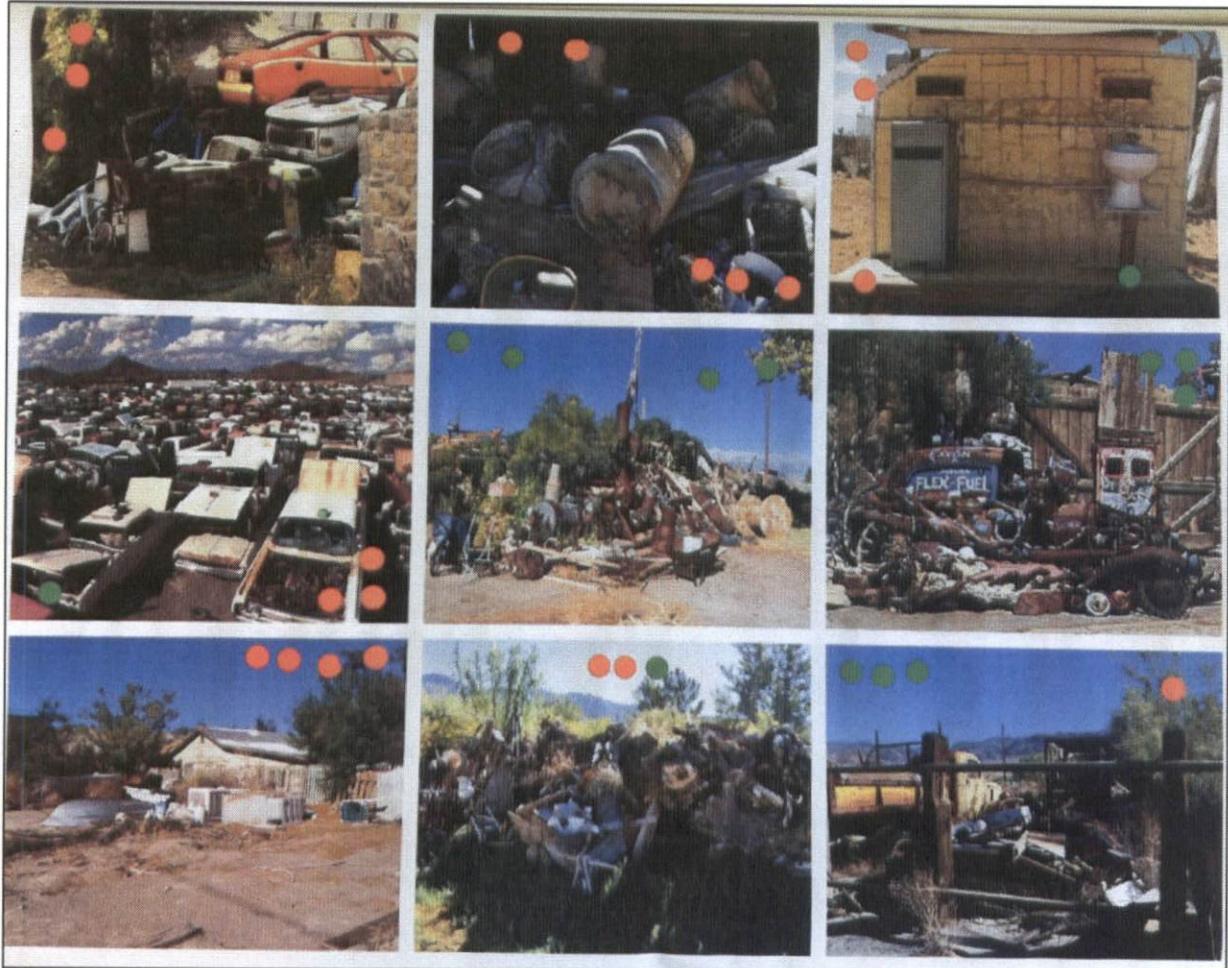


Figure 14: "Junk" vs. "Art" Exercise Results - Bishop



Figure 15: "Junk" vs. "Art" Exercise Results - Bishop

Lone Pine Public Outreach Workshop

The Lone Pine Public Outreach Workshop was held on Thursday, September 12th, at 6:00 pm. There were 19 people in attendance; six of the participants were from Keeler, two were from Olancha and one was from Big Pine.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Lone Pine and what makes their community unique:

Lone Pine

- Consistent setbacks – conformity
- Attractive to visitors
- Businesses provide sidewalk appeal
- Welcoming
- Agricultural character
- Laid-back and friendly
- Structures have interesting character
- Tourists like the character of the town/old cars/mountains
- Different people and different interests, respect for diversity
- Vibrant, walkable
- Streets are wider than normal
- Setbacks may be too restrictive

Keeler

- Artistic “junk”
- Tolerant of different lifestyles
- Town of individuals
- Resourceful
- Like the lack of uniformity
- All the houses are different
- High walls keep out dust and wind
- Wildlife, especially birds
- Not suburbia
- Tourists like and are interested in the uniqueness and character of the town

Olancha/Cartago

- Different sized lots
- People can do what they want

Workshop participants made the following comments regarding what is not working in their community:

- Noise pollution from military exercise
- There is no code enforcement currently

Workshop participants made the following comments regarding where they would like to see their community in 10 years:

- Fewer vacant and dilapidated properties
- Less empty stores
- All buildings active
- Fewer “eyesores” and blight
- Absentee owners are a problem
- Cottage industries will create a vibrant community

Strengthened Code Enforcement

Eighty-seven percent of participants in the Lone Pine workshop were not supportive of a proactive code enforcement policy, while 13% were highly supportive of a proactive zoning ordinance.

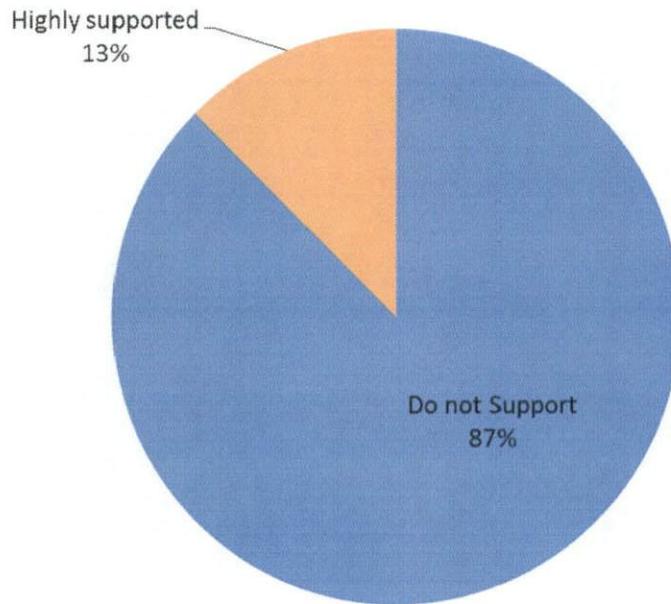


Figure 16: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a green voting sticker.

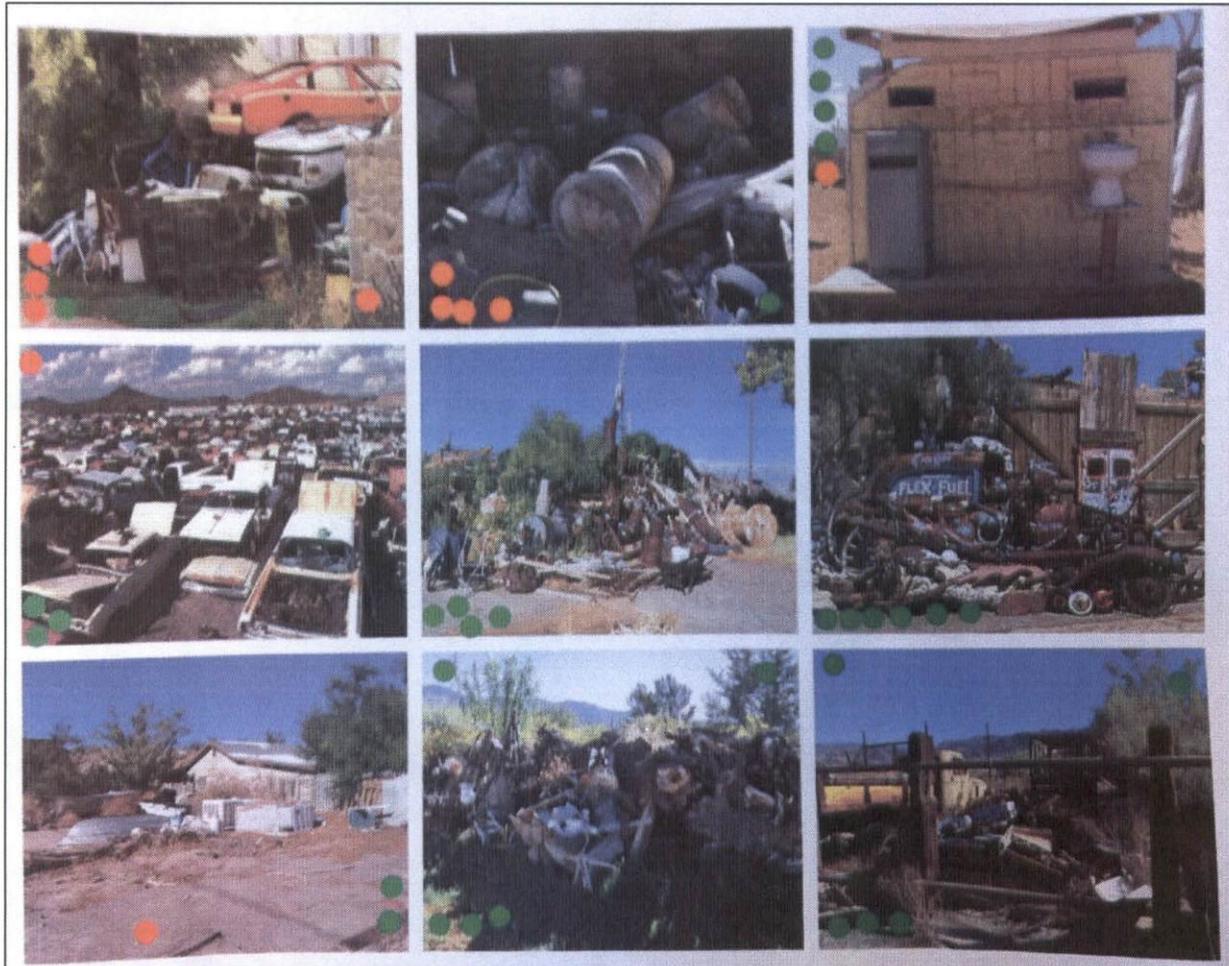


Figure 17: "Junk" vs. "Art" Exercise Results - Lone Pine



Figure 18: "Junk" vs. "Art" Exercise Results - Lone Pine

Independence Public Outreach Workshop

The Independence Public Outreach Workshop was held on Wednesday, September 18th, at 6:00 pm. There were 33 people in attendance.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Independence and what makes their community unique:

- 4th of July
- 500 people that take care of themselves
- Historic landmark architecture
- Quiet
- Each home is individual
- Not cookie-cutter
- No big city rules
- Open space
- Wide streets
- Open space in yards
- Local food
- Working yards
- Lots of shade trees
- Dark night sky
- Tolerance for other people's activities
- Lots of different pieces – crazy quilt
- No stoplights
- Car gardens- different vehicles for different purposes
- Busy, active yards
- Utilitarian yards
- Gradient from town to adjacent agricultural
- Civic buildings
- Strong community events & support
- We have a train (locomotive)
- Close knit community
- Don't hesitate to ask for help
- Open space access
- Museum
- Patriotism – 7 flags on one street
- Native Americans
- Visitors
- World-class scenery

Workshop participants made the following comments regarding what is working about the General Plan currently:

- Continued civic presence
- People are gardening and want more space for gardening

- Continuation of “reactive” code enforcement
- Continue land use policies for parks

Workshop participants made the following comments regarding what is not working in their community:

- Stronger codes/policies to preserve historic buildings
- Current developments becoming more industrialized
- Loss of trees is unappealing, would like policies to protect street trees
- Pocket parks/trees need to be addressed
- Economic development/tourist attraction
- Mixed-use residential development in Commercial Business District
- Need to protect/nurture street trees
- Need to have incentives for revenue producers for towns/county (e.g. Hotels)
- Try to attract new businesses with incentives
- Expand existing businesses
- Want to see historic study for buildings owned by LADWP
- Uniform signage for visitors
- Stronger lighting enforcement
- Low signage should be considered too for safety reasons
- Address big trucks parking in town
- Speed limit is too fast for Independence
- Should consider historic preservation ordinance
- Update historic structures first
- Junk in yards effect property values
- Blight on Main Street
- Vacant buildings
- Need for screening for construction
- Vacancies affect other businesses/museum

Workshop participants made the following comments regarding where they would like to see their community in 10 years:

- Vibrant
- More community commerce
- More attractive (user friendly) to visitors
- Kiosks, maps
- More housing
- More vegetation
- Streetscaping
- More trees
- Pedestrian bridge
- Food production/storage for a sustainable food system
- More policies for local food
- Don't want to see communities sprawl
- Encourage people to live in 2nd homes (often unoccupied)

- Tax incentives or disincentive to decrease absentee landlords
- Want to see American Legion Hall restored
- Want to see Civic buildings restored

Strengthened Code Enforcement

Seventy-eight percent of participants in the Independence workshop were not supportive of a proactive code enforcement policy, while 17% were highly supportive of a proactive zoning ordinance. Five percent were neutral about the updated zoning policy.

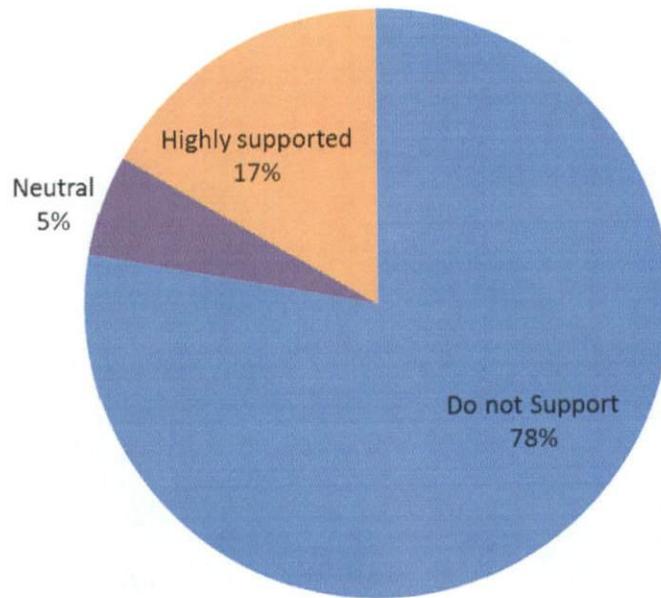


Figure 19: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a green voting sticker.

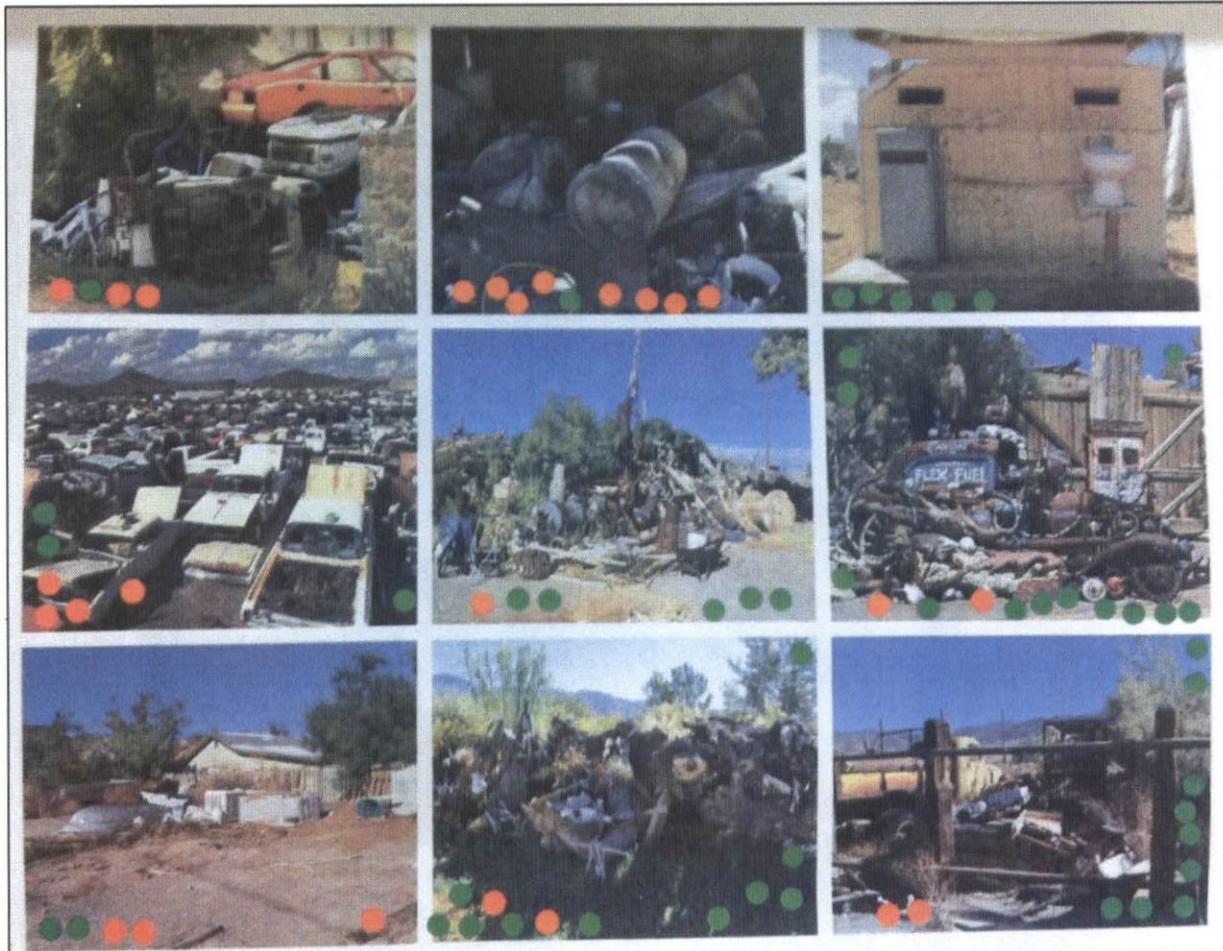


Figure 20: "Junk" vs. "Art" Exercise Results - Independence



Figure 21: "Junk" vs. "Art" Exercise Results - Independence

What are your policy ideas? Exercise

Each community was also given the opportunity to define what they love and hate about their community, describe what the County has overlooked in the update and to write their own policy suggestions by submitting ideas on index cards and posting them on the wall. Independence was the only community that provided feedback in this exercise.

What do you love?

- The opportunity to honor our assets.

What do you hate?

- The lack of sensible building that incorporates “green” technology
- DWP stranglehold!
- Uninhabited buildings

What is the County overlooking?

- Make street driving areas narrower and create planting strips and walkways. Install street vegetation irrigation!
- Reduce storage to back yards and out of sight of the street
- Use time to write grants not tickets. Use your time to help us build a vibrant community where it is possible to live and eat well
- Create a menu of incentives that will encourage businesses to building in Inyo County and encourage existing businesses to expand (streamline processes or discount fees)

What do you want to see?

- Larger budget for advertising Inyo County
- A “sustainable Inyo policy”
- Undergrounded utilities
- Improved, intentional, attractive welcome to travelers in all Inyo towns

What are your policy ideas?

- Digital 395 should allow for the Government to have virtual public meetings (like WebEx)
- Create a process and legal pathway that will enable the County to force owners to pay for demolition of unsafe, structurally unsound or damaged buildings
- Other towns and cities across the nation are addressing issues of local, sustainable enterprise - especially around food
- Establish a maximum number of cars per property

Big Pine Public Outreach Workshop

The Big Pine Public Outreach Workshop was held on Thursday, September 19th, at 6:00 pm. There were 8 people in attendance.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Big Pine and what makes their community unique:

- Close knit community
- Helpful businesses
- Great fire department
- Entire place is unique -Main Street, Fields & Side streets
- Diverse landscape/communities
- Rural character
- Hasn't changed
- Schools pull community together
- Community Centers created camaraderie
- Working landscapes
- Agricultural heritage
- Animal shelter
- Gateway to Palisades, Bristlecones, Death Valley, and Deep Springs
- Tribal heritage
- Health Center/Community Center
- Part of the history and culture of our community
- Gardening: people grow their own food
- Farmer's Market
- Really nice parks
- 4th of July
- Memorial Day
- Retired veterans and firefighters

Workshop participants made the following comments regarding what is not working in their community:

- Big Pine is not South Bishop
- Too many empty buildings on Main Street...and elsewhere in County

Workshop participants made the following comments regarding where they would like to see their community in 10 years:

- Economic growth, more jobs, more families, more kids
- More businesses on Main Street
- More self-sufficiency on food grown locally
- Better technology and connectivity to the government through the internet

Strengthened Code Enforcement

Big Pine residents were equally divided between somewhat supporting and not supporting a strengthened and proactive code enforcement policy. Twenty percent of residents were neutral on code enforcement.

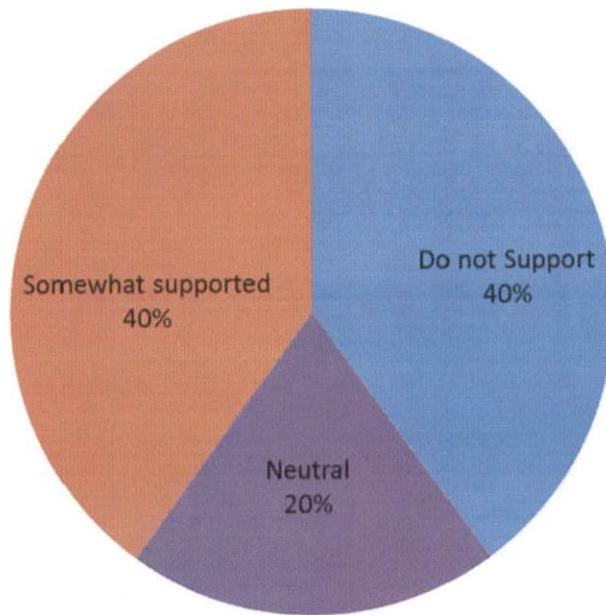


Figure 22: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a green voting sticker.



Figure 23: "Junk" vs. "Art" Exercise Results - Big Pine

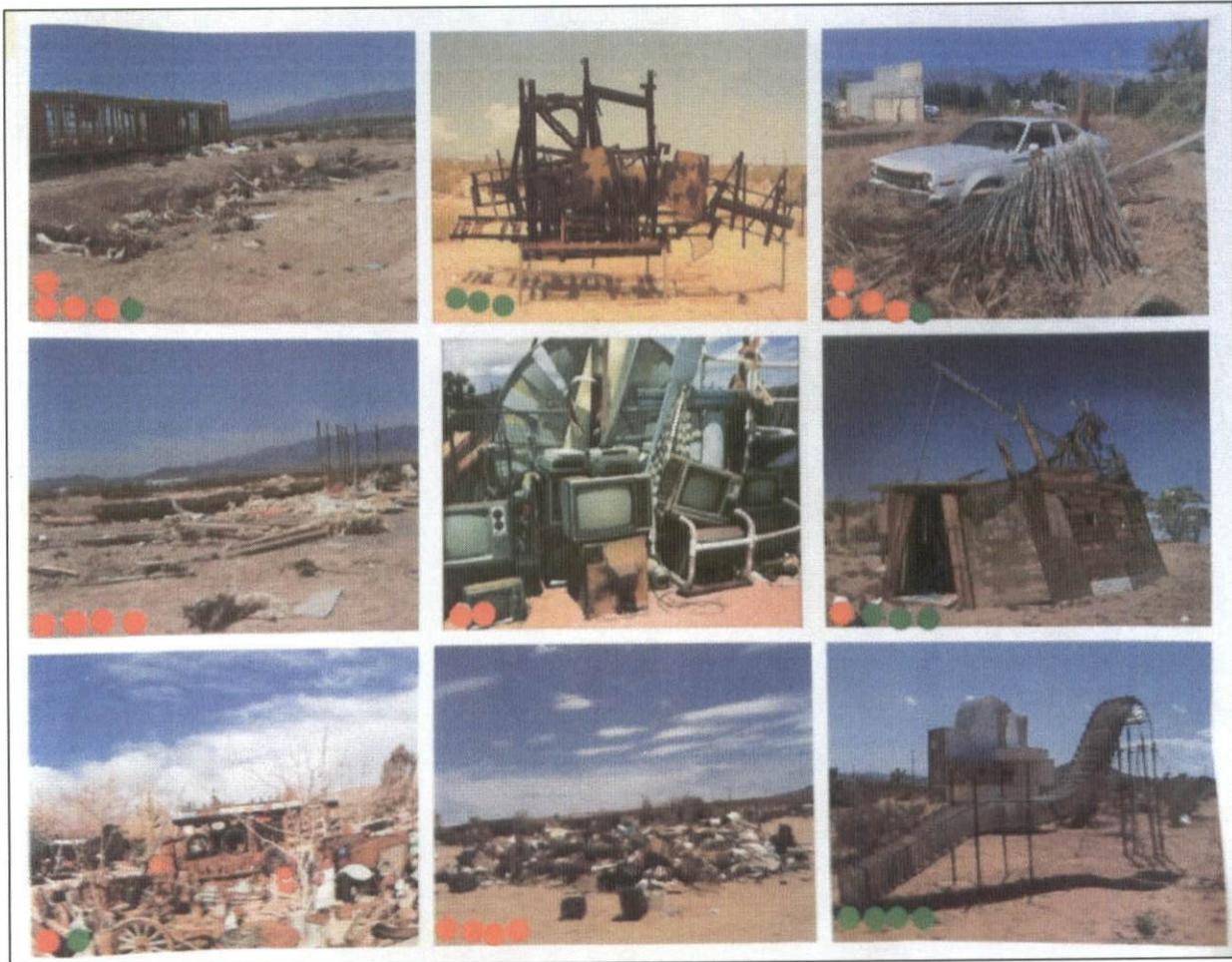


Figure 24: "Junk" vs. "Art" Exercise Results - Big Pine

Tecopa Public Outreach Workshop

The Tecopa Public Outreach Workshop was held on Thursday, October 3rd, at 6:00 pm. There were 17 people in attendance, including one participant from Charleston View.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Tecopa and what makes their community unique:

- Night sky. Would like County to dim lights in town at night.
- Privacy
- What isn't in Tecopa – cell towers, street lights, crime, standardization
- Wildlife, connection to nature
- Frontier attitude
- Lack of conveniences
- Fiercely independent people
- Hot springs
- Good water and soil for growing (Charleston View)
- Quiet

Workshop participants made the following comments regarding what is not working in their community:

- Neighbors' flood lights
- Yards filled with wood and rubbish
- No dumps to get rid of rubbish and junk
- Need potable water

Workshop participants made the following comments regarding where they would like to see their community in 10 years:

- More commerce, adorable housing, jobs, and small businesses
- More ecotourism and business to support ecotourism (such as rock shops)
- Vacant building occupied – maybe consider eminent domain for vacant buildings?
- Agricultural development in Charleston View
- Solar power development

Strengthened Code Enforcement

The majority (94%) of Tecopa and Charleston View participants did not support a strengthened and proactive code enforcement policy. Six percent were highly supportive of the proposed policy.

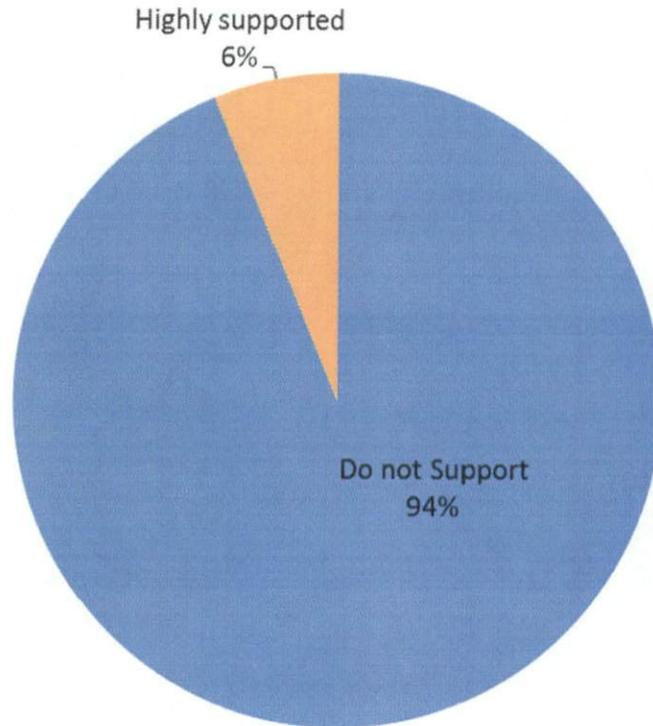


Figure 25: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a blue voting sticker.



Figure 26: "Junk" vs. "Art" Exercise Results - Tecopa



Figure 27: "Junk" vs. "Art" Exercise Results - Tecopa

Community Character Overlay

In response to the request from residents of Tecopa and Charleston View to develop a Community Character Zoning Overlay, the Public Outreach Workshop held in Tecopa included a conversation with residents to solicit their input on how an overlay zone code be drafted to protect the character and values of the community. The goal of the overlay is to allow for the County to be able to exercise police powers in protecting the health, safety and welfare of the community, without constraining the unique character and heritage of Olancho, or placing undue financial burden on residents.

Workshop participants made the following comments regarding a potential community character overlay. Direct policy direction provided to Planning staff from the community is in **bold**:

Junk Regulations:

- The Southeast County communities could be cleaned up, but a significant barrier is that there no dumps to dispose of junk that accumulates in the community

- Many of the residents of Tecopa are elderly and would need assistance to clean their properties up
- Southeast County communities are isolated and economically depressed
- It's hard to get supplies and/or parts in Tecopa, many people store parts on their property to be used. An overlay needs to allow for storage of building materials and other supplies.
- Organized materials are not a problem
- If it's not a hazard, it should not be a violation
- "Junk" should be subject to setbacks to address safety concerns
- Requiring visual screening for "junk" would create respect between neighbors and best represent the community, but there are concerns that fences may increase their property taxes
- Don't want the community to be homogenized
- Neighbors can handle disputes
- Limitations on the amount of "junk" per property should be proportionate to the acreage of the property
- The Planning Department should modify the language and process of how complaints are filed to address concerns about vindictive neighbors
- The Planning Department should consider having a waiver for conditional use permit costs for fringe communities

Fence Height Regulations:

- Would like fence height setback requirements to be more flexible for Rural Residential and small lots because a 50' setback requirement is difficult to accommodate.
- **A six foot maximum fence height is sufficient in Tecopa and Charleston View.**

Storage Regulations:

- **Do not want any limitations on storage per property**

RV Storage Regulations:

- **Do not want any limitations on the number of RVs allowed per property in overlay**

Public Comment Period:

- There are no dumps in the Southeast County. It cost people too much to get rid of stuff.
- The San Bernardino Code Enforcement model is notoriously aggressive, and does not present the right direction for Inyo County.

Keeler & Darwin Public Meeting

The Keeler and Darwin Public Meeting was held on Friday, September 20th, at 10:00 am. There were 23 people in attendance.

The Keeler and Darwin Public Meeting was intended to focus specifically on the development of a community character overlay, thus the agenda was truncated to only include the zoning enforcement and “junk” vs. “art” exercises, as well as a conversation about what might be included in the community character overlay.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Keeler and what makes their community unique:

- Freedom
- Diversity & personal choice
- Quiet and independent
- Interesting yard art
- Variety of dwellings
- Tolerant
- Historic value
- Creativity

Strengthened Code Enforcement

One hundred percent of participants did not support a strengthened and proactive code enforcement policy.

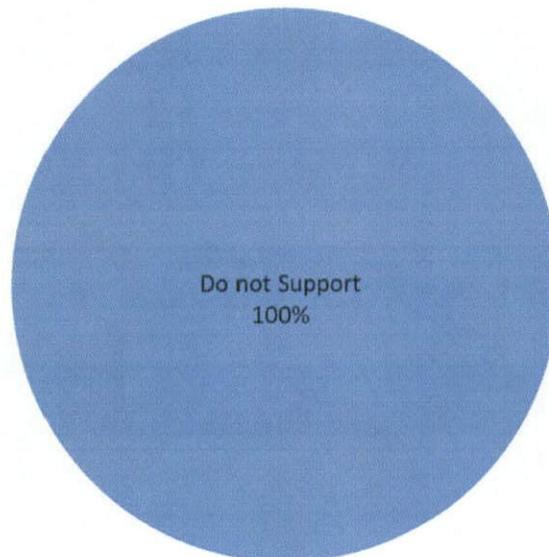


Figure 28: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a green voting sticker.

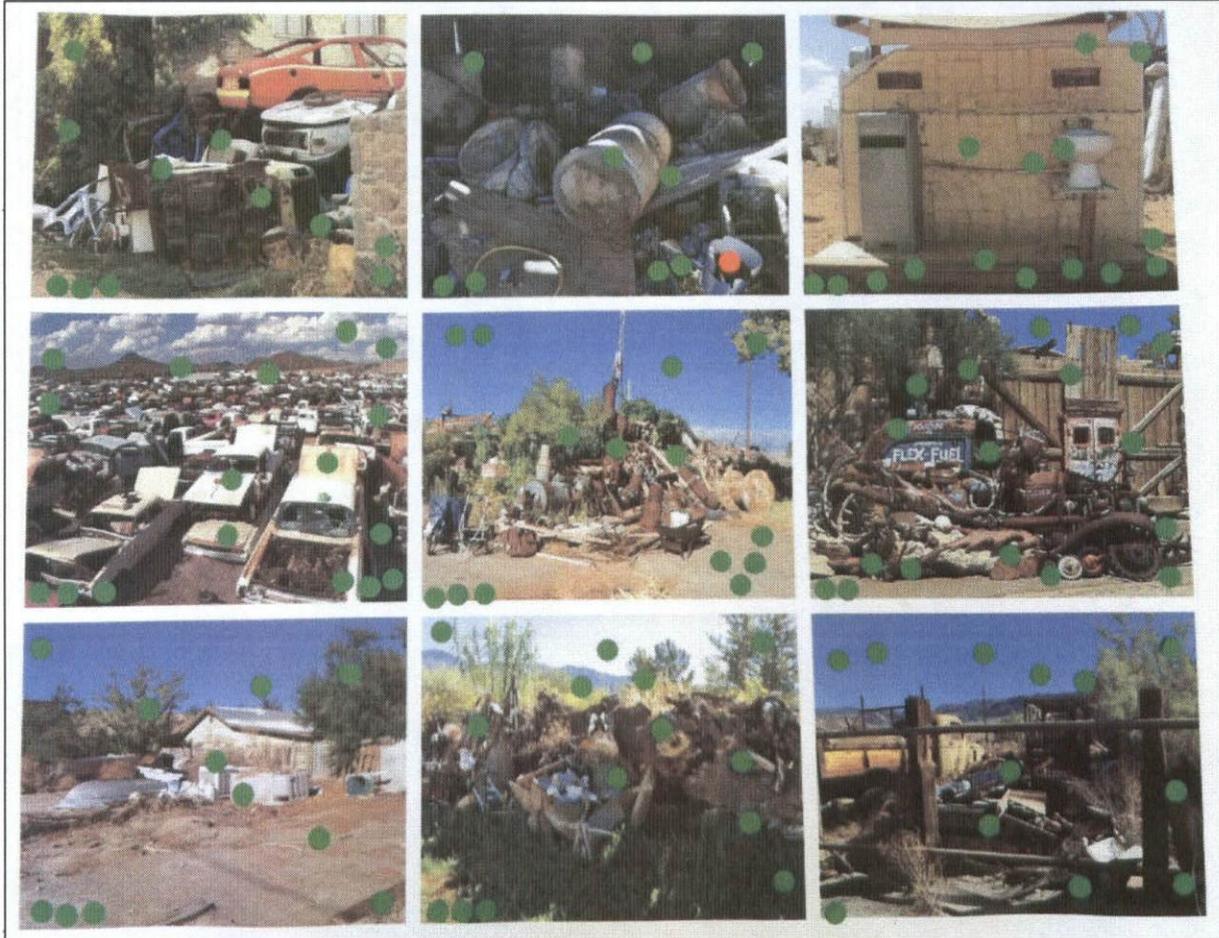


Figure 29: "Junk" vs. "Art" Exercise Results - Keeler & Darwin

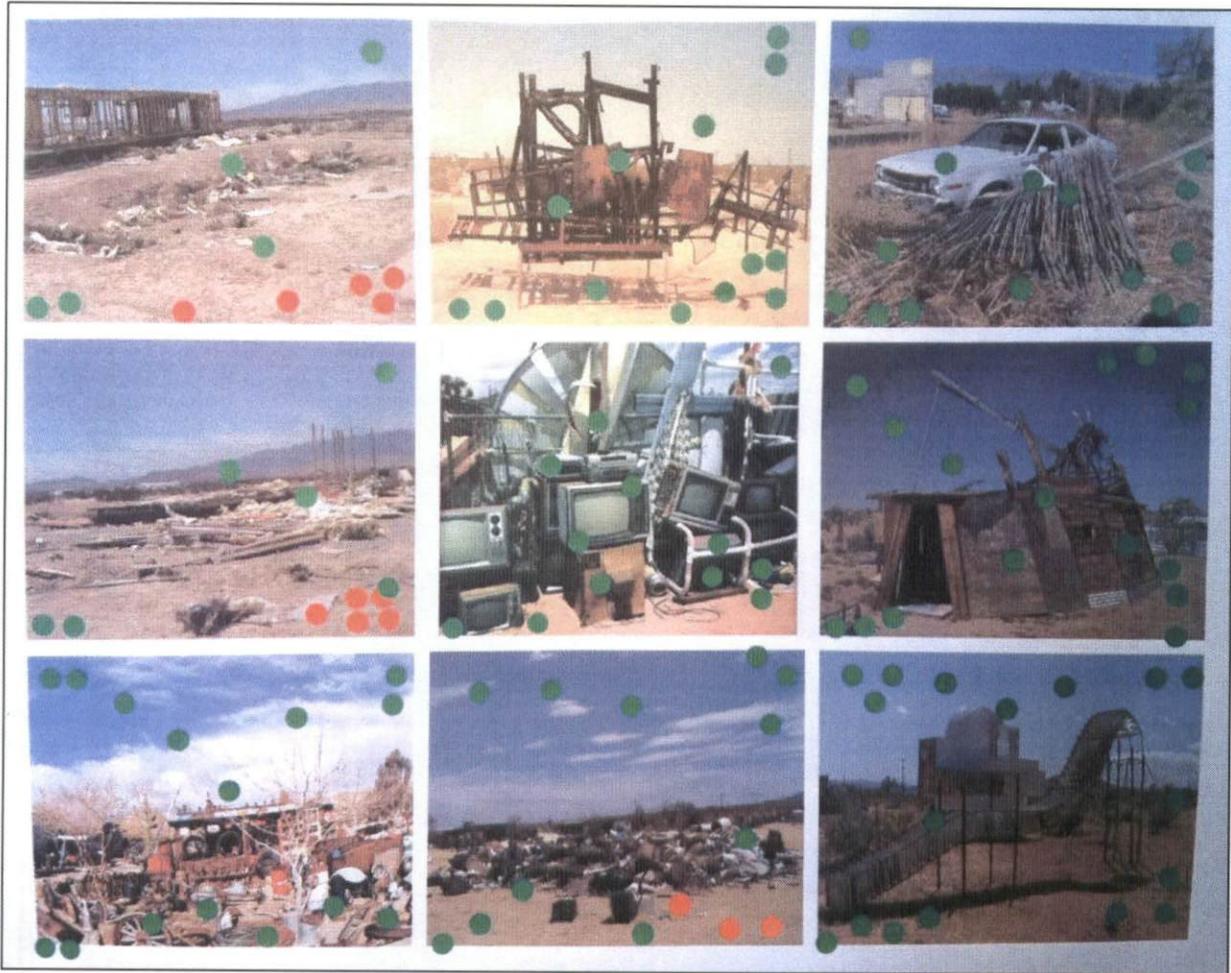


Figure 30: "Junk" vs. "Art" Exercise Results - Keeler & Darwin

Community Character Overlay

In response to the request from residents of Keeler and Darwin to develop a Community Character Zoning Overlay, the Public Meeting held in Keeler included a conversation with residents to solicit their input on how an overlay zone code be drafted to protect the character and values of the community. The goal of the overlay is to allow for the County to be able to exercise police powers in protecting the health, safety and welfare of the community, without constraining the unique character and heritage of Keeler or Darwin, or placing undue financial burden on residents.

Participants made the following comments regarding a potential community character overlay. Direct policy direction provided to Planning staff from the community is in **bold**:

Junk Regulations:

- Allowing for "junk" in yards would be prohibitively expensive to low income residents
- Would prefer that code enforcement remain complaint –driven. Complaint driven complaints encourage resolutions between neighbors.
- Design review to allow for "junk" should not dictate aesthetic values of residents

- Rules and regulations shouldn't be established until there is a clear need for them – "Don't call us, we'll call you."
- Tourist photographs of yard in Keeler are not a commercial use
- "Junk" in yards is needed as storage for materials. People don't have much money, and need to use second-hand items.
- The County should provide assistance to get rid of junk (e.g. a County clean-up day)
- Hazards should be taken care of within the community
- There should be a common sense rule
- **Junk can be permitted if it's not commercial. Commercial junkyards would require a permit from the Planning Department.**

Fence Height Regulations:

- Having high fences is essential in Keeler to mitigate winds and dust from the Owens Dry Lake
- Taller fences would result in fewer complaints
- There are innovative and artistic fences being built in Keeler that should be preserved
- Low fences create privacy concerns
- High walls are a consistent design feature in desert climates
- Having fences that are too tall could block views
- Tall fences are cost prohibitive
- **Fences in Keeler and Darwin can be between 8' and 12' tall**

Animal Maintenance:

- **Horses and other large livestock can be allowed on parcels consisting of 4 lots or more in Keeler, or by permit.**

Storage Regulations:

- Do not want to have any storage regulations in Keeler or Darwin
- Do not want to have any regulations addressing storage containers in Keeler or Darwin
- Existing storage containers should be grandfathered in and should be exempt from setback requirements

RV Storage Regulations

- It doesn't matter how many RVs are on a property. Do not want any limitation on the number of RVs per property in Keeler or in Darwin.
- Properties in Keeler and Darwin are exempt from property value concerns
- People value freedom in Keeler and Darwin and are just trying to survive
- Do not want the County to step in when derelict structures began to decay

Public Comment Period

- The County should continue to work with residents to resolve concerns when there are violations
- Keeler and Darwin residents would prefer a complaint driven code enforcement policy
- Keeler and Darwin residents would like to have the County enforce the code in hazardous situations
- Would like to get rid of paper streets in Darwin

- Do not want to have any regulations regarding the minimum size of a dwelling in Keeler or Darwin
- Want access to better education

Olancha Public Meeting

The Olancha Public Meeting was held on Monday, September 30th, at 6:00 pm. There were 23 people in attendance.

The Olancha Public Meeting was intended to focus specifically on the development of a community character overlay, thus the agenda was truncated to only include the zoning enforcement and “junk” vs. “art” exercises, as well as a conversation about what might be included in the community character overlay. Numerous attendees at the meeting were from Cartago.

Community Character Exercise

Workshop participants made the following comments regarding what they like about Olancha/Cartago and what makes their community unique:

- Freedom to shape environment without interference
- Moved to Olancha because of its culture – don’t want to be told what they/can’t do with their property.

Strengthened Code Enforcement

One hundred percent of participants did not support a strengthened and proactive code enforcement policy.

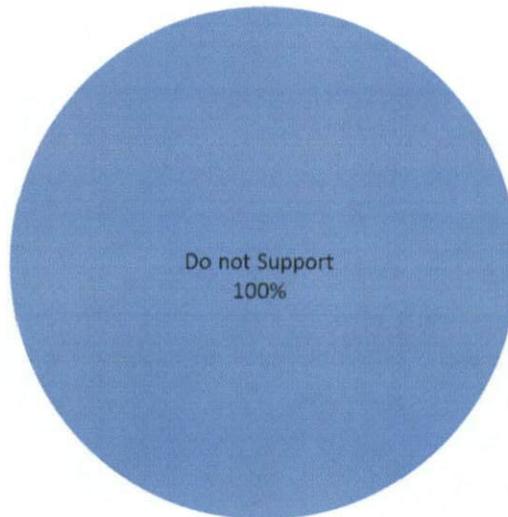


Figure 31: Support for Proactive Code Enforcement

"Junk" vs. "Art" Exercise

Workshop participants were asked to indicate which of the images presented below were potential zoning violations (i.e. health, safety and welfare hazards) with a red voting sticker and which should not be regulated by the zoning code with a green voting sticker.

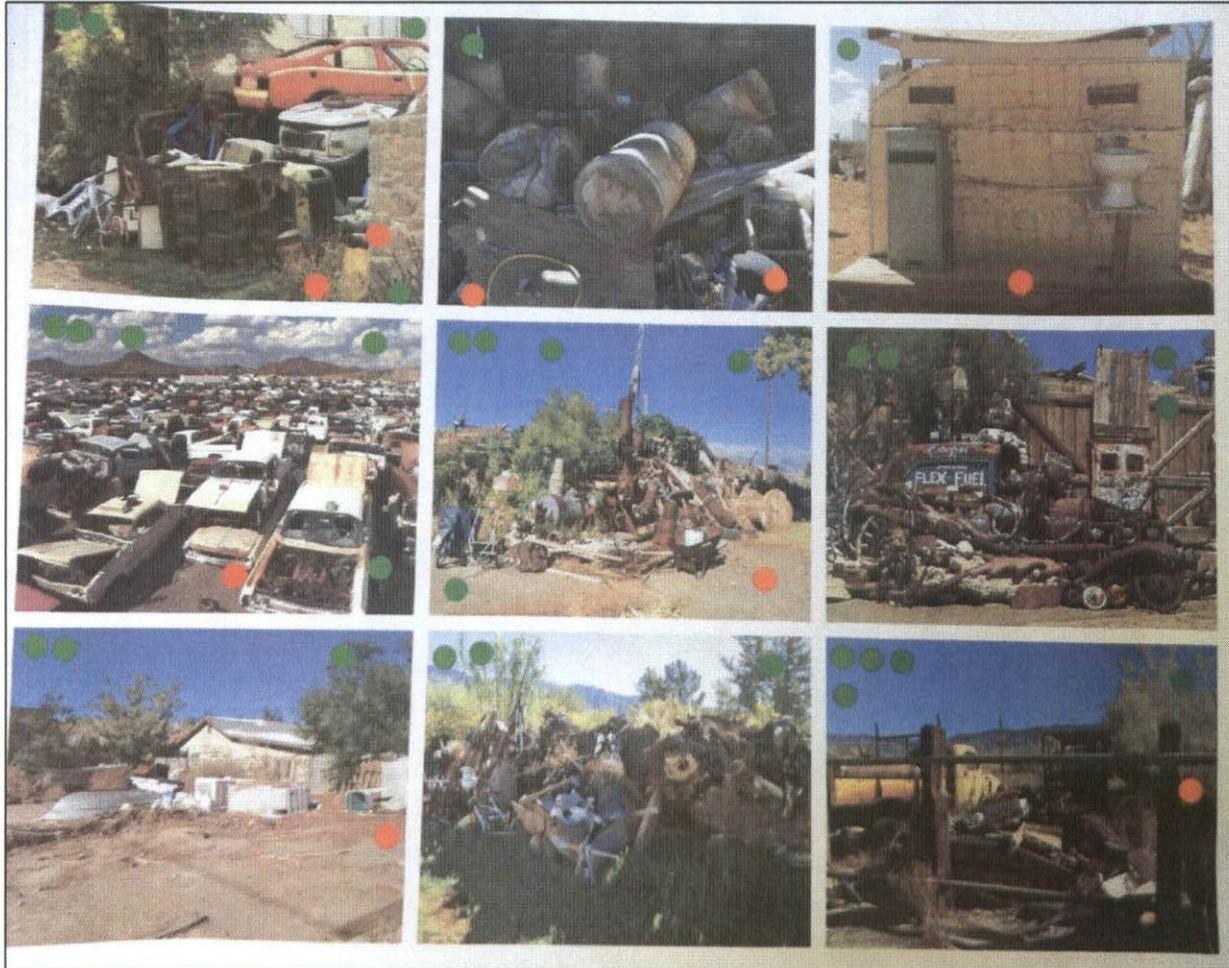


Figure 32: "Junk" vs. "Art" Exercise Results - Olancho

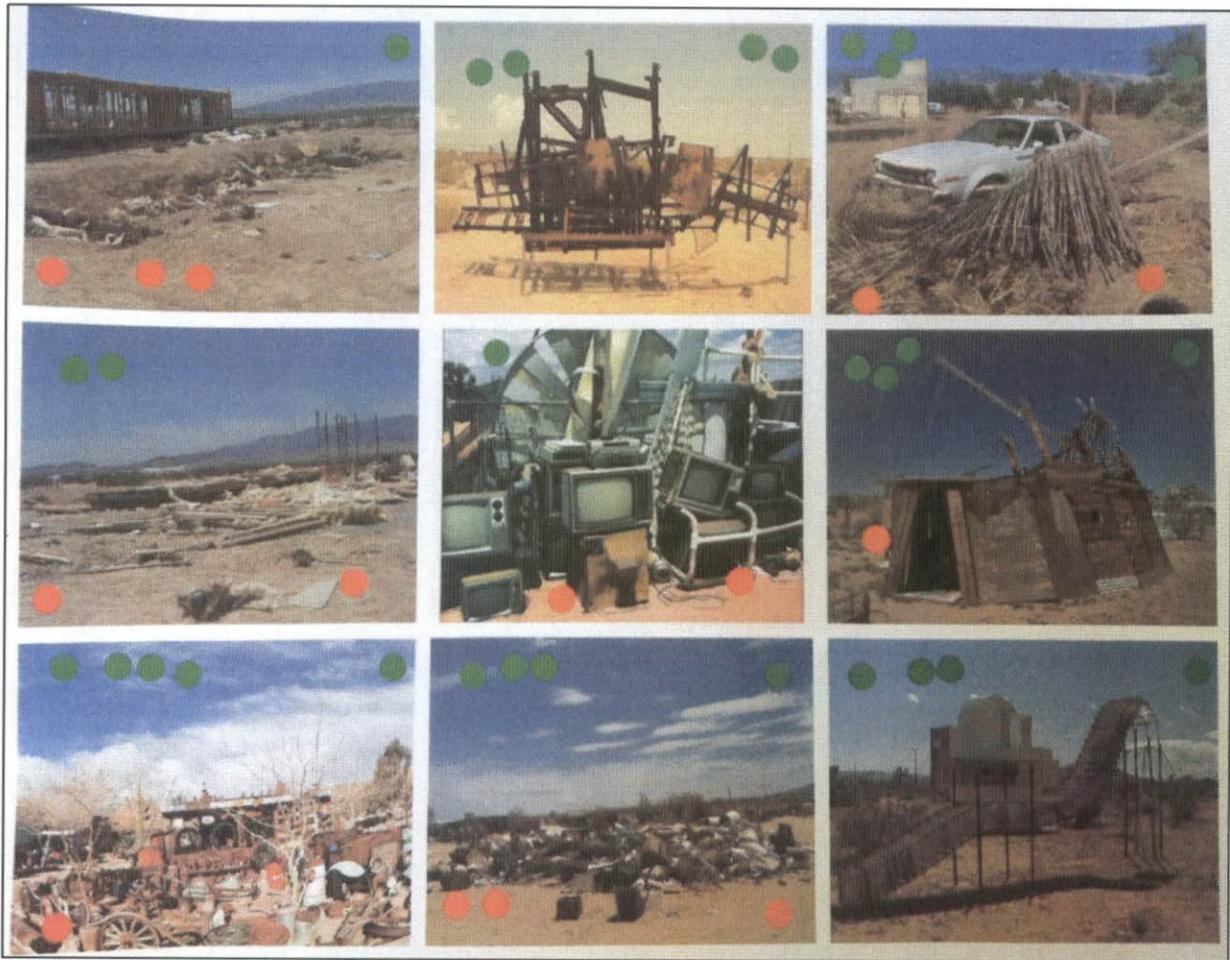


Figure 33: "Junk" vs. "Art" Exercise Results - Olancha

Community Character Overlay

In response to the request from residents of Olancha to develop a Community Character Zoning Overlay, the Public Meeting held in Olancha included a conversation with residents to solicit their input on how an overlay zone code be drafted to protect the character and values of the community. The goal of the overlay is to allow for the County to be able to exercise police powers in protecting the health, safety and welfare of the community, without constraining the unique character and heritage of Olancha, or placing undue financial burden on residents.

Participants made the following comments regarding a potential community character overlay. Direct policy direction provided to Planning staff from the community is in **bold**:

Junk Regulations

- If something can be used, how is it junk?
- There is a difference between "trash", and "junk" – "Junk" can be reused, "trash" has no reuse value
- Residents in Olancha don't have convenient access to a dump

Fence Height Regulations

- Olancha residents need to have higher fences to manage winds
- Don't want any restriction on fence heights
- Tall fences are cost prohibitive
- **Olancha/Cartago will have no fence height restrictions**

Storage Regulations

- **Olancha/Cartago would like to have no storage regulations**

Recreational Vehicle Regulations

- **Olancha/Cartago would like to have no restrictions on the number of RVs allowed to be stored on a property**

Storage Container Regulations

- **Olancha/Cartago would like to have no restrictions on storage containers**

Public Comment Period

- Don't want proactive code enforcement. Code enforcement should be complaint driven.
- "Quiet entitlement of property"
- Olancha hasn't changed in 50 years
- Want more freedom
- The proposed zoning code enforcement policy should be placed on the ballot
- Residents of Olancha should be responsible for Olancha
- Would like an overlay that exempts Olancha/Cartago from everything
- Olancha/ Cartago would like to see enforcement of signage regulations, particularly billboards
- The community is frustrated by trash associated with traffic on Highway 395, especially at the Mobil market
- Would like to see no change to current zoning. Would like to be left alone.
- Beauty is in the eye of the beholder, and the property owners are the beholders.
- Owner's property shouldn't be anyone's concern.
- Go back to Bishop!

BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246
SACRAMENTO, CA 94244-2460
Website: www.bof.fire.ca.gov
(916) 653-8007



Joshua Hart, AICP
Inyo County Planning Director/Inyo LAFCO Executive Officer
Yucca Mountain Repository Assessment Office
168 North Edwards
PO Drawer L
Independence, CA 93526

August 21, 2013

Dear Mr. Hart:

Per your request, the State Board of Forestry and Fire Protection (Board) has received and reviewed the Inyo County General Plan Draft Safety Element, considering changes to Element requirements under SB 1241.

Enclosed is a review and recommendations titled "*Inyo County Fire Safety Element Standard Recommendations*." The Board has prepared this document in cooperation with members of the San Bernardino Unit. Recommendations to improve the Safety Element and to comply with updated legislation are included in those documents.

When Inyo County submits the revised Safety Element back to the Board at least 90 days prior to adoption, similar checklists will be utilized in the Board's review of the Safety Element in compliance with Government Code (GC) §65302.5.

Thank you for the opportunity to participate in your planning process and we look forward to working with you on these recommendations. We hope this input leads to greater protection and reduced cost and losses from wildfires to the City and adjacent wildlands.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Gilles", is written over a faint, illegible printed name.

Keith Gilles
Chair, Board of Forestry and Fire Protection

CC: George Gentry
Rod Bywater
Tim McClelland

General Plan Fire Safety Element

Standard Recommendations

July 11, 2013

Board of Forestry and Fire
Protection



Contents

Purpose and Background

Methodology for Review and Recommendations

Review Process and Timeline

Standard List of Recommendations

Purpose and Background: The State Board of Forestry and Fire Protection (BOF/Board) is required to review and make recommendations to the fire safety element of general plan updates in accordance with Government Code (GC) §65302.5. The review and recommendations apply to those general plans with State Responsibility Area (SRA) (Public Resources Code 4125) or Very High Fire Hazard Severity Zones (VHFHSZ) (GC 51175).

The statutory requirements for the Board review and recommendations pursuant to GC 65302.5 (a)(1) and (2), and (b) are as follows:

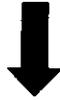
- *“The draft elements...to the fire safety element of a county’s or a city’s general plan...shall be submitted to the Board at least 90 days prior to... the adoption or amendment to the safety element of its general plan [for each county or city with SRA or VHFHSZ].”*
- *“The Board shall... review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element....”*
- *“Prior to adoption of the draft element..., the Board of Supervisors... shall consider the recommendations made by the Board... If the Board of Supervisors...determines not to accept all or some of the recommendations...,” the Board of Supervisors... shall communicate in writing to the Board its reasons for not accepting the recommendations.*

Methodology for Review and Recommendations: The Board established a standardized method to review the safety element of general plans. The methodology includes 1) examining the general plan for inclusion of factors that are important for mitigation of fire hazard and risks, and 2) making recommendations related to these factors. The evaluation factors and recommendations were developed using CAL FIRE technical documents and input from local fire departments.

Enclosed are the entire set of recommendations suggested by the Board’s for any entity. Each entity should evaluate their general plan using the factors and include the appropriate recommendations from the list as part of the general plan.

Review Process and Timeline

The county, local jurisdiction, and local fire unit will receive and review technical guidance documents, the BOF checklist, and other relevant information from the Governor's Office of Planning and Research and Cal Fire.



The county or local jurisdiction will work closely with the local fire unit during the development of the general plan and the safety element in particular.



90 days prior to the adoption or amendment of the General Plan: The county or local jurisdiction will submit the safety element to the local fire unit for review.



No more than 30 days later: The fire unit will submit to the BOF their findings and recommendations.



No more than 60 days later: The Board will consider the fire unit's recommendations and will approve or disapprove the safety element at the next Board meeting.

Standard List of General Plan Safety Element Recommendations

Please click on the appropriate box to "check" whether the plan satisfies each point. Standard recommendations are included in the checklist but please highlight or add additional comments as necessary.

1.0 Wildfire Protection Planning

1.1 General Plan (GP) References and Incorporates County or Unit Fire Plan: Yes Partial No

Recommendation: Identify, reference or create (if necessary) a fire plan for the geographic scope of the General Plan. General Plan (GP) should incorporate the general concepts and standards from any county fire plan, fire protection agency (federal or state) fire plan, and local hazard mitigation plan. Identify or reference the local Unit Fire Plan and, if applicable, the Community Wildfire Prevention Plan.

Not specifically mentioned by name but is mentioned in the implementation measures under section 2.0. Currently a San Bernardino / Inyo / Mono Unit Fire Plan and Inyo Community Wildfire Prevention Plan is in place but not incorporated into the County General Plan. Incorporating both of these documents would address several of the BOF Recommendations.

Recommendation: Ensure fire plans incorporated by reference into the GP contain evaluations of fire hazards, assessment of assets at risk, prioritization of hazard mitigation actions, and implementation and monitoring components.

Above mentioned items incorporated into Unit Fire Plan and Inyo CWPP.

2.0 Land Use Planning:

2.1 Goals and policies include mitigation of fire hazard for future development. Yes Partial No

Recommendation: Establish goals and policies for specific ordinances addressing evacuation and emergency vehicle access; water supplies and fire flow; fuel modification for defensible space; and home addressing and signing.

Recommendation: Develop fire safe development codes used as standards for fire protection for new development in State Responsibility Area (SRA) within the entity's jurisdiction that meet or exceed statewide standards in 14 California Code of Regulations Section 1270 et seq.

Recommendation: Adopt, and have certified by the BOF, local fire safe ordinances which meet or exceed standards in 14 CCR § 1270 for State Responsibility Area.

Recommendation: Specify the local ordinances, code sections, or regulations addressing the above standards, particularly any ordinances that address right-of-way, easement, and

other reasonable offsite and onsite improvements for a division of land which qualifies for a Parcel Map rather than a Tentative/Final Map under the Subdivision Map Act.

Recommendation: Consider mitigation of previously developed areas that do not meet current fire safe development standards.

Although not mentioned, Inyo County follows Local, State, and Government policy in regards to Land Use Planning. (ie... 14 CCR, S.B. 1241, PRC 4290/4291) and utilizes CAL FIRE in inspection and approval process. Briefly addressed in Policy WF-1.5 and implementation measure 5.0

- 2.2 Disclosure of wildland urban interface hazards including Fire Hazard Severity Zones designations, Firewise Communities, and other vulnerable areas as determined by the California Fire Alliance, the Fire Safe Council, or other fire prevention organizations: Yes Partial No

Recommendation: Specify whether the entity has a Very High Fire Hazard Severity Zones (VHFHSZ) designation pursuant GC 51175 and include a map of the zones that clearly indicates any area designated VHFHSZ.

Recommendation: Adopt CAL FIRE recommended Fire Hazard Severity Zones including model ordinances developed by the Office of the State Fire Marshal for establishing VHFHSZ areas.

Recommendation: Discuss and/or include local fire hazard maps.

Although not displayed in the County Plan, County is currently using CAL FIRE FHSZ maps and addressed in WF-1.2 and WF-1.3 as well as implementation measures 3.0 and 4.0.

- 2.3 The design and location of new development provides for adequate infrastructure for the safe ingress of emergency response vehicles and simultaneously allows civilian egress during an emergency: Yes Partial No

Recommendation: Develop a policy that approval of parcel maps and tentative maps is conditional base on meeting zoning requirements, including road widths and fire safe development codes.

Recommendation: Develop pre-plans for fire prone areas that address civilian evacuations to temporary safety locations.

Recommend community evacuation routes and evacuation centers be identified throughout the county.

- 2.4 When approving parcel maps and use permits, consideration is given to providing adequate water supply infrastructure that meets zoning needs. Yes Partial No

Recommendation: Develop a policy that approval of parcel maps is conditional based on meeting zoning requirements and fire safe development codes.

3.0 Housing/structures and neighborhoods:

- 3.1 Incorporation of current fire safe building codes. Yes Partial No

Recommendation: Adopt building codes for new development in State Responsibility Areas or incorporated areas with VHFHSZ that are established by the Office of the State Fire Marshal in Title 19 and Title 24 CCR, referred to as the "Wildland Urban Interface Building Codes".

Building codes not mentioned and could be added into implementation measure 5.0.

- 3.2 Identification and actions for substandard fire safe housing and neighborhoods relative to fire hazard area. Yes Partial No

Recommendation: Identify and map existing housing structures that do not conform to contemporary fire standards in terms of building materials, perimeter access, and vegetative hazards in VHFHSZ or SRA by fire hazard zone designation.

Recommendation: Identify plans and actions to improve substandard housing structures and neighborhoods. Plans and actions should include structural rehabilitation, occupancy reduction, demolition, reconstruction, neighborhood-wide fuels hazard reduction projects, community education, and other community based solutions.

Recommendation: Identify plans and actions for existing residential structures and neighborhoods, and particularly substandard residential structures and neighborhoods, to be improved to meet current fire safe ordinances pertaining to access, water flow, signing, and vegetation clearing.

- 3.3 Consideration of occupancy category effects on wildfire protection. Yes Partial No

Recommendation: Ensure risks to uniquely occupied structures, such as seasonally occupied homes, multiple dwelling structures, or other structures with unique occupancy characteristics, are considered for appropriate and unique wildfire protection needs.

- 3.4 Fire engineering features for structures in VHFHSZ. Yes Partial No

Recommendation: Ensure new development proposals contain specific fire protection plans, actions, and codes for fire engineering features for structures in VHFHSZ. Examples include codes requiring automatic sprinklers in VHFHSZ.

4.0 Conservation and Open Space:

- 4.1 Identification of critical natural resource values relative to fire hazard areas. Yes Partial No

Recommendation: Identify critical natural resources and other "open space" values within the geographic scope of the GP. Determine maximum acceptable wildfire size, fire prevention plans, emergency response plans and initial attack suppression success rates for protection of these areas and values.

Reference is made to wildfire protection adjacent to open space in implementation 5.0 but specific areas are not identified in the County Plan.

- 4.2 Inclusion of resource management activities to enhance protection of open space and natural resource values. Yes Partial No

Recommendation: Develop plans and action for vegetation management that provides fire damage mitigation and protection of open space values. Plans should address protection of natural resource financial values, establishment of fire resilient natural resources, protection of watershed qualities, and protection of endangered species habitats. Actions should consider prescribed burning, fuel breaks, vegetation thinning and removal

Recommendation: Establish goals and policies for reducing the wildland fire hazards within the entity's boundaries and on adjacent private wildlands, federal lands, vacant residential lots, and greenbelts with fire hazards that threaten the entity's jurisdiction.

- 4.3 Mitigation for unique pest, disease and other forest health issues leading to hazardous situations. Yes Partial No

Recommendation: Establish goals and policies that address unique pest, disease, exotic species and other forest health issues in open space areas for purposes of reducing fire hazard and supporting ecological integrity.

- 4.4 Integration of open space into fire safety effectiveness. Yes Partial No

Recommendation: Establish goals and policies for incorporating systematic fire protection improvements for open space. Specifics policies should address facilitation of safe fire suppression tactics, standards for adequate access for firefighting, fire mitigation planning with agencies/private landowners managing open space adjacent to the GP area, water sources for fire suppression, and other fire prevention and suppression needs.

- 4.5 Urban forestry plans relative to fire protection. Yes Partial No

Recommendation: Ensure residential areas have appropriate fire resistant landscapes and discontinuous vegetation adjacent to open space or wildland areas.

Recommendation: Evaluate and resolve existing laws and local ordinances which conflict with fire protection requirements. Examples include conflicts with vegetation hazard reduction

ordinances and listed species habitat protection requirements.

5.0 **Circulation and Access:**

- 5.1 Adequacy of existing and future transportation system to incorporate fire infrastructure elements. Yes Partial No

Recommendation: Establish goals and policies for proposed and existing transportation systems to facilitate fire infrastructure elements such as turnouts, helispots and safety zones.

Policy WF 1.5 addresses emergency access specifically, but does not expand.

- 5.2 Adequate access to high hazard wildland/open space areas. Yes Partial No

Recommendation: Establish goals and policies for high or very high fire hazard severity zones adequate access that meets or exceeds standards in 14 CCR 1270 for lands with no structures, and maintain conditions of access in a suitable fashion for suppression access or public evacuation.

- 5.3 Standards for evacuation of residential areas in high hazard areas. Yes Partial No

Recommendation: Goals and policies should be established to delineate residential evacuation routes and evacuation plans in high or very high fire hazard residential areas.

- 5.4 Incorporate a policy that provides for a fuel maintenance program along roadways in the agency having jurisdiction. Yes Partial No

Recommendation: Develop an adaptive vegetation management plan that considers fuels, topography, weather (prevailing winds and wind event specific to the area), fire ignitions and fire history.

6.0 **Defensible Space**

- 6.1 Geographic specific fire risk reduction mitigation measures using fuel modification. Yes Partial No

Recommendation: Include policies and recommendations that incorporate fire safe buffers and greenbelts as part of the development planning. Ensure that land uses designated near high or very fire hazard severity zones are compatible with wildland fire protection strategies/capabilities.

- 6.2 Fuel Modification around homes. Yes Partial No

Recommendation: Establish ordinances in SRA or VHFHSZ for vegetation fire hazard

reduction around structures that meet or exceed the Board of Forestry and Fire Protection's Defensible Space Guidelines for SRA and the Very High Fire Hazard several zones, including vacant lots.

See http://www.bof.fire.ca.gov/pdfs/Copyof4291finalguidelines9_29_06.pdf

Recommendation: Reduce fuel around communities and subdivisions, considering fuels, topography, weather (prevailing winds and wind event specific to the area), fire ignitions and fire history.

6.3 Fire suppression defense zones. Yes Partial No

Recommendation: Establish goals and policies that create wildfire defense zones for emergency services including fuel breaks, back fire areas, or other staging areas that support safe fire suppression activities.

Recommendation: Establish goals and policies that identify structures (or other critical/valuable assets) that have adequate fuel modification or other fire safe features that provide adequate fire fighter safety when tactics call for protection of a specific asset (i.e. which houses are safe to protect).

7.0 Emergency Services:

7.1 Map/description of existing emergency service facilities and areas lacking services, specifically noting any areas in SRA or VHFHSZs. Yes Partial No

Recommendation: Include descriptions of emergency services including available equipment, personnel/staffing levels (including paid vs. volunteer), and maps of facilities.

Recommendation: Initiate studies and analyses to identify appropriate staffing levels and equipment needs commensurate with the current and projected emergency response environment.

7.2 Assessment and projection of future emergency service needs. Yes Partial No

Recommendation: Ensure new development includes appropriate facilities, equipment, personnel and capacity to assist and support wildfire suppression emergency service needs. Future emergency service needs should be:

- Established consistent with state or national standards.
- Developed based on criteria for determining suppression resource allocation that includes elements such as identified values and assets at risk, ignition density, vegetation type and condition, as well as local weather and topography.
- Local Agency Formation municipal services reviews for evaluating level of service, response times, equipment condition levels and other relevant emergency service information.

7.3 Adequacy of training. Yes Partial No

Recommendation: Establish goals and policies for emergency service training that meets or exceeds state or national standards.

7.4 Inter-fire service coordination preparedness/mutual aid and multi-jurisdictional fire service agreements. Yes Partial No

Recommendation: Adopt the Standardized Emergency Management Systems for responding to large scale disasters requiring a multi-agency response. Ensure and review mutual aid/automatic aid and other cooperative agreements with adjoining emergency service providers.

8.0 Post Fire Safety, Recovery and Maintenance:

The post fire recommendations address an opportunity for the community and landowners to re-evaluate land uses and practices that affect future wildfire hazards and risk. They also provide for immediate post-fire life and safety considerations to mitigate potential losses to life, human assets and critical natural resources.

8.1 Reevaluate hazard conditions and provide for future fire safe conditions. Yes Partial No

Recommendation: Incorporate goals and policies that provide for reassessment of fire hazards following wildfire events. Adjust fire prevention and suppression needs commensurate for both short and long term fire protection needs.

8.2 **Recommendation:** Develop burn area recovery plans that incorporate strategic fire safe measures developed during the fire suppression, such as access roads, fire lines, safety zones, and fuelbreaks, and helispots.

8.3 Restore sustainable landscapes and restore functioning ecosystems. Yes Partial No

Recommendation: Develop burn area recovery plans, evaluation processes and implementation actions that encourage tree and biomass salvage, reforestation activities, create resilient and sustainable landscapes, and restore functioning ecosystems.

8.4 Incorporate wildlife habitat/endangered species considerations. Yes Partial No

Recommendation: Establish goals and policies for consideration of wildlife habitat/endangered species into long term fire area recovery and protection plans, including environmental protection agreements such as natural community conservation plans.

8.5 Native species reintroduction. Yes Partial No

Recommendation: Incorporate native species habitat needs as part of long term fire protection and fire restoration plans.

- 8.6 Evaluation of redevelopment. Yes Partial No

Recommendation: In High and Very hazardous areas, ensure redevelopment utilizes state of the art fire resistant building and development standards to improve past 'substandard' fire safe conditions.

- 8.7 Long term maintenance of fire hazard reduction mitigation projects. Yes Partial No

Recommendation: Provide polices and goals for maintenance of the post-fire-recovery projects, activities, or infrastructure.

- 8.8 Post fire life and safety assessments. Yes Partial No

Recommendation: Develop frameworks for rapid post-fire assessment and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

Recommendation: Identity flood and landslide vulnerability areas related to post wildfire conditions.

Recommendation: Establish goals and policies that address the intersection of flood /landslide/post fire burn areas into long term public safety protection plans. These should include treatment assessment of fire related flood risk to life, methods to control storm runoff in burn areas, revegetation of burn areas, and drainage crossing debris maintenance.

Recommendation: Encourage rapid post-fire assessment, as appropriate, and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

9.0 Terrorist and homeland security impacts on wildfire protection:

These recommendations are included to address fire protection needs related to terrorist acts or other homeland security preparedness and response actions. Both preparedness and incident response can adversely impact fire protection. Adverse effects include substantially decreasing emergency resources' availability, responsiveness and effectiveness by diverting resources, interrupting communications, or restricting emergency access.

- 9.1 Communication channels during incidents. Yes Partial No

Recommendation: Establish goals and policies consistent with the Governor's Blue Ribbon Fire Commission of 2005 for communications and interoperability. Example goals and policies should address fire personnel capability to communicate effectively across multiple frequency bands and update and expansion of current handheld and mobile radios used on major mutual aid incidents.

- 9.2 Emergency response barriers. Yes Partial No

Recommendation: Identify goals and policies that address vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.). Develop an alternative emergency access plan for these areas.

9.3 Prioritizing asset protection from fire with lack of suppression forces. Yes Partial No

Recommendation: Identify and prioritize protection needs for assets at risk in the absence of response forces.

Recommendation: Establish fire defense strategies (such as fire ignition resistant areas) that provide adequate fire protection without dependency on air attack and could serve as survivor safety zones for the public or emergency support personnel.

End Standard Recommendations (version 7/11/2013)

Overview and Recommendations by Unit

- CAL FIRE currently has an excellent working relationship with Inyo County Planning Department. We hope to utilize this document and format to assist them in adding specific language and direction to the County General Plan.
- Although the Inyo County General Plan is broad in nature, we believe by including the Inyo CWPP and CAL FIRE San Bernardino/Inyo/Mono Unit Fire Plan as reference, this will help address several of the recommendations by the BOF.
- When the General Plan Fire Safety Element Standard Recommendations is returned from the BOF to the County of Inyo, we will provide assistance in the implementation of the recommendations if requested.



BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY
Big Pine Paiute Indian Reservation
P.O. Box 700 · 825 SOUTH MAIN STREET · BIG PINE, CA 93513
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August 7, 2013

Elaine Kabala, Associate Planner
Inyo County Planning Department
PO Drawer L
168 N. Edwards Street
Independence, CA 93526

RE: SB 18 Consultation Request for the Northland Power Independence, LLC Solar Project Development and General Plan Amendment No. 2012-05 and for Participation in the Review Process of the updated Inyo County General Plan

Dear Ms. Kabala:

The Big Pine Paiute Tribe of the Owens Valley requests SB 18 consultation regarding the Northland Power Independence, LLC Solar Project Development and General Plan Amendment No. 2012-05 per the original request in a letter sent with the scoping comments for the Northland project on April 29, 2013, and SB 18 consultation for participation in the review process of the updated Inyo County General Plan in response to the letter sent to Bill Helmer from Inyo County on July 18, 2013.

Sincerely,

Genevieve Jones
Tribal Chairperson

From: **JOHN ZIEGLER**

Date: Wednesday, October 9, 2013

Subject: **ASTHETIC VIOLATIONS**

To: Matt Kingsley <mkingsley@inyocounty.us>

Dear Supervisor: Unfortunately I was unable to attend the meeting held in Olancha on Sept 30. I live at 2600 Sage Flats Dr, south of Olancha. I am disturbed by all the junk in the Olancha area that is visible from the roads and highway. I support legislation the would require that is be removed or hidden. Olancha should not be exempted. Persons driving up from the south must think that Olancha is the armpit of the Owens Valley. Property values suffer and we lose self respect.

Please keep me informed on progress on this matter. I have been here for more than 50 years.

John Ziegler 760-371-5332

From: Amy Noel <amynoe1@mac.com>
Date: Sun, Oct 6, 2013 at 3:57 PM
Subject: Thanks
To: Matt Kingsley <mkingsley@inyocounty.us>

Hi Matt,

I just want to say thanks for organizing the meeting Thursday night. I really appreciated it, learned a lot and had some fun. It's a good thing to be asked for our community's input and have the community describe it's own character.

I'm glad you took offense and the way you did it to comments that I took offense to also. It's hard for some to shrug off the bitterness of the old "north south" thing. I think you're doing a good job representing your district. We all appreciate very much the time you've spent out here and in the other smaller communities. I know Josh has been out a lot too.

Again I'm glad to have been able to attend the meeting and it's been fun sharing with others that didn't attend what it was about. Followed by good stories and conversations about junk verses trash and more. I'm especially excited about the lighting ordinance, night sky exploration is one thing that brings a lot of folks out and returning. Mark Hamlin built himself a really beautiful telescope this summer. This weekend he had the one with the video camera going and his new one. way cool. i hope you can experience more of that on one of your next visits.

We know the supervisors make the final decision on the new zoning and look forward to the Planning Dept incorporating our suggestions into an overlay and having some input on that. Bravo!

Amy

9/18/13

To: Inyo Planning Dept.

Re: Zoning and General Plan Update

First, let me congratulate this Planning Dept. in updating the Zoning Code! This is an accomplishment that I had hoped for ten years ago. Thank you for taking on this responsibility.

I would like to start with some general planning concepts:

1. As the internet becomes more prominent as a commercial tool, we do not need to have valuable land tied up as a restrictive 'Commercial Zone'. More and more we are using the internet for our purchases. What is the plan for the future of commercial property? I can have up to 15 residences in a commercial zone, but I cannot have just one???
2. Probably 95% of our county is open space, why do we zone private property as "Open Space". Do we really need more open space???
3. It is interesting, and somewhat consistent, that the public's input is considered last when the government does something. Okay, now I got my whining out of the way

Let's move on to some definitions;

1. What do you consider a "boarding house"? A person in an R-1 area cannot rent a room?
2. Junk- I think you defined almost everything I own. I agree that junk can be a problem, but you will have fun with this one.
3. Living area is not the "interior" area. It is measured on the exterior of the walls. Ask the Assessor or anybody else. Maybe I did not understand it correctly.
4. A mobile home is different from a manufactured home that is different from a modular home that is different from a trailer. By the way, it does not appear that anybody is enforcing those requirements in an R-1 Zone. You have done a lot of work already but this should be addressed next time.

Second dwelling Units- the nine rules hardly make any sense and read like they were written by a lawyer. Let's clean that up and simplify it. The key is to stay within the setback requirements and adequate parking. What if a person wants to call his current small home the second home and build a new primary home? Can you really have one dwelling unit inside another dwelling unit?

Can I live in a trailer while I am building my house?

Does this mean that in an all R-1 areas the next door neighbor can have 4 dogs, 2 pigs and 25 rabbits located 5 feet from the property line, which is just 5 feet from my kitchen window? I probably read that wrong.

Great job on the "Determination of Use". This is really good! I assume it could be appealed to the Commission. They need something to do anyway.

You just had to codify the vacation homes didn't you? Inyo County had vacation homes for more than 20 years and did not have a problem. Then a lady that lives in Long Beach, and has a second home in Aspendell, decided to raise a stink. She knew how politics works. Most of those that raised the stink did not even know where the half a dozen vacation homes were located. Several people that lived next to the vacation homes wrote letters in favor of them. You chased away some very nice, wealthy tourist that loved to spend money here. Oh well, I guess we don't want them anyway, they might be perverts.

Thank you for reading, assuming you got this far. You have really done a fine job and I did not point out all the wonderful things you did. I am too old now to get real excited about these things anymore. I really appreciate all the hard you put into this and I hope our community also appreciates it!

Mike Johnston

Address unknown

Bishop, Ca 93514

(760) 872-7970

From: [scott palamar](#)
To: [Joshua Hart](#)
Cc: [Elaine Kahala](#); [Matt Kingsley](#)
Subject: RE: Olancha Zoning Hearing Sept 30
Date: Tuesday, October 01, 2013 4:09:50 PM

Josh,

Thanks to you, Elaine, and Matt for braving the frontier of Olancha-Cartago!

I have given some thought to the zoning matter and wish to share my perspective with you....

While offering an overlay to meet the interest of each Inyo County community is considerate and generous, allowing each community to define 'junk' makes little sense to me.

I'm sure there is a generally accepted definition of junk (e.g. what you presented) which should be used as a basis for related code. Tracking each community's definition seems like a bureaucratic burden that will likely cost extra taxpayer dollars.

The crux of the attending residents' regards *enforcement*. It seems the vocal majority would prefer the government did not meddle in the status of their personal property. The idea of proactive code enforcement is particularly undesirable.

However, everyone benefits from existence of codes, which provides them with a path to remedying dangerous, devaluing, or demoralizing conditions on other properties in their community.

So the essence of my recommendation is that the County should continue its enforcement policy of responding to violations primarily when they are notified by complaint, but that the County's response should be expeditious and thorough.

Further, the County should be proactive in *informing* property owners and residents if their parcels are in violation of current code, especially if the breach is potentially dangerous and/or egregious. This is so the unaware will have a chance to remedy the condition before anyone complains, and particularly applies to absentee owners who may be completely unaware of conditions on their parcel(s).

In summary, I am suggesting that the Cartago-Olancha overlay not redefine junk, but only specify that proactive enforcement not occur except in the case of clearly dangerous or egregious conditions. Otherwise, County response should be thorough and immediate when a complaint is made, and more informative as to what constitutes violations of the current code.

Thanks and regards,

Scott Palamar
310-361-6867

Dear Supervisor Kingsley,

In advance of the September 30 hearing regarding the new zoning code and whether Olancha/Cartago should request an exclusion overlay, I submit my comments:

Despite my interest in an improved community visual aesthetic, I support an overlay.

That said I also strongly support the actual enforcement of existing related code such as:

18.30.0501(B), 18.33.040(B), and 18.36.060(B) Accessory uses.

In addition to the general regulations governing accessory uses, the following specific limitations and special regulations shall apply in an R-1 district:

B. Not more than a total of four of the following units shall be stored on any lot in the open. Any combination of individual units shall not exceed four in number, nor shall there be an aggregate of more than two of any single type of unit. "Unit" means sports camper, boat, travel trailer, camp car, or mobile sports or recreational apparatus;

C. An accessory building may occupy part of the rear half of a lot, and no such building shall be less than five feet distant from any lot line;

18.78.130 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:

- A. The employment of help other than members of the resident family;
- B. Any alteration in the residential character of the premises;
- C. Any outdoor storage or display of equipment, appliances, materials or supplies;
- D. Maintenance on the premises of any stock of goods for sale or rental which are not homemade;

It has been my experience that Inyo County has been reluctant to actively enforce these and other existing codes.

My point-of-view is that generally the County should not proactively pursue non-dangerous zoning code breeches when they do not affect the quality of life and value of the surrounding properties. For instance, if a neighbor puts up a privacy fence and/or plants a vegetation screen where visual violations can no longer be seen without effort, then the County needn't go out of its way to punish the offender.

So my recommendation is for you to support the overlay, but to inform the community of the existing related zoning codes, and solicit enforcement of the code if the obvious offenders do not conform or at least conceal their non-conformity from view by the time the new zoning code goes into effect.

Regards,

Scott Palamar
410 N Mojave St. Cartago
124 School Road Olancha
310-361-6867

Comments received via one-on-one telephone consultation requested by Jon Zellhoefer, 9/26/2013.

- Wants to see more commercial and industrial zoning to attract businesses
- Need to have county sponsored junk disposals in Southeast County
- No place to dump junk in Tecopa
- No recycling in Tecopa
- Need to be able to meet code before you can enforce it
- BLM marsh land is a fire hazard.

Comments received via one-on-one telephone consultation requested by John Turner, 9/12/2013.

Opposed to the ban on short-term rentals. Hollywood visitors and staff members prefer to rent weekly rentals when they are shooting in Lone Pine. People pay huge sums of money to stay anywhere because there are not enough hotels in the area to support visitorship. We are working so hard to try and have revenue – why would the County try to limit that?

John Turner

info@sierraelevation.com

760-876-4560

- **Keeler** has a charm about it. People travel here to enjoy, photograph and paint from all over the world. Harsh rules would change why we came here and love Keeler. Keeping Inyo county's current reactive enforcement policy, not proactive enforcement policy, is important.

Overlay Should Address The Following:

- **Fence heights:** Higher fence heights in front of homes are needed here to protect property from harsh environments.
- **Cargo containers:** Allow cargo containers on residential properties.
- **Yard art:** Who doesn't like yard art of some kind!
- **Community Service Property:** Needs to change zoning to allow KCSD to function as a community center.
- **Commercial zoning:** Change commercial zoning to M2-C4 for flexibility.
- **Parking:** Unlimited parking on private property.
- **Street Parking:** Street parking on the shoulder of the road not to impede traffic flow.
- **Animal and Garden Zoning:** Friendly!
- **Alternative Living:** i.e. allowing parked R.V., cargo containers while developing property. Allowances for alternative and experimental structures such as very small houses.
- **Cottage Industry:**

COMMENTS REGARDING PROPOSAL TO UPDATE THE COUNTY-WIDE ZONING CODE

The Inyo County planning commission will consider a proposal to amend the county zoning code during the current ten year update to the county wide plan. The proposed amendment would allow for a more strict zoning interpretation of private residential properties. There is discussion of a pro-active enforcement officer inspecting the properties (yards) of Inyo County residents to guarantee compliance with a new revision to the zoning code.

So the story goes; the proposed amendment would address a private residential yard within the county jurisdiction of the city of Bishop. It seems the 'yard' is offensive to neighbors. They would resolve the matter by amending the zoning code within the county plan to prevent an 'unsightly' yard. However, the county plan amendment would impact all properties within the Inyo County jurisdiction outside the city of Bishop.

From what is known at this time changes to the Zoning Code would affect property owners in the following ways:

- 1- Zoning – a change in classification.
- 2- Storage – storage of firewood, lumber, building materials, etc would have to comply with established county 'set backs' on side yards and front yards. Most existing storage would be illegal.
- 3 - Motor vehicles – no street side parking for longer than 3 days. Storage of vehicles on property more restrictive. No more than 3 vehicles per property.

The process of replacing the old zoning code with a new, updated, version includes consultations between the planning commission and the planning department in the formation of a draft proposal which would then be submitted for an ER and 30 day public comment period before being submitted to the board of supervisors for final approval.

The process includes current discussion held during the monthly planning commission meetings and weekly meetings of the board of supervisors.

See Inyo planning web site – zoning code and general plan update.

<http://inyoplanning.org/GPandZoningUpdates.htm>

<http://inyoplanning.org/documents/ZC-PCStaff12.05.12.pdf>

COMMENTS:

This is an ill advised amendment to the county zoning code which has the potential to alienate the citizens of Inyo County. Most, say 80-90%, of Inyo citizens would be in non compliance with the revised zoning code. In theory they would be cited by a newly created proactive enforcement officer whose job description would be to inspect private properties and cite those in non-compliance. If property owners failed to achieve compliance Inyo County would remedy the situation at the owners' expense. It's unclear what would happen next: the payment of penalties plus county expenses, a lien attached to the property or eventual forfeiture of the property for non-payment of the 'clean up'.

The proposal is a direct threat to our way of life in Inyo County. It would transform decent tax paying property owners into violators subject to the bureaucratic abuse of the county. Citizens of Inyo would learn to regard the county as "the enemy" and cease all normal collaboration. It would erode whatever 'trust' residents assume with the county.

To the board of supervisors: be very careful before you impose an urban sensitivity upon rural inyo county. As you well know a different aesthetic is practiced in the rural towns of inyo county. Residents tend to be fiercely independent and harbor a "live and let live" attitude toward their neighbors.

We don't need a 'big brother' regulator nosing through our yards. Don't impose the bishop problem on the rest of the county. If this is a bishop issue, keep it in bishop. Maybe the city of bishop should consider the annexation of the offending neighborhood.

Consider the cost of enforcement. (or, is the county seeking to enhance revenues through 'fines' charged property owners.) the position of enforcement officer with salary and benefits would need to be created. The extra load on the court system would probably require more employees/lawyers if the law were to be administered fairly - without 'selective enforcement'. Realize the enforcement officer will be required to visit every town in inyo county and cite residents in non-compliance with the new code.

Once a county enforcer gains access to inyo county communities and asserts the new county perspective the county's abusive actions will subdue the resistance and independence of today's residents allowing a replacement and more compliant population to gentrify the last private lands within inyo county. (or, is that the county's intention? ie; "clean up inyo")

Remember, any proposed change would affect every inyo community as far away as Charleston View. The enforcement officer and county enforcement campaign would have it's hands full bringing the towns of charleston view, tecopa, darwin, keeler and olancha into compliance.

As an inyo county supervisor are you willing to invade the yards of your constituents and order them to comply with an extreme interpretation of the county zoning code? You would think the supervisor who votes for this policy would be a one term supervisor.

During the february 12, 2013 meeting of the board of supervisors this proposal will be discussed as an agenda item.

 8.08.13

- Grandfather existing stuff
- Allow cargo containers on developed lots because they fit Keeler's industrial past
- Higher fence heights in front of homes. To protect property from harsh environments. It is traditional in desert areas.
- Allowances for yard art
- Change commercial zoning to M2-C4 flexibility
- Cottage industry, for example: art studio
- Maybe overlay for these ideas presented
- Keeler has a charm about it. People travel here to enjoy, photograph and paint from all over the world. Harsh rules would change why we came here and love Keeler.
- Keep Inyo county's current reactive enforcement policy, not proactive enforcement policy

Keeler Under 2013 Inyo County Zoning Code

1. A special eclectic eccentric town with a visitor stream from near and far

An open zoning scheme envisioning property owners in Keeler
Continuing to use and enjoy machines, plants, animals, structures,
Activities, vehicles on and around their property under locally
Developed standards

This is best for residents and the county financially

11. A Keeler zoned according to the countywide scheme after
grandfathering in existing and occupied structures and a list of specific
exceptions to normal residential zoning plans allowing

- Variances from setback requirements
 - High fences and walls
- Unlimited storage of items, machines and vehicles, especially unused ones
- Variances from residentially factored limitations on animal husbandry, subsistence gardening and cottage industries
- Improvised uses of older or repairable structures, trailers, containers, building materials, animal skins, tents, tarps, nets, etc

This good but requires a lot of potentially expensive administration

111. A Keeler zoned according to the countywide schemed with or without overlays

Sounds simple but county faces blowback and resources drain on enforcement

PETITION

To: Inyo County Board of Supervisors
Inyo County Planning Commission

From: Undersigned residents and property owners of Keeler, Inyo County, California

Re: Proposed Inyo County Revised Zoning Code's impact on private use of property in Keeler

- 1) We are aware of and recognize Inyo County's duty to regulate private property use in the town of Keeler and the County's duty to review and revise that scheme every ten years.
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- 3) We oppose any restrictive regulations or any pro-active enforcements being imposed or modified into that scheme affecting private property in Keeler.
- 4) We are willing to meet with Inyo County's elected administrative and regulatory personnel to work out mutually agreeable overlay exemptions or a specific set of regulations governing private use of private property in Keeler.
- 5) We absolutely do not recognize the relevance of any County regulatory scheme governing private property in and around Bishop to the private use of private property in Keeler.

Name Address Length of residency or property ownership

sign

print

Roxanna Bowden	190 Franklin	4 yrs
Roxanna R. Bowden		
John F Bowden	190 Franklin	4 yrs
John F Bowden	230 RAILROAD	12 years
John J. Martin		
Elna Newman	360 old State Highway	7 years
Robert Newman	360 Old State Highway	7 years
Terence D. Negey	200 Cerro Gordo ST 23	
Jerry C. Bruegg	200 Cerro Gordo ST 23	
Arin Campbell	290 CERRO GORDO	29
Sharon Cummings	120 N LWS Ave	14 yr.

(see over)

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Name	Address	Length of residency or property ownership
sign <i>Craig Marshall</i>	<i>197 FRANKLIN</i>	<i>16 years</i>
print <i>CRAIG HAROLD MARSHALL</i>		

S/ Stephen P. McGreevy *136 YERINGTON AVE. - 11 YRS.*
 STEPHEN PAUL MCGREEVY

COMMENT: IT WOULD KILL THE CHARACTER OF KEELER! WE LOVE/T
TOURISTS THE UNUSUAL LOOKS OF KEELER. PLEASE DON'T TRUD ON US.

Alan Akin 599 Old State Highway
ALAN AKIN

Keeler (A 43530 Lived near 23 years

Robert Spry 167 Old State Highway 1 year

ROBERT SPRY

Bruce H. Spry ^{Pruce}
~~Spry~~ 167 Old State Hwy 1 year
Keeler

Bruce H. Spry

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Name Address Length of residency or property ownership

sign *Matt Bond 150 Yerington Ave Keeler 15*

print *Brian P. Desmond*

Curry Joe Zappia 146 YERINGTON 17

TERRY JOE ZAPPIA

Deborah A. Ross 146 Yerington 16

Deborah A. Ross ROSS

*MT
 AUGUST 21
 5:55
 [Illegible signature]*

Richard Hamilton 137 YERINGTON AVE

*Karen B. Riggs 210 Railroad Ave.
 Karen B. Riggs 10 years*

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Name	Address	Length of residency or property ownership
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sign	Sarah Miller 201 Franklin St.	41 years
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print	Sarah Miller	
-------	--------------	--

Craig H. Marshall	197 Franklin St	16 yrs
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Craig H. Marshall

Muri Robertson	150 Railroad Ave	1992
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Chelsea Chapeliera	150 Railroad Ave	18
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Aditya Chandra	150 Railroad Ave	20
L. G. Johnson	150 Railroad Ave	

Robert Paul Kennedy
135 Old State Highway
15 years

PETITION

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Name	Address	Length of residency or property ownership
------	---------	---

sign

print

2 years - RENTER

KEVIN Southall

127 OLD STATE Highway

Kevin Southall

KEELER CA. 93530

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MARK McCALL	PO Box 117 - 155 YERINGTON AVE		
Name	Address	Length of residency or property ownership	43 YRS

sign *Mark McCall*

print

JOHN DUKES	PO Box 221 - 440 OLD STATE HWY	10 YRS
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John Dukes

CARLENE McFarland	194 Railroad Ave -	1 yr.
CARLENE MCFARLAND	Keeler CA.	

Alison Braun

150 Yerington Ave.	23 years
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Alison Braun
Myrna Tew
MYRNA TEW

185 Yerington Ave and a lot on main st.	30 years
--	----------

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Name	Address	Length of residency or property ownership
sign		33 yrs.
print	JIM MALLEY #85 OLIVER ST. POBx 131 Keeler, CA. 93530	

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Name	Address	<u>Length of residency or property ownership</u>
sign print DAN DICKMAN	DAN DICKMAN	33 YRS.
	105 OLIVER ST P.O. BOX 213 KEELER CA 93530	
LARRY PATRICH LARRY PATRICH	LARRY PATRICH	125 YERINGTON AVE P.O. BOX 132 KEELER 10 YRS

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Name	Address	Length of residency or property ownership
------	---------	---

sign

25 years

print

Elaine Todd

Elaine Todd

108 old state highway

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Name Address Length of residency or property ownership

sign

print

20 years

Norman Hoffman

Norman Hoffman

310 Railroad Ave

258 Railroad Ave

256 Railroad Ave

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Name Address Length of residency or property ownership

sign

print

<i>Glenn W. Young</i>		
<i>Sherry L. Cosgrove</i>		
<i>Glenn W. Young</i>	<i>107 Franklin St.</i>	
<i>Sherry L. Cosgrove</i>		<i>13 years</i>

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Name	Address	Length of residency or property ownership
ALAN MATTHEWS sign Alan W. Matthews print	285 N LAWS AVE.	22 YEARS

PETITION

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Name

Address

Length of residency or property ownership - *50+ years*

sign

Theona B. Wasson - 385 Lava Ave., Keeler, Ca - 93530

print

THEONA B. WASSON

Date: *July 10, 2013*

From: [mike johnston](#)
To: [Joshua Hart](#)
Subject: Animals and adventure trails and solar
Date: Tuesday, November 05, 2013 3:06:55 PM

Josh, I may have made a previous comment regarding animals (chickens, rabbits, horses etc.) but I have more insight now that a neighbor has such animals. I believe it is a requirement that propane tanks be 10 feet from the property line and that would also seem appropriate for such animals. Since houses have a 5 ft. side set back, that would leave a 15 foot buffer- sounds good to me (or possibly more)! I have raised pigs, sheep, chickens, rabbits, horses etc. and there needs to be a big buffer!

Regarding Adventure Trails- Holy Toledo- this is a pilot program. It is amazing that we would spend so much time and money to analyze a pilot program. Let's put it into affect and then work out any bugs that come up. It looks like a good idea, especially for an area that survives via tourism.

Oh yeah, solar programs are good also.

Thanks for the opportunity to give more input.

--

Mike Johnston
(760) 937-6663