



# CITY OF BISHOP

377 West Line Street – Bishop, CA 93514  
P.O. Box 1236 – Bishop, CA 93515  
City Hall (760) 873-5863 – Fax (760) 873-4873

**FILED**

**JAN 28 2016**

INYO CO. CLERK  
KAMMI FOOTE, CLERK

BY  DEPUTY

## Environmental Protection Agency

### NEGATIVE DECLARATION

**CITY COUNCIL ACTING AS ENVIRONMENTAL AGENCY**

Responsible Agency

**ENVIRONMENTAL REVIEW – TENTATIVE TRACT MAP NO. 250, KINGSTON SUBDIVISION**

Project Title

**785 HOME STREET, BISHOP, CALIFORNIA 93514**

Address

**BOB KINGSTON, POST OFFICE BOX 50644, SANTA BARBARA, CALIFORNIA 93150**

Name and Address of Project Proponent

**PROJECT DESCRIPTION**

This Initial Study / Mitigated Negative Declaration evaluate the potential environmental impacts anticipated to result from implementation and construction of Tentative and Final Tract Map No. 250 that is proposed by Bob Kingston.

The proposed project would include removal of the existing Bishop Nursery and associated improvements and construction of 15 graded sites to accommodate single family dwellings, construction of a main access roadway, drainage improvements, and extension of utilities to serve the individual parcels. Implementation of the project would require a subdivision map to create individual parcels, the roadway and a conditional use permit approval that would set aside several Bishop Municipal Code, Title 16, Subdivisions, Design requirements.

Proposed parcels would generally be rectangular in shape and would range in size between 5,104 square feet to 8,232 square feet. Each parcels individual building pad would roughly cover sixty to sixty-five percent of the parcel area.

Vehicle access to the project site would be provided by a private roadway accessed from Home Street that would terminate in a hammer head dead-end configuration. The 36 ft. roadway would consist of two 10 ft. traffic lanes and two 8 ft. parking lanes with curb and gutter at the roadway edges. The proposed right of way allows for a pedestrian sidewalk along one side of the roadway as depicted on the tentative map. Driveway approaches would be provided to each parcel. Utilities and grading proposed for the project consist of underground water, sewer, electrical power and related infrastructure improvements.

**GARY SCHLEY, PLANNING DIRECTOR**

Contact Person

**(760)**

Area Code

**873-8458**

Phone

### DECISION OF ENVIRONMENTAL PROTECTION AGENCY

**FINDINGS:** See attached Resolution No. 2016-01



Gary Schley, Planning Director

DATE: January 28, 2016

16-00001



CITY OF BISHOP  
377 West Line Street  
Bishop, California 93514

**NOTICE OF DETERMINATION**

TO:  
 Office of Planning and Research  
P. O. Box 3044  
Sacramento, CA 95812-3044

Inyo County Clerk/Recorder  
P. O. Drawer F  
Independence, CA 93526

FROM:  
City of Bishop  
P. O. Box 1236 / 377 West Line Street  
Bishop, CA 93515

Contact: Gary Schley, Planning Director  
Phone: (760) 873-8458

Lead Agency (if different from above)  
Address:  
Contact:

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

**PROJECT TITLE:** TENTATIVE TRACT MAP NO. 250, KINGSTON SUBDIVISION

**PROJECT LOCATION** (include county): 785 Home Street, Bishop, California

**PROJECT DESCRIPTION:** This Initial Study / Mitigated Negative Declaration evaluate the potential environmental impacts anticipated to result from implementation and construction of Tentative and Final Tract Map No. 250 that is proposed by Bob Kingston.

The proposed project would include removal of the existing Bishop Nursery and associated improvements and construction of 15 graded sites to accommodate single family dwellings, construction of a main access roadway, drainage improvements, and extension of utilities to serve the individual parcels. Implementation of the project would require a subdivision map to create individual parcels, the roadway and a conditional use permit approval that would set aside several Bishop Municipal Code, Title 16, Subdivisions, Design requirements.

Proposed parcels would generally be rectangular in shape and would range in size between 5,104 square feet to 8,232 square feet. Each parcels individual building pad would roughly cover sixty to sixty-five percent of the parcel area.

Vehicle access to the project site would be provided by a private roadway accessed from Home Street that would terminate in a hammer head dead-end configuration. The 36 ft. roadway would consist of two 10 ft. traffic lanes and two 8 ft. parking lanes with curb and gutter at the roadway edges. The proposed right of way allows for a pedestrian sidewalk along one side of the roadway as depicted on the tentative map. Driveway approaches would be provided to each parcel. Utilities and grading proposed for the project consist of underground water, sewer, electrical power and related infrastructure improvements.

This is to advise that the City of Bishop [ Lead Agency  Responsible Agency] has approved the above-described project on January 11, 2016 and has made the following determinations regarding the above-described project:

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measure [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

16-00001

**RESOLUTION NO. 2016-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR TENTATIVE TRACT MAP NO. 250**

**WHEREAS**, The Planning Department of the City of Bishop received an application from Bob Kingston on April 10, 2015, for Tentative Tract Map No. 250, a 15 lot subdivision of a 2.75 acre parcel at 789 Home Street, APN 008-090-02; and

**WHEREAS**, The City determined that the project was subject to the California Environmental Quality Act (CEQA) and prepared an Initial Study pursuant to CEQA evaluating the potential environmental effects of the project; and

**WHEREAS**, based on the revised Initial Study, the City prepared a Mitigated Negative Declaration which reflected the City's independent judgment and analysis of the potential environmental impacts of the project and which was submitted to the State Clearing House for a 30-day public review period commencing on November 14, 2015 and ending on December 14, 2015 (Exhibit A, incorporated by reference); and

**WHEREAS**, the City noticed the availability of the revised Initial Study/Mitigated Negative Declaration in the Inyo Register on November 14, 2015, and the same noticing was mailed to property owners within 300 foot radius of the site; and

**WHEREAS**, the City prepared written responses to the comments in a Response to Comments document, which responses provide the City's good faith, reasoned analysis of the environmental issues raised by the comments (Exhibit B, incorporated herein by reference); and

**WHEREAS**, the City carefully reviewed the comments and written responses and determined that the Mitigated Negative Declaration adequately identified and analyzed the project environmental impacts, and responses did not constitute or require substantial revisions to the Mitigated Negative Declaration; and

**WHEREAS**, the City Council reviewed the draft Mitigated Negative Declaration, including comments and responses, at a noticed public hearing on January 11, 2016 at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the Mitigated Negative Declaration identifies mitigation measures applicable to the project, therefore a Mitigation Monitoring and Reporting Program (MMRP) must be adopted to mitigate or avoid significant effects of the project on the environment and ensure compliance during project implementation; and

**WHEREAS**, a MMRP has been prepared and attached as required by CEQA (Exhibit C, incorporated by reference).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bishop as follows:

- A. The foregoing recitals are true and correct and made part of this resolution.
- B. The City Council has reviewed and considered the draft Mitigated Negative Declaration, comments received during public review period, the written responses to the comments and the Mitigated Negative Declaration.
- C. The project Mitigated Negative Declaration adequately describes the environmental impacts of the project. On the basis of the whole record before it, the City Council finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment beyond those identified in the Mitigated Negative Declaration.
- D. The Mitigated Negative Declaration has been completed in compliance with CEQA and the CEQA Guidelines.
- E. The Mitigated Negative Declaration is complete and adequate and reflects the City Council's independent judgment and analysis as to the environmental effects of the project.

**BE IT FURTHER RESOLVED** that based on the above findings, the City Council adopts the following:

**Section 1.** The City Council hereby adopts a Mitigated Negative Declaration for Tentative Tract No. 250, consisting of the revised Initial Study / Mitigated Negative Declaration dated November 2015, and the Responses to Comments dated December 2015, which documents are attached as Exhibit A and B.

**Section 2.** The City Council hereby approves the Mitigation Monitoring and Reporting Program for the project, attached as Exhibit C.

**Section 3.** The Planning Director shall file a Notice of Determination with the County Clerk in accordance with CEQA Guidelines.

PASSED, APPROVED AND ADOPTED this 11<sup>th</sup> day of January 2016.



\_\_\_\_\_  
Laura Smith, Mayor

ATTEST: Jim Tatum, City Clerk

By: 

\_\_\_\_\_  
Robin Picken, Assistant City Clerk



16-00001

STATE OF CALIFORNIA }  
COUNTY OF INYO }  
CITY OF BISHOP }

I, Robin Picken, Assistant City Clerk for the City of Bishop, do hereby certify that the whole number of members of the City Council of said City of Bishop is five (5); that the foregoing Resolution No. 2016-01 was duly passed and adopted by said City Council; approved and signed by the Mayor of said City; and attested by the City Clerk of said City, all at a regular meeting of said City Council, held on January 11, 2016, and that the same was so passed and adopted by the following roll call vote.

AYES: Schwartz, Ellis, Gardner, Pecs, Smith

ABSENT: None

NOES: None

DISQUALIFIED: None

WITNESS, my hand and the seal of the City of Bishop this 12th day of January 2016.



\_\_\_\_\_  
Robin Picken, Assistant City Clerk  
CITY OF BISHOP



This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: Bishop Planning Department, 377 West Line Street, Bishop, California 93514.

Public Agency Signature:   
Gary Schley, Planning Director

Date: January 28, 2016      Date Received for filing at OPR: \_\_\_\_\_

Authority cited: Section 21083, Public Resources Code.  
Reference: Sections 21000-21174, Public Resources Code