

# Agenda

# County of Inyo Planning Commission

Board of Supervisors Room  
Inyo County Administrative Center  
Independence, California

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

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

Inyo County Planning Commission  
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**CATHREEN RICHARDS**  
**PAULA RIESEN**  
**MICHAEL ERRANTE**  
**CLINT QUILTER**  
**GRACE CHUCHLA**

**PLANNING DIRECTOR**  
**PROJECT COORDINATOR**  
**PUBLIC WORKS DIRECTOR**  
**COUNTY ADMINISTRATOR**  
**DEPUTY COUNTY COUNSEL**

Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order or the items are continued. Estimated start times are indicated for each item. The times are approximate and no item will be discussed before its listed time.

Lunch Break will be given at the Planning Commission's convenience.

The Planning Commission Chairperson will announce when public testimony can be given for items on the Agenda. The Commission will consider testimony on both the project and related environmental documents.

The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

**Public Notice:** In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

## February 24, 2021

10:00  
A.M.

- 1. PLEDGE OF ALLEGIANCE.**
- 2. ROLL CALL –** Roll Call to be taken by staff.
- 3. PUBLIC COMMENT PERIOD –** This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.
- 4. APPROVAL OF MINUTES –** Approval of minutes from the January 27, 2021 Planning Commission Meeting.
- 5. 2020 ANNUAL PROGRESS REPORT -** Staff will give a presentation to the Planning Commission summarizing the Inyo County 2020 Annual Progress Report.

Action  
Item

Infor-  
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Item

**Infor-  
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Item**

- 6. Workshop** - Staff will conduct a public workshop with the Planning Commission on the Vacant Lands Inventory and Zoning/General Plan Evaluations for Possible Changes to Promote Housing Opportunities and provide comments and direction to staff regarding the project and parcel selection for the EIR.

**COMMISSIONERS' REPORT/COMMENTS**

Commissioners to give their report/comments to staff.

**PLANNING DIRECTOR'S REPORT**

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

**CORRESPONDENCE – INFORMATIONAL**

# COUNTY OF INYO

## PLANNING COMMISSION

### MINUTES OF JANUARY 27, 2021 MEETING

**COMMISSIONERS:**

FRANK STEWART  
CAITLIN (KATE) J. MORLEY  
TODD VOGEL  
SCOTT STONER  
SCOTT KEMP

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

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**STAFF:**

CATHREEN RICHARDS  
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PLANNING DIRECTOR  
DEPUTY COUNTY COUNSEL  
ASSOCIATE PLANNER  
PROJECT COORDINATOR  
COUNTY ADMINISTRATOR  
PUBLIC WORKS DIRECTOR

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The Inyo County Planning Commission met in regular session on Wednesday, January 27, 2021, using Zoom for our meeting. Commissioner Morely opened the meeting at 10:02 a.m.  
These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

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**ITEM 1:**     **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:02 a.m.

**ITEM 2:**     **ROLL CALL** - Commissioners: Caitlin Morley, Todd Vogel, Frank Stewart, and Scott Kemp were present. Commissioner Stoner was absent.

Staff present: Cathreen Richards, Planning Director; Ryan Standridge, Associate Planner; Paula Riesen, Project Coordinator, and Grace Chuhla, Deputy County Counsel.

Staff absent: Clint Quilter, County Administrator; Michael Errante, Public Works Director.

**ITEM 3:**     **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

Chair Morley opened the Public Comment Period at 10:04 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:04 a.m.

**ITEM 4:**     **APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the September 23, 2020 meeting of the Planning Commission.

**MOTION:**     Commissioner Todd Vogel made the motion to approve the minutes under the condition that on action Item # 9 **HEARING – Radcliff Mine Order Mandating Compliance** – The Planning Commissioners vote and count be added to the minutes. Then motion was seconded by Chair Morley.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

The Motion passed 4-0 at 10:06 a.m.

**ITEM 5:**     **NOMINATION & ELECTION OF CHAIR PERSON** – The Commission will accept nominations for chair-person for 2021 and hold election.

Chair Morley asked for new nominations for 2021 Chair Person.

**MOTION:**     Vice Chair Vogel then nominated Kate Morley and it was seconded by Commissioner Stewart.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

The Motion passed 4-0 at 10:08 a.m.

**ITEM 6:**     **NOMINATION & ELECTION OF VICE CHAIR PERSON** – The Commission will accept nominations for vice-chair-person for 2021 and hold election.

Chair Morley asked for new nominations for 2021 Vice Chair Person.

**MOTION:**     Commissioner Kemp nominated Todd Vogel, and it was seconded by Commissioner Stewart.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

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

Planning Director, Cathreen Richards announced that Commissioner Scott Stoner decided to step down from his position. The newly elected Board of Supervisor Jen Rossier recommended Callie Peek to the Planning Commission to represent District 4. Ms. Peek will begin as Commissioner in February.

**ITEM 7:**

**CONDITIONAL USE PERMIT-2019-16 / INYO FACE – CULTIVATION –**

The applicant is requesting a CUP for the cultivation of cannabis on an approximate 2.5-acre parcel located along the Old Spanish Trial Highway in the community of Charleston View, in southeast Inyo County. The project includes the construction of an 18,504-sqft building for the growing, harvesting, dry and curing of cannabis plants. This project has been applied for concurrently with a retail cannabis business to be located on a parcel directly north of the cultivation project.

Cathreen Richards, Planning Director, presented staff report.

Director Richards stated that county departments such as Environmental Health, Public Works, Road Department, and the Inyo/Mono Agriculture Commission, had review the application and they had no concerning issues with the project. The Lahontan Water Board; California Department of Fish and Wildlife and the California Department of Food and Agriculture provided comments on the CEQA document. Conditions of Approval were added to addresses all of the substantive comments.

Commissioner Vogel asked what CDFW actually means, Director Richards clarified that it stands for California Department of Food and Agriculture.

Chair Morley opened the Public Hearing at 10:21 a.m.

Owner Ken Sobel thanked Cathreen and the Planning Department for all of the great work they have done for his project.

Chair Morley closed the Public Hearing at 10:23 a.m.

**MOTION:** Commissioner Frank Stewart made a motion to approve the CUP-2019-16/Inyo Face – Cultivation with the findings 1-7, and the conditions of approval 1-8, and was seconded by Commissioner Kemp.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

The Motion passed 4-0 at 10:24 a.m.

**ITEM 8:** **CONDITIONAL USE PERMIT-2019-17/INYO FACE –DISPENSARY** - The applicant is requesting a CUP to establish a retail cannabis store on an approximate 2.5-acre parcel located along the Old Spanish Trial Highway in the community of Charleston View, in southeast Inyo County. The project includes the construction of a 1,355-sqft building to house the store. This project has been applied for concurrently with a cannabis cultivation business to be located on a parcel directly south of the retail project.

Cathreen Richards, Planning Director, presented staff report.

Conditional Use Permit 2019-17/Inyo Face – Retail. This project incorporates several mitigation measures as conditions of approval for the issuance of the CUP based on comments received by CDFW. Tribal letters were sent out inviting them to consultation on the project. The Fort Independence Indian Community of Paiutes requested consultation and copies of the biological and cultural resources studies, then subsequently requested more information. Since then the tribe has been non-responsive, with no comments or formal consultation schedule request, staff submitted the Negative Mitigated Negative Declaration for a 30 review period. With the consultation process complete, Director Richards asked the Planning Commission to certify the Mitigated Negative Declaration of Environmental Impact.

Chair Morley asked for clarification on whether there are any cultural resources in the area?

Director Richards said there were no cultural resources on or adjacent to the project area.

Chair Morley opened the Public Hearing at 10:32 a.m.

Owner Ken Sobel wanted to reiterate how thankful he was to Cathreen and the Planning Department for all of the great work they have done for his project.

Chair Morley closed the Public Hearing at 10:34 a.m.

**MOTION:** Commissioner Vogel made a motion to approve the CUP-2019-17/Inyo Face – Retail with the findings 1-7, and the conditions of approval 1-7, and was seconded by Chair Morley.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

The Motion passed 4-0 at 10:35 a.m.

**ITEM 9:**     **CONDITIONAL USE PERMIT-2020-10/DESERT GREEN – DISTRIBUTION -**  
Has been postponed at this time.

**ITEM 10:**    **CONDITIONAL USE PERMIT-2020-11/DESERT GREENS – CULTIVATION -**  
Has been postponed at this time.

**ITEM 11:**    **ZONE TEXT AMENDMENT-2020-02 ICC- AMEND 18.78.340/SECOND UNITS -**  
Inyo County Code is currently out of compliance with State Laws related to Accessory Dwelling Units. Staff has drafted a proposed ordinance to Amend the Inyo County Zoning Code’s Title 18.78.340 General Regulations - Second Units, to bring the County into compliance with State regulations. This item is being brought back to the Planning Commission with staff recommended changes.

Cathreen Richards, Planning Director, presented staff report.

Chair Morley opened the Public Hearing at 10:40 a.m.

With no one wishing to speak, at 10:41 a.m. Chair Morley closed the Public Hearing.

**MOTION:**    Commissioner Frank Stewart made a motion, modified; Commissioner Vogel made a second with the recommended findings 1-3. To be taken to Board of Supervisors for approval.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

The Motion passed 4-0 at 10:42 a.m.

**ITEM 12:**    **AMENDMENT TO RECLAMATION PLAN 96-12 -** The applicant has applied for an amendment to Reclamation Plan 96-12. The project proposes to expand mining operations at Keeler Pit MS #300 for continued maintenance of dirt shoulders in Inyo County. Approximately 300,000 cubic yards of material will be extracted from the site, over a 30 to 50-year timespan, in an 8.1 acre-expansion area. A Mitigated Negative

Declaration of Environmental Impact has been prepared and publicly noticed pursuant to the California Environmental Quality Act.

Ryan Standridge, Associate Planner & SMARA Coordinator gave staff report.

Chair Kate Morley asked for clarification of the amount of material taken out of the site.

Ms. Standridge stated that the amount of material can vary due to storms. The proposed increase 3000,000 cubic yards.

Forrest Becket a representative of Caltrans explained the expansion of the pit is making a long term source of materials for road shoulder backing. He reiterated Ryan's statement about storm damage. He explained that every year could fluctuate due to demand of materials but Caltrans estimates 5,000 cubic yards annually. He emphasized the 5,000 cubic yards is not always met it could be less one year and more the next when a road gets washed out.

Chair Morley opened the Public Hearing at 10:51 a.m.

With no one wishing to speak, Chair Morley closed the Public Hearing at 10:52 a.m.

**MOTION:** Commissioner Frank Stewart made a motion to approve the Mitigated Negative Declaration of Environmental Impact Amendment to Reclamation Plan 96-12. with the findings 1-7, and the conditions of approval 1-13, Commissioner Vogel made the second.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

The Motion passed 4-0 at 10:55 a.m.

#### **COMMISSIONERS' REPORT/COMMENTS –**

Chair Kate Morley wanted to point out the new SMARA Coordinator deserves props for all of her hard work, great presentation today.

Commissioner Frank Stewart wanted to announce that his wife is retiring in June.



If the Planning Commission continues with the Zoom Meetings, he will be able to continue with his term. If the meetings return to in person meetings he will have to resign his seat on the Planning Commission, for they will be traveling.

### **DIRECTOR'S REPORT –**

Kate Morley - District 2, Scott Stoner – District 4 and Scott Kemp – District 5, have just completed their terms on the Planning Commission. Commissioner Morley and Commissioner Kemp would like to serve another term on the Planning Commission and the Board has reappointed them. Scott Stoner – District 4, did not wish to serve anymore so he resigned.

Newly Elected Board of Supervisor, Jen Rossier, nominated Callie Peek to serve on the Planning Commission for the Fourth District and the Board appointed her. Callie is observing this meeting and February 24, 2021 will be her first meeting. Welcome Callie and thank you for serving.

We will need to have a February 24, 2021 Planning Commission Meeting. There will be an Affordable Housing Workshop and a General Plan Progress Report workshop.

### **ADJOURNMENT –**

With no further business, Chair Kate Morley requested a motion to adjourn the meeting at 11:00 am. The next meeting will be set for February 24, 2021, at 10:00 a.m.

Motion by Commissioner Todd Vogel.

Seconded by Commissioner Frank Stewart.

Project Coordinator, Paula Riesen proceeded with roll call for each vote.

Kate Morley – Yes  
Todd Vogel – Yes  
Frank Stewart – Yes  
Scott Kemp – Yes

Motion passed 4-0.

Prepared by:  
Paula Riesen  
Inyo County Planning Department



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**AGENDA ITEM NO.:** 5 (Informational)

**PLANNING COMMISSION MEETING DATE:** February 24, 2021

**SUBJECT:** Inyo County 2020 General Plan Annual Progress Report

### **EXECUTIVE SUMMARY**

Staff has drafted the County's 2020 General Plan Annual Progress Report. This report is required to be presented to local legislative bodies prior to being submitted to the State.

### **PROJECT INFORMATION**

**Supervisory District:** County-wide

**Recommended Action:** **Accept the Inyo County 2020 Annual Progress Report**

**Alternatives:**

- 1.) Recommend modifications to the report.
- 2.) Continue the item to a future date, and provide specific direction to staff regarding additional information and analysis needed.

**Project Planner:** Cathreen Richards, Planning director

### **BACKGROUND**

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

# **General Plan Annual Progress Report 2020**

County of Inyo



**Prepared by the Inyo County Planning Department  
February 2020**

## I. Introduction

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

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

## Background

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

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

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

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

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

## Informational Document

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

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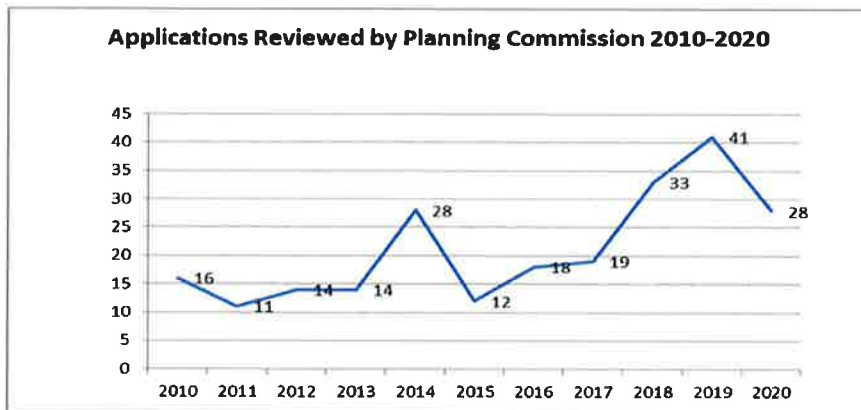
<sup>1</sup> General Plan Annual Progress Report Guidance. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit. Revised July 11, 2007. Refer to [https://www.opr.ca.gov/s\\_planningassistance.php](https://www.opr.ca.gov/s_planningassistance.php)

- 1 General Plan Amendment
- 1 Zoning Reclassifications
- 1 Variance
- 1 Telecom Plan
- 6 Hosted Short Term Rental Permits
- 1 Short Term Ordinance Update
- 1 Zone Text Amendment
- 1 Telecom Plan
- 1 Mining Violation Hearing

In addition, 17 zoning violations were logged, continuing the significant increase that has been occurring since 2015.

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

- 11 Condition Use Permits – 1 Amendment
- 1 Tentative Parcel Map
- 1 General Plan Amendment
- 1 Zone Reclassification
- 1 Zone Text Amendment Update
- 6 Non-Hosted Short Term Rental Permits
- 1 Short Term Ordinance Update
- 1 Zone Text Amendment
- 1 Telecom Plan
- 1 Variance
- 1 Mining Violation Hearing
- 1 Mitigated Negative Declaration/Initial Study(MND/IS)



college has been operating at the same location since 1917 and is a grandfathered use as it was established before the County's zoning code. Any changes or expansions do, however, require a CUP. By obtaining the CUP the college can continue the current use as a college, which is considered a public/quasi-public use, and make the proposed improvements. The triplex will house permanent and visiting faculty. The Planning Commission approved the project.

*Conditional Use Permit (CUP) 2019-03/Inyo Farms* - The applicant applied for a Conditional Use Permit for a project located approximately 5 miles south of the community of Olancha. The applicant is seeking approval for a cannabis cultivation project, which is permitted as a conditional use. The Planning Commission approved the project.

*Conditional Use Permit (CUP) 2020-01/GBUAPCD* - The applicant (Great Basin Unified Air Pollution Control District) applied for a Conditional Use Permit for a project located at 866 E. Locust St., in Lone Pine. The applicant is seeking approval to construct a 33 foot air monitoring tower, which is permitted as a conditional use. The Planning Commission approved the project.

*Conditional Use Permit (CUP) 2020-02/Sage & Fire* - The applicant applied for a Conditional Use Permit. The applicant has met the application requirements for a CUP in Lone Pine, in Inyo County. The applicant is seeking approval for a cannabis dispensary, which is permitted as a conditional use for the property. The Planning Commission approved the project.

*Conditional Use Permit (CUP) 2020-07/Cerro Gordo* - The applicant, Silver Pineapple LLC, applied for a CUP to rebuild the Cerro Gordo Hotel and Surveyor House that were completely destroyed by a fire in June 2020 and to be compliant with the Inyo County Code 18.12 (Open Space). The hotel and surveyor house have been at the same location since the late 1800s and are grandfathered uses as they were established before the County's zoning code. Since they must now be rebuilt, they are subject to the current zoning and building codes and because of this, require a CUP. The Planning Commission approved the project.

*Conditional Use Permit (CUP) 2020-05/Pino Pies* - The applicant applied for a CUP for 'Mixed Use' to allow for residential use of half of the commercial space being rented by the applicant. The applicant is renting two of four suites within a single, commercially zoned building. One of these suites would be for residential use. The project is located on Grandview Drive, in Bishop. The Planning Commission approved the project.

*General Plan Amendment-2019-01/Zone Reclass-2019-02/Tentative Parcel Map-422/Conditional Use Permit-2020-03/Olancha Lake Zoning* - The applicant (Olancha Lake LLC) requested to merge seven parcels, which requires a Tentative Parcel Map. This parcel merger also requires a Zone Reclassification and General Plan Amendment to create the correct land use designations for a proposed future commercial RV camping business. The proposed project is allowed as a conditional use and requires approval from the Inyo County Planning Commission. The public hearing will address each of these four land use entitlements. The project is located in Olancha, CA. The Planning Commission approved the project.

*Telecom Plan Update 2020-01/Smartlink* - The applicant Smart Link LLC, representing ATT, submitted an application to update ATT's existing Telecom Plan to add a co-location site in

hosted Short-Term Rental permit, located at 255 Sara Lane, in Big Pine. The applicant met all requirements, and was approved by the Planning Department, for a Hosted Short-Term Rental Permit. The Planning Commission approved the project.

*Non-Hosted Short Term Rental Permit No.2019-11/Kokx* - The applicant applied for a Non-hosted Short-Term Rental permit, located at 665 E. Inyo Street, in Lone Pine. The applicant met all requirements, and was approved by the Planning Department, for a Hosted Short-Term Rental Permit. The Planning Commission approved the project.

*Non-Hosted Short-Term Rental Permit No. 2019-09/Sullivan* – The applicant applied for a Non-hosted Short-term Rental Permit, located at 550 Sunset Drive, in Lone Pine. The applicant met all requirements, and was approved by the Planning Department, for a Hosted Short-Term Rental Permit. The Planning Commission approved the project.

*Non-Hosted Short-Term Rental Permit No. 2019-08/Leonard* - The applicant applied for a Non-hosted Short Term Rental permit for a residence located at 4307 Granite View Drive, in the Granite View neighborhood of the community of Lone Pine. The applicant met all requirements, and was approved by the Planning Department, for a Hosted Short-Term Rental Permit. The Planning Commission approved the project.

*Hearing – Radcliff Mine Order Mandating Compliance* - The County sought an order to comply from the Planning Commission imposing administrative penalties in the amount of \$50 per day, calculated from the date that the transfer of the Financial Assurance Mechanism should have been completed per Public Resources Code § 2773.1(c). Per Public Resource Code § 2774.1(a)(3)(A), the County will further seek an order from the Planning Commission mandating a closure of the Radcliff Mine until the FAM is properly transferred. The Planning Commission approved the Compliance Order.

## **Other Plans and Projects**

The following discussion summarizes other projects which the County expended substantial efforts in 2020.

### ***2021 Housing Element Update***

The County's General Plan Housing Element is due for an update in 2021. The County began preliminary work on the update during 2020. This included securing a Local Early Action Planning (LEAP) grant from the State. The County is using some of this money for a consultant with Housing Element expertise to provide technical help.

### ***Meadow Farms – Cal Trans project***

Cal Trans is proposing to upgrade pedestrian facilities to comply with the Americans with Disabilities Act (ADA) along Highway 395 between See Vee and Barlow Lanes – colloquially known as the North Sierra Highway. The project proposal includes upgrading non-standard curb ramps, driveways, pedestrian push buttons, restriping pavement markings, relocating traffic signals and constructing new pedestrian and bicycle facilities on both sides of the highway. The county has been very active during 2020 in providing comments and meeting with Cal Trans' staff to help with issues related to the project including landuse, safety and economic development.

under the Conservation and Open Space Element - Visual Resources 1.6 Control of Light and Glare. It states: *The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.* This policy was never implemented through the zoning code as language was never included in the County's zoning code for it. Due to interest from the community and members of the Board of Supervisors, County staff began a process to evaluate a possible lighting ordinance for the County. Three public outreach meetings and two Board workshops were held on the subject in 2018. The project continued into 2020, but with minimal attention due to Covid and lack of staff.

#### ***Community Plans for Charleston View/Tecopa/Shoshone***

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

***Olancho Cartago Corridor Study*** – The County was awarded a Caltrans Sustainable Communities Grant to study a section of U.S. 395 that is currently planned to be bypassed as part of the Caltrans US 395 Olancho-Cartago four lane project. The Olancho Bypass Corridor Study (OBCS) will include both 1) a portion of US 395 from the current intersection of SR 190 northward to just past Cartago that is proposed to be relinquished to the County and 2) the portion of US 395 from the current intersection with SR 190 south to the southern end of the bypass that will become part of SR 190. Work began on the study in 2018 that included the first public outreach meeting. This project continued through and was completed in 2019. The county has continued to research grants and various programs to implement the opportunities identified in the Study.

#### ***West-wide Energy Corridors***

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

#### ***Census 2020 – California Complete Count***



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

### ***Mining***

Pursuant to the Surface Mining and Land Reclamation Act (SMARA), the County continued its oversight activities to encourage production and conservation of mineral resources while minimizing associated environmental impacts. Staff has continued to amend County policy as the impacts of changes to SMARA that were approved by the California Legislature and Governor in 2016 are continuing to be implemented. Staff is responsible for the inspection and administration of reclamation policy for approximately 79 SMARA mines. Staff has noted a continuation from last year of a general increase in activity at many of the County's local surface mines during 2019. The increase in mining activities in 2019 continued into 2020. Also during 2020, many of the mines that were behind in fee payments were brought into compliance.

### ***Brownfields Grant***

In 2011 Inyo County entered into a Memorandum of Understanding (MOU) with Nye, Esmeralda, Lincoln, and White Pine counties of Nevada for the Environmental Protection Agency Brownfields Coalition Assessment Grant to conduct environmental site assessments and area-wide planning in support of renewable energy, transmission, and economic development in the vicinity of identified Brownfields sites. A subsequent grant was obtained, and the Coalition was expanded to include Esmeralda County. In 2018 the Duckwater Shoshone Tribe joined the Coalition. The County continued to participate in the Coalition during 2018. A site that was reviewed under a Brownfield grant funded Phase I environmental assessment in 2016 and a Phase II environmental assessment in 2017 was able to be successfully developed into a Grocery Outlet store with plans for the remainder of the property to be developed into the Inyo County consolidated office building. Also in 2018, a revolving loan and fund grant, applied for in 2017, was awarded to the coalition. The coalition completed updates to its website and to the Area Wide Plan. The county continued to participate in the Brownfields program during 2020.

### ***Yucca Mountain Repository Assessment Office***

Funding for development of the Yucca Mountain Repository was terminated by the Obama Administration, consequently eliminating the funding to all Affected Units of Local Government. Staff continues to monitor litigation and other activities. In 2016, the County reviewed and provided input regarding the Final Supplemental EIS for groundwater, which largely responded to the County's previous input. The County has continued through 2020 to support groundwater monitoring in its southeast area to provide data for the project and monitor the Yucca Mountain program.

facility. The County continues to monitor implementation, and issued building permits for components of the proposed facilities in 2020.

#### ***Crystal Geyser Olancha Bottling Plant Water Quality Investigation***

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

#### ***North Sierra Highway Corridor/Specific Plan***

In 2015, Caltrans selected the County and the City of Bishop for a grant to prepare a Corridor Plan for North Sierra Highway (generally between the Tri-County Fairgrounds and the Bishop Paiute Palace on the north side of Bishop) in 2015. The County, City of Bishop, and the Bishop Paiute Tribe worked with other interested parties in the Corridor to expand the scope of work to a Specific Plan, and the Eastern Sierra Transit Authority pledged to provide financial support to assist doing so. In 2016, the County and its partners selected a consultant to assist in the planning process and convened an Advisory Committee to assist with coordination between the many participating agencies. Preliminary outreach commenced, existing conditions were assessed, and a visioning was initiated. A Charrette was conducted to brainstorm ideas for the Plan, and a draft Plan is anticipated in 2017. The Corridor Plan was completed in 2017. The specific plan has not been completed and staff will continue to look for grants to fund its completion. During 2020 the plan was consulted with to help Cal Trans with the Meadow Farms ADA project as the project area is within the North Sierra Highway Plan area.

#### ***Sol Smart***

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

#### ***DWP Solar Ranch***

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

Statewide Transportation Improvement Program (STIP) has been implemented on an ongoing basis by Caltrans, County, and City of Bishop. Going into 2021 the priorities remains 1) construction phase of the 395 Olancho Cartago 4 Lane Project, 2) design of the SR 14 Freeman Gulch Segment 2 Project, 3) environmental & P,S&E phases on Lone Pine Town Rehab Project and the East Line St. Bridge Project.

### ***South Lake Road Reconstruction***

This project was voted (approved) by the California Transportation Commission in October of 2019. This project will reconstruct South Lake Road between SR 168 and South Lake and add bicycle lanes on the lower 2.1 miles of roadway. The County, in partnership with the Federal Highway Administration, completed a review of this project under the California Environmental Quality Act and the National Environmental Policy Act. The Design component of this project was initiated in 2017. It went to bid in the fall of 2019. The contract was awarded in January 2020 and is on schedule to start construction in spring 2020. The project was completed in 2020 with minor close-out paperwork currently in progress.

### ***Regional Transportation Plan (RTP)***

This project involved the development and selection of transportation projects that are then eligible to be programmed in specific amounts and program years in the Regional Transportation Improvement Program. The RTP is intended to be a fiscally constrained planning document for the 2019-2039 period. The RTP is updated every four years. The development of this plan required local and regional coordination. This plan was approved by the Inyo County Local Transportation Commission in October 2019.

### ***Inyo County Active Transportation Program Plan***

In response to the MAP-21 Federal Reauthorization and the California Active Transportation Program, Inyo County entered into a contract with a consultant to draft an Active Transportation Program (ATP) Plan and held public outreach meetings. A draft ATP was released during late in 2015 for public review and comment and then approved by the Inyo County Local Transportation Commission in April 2016. The Draft ATP Plan includes:

1. Bicycle Element – an update of the 2009 Inyo County Collaborative Bikeways Plan;
2. Pedestrian Element – this describes existing facilities, examines past accident records, estimates the current number of pedestrians, lists and prioritizes potential projects, and identify funding sources;
3. Recreation Trails Element – this identifies areas where there are deficiencies in motorized and non-motorized recreational trails, lists and prioritizes potential projects, estimates the number of users for a given trail segment, and describes how the projects provide for the viewing of points of interest; and
4. Safe Routes to School Element – this section creates Safe Routes to Schools maps for all areas in Inyo County and updates the Safe Routes to School maps for schools inside the City of Bishop.

In 2018 Inyo County submitted applications for several competitive ATP Cycle 4, 2019 Grants. One of the three submissions was successful. The California Transportation Commission has awarded funding for the “Lone Pine Sidewalk Construction and ADA Improvement Project.”

“To research, identify, prioritize, and act on regional water issues, and related social and economic issues, so as to protect and enhance our environment and economy.” A Phase II Inyo Mono IRWMP was completed in 2012, which was revised in 2014 and again in 2019.

In January 2016, DWR awarded the Inyo-Mono IRWMP \$1,816,943 for various projects in the region, including funding of \$280,234 to Inyo County for a project titled “Recycled Water for Restoration and Community Projects in Big Pine” The project proposed using treated wastewater to supply irrigation for an unaccomplished LADWP mitigation project east of town. In trade, an equal supply of fresh water to be delivered to regreen an abandoned field on Main Street that had been used as pasture.

The feasibility study and engineering design was completed in 2019, and a CEQA draft Initial Study was produced along with a cultural resources survey. The survey identified significant cultural resources at the project site. Additional archeological work would be required to advance the project. This work was beyond the scope of the grant, with costs that far exceeded the grant funding. The project cannot proceed without new funding to complete the additional archeological work and environmental reporting. Additionally, LADWP withdrew their support citing concerns related to installing below-ground irrigation and the use of treated effluent on their land. LADWP also alleged the project amounted to a gift of water, which is prohibited by the City Charter.

#### ***Inyo/Los Angeles Long Term Water Agreement***

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

Specific activities undertaken during 2020 included monitoring of hydrologic and environmental effects of LADWP’s test of well 385, which had been off since 1986; an evaluation of mitigation projects not meeting goals including study of a potential modification to the McNally Ponds and Native Pasture project in the Laws area; the development of enhanced biological monitoring and environmental study at certain mitigation sites; the development of a monitoring plan to test well 415 west of Big Pine and avoid impacts, implementation of a Type-D study of willow and cottonwood development in the Owens Valley; and ongoing monitoring of phreatophytic and hydrologic vegetation conditions on Los Angeles’s land throughout the Owens Valley floor.

#### ***Lower Owens River Project (LORP)***

The LORP is a mitigation project under the Long Term Water Agreement with the Los Angeles Department of Water and Power (LADWP). The project is compensatory mitigation for impacts considered difficult to quantify or mitigate directly. Fourteen years into the project, the goals of the LORP – to establish a healthy, functioning ecosystem for the benefit of biodiversity and

design, engineering, and permitting for improvements at the launch and take-out facilities. LADWP funded the development and production of an EIR, which was completed in 2019. The CEQA document will be certified as soon as the terms for a long-term lease with LADWP are known. The lease will allow the development of water entry and exit points that are located on LADWP owned lands.

### ***Mitigation Projects***

One of the key roles of the ICWD is to assist with, monitor, and report on the implementation and ongoing management of 64 Environmental Projects and Enhancement/Mitigation Projects, which are LADWP obligations in the Owens Valley. These mitigation projects include civic improvement, revegetation, wildlife enhancement, habitat recovery, and the LORP. These projects are mitigation measures adopted by LADWP in the 1991 EIR; projects that are provided for in the 1997 MOU; and projects developed subsequently. If mitigation goals are not being met, or projects are not being managed as stipulated, or simply not being implemented, the ICWD works with the LADWP and MOU parties to either help implement or modify the project. The full list of these projects and their status, as well as other useful information can be found in the Inyo County Water Department's webpage [www.inyowater.org/mitigation](http://www.inyowater.org/mitigation).

In 2020, Los Angeles and the County worked on a joint assessment of the status of mitigation projects and other activities mandated under the Agreement. Inyo County and LADWP agreed on the status of all but two of the mitigation projects (Five Bridges revegetation, and the LORP), and one of the other mandated commitments (Haiwee Reservoir). In Inyo County's assessment, 48 projects were either complete, or they were implemented and ongoing, and 16 projects were either implemented but not meeting goals or not fully implemented. Other revegetation mitigation projects claimed complete by LADWP are being assessed and evaluated by the County.

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

### ***Sustainable Groundwater Management for the Owens Valley (SGMA)***

The Sustainable Groundwater Management Act of 2014 (SGMA) requires that local Groundwater Sustainability Agencies (GSA) manage groundwater basins in California. The Owens Valley Groundwater Basin (Basin) includes Owens, Chalfant, Hammil, and Benton valleys, and originally, Inyo County, Mono County, City of Bishop, and the Tri Valley Groundwater Management District were designated as individual GSA's. In 2018, the four agencies withdrew as GSA's to allow the Owens Valley Groundwater Authority (OVGA) to become the exclusive GSA for the Basin. Seven additional community service districts also elected to become members of the OVGA. A grant was acquired and consultant selected to develop the Groundwater Sustainability Plan (GSP) for the Basin in late 2019. The Basin initially was designated as medium priority which requires that groundwater must be managed

the roadmap for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

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

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

The Inyo County General Plan consists of the following Elements:

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

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

### **Government Element**

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

To achieve these goals, the County has continued dialogue with local, regional, State, and federal agencies on a variety of projects, as discussed elsewhere in this report, thereby continuing the previous coordination efforts with other agencies. The County constantly strives to ensure collaboration between national, California, and regional agencies as required by federal, State, and local regulations. The County works to make such agencies aware of

## **Circulation Element**

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

As discussed previously, projects are reviewed to minimize impacts, provide for parking, reduce vehicle trips, and optimize transportation access. Continuing improvement in telecommunications infrastructure provides opportunities for telecommuting and economic development, and Digital 395 provides an excellent opportunity for telecommunications enhancements locally. The County continues to work with Caltrans regarding the Olancho-Cartago Four-Lane project and began a corridor study for the area proposed to be abandoned. Several major road projects were underway in 2019, including the design of two bridge replacement projects and South Lake Road located west of Bishop.

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

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

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

The County continues its planning efforts towards commercial air service at the Bishop Airport. The County continues working on improving other airports in its jurisdiction by seeking grant funds and coordinating with Caltrans and the Federal Aviation Administration. The Bishop Airport layout plan and narrative was also completed and sent to the FAA for review and approval in 2019. Work continued throughout 2020 on the project.

General Plan. During the past several years staff has been working to update the Zoning Code and conducting workshops on proposed changes with both the Planning Commission and the Board of Supervisors. As a result of those changes to the Zoning Code, related changes to the General Plan are being considered to maintain consistency between the two documents.

During 2013, staff held numerous meetings with stakeholders and public workshops throughout the County to provide information, and receive input and feedback on the updated general plan and zoning code update. Results of the stakeholder and public outreach were presented to the Planning Commission in late 2013 and to the Board of Supervisors in early 2014. Staff is incorporating the results of public outreach, as well as comments from the Planning Commission and Board of Supervisors, and working to conduct environmental review in 2021.

## **V. Conclusion**

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

The County provided leadership and participated in many planning activities in 2020, as identified in this report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures.



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



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**AGENDA ITEM NO.:** 6 (Workshop)

**PLANNING COMMISSION  
MEETING DATE:** February 24, 2021

**SUBJECT:** Staff will be providing the Planning Commission with an overview and update on the vacant lands inventory, zoning and General Plan designations review of properties located throughout the County project.

#### **EXECUTIVE SUMMARY**

Staff applied for and received a SB2 grant and with the help of HELIX Environmental Consultants is working on a vacant lands inventory and zoning and General Plan review of properties located in the County. This information will be used identify land that might be appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing the allowable residential density. This work is being funded by a Senate Bill 2 grant that is directed at planning assistance that helps to achieve affordable housing.

Staffs have completed the vacant lands analysis and zone/General Plan designations review. This information is being used to generate a project description and baseline for the Environmental Impact Report and final draft parcel list for proposed designation changes.

#### **PROJECT INFORMATION**

**Supervisory District:** County-wide

**Workshop:** Staff will present a summary of the work completed to date on the SB2 Grant Project and ask for comments and suggestions.

**Project Planner:** Cathreen Richards, Planning Director