

# Agenda

# County of Inyo Planning Commission

Board of Supervisors Room  
Inyo County Administrative Center  
Independence, California

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

CATHREEN RICHARDS  
PAULA RIESEN  
MICHAEL ERRANTE  
LESLIE CHAPMAN  
CHRISTIAN MILOVICH

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

PLANNING DIRECTOR  
PROJECT COORDINATOR  
PUBLIC WORKS DIRECTOR  
COUNTY ADMINISTRATOR  
COUNTY COUNSEL

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

Please be advised the Planning Commission will be conducting its hearing in person at 224 N. Edwards, Board of Supervisor Chambers in Independence, California and will also include Zoom via videoconference. The meeting will also be accessible by audio only to the public by computer, tablet or smartphone at:

<https://us02web.zoom.us/j/84859902334?pwd=TThZN3hxTzNjZmhOVlFaSUtHUExRdz09>

You can also dial in by phone at 1-669-900-6833 Meeting Id: 848 5990 2334 and then enter Passcode: 934437. Public Comment may be provided by emailing the comments prior to the meeting. All emailed comments will be entered into the official record, and the Planning Commission will take that feedback into consideration as it deliberates. Please send comments to: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)

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

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

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

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

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

## June 29, 2022

10:00  
A.M.

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

- Action Item
4. **APPROVAL OF MINUTES** – Approval of minutes from the April 27, 2022 Planning Commission Meeting.
- Action Item Public Hearing
5. **CONDITIONAL USE PERMIT-2022-02/COSO SIGNS** - The applicant is requesting a CUP for two gas station signs to include electronic price readers. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. A gas station and mini mart have been operating on the site for many years prior to current new development. The applicant has applied for the CUP to change an existing Chevron sign to include the electronic component to display gas prices; and to update a high rise pole sign to include an electronic component to display gas prices. This project is Categorically Exempt under CEQA.
- Action Item Public Hearing
6. **VARIANCE 2022-03/COSO SIGNS** - The applicant is requesting a sign height and size variance to exceed the 50-square-foot maximum size for an electronic price reader sign to 84-square-feet; and to exceed the 25-foot sign height maximum to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. This project is Categorically Exempt under CEQA.
- Action Item Public Hearing
7. **ZONE TEXT AMENDMENT-2022-01/ OUTDOOR SEATING** - Staff has drafted a proposed ordinance to amend the Inyo County Zoning Code Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use.
- Project Update
8. **PUBLIC WORKS** - Updates on Pine Creek Bridge & Bishop Airport.
- Workshop
9. **COUNTY COUNSEL** – Planning Commissioner Training.

**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 APRIL 27, 2022 MEETING

**COMMISSIONERS:**

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

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

Inyo County Planning Commission  
Post Office Drawer L  
Independence, CA 93526  
(760) 878-0263  
(760) 872-0712 FAX

**STAFF:**

CATHREEN RICHARDS  
CHRISTIAN MILOVICH  
PAULA RIESEN  
LESLIE CHAPMAN  
MIKE ERRANTE

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

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The Inyo County Planning Commission met in regular session on Wednesday, April 27, 2022. Commissioner Morley opened the meeting at 10:01 a.m. These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

**ITEM 1:**     **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:01 a.m.

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

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

Staff absent: Leslie Chapman, 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 10:02 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:02 a.m.

**ITEM 4:**     **APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the March 23, 2022 meeting of the Planning Commission.

**MOTION:** Commissioner Todd Vogel made the motion to approve the minutes. Then the motion was seconded by Commissioner Callie Peek.

The Motion passed 4-0 at 10:03 a.m.

**ITEM 5:** **CONSIDERATION OF A RESOLUTION** - The Planning Commission to meet remotely pursuant to AB 361.

Chair Morley gave a brief statement about AB 361, and said she recommends that the Commission pass the resolution.

**MOTION:** Commissioner Callie Peek made a motion to approve AB 361 for another month as long as needed. Commissioner Todd Vogel made the second.

The Motion passed 4-0 at 10:03 a.m.

**ITEM 6:** **VARIANCE 2022-02/VALERO** - The applicant is requesting a sign variance to exceed the 50-square-foot maximum sign size for an existing Port of Subs sign to 80-square-feet. The property is zoned Central Business (CB) and is located at 130 S. Edwards Street in the community of Independence. This project is Categorically Exempt under CEQA.

Cathreen Richards, Planning Director gave the staff report.

Chair Morley said this seems simple, the existing sign is too large and the variance is requesting to bring the sign into compliance with the County code.

Commissioner Todd Vogel asked if there are a lot of non-conforming signs in the County.

Cathreen Richards, Planning Director answered yes.

Commissioner Lanie Somers asked if we have a plan for handling all of the non-conforming signs.

Cathreen Richards, Planning Director stated that the Planning department per County code cannot act without a written complaint about the sign.

Chair Kate Morley opened public comment at 10:12 a.m.

With no one wishing to speak Chair Morley closed the public comment period at 10:13 a.m.

Commissioner Lanie Somers stated she had a concern.

Christian Milovich, County Counsel, responded that each project is a case by case basis it would not set precedence to approve this sign for what it is going to be.

Chair Kate Morley said the sign is to be approved to bring it into compliance, not to change it.

Commissioner Lanie Somers asked if she has to explain what she does not like about the project.

Christian Milovich, County Counsel, answered no, we do not need it.

**MOTION:** Commissioner Callie Peek made a motion to approve VAR-2022-02/Valero with the findings 1-7 and 1 condition of approval as identified in the staff report and find that this project is exempt under CEQA. Commissioner Todd Vogel made the second.

The Motion passed 3-1.

**ITEM 7:** **CONDITIONAL USE PERMIT-2022-01/VALERO** – The applicant is requesting a CUP to remove and replace an existing gas station sign that will include an electronic price reader. The project is proposed on a property located at 130 S. Edwards Street, in the community of Independence. A gas station, mini-mart and a Port of Subs restaurant are currently operating at the site. The applicant has applied for the CUP to change the current Chevron sign into a Valero sign and to include the electronic component to display gas prices. All other proposed signage changes on the site are compliant with the Central Business zone, in which the gas station is located. This project is Categorically Exempt under CEQA.

Cathreen Richards, Planning Director gave the staff report.

Chair Kate Morley asked if there were any site changes.

Cathreen Richards, Planning Director, answered no, there are no site changes.

Commissioner Callie Peek asked the reason we are seeing this is the light up sign.

Cathreen Richards, Planning Director, this is just an update to the signs and the digital numbers that are lit up.

Chair Kate Morley opened public comment at 10:24 a.m.

With no one wishing to speak Chair Morley closed the public comment period.

**MOTION:** Commissioner Lanie Somers made a motion to approve CUP-2022-01/Valero with the findings 1-7 and conditions of approval 1-3 as identified in the staff report and find that this project is exempt under CEQA. Commissioner Callie Peek made the second.

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

Commission Lanie Somers, would like to have on the record she declined finding number four on VAR-2022-02/Valero.

Christian Milovich requested no further discussion on this topic.

Chair Kate Morley wanted to share that she has been to two CCPAC conferences, and she would like to attend the fall conference.

Cathreen Richards, Planning Director, asked if Chair Morley had seen the online classes they have? She will resend the email that shows the classes.

Chair Kate Morley wanted to let everyone know she will not be able to attend the May, Planning Commission meeting and possibly the June meeting.

Commissioner Todd Vogel asked what the status of the Pine Creek Bridge.

Cathreen Richards, Planning Director, said she will contact Public Work and ask for an update on the bridge.

Chair Kate Morley would like to know the status of the Bishop Airport.

Cathreen Richards, Planning Director, said she will ask Public Works for an update on the Airport too.

## **DIRECTOR'S REPORT –**

Planning Director, Cathreen Richards, she would like to give, Christian Milovich time to address the commission.

Christian Milovich, County Counsel, would like to give a training presentation to the Planning Commission and walk them through how they are to do their job pursuant to County code. She would also like to explain that now the Appeals will come back to the Planning Commission from now on and not go the Board of Supervisors.

Planning Director, Cathreen Richards, explained that there are not projects ready for the May 25, 2022 meeting so that meeting will be cancelled. Also, we need to reschedule the June Planning Commission meeting to June 29, 2022.

## **ADJOURNMENT –**

Chair Kate Morley requested a motion to adjourn the meeting at 10:47 a.m. The next meeting will be June 29, 2022, at 10:00 a.m.

Motion by Commissioner Todd Vogel.

Seconded by Commissioner Callie Peek.

Motion passed 4-0.

Prepared by:  
Paula Riesen  
Inyo County Planning Department



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

Phone: (760) 878-0263  
FAX: (760) 878-0382  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)

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**AGENDA ITEM NO.:** #5 (Action Item – Public Hearing)

**PLANNING COMMISSION MEETING DATE:** June 29, 2022

**SUBJECT:** Conditional Use Permit (CUP)  
2022-02/Coso Signs

### **EXECUTIVE SUMMARY**

The applicant is requesting a CUP for two gas station signs to include electronic price readers. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. A gas station and mini-mart have been operating on the site for many years prior to the current new development. The applicant has applied for the CUP to change an existing Chevron sign to include the electronic component to display gas prices; and to update a high rise pole sign to include an electronic component to display gas prices. All other proposed signage changes on the site are compliant with the Highway Services and Tourist Commercial zone (C-2), in which the gas station is located, without a CUP.

### **PROJECT INFORMATION**

**Supervisory District:** 5

**Project Applicant:** Donco & Sons, Inc.

**Property Owner:** Jagdeep Dhillon, Coso Junction Stores, Inc.

**Site Address:** 20 Gills Station Road

**Community:** Coso Junction

**A.P.N.:** 037-510-02

**General Plan:** Retail Commercial (RC)

**Zoning:** Highway Services and Tourist Commercial (C-2)



**Size of Parcel:** Approximately 18.6-acres

**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Gas Station and store with truck parking areas	Retail Commercial (RC)	Highway Services and Tourist Commercial (C-2)
North	Vacant-BLM	State and Federal Lands (SFL)	Open Space (OS-40)
East	Vacant-BLM	State and Federal Lands (SFL)	Open Space (OS-40)
South	Vacant-BLM	State and Federal Lands (SFL)	Open Space (OS-40)
West	Highway 395	NA	NA

**Staff Recommended Action:** 1.) Approve the Conditional Use Permit (CUP) 2022-02/Coso Signs and find the project is exempt under CEQA.

**Alternatives:**

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:** Cynthia Draper

**STAFF ANALYSIS**

Background and Overview

The applicant is requesting the CUP to upgrade an existing Chevron sign and to update a high rise pole sign to include an electronic price reader to display gas prices (sign plan attached). The existing Chevron sign is illuminated and meets the size requirements per Inyo County Code 18.75.100(C)(2). The high rise pole sign will be illuminated and include an electronic price reader, Chevron and TA Express sign. The electronic price reader is 84 sq. ft. which exceeds the 50 sq. ft. maximum size requirement per Inyo County Code 18.75.100(C)(2). The sign height is 50ft., exceeding the 25ft. maximum height requirement per Inyo County Code 18.75.110(B). The applicant has concurrently applied for a height and size variance. The project is proposed on a property located at 20 Gills Station Road, in the community of Coso Junction (map attached). All other proposed signage changes are compliant with the Highway Services and Tourist Commercial zone (C-2), without a CUP, in which the gas station is located. A gas station and mini-mart have been operating on this site for many years. The applicant has demolished the gas station and store to rebuild a larger facility that will include a store,

gas station, two fast food restaurants, and diesel truck stop. A CUP was approved by the Commission in January 2022 for the truck stop. These changes to this facility have resulted in requiring an update to all of the signage on the site. The applicant is requesting the CUP to include LED lit gas prices on both signs, as defined by the County Code as an electronic sign and requires the CUP in the C-2 zone per 18.75.120. Since this requested use is allowed in the C-2 zone with a CUP, it is appropriate and meets the requirements of the Inyo County Code.

#### General Plan Consistency

The goal of this project is to allow for two electronic signs to display gas prices. The project is consistent with the General Plan designation of Retail Commercial (RC) in which it is located, as it allows for commercial uses including retail and transportation services such as gas stations.

#### Zoning Ordinance Consistency

The C-2 designation allows for electronic signs as a conditional use. The current uses on the site are well established and the applicant was granted a CUP for the truck stop. The applicant is seeking the use permit to have two electronic signs to display gas prices, in compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a CUP is for two electronic signs to display gas prices. No new building or use changes are part of the project and the entire property is disturbed.

### **NOTICING & REVIEW**

The application for CUP 2022-02/Coso Signs has been reviewed by the appropriate county departments. The CUP is being conditioned with meeting all State and County Building Codes including those related to lighting.

The hearing for CUP 2022-02/Coso Signs was noticed on June 18, 2022 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

### **RECOMMENDATION**

Planning Department staff recommends the approval of CUP No. 2022-02/Coso Signs, with the following Findings and Conditions of Approval:

### **FINDINGS**

1. The proposed CUP is exempt by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant

effect on the environment; and, the provisions of the California Environmental Quality Act have been satisfied.

*[Evidence: The Common Sense Rule 15061(b) (3) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The application for this CUP is for two gas station signs to include an electronic price component. The property has been in use as a gas station and mini-mart for many years and the applicant was already granted a CUP for the truck stop. The changes will be upgrades to signage on the property. No new development changes are proposed as part of the project and the entire property is already disturbed (graded and compacted).]*

2. The proposed CUP is consistent with the Inyo County General Plan Land Use designation of RC.

*[Evidence: The goal of this project is to allow for two electronic signs to display gas prices. The project is consistent with the General Plan designation of RC in which it is located as it allows for commercial uses including retail and transportation services such as gas stations; and therefore, the CUP is consistent with the County's General Plan as the sign is directly related to the allowed use.]*

3. The proposed CUP is consistent with the Inyo County Zoning Ordinance, which permits "Electronic Signs" as a conditional use in the C-2 Zone.

*[Evidence: The C2 designation allows for electronic signs as a conditional use. The current uses on the site are well established and are allowed by an existing CUP. The applicant is seeking the use permit to have two electronic signs to display gas prices, in compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.]*

4. The proposed CUP is necessary or desirable.

*[Evidence: The General Plan's Visual Resources Goal VIS-1.5 - Outdoor Advertising: Outdoor advertising shall promote business in a manner that does not significantly degrade natural and community visual resources. The existing Chevron sign that is being changed to add the electronic component, has been at this location for many years and has not caused issues to date. The only change will be that the gas prices will be lit up. The high rise pole sign will be 84-sq-ft and have an electronic component with lit gas prices. It will be 50ft in height, two-sided and illuminated, enabling drivers to see the sign at a further distance from Highway 395. This will give the drivers the ability to prepare for their exit sooner in order to exit the highway safely. It will help promote a local business that caters to visitors and semi-truck drivers; and therefore, is a desirable use.*

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

*[Evidence: The proposed CUP is to allow two electronic signs to display gas prices. The signs will not likely increase the current level of vehicles exiting and entering*

*Highway 395; and therefore the project will have no impact on the transportation or service facilities in the vicinity.]*

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

*[Evidence: The proposed CUP is to allow two electronic signs to display gas prices. The signs will not create impacts on the health or safety of persons living or working in the vicinity.]*

7. Operating requirements necessitate the CUP for the site.

*[Evidence: For the two gas station signs to include the electronic price component, a CUP is required per the Inyo County Code. Therefore, the CUP is necessary for the signs at the site.]*

### **CONDITIONS OF APPROVAL**

1. Hold Harmless

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

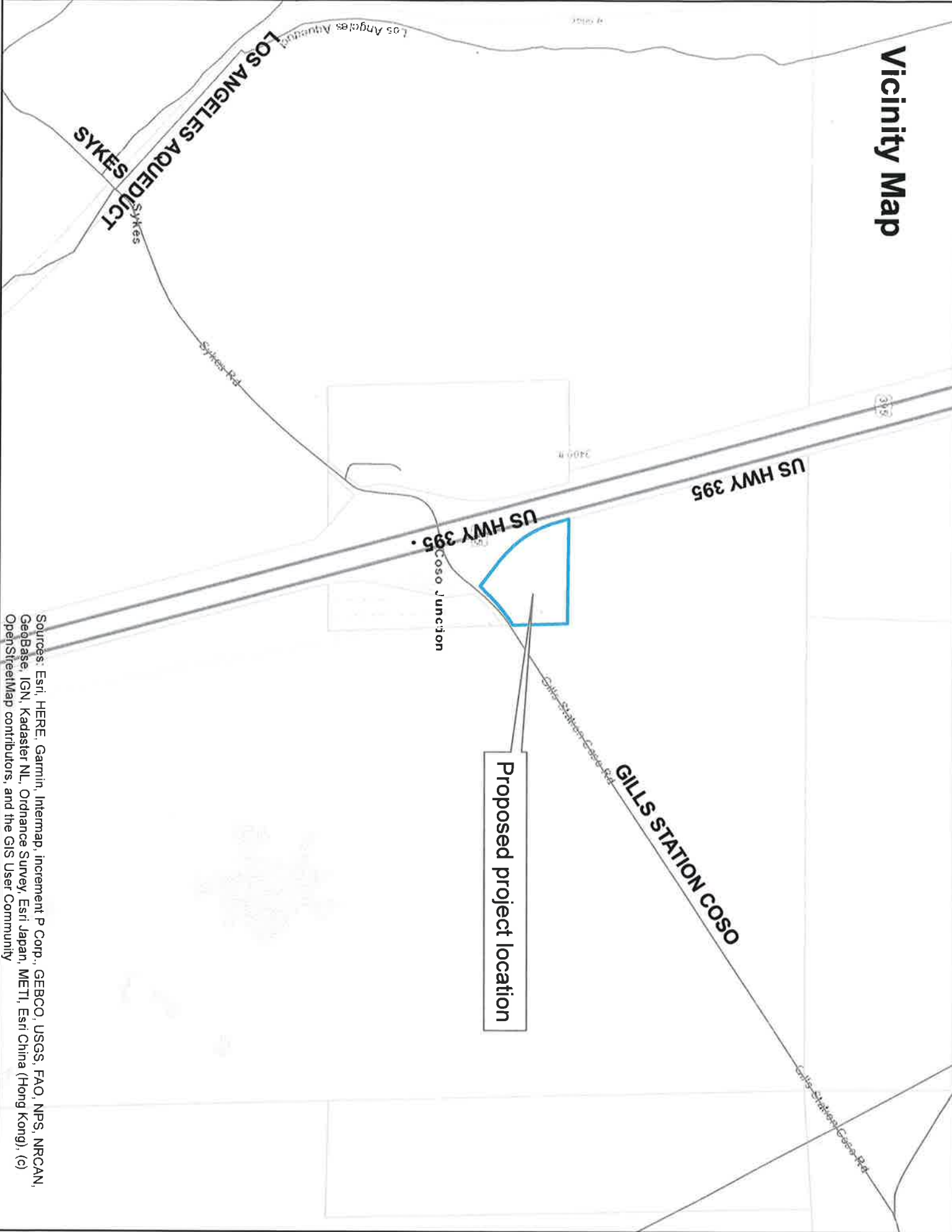
2. Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code including the Building Code and the County Outdoor Lighting Ordinance. Failure to meet these conditions may result in the revocation of CUP 2022-02/Coso Signs. If the use provided by this CUP is not established within one year of the approval date it will become void.

#### **Attachments:**

- Vicinity Map
- Sign Plan
- Site photo

# Vicinity Map

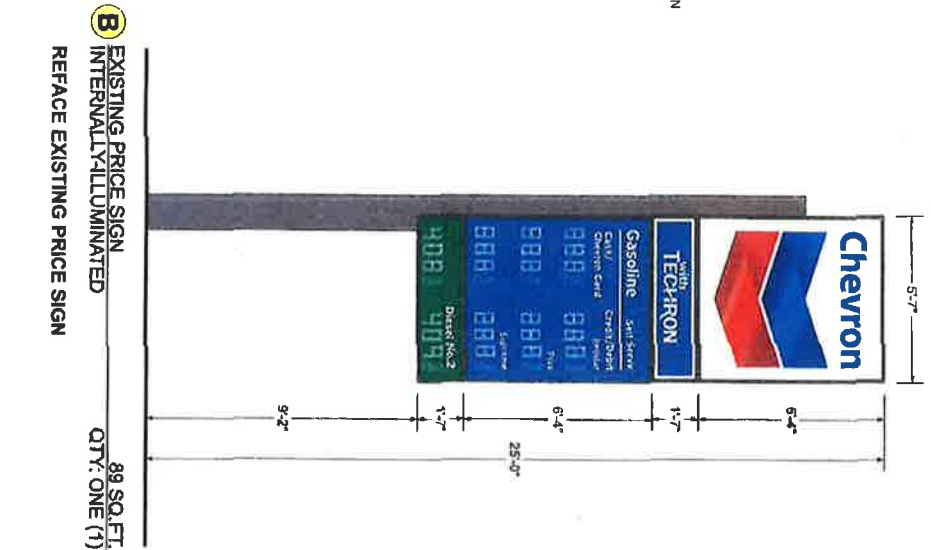
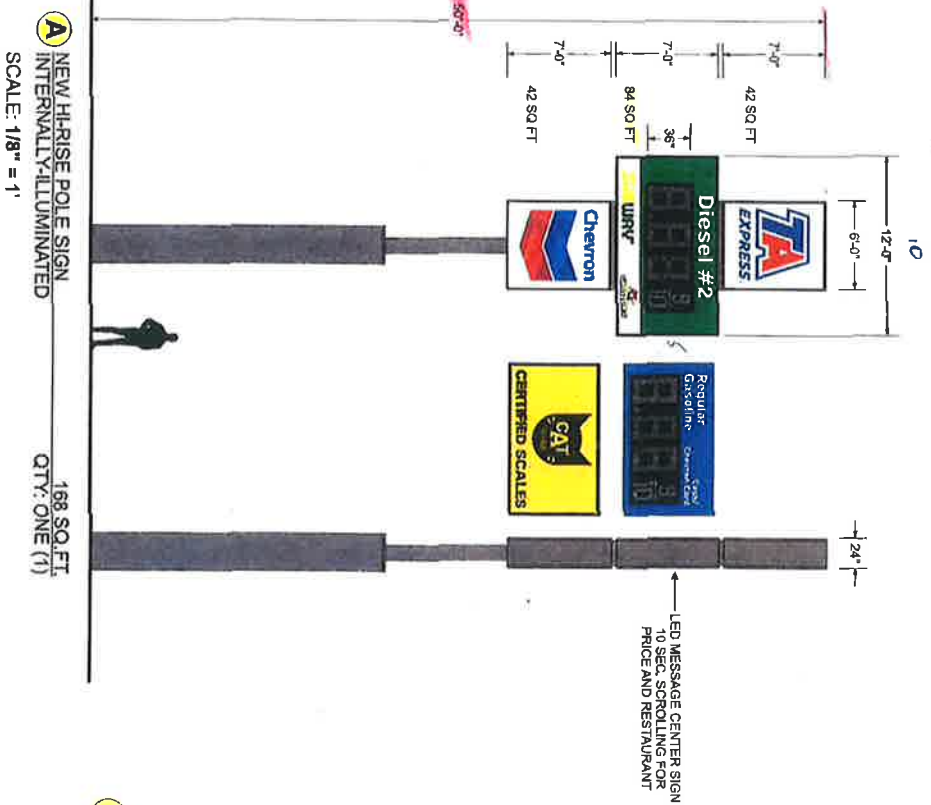


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

# Sign Plan

FRONT VIEW

SIDE VIEW



**A** NEW/HIGHRISE POLE SIGN  
INTERNALLY-ILLUMINATED  
SCALE: 1/8" = 1'

168 SQ. FT.  
QTY: ONE (1)

**B** EXISTING PRICE SIGN  
INTERNALLY-ILLUMINATED  
REFACE EXISTING PRICE SIGN

89 SQ. FT.  
QTY: ONE (1)

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**Donco & Sons, Inc.**  
Signs • Lighting • Electrical  
2877 E. Blue Star Street, Anaheim, CA 92806  
Ph: (714) 779-0999 Fax: (714) 779-0188  
CA St. Lic #435816 C10-C45-C6



CHEVRON STATION  
US-505 & GILL STATION RD.  
OLANCHA, CA 93549  
JAG DHILLON

## SIGN PLAN

PROJECT ADDRESS:  
CHEVRON STATION,  
US-505 & GILL STATION RD.  
OLANCHA, CA 93549

DATE: 1-13-22

REVISION	DATE
1	2-14-22
2	2-22-22
3	3-2-22
4	5-5-22

SCALE: 1/4" = 1'  
SHEET NUMBER  
2 OF 6

DRAWN: A.S.

# SITE PHOTO





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

**Phone: (760) 878-0263  
FAX: (760) 878-0382  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

**AGENDA ITEM NO.:** #6 (Action Item – Public Hearing)

**PLANNING COMMISSION  
MEETING DATE:** June 29, 2022

**SUBJECT:** Variance #2022-03/ Coso Signs

### **EXECUTIVE SUMMARY**

The applicant is requesting a sign size and height variance to exceed the 50-square-foot maximum sign size for a new electronic price reader sign to 84-square feet and to exceed the maximum height from 25-feet to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction.

### **PROJECT INFORMATION.**

**Supervisory District:** 5

**Project Applicant:** Donco & Sons, Inc.

**Property Owner:** Jagdeep Dhillon, Coso Junction Stores, Inc.

**Site Address:** 20 Gills Station Road

**Community:** Coso Junction

**A.P.N.:** 0037-510-02

**General Plan:** Retail Commercial (RC)

**Zoning:** Highway Services and Tourist Commercial (C-2)

**Size of Parcel:** Approximately 18.6-acres



**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Gas Station and store with truck parking areas	Retail Commercial (RC)	Highway Services and Tourist Commercial (C-2)
North	Vacant- BLM	State and Federal Lands (SFL)	Open Space (OS-40)
East	Vacant- BLM	State and Federal Lands (SFL)	Open Space (OS-40)
South	Vacant- BLM	State and Federal Lands (SFL)	Open Space (OS-40)
West	Highway 395	NA	NA

**Staff Recommended Action:** 1.) **Approve the Variance.**

**Alternatives:**

- 1.) Approve the Variance.
- 2.) Approve the Variance with additional Conditions of Approval.
- 3.) Continuc thc public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:** Cynthia Draper

**STAFF ANALYSIS**

Variance Request & Site Characteristics

The applicant is requesting a size and height variance to exceed the 50-square-foot maximum size for an electric price reader sign to 84-square-feet and to exceed the 25-foot sign height maximum to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction (map attached). The applicant is concurrently requesting a CUP for the electronic price reader sign. A gas station and mini-mart have been operating on the site for many years. The applicant has demolished the gas station and store to rebuild a larger facility that will include a store, gas station, two fast food restaurants, and diesel truck stop. A CUP was approved by the Commission in January 2022 for the truck stop. The high rise pole sign will be illuminated and include an electronic price reader and a Chevron and TA Express sign. The electronic price reader is 84-square-feet which exceeds the 50-square-feet maximum size requirement per Inyo County Code 18.75.100(C)(2). The sign height is 50-feet, exceeding the 25ft. maximum height requirement per Inyo County Code 18.75.110(B). The applicant has

requested the size and height variance to enable drivers to see the sign at a further distance from Highway 395. A tree line on the adjacent property can inhibit drivers traveling northbound on highway 395 to see the gas station pole sign without the height and size increase (see landscape photos.) The larger, taller sign will alert travelers of the upcoming gas station/truck stop sooner and enable them to exit the highway more safely.

Inyo County Code at 18.75.100 (C)(2) limits the size of signs in the County's commercial zones as follows:

*“Advertising or business signs collectively totaling not more than three hundred square feet in area are permitted to be placed or erected on each lot exceeding ten thousand square feet in area at a density ratio of three hundred square feet of total collective sign area per ten thousand square feet of lot area, e.g., signs having a collective total area of four hundred fifty square feet may be erected or placed on a lot fifteen thousand square feet in area; no individual sign, however, shall exceed fifty square feet in area and the total collective area of signs upon any such a lot shall not exceed six hundred square feet.”*

Additionally, Inyo County Code at 18.75.110(B) limits the height of signs in the County's commercial zones as follows:

*“In the OS, CB, C-1, C-2, C-3, C-4, C-5, M-2, M-1 and P zones, no sign shall exceed twenty-five feet in height, except billboards under an approved conditional use permit.”*

#### Previous Variance History

Staff was unable to find previous variances on the property

#### Provision for Variances

The Inyo County Zoning Ordinance states that any variance to the terms of the Zoning Ordinance may be granted if such a variance would “*not be contrary to its general intent or the public interest, where due to special conditions or exceptional characteristics of the property or its location or surroundings, a literal enforcement would result in practical difficulties or unnecessary hardships*” (Section 18.81.040).

Further, the Zoning Ordinance states that the following three Findings must be affirmed in order for any variance to be granted:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.
2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.
3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.

In addition to the above Findings specified in the Inyo County Zoning Ordinance, California State Government Code requires the following Findings for any variance:

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
6. The proposed variance is consistent with the General Plan.
7. The requirements of the California Environmental Quality Act have been met.

Affirmative variance Findings must describe the special circumstances that act to physically differentiate the project site from its neighbors and make it unique, and thus uniquely justified for a variance; alternatively, negative findings must describe how the project's physical characteristics are not unique or exceptional, and therefore do not justify a variance.

ALL seven of the Findings must be affirmed in order for a variance to be approved.

#### **ENVIRONMENTAL REVIEW**

This project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under the Class 5 exemption, "Minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20%, which do not result in changes in land use or density.", as it is a request for a variance on land with a slope of less than 20%, which does not result in changes in land use or density.

#### **NOTICING AND REVIEW**

The application for VAR 2022-03/Coso Signs has been reviewed by the appropriate county departments. No issues were reported by Caltrans or County staff.

The hearing for VAR 2022-03/Coso Signs was noticed on June 18, 2022 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

#### **RECOMMENDATIONS**

##### Findings

Staff has reviewed this application and can find that all of the seven required Findings can be affirmed:

1. There are exceptional circumstances applicable to the property involved which does not generally apply to other property in the same district and which deprive such property of privileges enjoyed by other property in the same district with identical zoning.

*Affirmative: The property is located within the C-2 Zone. Per 18.75.100, this zoning district permits pole signs but also limits their size to 50-square-feet in area and 25-feet in height. The primary reason for the variance request is to have the proposed gas station sign tall and large enough to be seen at a further distance along Highway 395. Traveling northbound on Highway 395, a tree line on the adjacent property to the south obstructs the view of a smaller sign. The proposed size and height variance will allow the sign to be seen over the tree line, giving drivers the ability to exit the highway safely.*

2. The result of the variance will not be detrimental to the public welfare, or injurious to property in the vicinity.

*Affirmative: The sign Ordinance ICC 18.75 allows for signs with specific size and height limitations in the C-2 zone. A variance allowing the signs to be larger than set forth in the standard per ICC 18.75, would not be detrimental to the public welfare, or injurious to property in the vicinity as there had been a 50-foot pole sign at this facility for many years prior to current new development. The only change will be the size of the sign and it will be in compliance with regard to the height.*

3. The strict application of the zoning ordinance will result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of Title 18 of the Inyo County Zoning Ordinance.

*Affirmative: The strict application of the County's sign Ordinance 18.75 could result in practical difficulties for the applicant. The owner is currently constructing a larger facility that will include a store, gas station, two fast food restaurants, and a truck stop. A CUP was approved by the Commission in January 2022 for the truck stop. Semi-truck drivers and visitors to the county will be a large customer base. A larger sign, if approved by the Commission, will alert travelers of the upcoming truck stop sooner and enable them to exit the highway safely. Not having the size variance could have negative consequences on the owner's ability to service this customer base and create a safe driving environment.*

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

*Affirmative: Approving this variance does not constitute a grant of special privilege as any other businesses could also apply for a size and height variance in the C-2 Zone.*

5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.

*Affirmative: The proposed variance applies to sign size and height as set forth in the County Code. Commercial pole signs are permitted by right, with the conditions set forth in 18.75, in the C-2 Zone, so this does not allow for a use that is otherwise not authorized.*

6. The proposed variance is consistent with the Inyo County General Plan. *Affirmative: The requested sign variance presents no inconsistencies with the General Plan land use designation of the project site, which is RC that allows for gas stations, mini-marts and restaurants.*

7. The requirements of the California Environmental Quality Act (CEQA) have been met.

*Variations are Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under the Class 5 exemption, "Minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20%, which do not result in changes in land use or density."*

#### Conditions of Approval

1.) Hold Harmless: the applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning Variance #2022-03/Coso Sign or the applicant's failure to comply with conditions of approval.

2) The applicant/developer shall conform to all applicable provisions of Inyo County Code including 18.75 – Signs; 18.74 - Outdoor Lighting; and, the Building Code. Failure to meet this condition may result in the revocation of VAR 2022-02/Coso Signs.

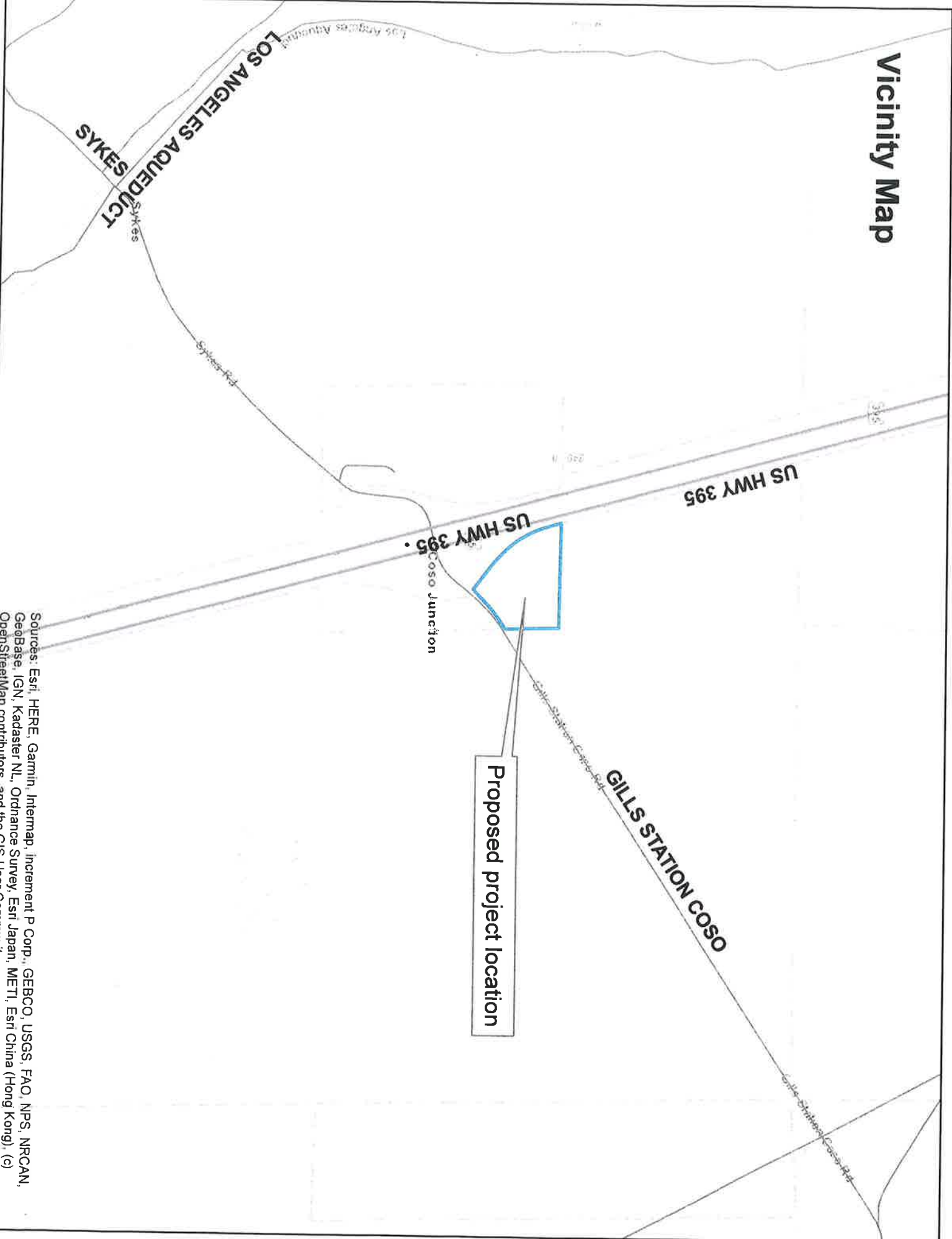
#### ALTERNATIVES

1. Approve Variance 2022-03/Coso Sign with additional conditions of approval.
2. Do not approve Variance 2022-03/Coso Sign
3. Direct staff to continue the hearing to a future date and prepare additional information.

#### ATTACHMENTS

- Vicinity map
- Sign Plan
- Super imposed landscape photos

# Vicinity Map

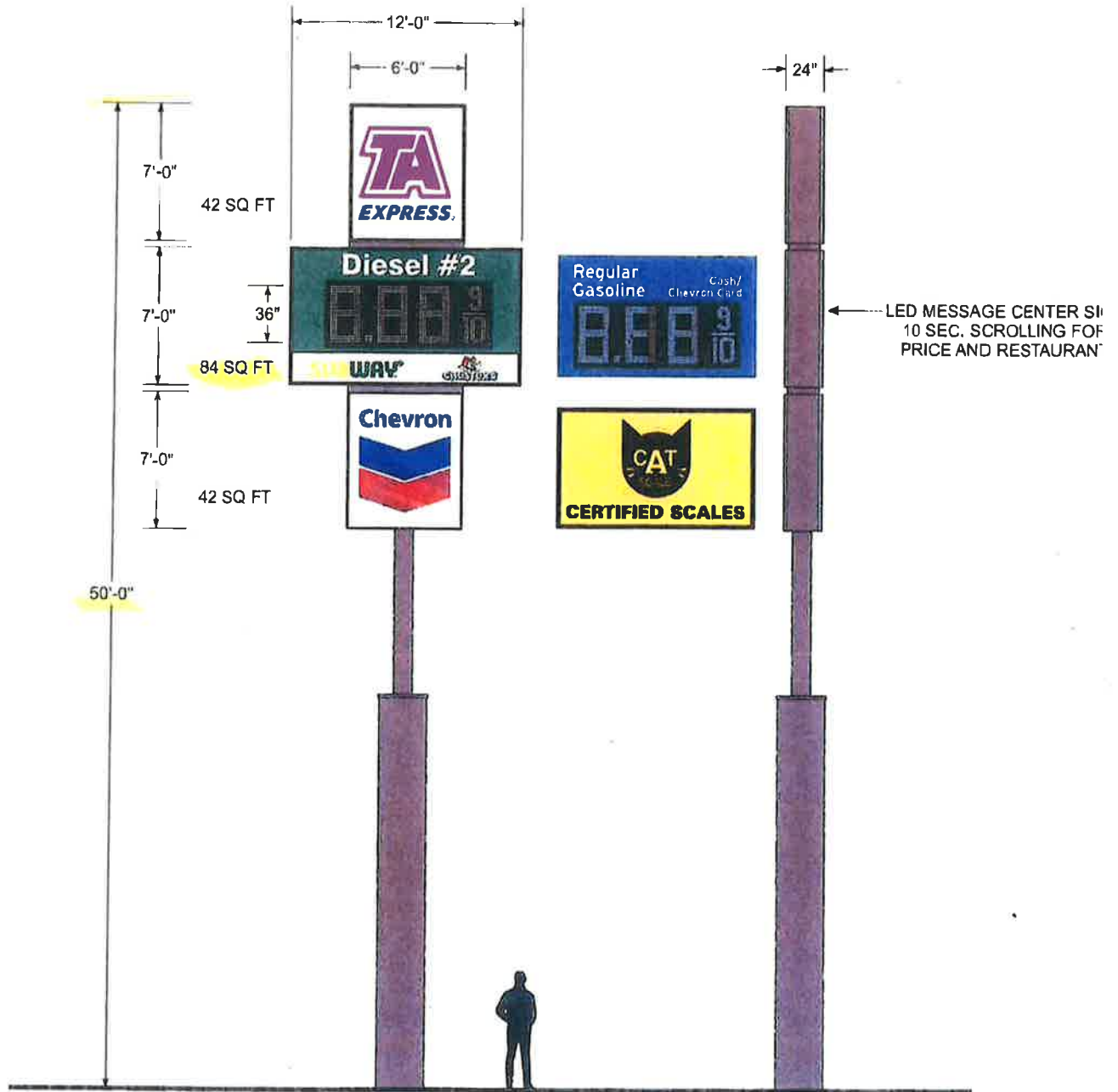


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

# Sign Plan

FRONT VIEW

SIDE VIEW



**A** NEW HI-RISE POLE SIGN  
INTERNALLY-ILLUMINATED

168 SQ.FT.  
QTY: ONE (1)

SCALE: 1/8" = 1'

# Super imposed landscape photo



TRAVELING NORTHBOUND 395  
APPROXIMATELY 1600FT FROM EXIT LANE



**Donco & Sons, Inc.**  
Signs • Lighting • Electrical  
28771 E. Blue Star Street, Anaheim, CA 92806  
Ph: (714) 778-0099 Fax: (714) 778-0188  
CA SI, LIC #43561 B C100045-C61

CUSTOMER:



CHEVRON STATION  
US-395 & GILL STATION RD.  
OLANCHA, CA 95349  
JAG DHILLON

## SIGN PLAN

PROJECT ADDRESS:  
CHEVRON STATION  
US-395 & GILL STATION RD.  
OLANCHA, CA 95349

DATE: 6-6-22

REVISION	DATE
1	
2	
3	
4	

SCALE: NTS

SHEET NUMBER  
2 OF 2

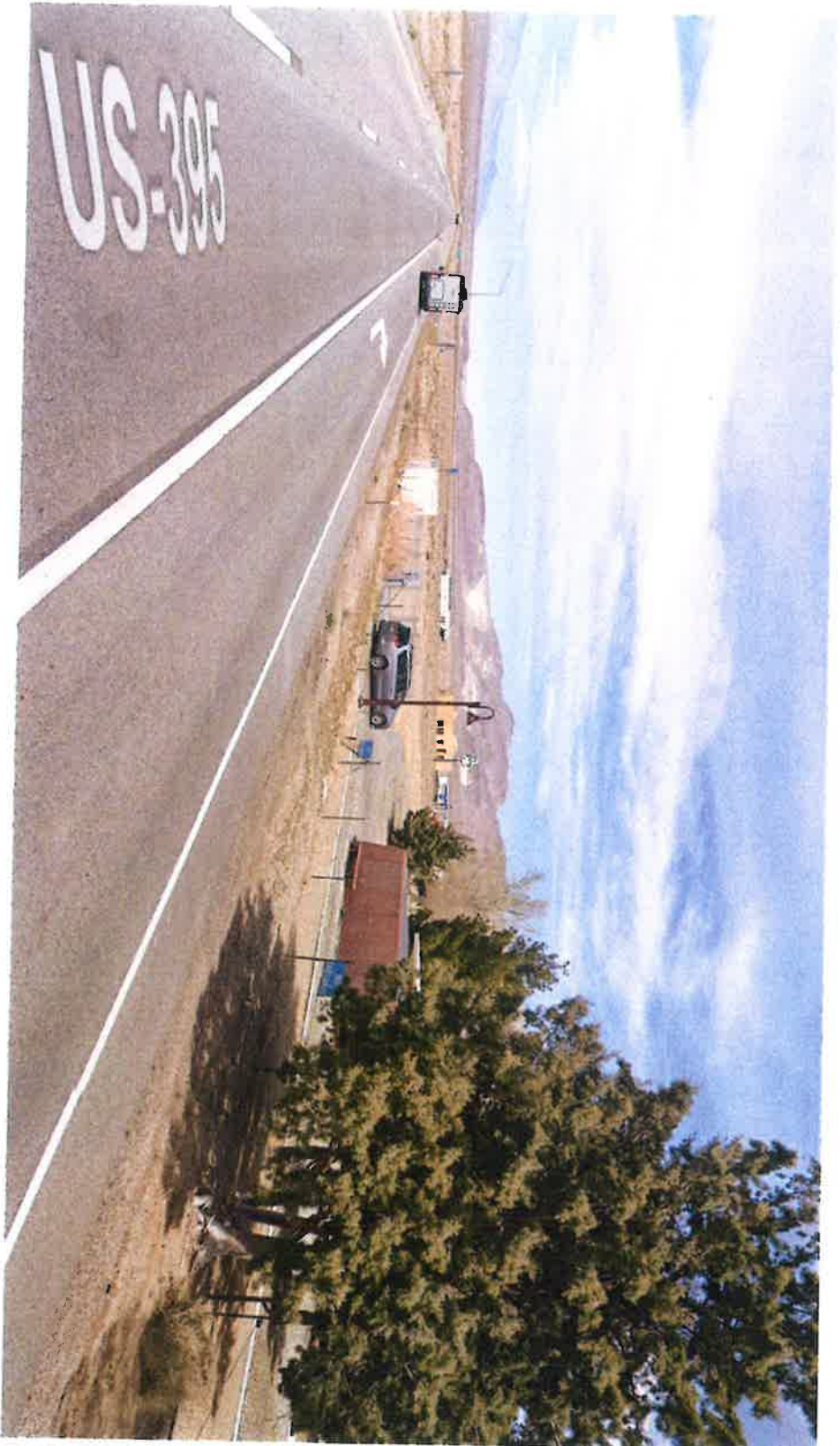
DRAWN: A.S.

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# Super imposed landscape photo



TRAVELING NORTHBOUND 395  
APPROXIMATELY 490FT FROM INTERSECTION OF 395 & GILL STATION COSO ROAD



**Donco & Sons, Inc.**  
Signs • Lighting • Electrical

2927 E. Blue Star Street, Anaheim, CA 92806  
Ph: (714) 779-0292 Fax: (714) 779-0108  
CA SA, TX #4582 IL 0100CA5041

CUSTOMER:



CHEVRON STATION  
US-395 & GILL STATION RD,  
OLANCHA, CA 95349  
JAG DHILLON

## SIGN PLAN

PROJECT ADDRESS:

CHEVRON STATION  
US-395 & GILL STATION RD,  
OLANCHA, CA 95349

DATE: 6-6-22

REVISION DATE

1	
2	
3	
4	

SCALE: NTS

SHEET NUMBER

1 OF 2

DRAWN: A.S.

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

**Phone: (760) 878-0263**  
**(760) 872-2706**

**FAX: (760) 878-0382**

**E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

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**AGENDA ITEM NO** 7 (Action Item – Public Hearing)

**PLANNING COMMISSION**  
**MEETING DATE:** **June 29, 2022**

**SUBJECT:** Zone Text Amendment (ZTA) No. 2022-01/Inyo County-Outdoor Seating

**EXECUTIVE SUMMARY**

Staff has drafted a proposed ordinance to amend Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use.

**PROJECT INFORMATION**

**Supervisory District:** County-wide

**Applicants:** Inyo County

**Landowners:** Multiple  
**Address/**

**Community:** County-wide

**A.P.N.:** County-wide

**Existing General Plan:** N/A

**Existing Zoning:** N/A

**Surrounding Land Use:** N/A

**Recommended Action:** **Adopt the attached Resolution, recommending that the Board of Supervisors:**

**1.) Find the proposed project exempt from the requirements of the California Environmental Quality Act.**

**2.) Make certain Findings with respect to, and approve, Zone Text Amendment ZTA/2022-01**

**Alternatives:**

1.) Recommend modifications to the proposal.

2.) Recommend denial.

3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

**Project Planner:**

Cathreen Richards

**BACKGROUND**

In July 2020 the Board of Supervisors adopted a Resolution to temporarily suspend the enforcement of landuse regulations to allow local businesses to operate outdoors. This was primarily done so that businesses that serve food and beverages could do so outdoors during the indoor restrictions set forth by Health Department orders addressing Covid. This Resolution is no longer effective and many County business owners would like to continue to have outdoor seating and without the time and cost of first obtaining a Conditional Use Permit as is presently required in some zoning districts.

**ANALYSIS**

Staff has reviewed the County's Commercial zones and found that all of them that allow for businesses that could include outdoor seating, such as food and beverage services, restrict outdoor business activities including outdoor seating in one way or another. Some zones require Conditional Use Permits and others do not allow for it at all. A breakdown of the current regulations regarding outdoor seating in commercial zones that also allow for food and beverage service is as follows:

- 18.44 - Central Business, lists it specifically as a Conditional Use;
- 18.48 - Highway Services and Tourist Commercial, included under Outdoor Business Activity and requires a Conditional Use Permit;
- 18.45 – General Commercial and Retail, states that the permitted uses listed are permitted when entirely conducted within an enclosed building. Outdoor seating, therefore, is not allowed, even with a Conditional Use Permit. This zone does allow for food and beverage service, however; and,
- 18.54 - Commercial Recreation also does not include any language that would address outdoor seating and is not allowed, even with a Conditional Use Permit. This zone also allows for food and beverage service.

Inyo County with its sunny climate, beautiful views and tourist based economy is a perfect place for businesses with food and beverage service to have outdoor seating and it has become a much more common and enjoyed practice in the United States. It has been a way of life in other parts of the World for many, many years. During the time that this use was allowed through the Board Resolution suspending regulation, no nuisance complaints were received by the Planning Department or the Code Enforcement Officer regarding outdoor seating, indicating that it also has not been perceived as a problem.

#### General Plan Consistency

ZTA 2022-01 - Amending Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use will not change the current underlying commercial uses, or their relationship to accompanying commercial uses per the General Plan. It only adds to where on the property a business is located that seating can occur.

#### Zoning Ordinance Consistency

ZTA 2022-01 is consistent with the Inyo County Zoning code as amending Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use does not discontinue or expand the allowed commercial uses within the zoning designations, but adds to where on the property a business is located seating can occur. The current allowed uses will remain consistent with the use requirements of Title 18.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This project is a proposal to amend parts of the County Code to allow for outdoor seating as an accessory use. It does not expand or change the underlying commercial uses, but adds to where on a business' location seating can occur.

### **RECOMMENDATIONS**

Staff recommends adoption of the attached resolution recommending the Board of Supervisors consider ZTA 2020-01, make certain findings, and adopt the proposed ordinance amending Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code.

#### Recommended Findings

1. The proposed ordinance is covered by the Common Sense Rule 15061(b)(3)

*[Evidence: the proposed ordinance is covered by the Common Sense Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Amending Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory does not expand or change the underlying commercial uses, but adds to where on a business' location seating can occur. This change also does not allow new or expanded uses or development.]*

2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.

*[Evidence: Amending Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use will not change the current underlying commercial uses, or their relationship to commercial uses per the General Plan. It only adds to where on the property a business is located that seating can occur.]*

3. Based on substantial evidence in the record, the proposed Zoning Ordinance to amend ICC 18.44 is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

*[Evidence: Zone Text Amendment 2022-01 allowing outdoor seating as an accessory is consistent with the Inyo County Zoning code Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation as it will not discontinue or expand the allowed commercial uses within the zoning designations, but adds to where on the property businesses are located that seating can occur. The current allowed uses will remain consistent with the use requirements of Title 18.]*

## **ATTACHMENTS**

- A. Resolution
- B. Draft proposed ordinance

**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE PROPOSED PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TO MAKE CERTAIN FINDINGS WITH RESPECT TO AND RECOMMEND THE INYO COUNTY BOARD OF SUPERVISORS APPROVE ZONE TEXT AMENDMENT NO. 2022-01 INYO COUNTY**

WHEREAS, the Inyo County Board of Supervisors, through Inyo County Code (ICC) Section 15.12.040, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines, which is responsible for the environmental review of all County projects

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), the proposed ordinance is covered by the Common Sense Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA

WHEREAS, the Inyo County Planning Commission held a public hearing on June 29, 2022, to review and consider a request for approval of Zone Text Amendment No. 2022-01, and considered the staff report for the project and all oral and written comments regarding the proposal

WHEREAS, ICC Section 18.03.020 in part states that it is necessary for the zoning ordinance to be consistent with the General Plan

WHEREAS, the approval of ZTA 2022-01 results in updates to certain allowed accessory uses related to commercial businesses providing outdoor seating, which does not, cause new use types to what is already allowed based on General Plan designations.

WHEREAS, ZTA 2022-01 is consistent with the Inyo County Zoning code as it will result in updates to certain allowed activities related to commercial businesses providing outdoor seating, which does not cause new use types to what is already established in the Inyo County Zoning Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comment and input received at the June 29, 2022, hearing, including the Planning Department Staff Report, the Planning Commission makes the following findings regarding the proposal and hereby recommends that the Board of Supervisors adopt the following findings for the proposed project:

**RECOMMENDED FINDINGS**

1. The proposed ordinance is covered by the Common Sense Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This project is a proposal to amend parts of the County Code to allow for outdoor seating as an accessory use. It does not expand or change the underlying commercial uses, but adds to where on a business' location seating can occur.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

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

**RECOMMENDED ACTIONS**

1. Approve the Amendments to Title 18 related to commercial businesses providing outdoor seating based on all of the information in the public record and on the recommendation of the Planning Commission.

PASSED AND ADOPTED this 29<sup>th</sup> day of June 2022, by the following vote of the Inyo County Planning Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Caitlin Morley, Chair  
Inyo County Planning Commission

ATTEST:  
Cathreen Richards, Planning Director

By \_\_\_\_\_  
Paula Riesen, Secretary of the Commission

ORDINANCE NO. 2022-01 Outdoor Seating

**AN ORDINANCE OF THE INYO COUNTY BOARD OF SUPERVISORS  
AMENDING SECTION 18.44.030(G) AND ADDING SECTIONS  
18.44.040(C), 18.48.040(D), 18.45.040(D), AND 18.54.030(F) TO  
THE INYO COUNTY CODE PERTAINING TO ZONING**

**WHEREAS**, Title 18 of the Inyo County Code (ICC) sets forth zoning requirements within the unincorporated area of the County; and

**WHEREAS**, on July 21, 2020 due to the Global COVID-19 Pandemic, the Board of Supervisors temporarily suspended regulations regarding outdoor seating so that businesses affected by forced, indoor closers could continue to do business; and

**WHEREAS**, sections 18.44 and 18.48 of the ICC currently include outdoor seating as a use requiring prior approval by the Inyo County Planning Commission; and

**WHEREAS**, the Board finds that the experience of outdoor seating as an allowed use during the suspension of these regulations was positive; and

**WHEREAS**, the Board now wishes to amend sections 18.44 and 18.48 of the ICC to allow outdoor seating outright as an accessory use when combined with or involving a permitted use; and

**WHEREAS**, sections 18.45 and 18.54 currently do not allow for outdoor seating as a use under any circumstance; and

**WHEREAS**, the Board now wishes to amend sections 18.45 and 18.54 to allow outdoor seating as an accessory use when combined with or involving a permitted use; and

**WHEREAS**, the Inyo County Planning Commission met to discuss the proposal to allow for outdoor seating as an accessory use when combined with or involving a permitted use in Inyo County Code sections 18.44, 18.48, 18.45 and 18.54 with regard to consistency with the Inyo County Zoning Code, General Plan, and the California Environmental Quality Act and concurred with staff recommendations.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO ORDAINS AS FOLLOWS:**

**SECTION ONE:** Section 18.44.030(G) of the Inyo County Code is hereby amended to read as follows:

**“18.44.030 Conditional Uses**

G. Any permitted use when combined with or involving any outdoor display of goods, or outdoor business activity.



**SECTION TWO:** Section 18.44.030 of the Inyo County Code is amended by adding the following section C:

**“18.44.030 Accessory Uses.**

C. Outdoor seating when combined with or involving a permitted use.

**SECTION THREE:** Chapter 18.48.040 of the Inyo County Code is amended by adding the following section D:

**“18.48.040 Accessory Uses.**

D. Outdoor seating when combined with or involving a permitted use.

**SECTION FOUR:** Chapter 18.45.040 of the Inyo County Code is amended by adding the following section D:

**“18.45.040 Accessory Uses.**

D. Outdoor seating when combined with or involving a permitted use.

**SECTION FIVE:** Chapter 18.54.030 of the Inyo County Code is amended by adding the following section F:

**“18.54.030 Accessory Uses.**

F. Outdoor seating when combined with or involving a permitted use.

**SECTION SIX: EFFECTIVE DATE**

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED THIS \_\_ DAY OF \_\_\_\_\_, 2022.

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Dan Totheroh, Chair  
Inyo County Board of Supervisors

ATTEST:

By: \_\_\_\_\_