

# *In the Rooms of the Board of Supervisors*

County of Inyo, State of California

I, HEREBY CERTIFY, that at a meeting of the Board of Supervisors of the County of Inyo, State of California, held in their rooms at the County Administrative Center in Independence on the 2<sup>nd</sup> day of May 2023 an order was duly made and entered as follows:

*Planning Dept. –  
ZR 2023-01/GPA  
2023-01/  
Reso. #2023-12/  
Ord. #1296*

Planning Director Cathreen Richards provided a presentation which outlined background history, data, and resources utilized for moving forward with Zoning Reclassification (ZR) 2023-01 and General Plan Amendment (GPA) 2023-01. She noted the goal is to create additional housing opportunities in Inyo.

Richards said the Planning Department utilized the Geographic Information System (GIS) to search for potential parcels meeting the criteria for land use designation changes and helped to identify eight total parcels for General Plan and Zone Change CEQA review. Richards provided additional information and there was discussion on what changes would need to be made to each of the eight parcels in order for them to be used for affordable housing purposes.

Reports were also made by Robert Edgerton of Helix Environmental Planning, who was contracted with Inyo to prepare the Environmental Impact Report (EIR), and Tom Kear with Planning and Management Inc., who performed a Vehicle Mile Study and assisted with the Alternatives and Recommendations report for the EIR.

The proposed zoning and General Plan changes as presented were:

**General Plan (change via resolution)**

- Bishop (APN 008-240-01) (Main and Jay Street) from Public Facilities to Central Business District;
- Bishop (008-240-02) (Main and Jay Street) from Agriculture to Central Business District;
- Bishop (APN 008-190-01) (East South Street) from Retail Commercial to Residential High Density;
- Independence (APN 002-160-08) (Mazourka Canyon Road) from Residential Ranch to Residential Medium Density;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) (Lone Pine Avenue and Hay Street) from Public Facilities to Residential High Density; and,
- Lone Pine (APN 005-072-06) (Hay Street) Residential Medium High Density to Residential High Density.

**Zoning (locations same as above; change via ordinance)**

- Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business;
- Bishop (APN 008-240-02) from Public to Central Business;
- Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;
- Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.
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The Chairperson opened the public hearing at 2:38 p.m. Public comment was made by Michael Rodman, Jerry Rodgers, Richard White, Carola Gregorich, Kenneth Gregorich, and Sarah Solnit. The Chairperson closed the public hearing at 2:56 p.m.

Discussion among Board members and with staff ensued, with Supervisor Griffiths advocating to remove the South Street, Bishop parcel from consideration for the time being due to outstanding issues and neighborhood opposition. Supervisor Kingsley asked that the density proposal for the Independence parcel be changed to Residential Low and that all Lone Pine parcels be Residential Medium High Density.

# *In the Rooms of the Board of Supervisors*

County of Inyo, State of California

I, HEREBY CERTIFY, that at a meeting of the Board of Supervisors of the County of Inyo, State of California, held in their rooms at the County Administrative Center in Independence on the 17<sup>th</sup> day of May 2022 an order was duly made and entered as follows:

*Planning Dept. –  
ZR 2023-01/GPA  
2023-01/  
Reso. #2023-12/  
Ord. #1296  
(continued)*

Supervisor Marcellin was in agreement, while Supervisors Orrill and Roeser also advocated for the removal of the two Main Street, Bishop parcels from consideration due to a number of issues, from irrigation concerns to environmental impact. LADWP Property Manager Elsa Jimenez addressed the Board to report that current discussions with the City of Bishop about divesting property in city limits for development could result in additional land availability in the next 1-2 years. Supervisor Kingsley subsequently said he could support removing all currently proposed Bishop parcels.

Supervisor Griffiths made a motion seconded by Supervisor Marcellin to make the changes requested by Supervisor Kingsley and to remove the East South Street proposal (APN 008-190-01) from consideration at this time. The motion failed 2-3, with Supervisors Kingsley, Orrill, and Roeser voting against.

Moved by Supervisor Orrill and seconded by Chairperson Roeser to approve and certify that the Environmental Impact Report for the project was prepared in compliance with the California Environmental Quality Act, and approve Resolution No. 2023-12 approving General Plan Amendment 2023-01/Inyo County, Vacant Lands and Housing Opportunity and Ordinance 1296 approving Zone Reclassification 2023-01/Inyo County, Vacant Lands and Housing Opportunity, with the following parcels and classifications:

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#### **General Plan**

- Independence (APN 002-160-08) Residential Ranch to Residential Low
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Residential Medium High

#### **Zone Reclassification**

- Independence (APN 002-160-08) from Rural Residential to One Family Residential 12,000-sqft minimum
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above

Motion carried 3-2, with Supervisors Griffiths and Orrill voting against.

WITNESS my hand and the seal of said Board this 2<sup>nd</sup>  
Day of May, 2023



NATE GREENBERG  
Clerk of the Board of Supervisors

A handwritten signature in black ink, appearing to read "Nate Greenberg".

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

Routing
CC Purchasing Personnel Auditor CAO Other: Planning DATE: May 9, 2023



# INYO COUNTY BOARD OF SUPERVISORS

TRINA ORRILL • JEFF GRIFFITHS • SCOTT MARCELLIN • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

May 2, 2023

Reference ID:  
2023-3695

### Zone Reclassification (ZR) 2023-01/Inyo County - Vacant Lands and Housing Opportunity; General Plan Amendment (GPA) 2023-01/Inyo County - Vacant Lands and Housing Opportunity Planning Department ACTION REQUIRED

#### ITEM SUBMITTED BY

Cathreen Richards, Planning Director

#### ITEM PRESENTED BY

Cathreen Richards, Planning Director

#### RECOMMENDED ACTION:

- A) Receive a presentation from staff on the project;
- B) Conduct a public hearing;
- C) Adopt Resolution No. 2023-12 approving General Plan Amendment 2023-01/Inyo County, Vacant Lands and Housing Opportunity; and,
- D) Adopt Ordinance 1296 approving Zone Reclassification 2023-01/Inyo County, Vacant Lands and Housing Opportunity; and,
- E) Approve and certify that the Environmental Impact Report for the project was prepared in compliance with the California Environmental Quality Act.

#### BACKGROUND / SUMMARY / JUSTIFICATION:

Staff applied for the SB 2 grant funding to address the current shortage of work force and other affordable housing opportunities in the County. There are many contributing factors to the regional housing shortage, including:

- A lack of available private land for development;
- Difficulties in the provision of infrastructure and services;
- Little interest from builders to provide "workforce" and/or other types of "affordable" housing choices;
- State subdivision regulations that prohibit subdivision of areas outside Community Service District Boundaries (Fire); and,
- Outdated zoning and General Plan designations and regulations.

Using current residents' needs as a guide, staff approached this project by considering the existing affordable options available to folks living and working in the county, how to provide starter-type housing for local, first-time home buyers, as well as senior housing, so county residents can age in place.

#### *Project strategy*

The project was intended to:

- Conduct a vacant land inventory and General Plan/zoning designation review of private properties located throughout the County (GIS exercise with set criteria). The information was also to be used to help identify parcels of land for the Regional Housing Needs Allocation (RHNA) for the Housing Element update.
- Identify land that may be appropriate for designation changes to promote housing opportunities, primarily by increasing allowable residential density.
- Include evaluating an increase in the amount of multi-family zoning available in the County and/or additional zoning areas with principal permitting for mobile home parks.
- Review of the County's current zoning with a focus on commercial zones for opportunities for infill (residential) development as well as Accessory Dwelling Units (ADU).
- Give preference to areas near public transportation and other services.

### *Environmental Impact Report*

#### Scoping

On November 5, 2020, after the initial review, a CEQA Notice of Preparation was submitted to the State Clearinghouse. This was followed by a scoping meeting held on November 18, 2020. The scoping meeting was intended to:

- Provide information on the Environmental Impact Report (EIR) process.
- Identify the environmental issues the EIR would address.
- Solicit community input on the environmental issues that may be involved with the proposed project.
- Collect comments on the environmental analysis of the proposed project, especially for:
  - o The range of alternatives to be considered to avoid or reduce impacts;
  - o Potential environmental impacts of greatest concern to public agencies, organizations and individuals; and,
  - o Avoidance, minimization and mitigation measures.

The scoping meeting resulted in staff getting very good comments. These included:

- There is an environmental constraints document that was produced by the City of Bishop around 2012 that might have relevant information to this proposed project.
- Better define which Los Angeles Department of Water and Power (DWP) parcels to include, perhaps defining a sphere of influence for each neighborhood or town within which to include parcels.
- Support for mixed use commercial and residential zoning.
- Include DWP lands, particularly lots on Main Street in Lone Pine, even if they are not on divestment lists because it may be possible to request divestment.
- Consider bringing in a large septic tank to support additional housing in areas such as Charleston View or Cartago even if these areas would otherwise fall outside the boundaries of the parcels under review because they do not fall within a sewer or water district.
- Include vacant or lightly developed County-owned lands for consideration.
- Several suggestions for increasing residential density, including easing restrictions on renting rooms in existing housing and changing existing zoning to allow for duplexes and additional accessory dwelling units (ADU) in certain one-family residential zones.

#### Draft Environmental Impact Report

County and consultant staff used the ideas collected at the scoping meeting to complete the vacant lands analysis and zone/General Plan designations review. This information was used to generate a project description and baseline for the Environmental Impact Report (EIR) and a final draft parcel list for proposed designation changes. The Geographic Information Systems (GIS) analysis was conducted with a set of parameters to find the best parcel candidates for designation changes that met the project's objectives and could be inclusive of the scoping comments. The GIS process employed county assessor parcel data with overlays to determine the best fit for county purposes, starting with the countywide parcel dataset, the following parameters were used to identify parcels:

- Classified as vacant according to county assessor data coding.
- Located within a local fire protection district.
- Located within or adjacent to a water and sewer/sanitary service district.
- Located in an area without high environmental concerns including: Alquist-Priolo identified earthquake fault zones; flood prone areas per the Federal Emergency Management Agency (FEMA)

flood maps; and, High and Very High fire hazard zone classifications, per Cal Fire.

- County and DWP ownership. These were added after the scoping meeting based on public comment.
- Identified parcels with residential zoning designations that were greater than 0.5 (this was based on requirements in the housing element for the RHNA), and parcels in the Central Business District (CBD) designation.
- Compiled a list of parcels that met the initial criteria and added parcels identified as priorities in the 2014 Housing Element update.
- For each parcel included in the recommendation, evaluations of the current minimum and maximum housing density and minimum and maximum number of dwelling units supported by the target parcels were generated.

The preliminary results found 48-parcels that matched the criteria; 27 of these are located in the CBD designation and 14 are in other zoning designations. The parcel list was then further refined by information found in the City of Bishop Constraints report. Eight parcels totaling 32-acres were then evaluated by the Draft Environmental Impact Report (maps attached). These parcels are :

#### *Bishop Area*

Three undeveloped parcels in the Bishop area were identified, two of the Bishop area parcels (APNs 008-240-01 and 02) are proposed for a General Plan designation change to Central Business District from Public Service Facilities and Agriculture designations; and zoning designation changes to Central Business from Public and Light Industrial. The third Bishop parcel (APN 008-190-01) is proposed for a General Plan land use designation change from Retail Commercial to Residential High Density and includes a zone change from Single-Family Residential to Multiple Family Residential. Combined, the three Bishop parcels would allow for a maximum of 344 dwelling units.

The two parcels located along Highway 395 were identified for their potential for mixed use commercial residential development or multi-family housing as they are located in an area with good access to services. The larger of the two parcels is owned by the County. Water and sewer service connections are available at the street for the development of the property. There has been quite a bit of comment regarding grazing leases on this property - there are none. The second of these parcels is smaller and fronts Highway 395 and was included because of this highway access. Water and sewer service connections are available at the street for the development of the property. It would be somewhat problematic for development, however, as it does have a DWP grazing lease and is classified as having "E" type vegetation. Simply put, this means it is irrigated and other land in an equal amount would have to be identified for a one-to-one replacement of Type "E" vegetation. Both parcels have some environmental conditions that would need to be mitigated, as well, and measures are included in the EIR addressing these.

The parcel along South Street is owned by DWP. It includes a water conveyance ditch along its south side. This ditch can be avoided by future development and access would have to be left open to DWP for maintenance. The property is designated as "C" Type vegetation which does not have the same requirements as "E" as irrigation is not required. This property could provide a mix of housing types from apartments/duplexes to zero-lot-line townhomes/condos. It is also very well located directly south of an already developed residential area with access to water and sewer services. It is currently zoned for single family residential and has a retail commercial general plan designation. These zoning and general plan designations are not compliant with each other and should be amended within this project or as a standalone action to remedy the mismatch.

#### *Independence*

One undeveloped parcel located in Independence was also identified. It is 16.9 acres and located along Mazourka Canyon Road, east of Edwards Street/Highway 395. The project parcel is identified as APN 002-160-08 and is owned by DWP. It is also included on the DWP Tier 1 divestment list and is not leased. It was evaluated for a proposed zone change from Rural Residential, 1-acre minimum to Multiple Family Residential and a General Plan change from Residential Ranch to Residential Medium Density for a maximum of 128 dwelling units. Staff's evaluation determined that more units on this parcel would create more housing opportunities for people who currently live and work in the county than a 1-acre ranch/horse property as it is currently zoned for. This type of development, however nice, is not generally

affordable for people making an average wage in the county. Discussions about this parcel also included the potential for senior housing, a tiny home village and zero-lot-line townhomes/ condos.

#### *Lone Pine*

Four parcels located in Lone Pine with APNs 005-072-06; 005-072-07; 005-072-24; and 005-072-30 are proposed for a General Plan designation change from Public Facilities and Residential Medium-High Density to Residential High Density and a rezone from Public and Multiple Family 2-units to Multiple Family Residential 3-units and above. Combined, the four Lone Pine Parcels would allow for a maximum of approximately 20 dwelling units. These parcels are currently being used as a county road yard that is located inside a residential neighborhood. Two are owned by the county and two by DWP. Considerations for this parcel's potential include cottage apartments, zero-lot-line town homes or duplexes. Two of these parcels are already zoned for duplexes. The other two are zoned 'Public' and all current zoning allows for two-story buildings.

The project objectives drafted per Section 15124 of the CEQA Guidelines are:

- Provide for increased housing opportunities in Inyo County primarily through increasing allowable residential density within existing and established communities, especially within the Central Business District land use designation.
- Allow for increased housing opportunities (primarily multi-family) in certain commercial zones ministerially (no additional discretionary action needed).
- Focus future housing opportunities to vacant land located adjacent to existing public transit stops and public utilities/services.
- Minimize direct and indirect impact from increased housing opportunities on the physical, biological, cultural, political, and socioeconomic environments.
- Identify zone changes to be consistent with General Plan land use designations to maximize density.

Project alternatives for the EIR were drafted per Section 15126.6 of the CEQA Guidelines, and include:

- Proposed Project: Increased housing opportunities resulting in a net increase of approximately 219-492 Dwelling Units
- No Project Alternative: No change to General Plan land use designations or zoning ordinance.
- Reduced Housing Opportunity Alternative – This alternative would eliminate the Independence parcel and evaluate up to 364 additional dwelling units.

For this EIR, staff also applied for an additional state grant (Regional Early Action Planning Grant) or REAP. This grant was used to provide a Vehicle Miles Traveled (VMT) study and recommendations report to enhance the EIR.

The Draft EIR was prepared and posted on the State CEQA Clearinghouse and recorded with the County Clerk for advertising on November 30, 2022 for a 45-day review period ending on January 16, 2023. The County received one comment on January 17, 2023 from DWP (comment attached).

## **FINDINGS**

*General Plan:* The proposed General Plan land use designation changes are intended to increase the allowed density concurrently and corresponding with zone changes on the parcels chosen for the project as part of a State program to promote housing opportunities through an SB2 grant. Changing the General Plan designations to:

- Bishop parcels – Residential High Density (RH) and Central Business District (CBD) designations will result in 7.6 to 24 dwelling units per acre (du/acre) that correspond with the proposed Multiple Family Residential (R-3) and Central Business (CB) zones.
- Independence parcel – Residential Medium Density (RM) designation will result in a 4.6 to 7.5 du/acre that corresponds with the proposed R-3 zoning designation.
- Lone Pine Parcels – RH designation will result in a 15.1 to 24 du/acre that corresponds with the proposed R-3 zoning designation. The RH designation is to be used in areas where single-family and multiple-family residential units are appropriate and access to adequate water and sewer connections are available. All three areas can accommodate the increase in housing density as

evaluated by the EIR and will increase the potential for increased housing opportunity as provided by the State grant program. The CBD designation allows for main street type commercial uses as well as multiple-family dwellings and mixed-use projects. The parcels identified for the CBD designation have access to adequate water and sewer services and are appropriate for higher density housing development with mitigations per the EIR analysis. It too will increase the potential for increased housing density. The RM designation is to be used in areas where single-family residential units are appropriate and access to adequate water and sewer connections are available.

*Zoning:* The proposed zoning designation changes are intended to create consistency with the allowed density proposed on the parcels, per the proposed General Plan changes and consist of:

- Bishop parcels – Central Business (CB) allows for multiple-family dwellings, 3-units and above and mixed-use commercial/residential projects, and Multiple Family Residential (R-3) that allows for residential development at 3-units and above.
- Independence parcel – R-3 designation allows for residential development at 3-units and above.
- Lone Pine Parcels – R-3 designation allows for residential development at 3-units and above.

### **Tribal Consultation**

General Plan updates require that jurisdictions offer consultation opportunities to local Tribes. Pursuant to Government Code Section 65352.3, Tribes have 90-days, after receiving invitations to consult on GPAs to request consultation opportunities. Staff mailed consultation invitations on November 5th, 2020 to the: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Kern Valley Indian Council, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Walker River Reservation, pursuant to the list provided by the Native American Heritage Commission. The Big Pine Paiute Tribe of the Owens Valley requested consultation, but did not engage in scheduling one. No other Tribes requested consultation and the 90-day window for a consultation request has passed.

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on November 4, 2020 about the project and the opportunity for consultation. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Cabazon Band of the Mission Indians, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the Tribes requested consultation.

### **Environmental Review**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County – Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County- Vacant Lands and Housing Opportunity. The Draft EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. The issues that are analyzed in detail in the Draft EIR include: aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology and soils; greenhouse gas (GHG) emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources; utilities and service systems; and, wildfire.

The analysis contained in the Draft EIR identified potentially significant impacts for biological resources, with the proposed project having the potential to affect sensitive or special-status species, a sensitive natural community, or State or federally protected wetlands. With the implementation of mitigation measures that include rare plant surveys, surveys for Owens Valley vole, avoidance measures for special-status fish, Swainson's hawk and nesting bird surveys, and the completion of a jurisdictional delineation, all potentially significant impacts would be mitigated to a less than significant level.

Potentially significant impacts were also identified for cultural resources, but mitigation measures including inadvertent discovery of cultural resources procedures, cultural resource investigations, and procedures for the inadvertent discovery of human remains would reduce potentially significant impacts to a less than significant level. Site-specific geotechnical investigations and avoidance and minimization measures for paleontological resources would be implemented to reduce geology and soils impacts to a less than significant level. The proposed project would also implement stormwater quality protection measures to reduce hydrology and water quality impacts to a less than significant level. Construction noise reduction measures and construction vibration limits would be implemented to reduce noise impacts to a less than significant level.

The County would require developers to demonstrate the proposed development would have a residential density equal to or greater than 4.5 dwelling units per acre prior to issuance of a grading permit to reduce transportation impacts to a less than significant level. A minimum density greater than 4.5 dwelling units per acre would meet the criteria for reducing vehicles miles traveled (VMT) at least 15 percent below the County average. Potentially significant impacts were also identified for tribal cultural resources, but mitigation measures including inadvertent discovery of tribal cultural resources procedures would reduce potentially significant impacts to a less than significant level. The proposed project would demonstrate adequate water supply prior to issuance of a grading permit in order to reduce potentially significant impacts to a less than significant level. Table ES-1 (located at the end of the Executive Summary) summarizes the project's potentially significant environmental impacts and proposed mitigation measures by issue, as discussed in Section 4.1-4.20 of the Draft EIR.

*\*All of the mitigation measures set forth for individual parcels and collectively will have to be met for any project proposed on any one of the eight parcels.*

**Noticing**

The project was noticed on May 20, 2023 in the Inyo Register and mailed to residents within 300-feet of the parcels subject to the changes.

**RECOMMENDATIONS**

**Planning Commission**

The Planning Commission held a duly noticed public hearing on March 22, 2023 (staff report and comments received attached) following which the Commission voted 2 to 1 to adopt a resolution recommending the Board of Supervisors adopt the General Plan amendment, which did not pass as a matter of law because it was not approved by a majority of the members of the Commission. A recommendation from the Planning Commission is ideal, but not necessary for the Board to adopt the proposed ordinance.

*Planning Department staff is recommending:*

The Board of Supervisors:

- Adopt a Resolution Approving General Plan Amendment 2023-01/Inyo County - Vacant lands and Housing Opportunity (attached)
- Adopt an Ordinance Approving Zone Reclassification 2023-01/Inyo County -Vacant lands and Housing Opportunity (attached); and,
- Approve and certify the EIR was prepared in compliance with CEQA.

**FISCAL IMPACT:**

<b>Funding Source</b>	Grant Funded: SB2 Planning Grant and Regional Early Action Planning Grant	<b>Budget Unit</b>	23800
<b>Budgeted?</b>	Yes	<b>Object Code</b>	
<b>Recurrence</b>	One-Time Expenditure		
<b>Current Fiscal Year Impact</b>			
<b>Future Fiscal Year Impacts</b>			



<b>Additional Information</b>
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**ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

1. The Board could deny the General Plan Amendment and Zone Reclassification of the eight proposed parcels. This would result in fewer opportunities for additional housing in the County.
2. The Board could change either the General Plan or zoning designations recommended by staff on any or all of the proposed parcels. This would result in fewer opportunities for additional housing in the County.
3. The Board could choose the Reduced Housing Opportunity Alternative and remove the Independence parcel. This would result in fewer opportunities for additional housing in the County.
4. The Board could also choose to remove any of the other eight proposed parcels. This would result in fewer opportunities for additional housing in the County.

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

**ATTACHMENTS:**

1. May 2023 BOS Resolution Adopting GPA 2023-01
2. Ordinance 1296
3. Bishop Parcels
4. Indy Parcel
5. Lone Pine Parcels
6. Planning Commission Staff Report 3.22.2023
7. Comments -- Planning Commission

**APPROVALS:**

Cathreen Richards	Created/Initiated - 4/20/2023
Darcy Ellis	Approved - 4/20/2023
John Vallejo	Approved - 4/20/2023
Christian Milovich	Approved - 4/27/2023
John Vallejo	Approved - 4/27/2023
Nate Greenberg	Approved - 4/27/2023
Cathreen Richards	Final Approval - 4/27/2023

**RESOLUTION NO. 2023-12**

**A RESOLUTION OF INYO COUNTY BOARD OF SUPERVISORS ADOPTING  
GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY-VACANT  
LANDS AND HOUSING OPPORTUNITY**

**WHEREAS**, on May 2, 2023, the Inyo County Board of Supervisors held a duly noticed public hearing to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity and considered the staff report for the project and all oral and written comments regarding the proposal; and

**WHEREAS**, Inyo County Code (ICC) Section 18.03.020 states in part that it is necessary for the zoning ordinance to be consistent with the General Plan; and

**WHEREAS**, the approval of ZR 2023-01 will result in the reclassification of the zoning of four parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

**WHEREAS**, on March 22, 2023, the Inyo County Planning Commission held a duly noticed public hearing, following which the Commission voted 2 to 1 to adopt a resolution recommending the Board of Supervisors adopt the General Plan amendment, which did not pass as a matter of law because it was not approved by a majority of the members of the Commission; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level; and

**WHEREAS**, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, the Board of Supervisors now makes the required findings and adopts GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

**NOW, THEREFORE, BE IT RESOLVED** that the Inyo County Board of Supervisors hereby finds and resolves as follows:

**SECTION ONE:** The recitals above are incorporated herein as Findings.

**SECTION TWO:** The Board of Supervisors certifies the EIR for GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

**SECTION THREE:** The Board of Supervisors finds that the General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity which changes parcels: Independence (APN 002-160-08) from Residential Ranch to Residential Medium-Low Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential Medium High Density is consistent with the goals and policies of the same and any applicable area plans, is reasonable and beneficial at this time, and will not have a substantial adverse effect on surrounding properties.

**PASSED AND ADOPTED this 2<sup>nd</sup> day of May, 2023, by the following vote of the Inyo County Board of Supervisor:**

AYES: -5- Supervisors Griffiths, Kingsley, Orrill, Marcellin and Roeser

NOES: -0-

ABSTAIN: -0-

ABSENT: -0-

  
\_\_\_\_\_  
Jennifer Roeser, Chair

ATTEST: Nathan Greenberg  
Clerk of the Board

By   
\_\_\_\_\_  
Darcy Ellis, Assistant

## ORDINANCE 1296

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2023-01/INYO COUNTY-VACANT LANDS AND HOUSING OPPORTUNITY AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING FOUR PARCELS OF LAND INCLUDING, IN INDEPENDENCE: (APN 002-160-08) FROM RURAL RESIDENTIAL TO ONE FAMILY RESIDENTIAL, 12,000-SQUARE-FOOT MINIMUM; AND IN LONE PINE: (APN 005-072-07; 005-072-24; 005-072-30) FROM PUBLIC TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND, (APN 005-072-06) MULTIPLE FAMILY RESIDENTIAL 2-UNITS TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE

**WHEREAS**, County staff applied for and was awarded a Senate Bill (SB) 2 Planning grant to conduct a vacant lands inventory and a zoning and General Plan review of properties located in the County for the purpose of supporting regional housing needs; and

**WHEREAS**, this information was used to identify parcels that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density; and

**WHEREAS**, eight separate parcels of land located in the Bishop area, Independence and Lone Pine were identified for General Plan and zoning designation changes to increase the allowable housing densities and dwelling units; and

**WHEREAS**, an Environmental Impact Report (EIR) was prepared in compliance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, as required by law, the EIR was posted to the State CEQA Clearinghouse on November 5, 2022; filed with the County Clerk; and advertised in the Inyo Register; for a forty-five day review and comment period, ending on January 16, 2023; and

**WHEREAS**, one comment was submitted on January 17, 2023, from the Los Angeles Department of Water and Power; and

**WHEREAS**, on March 22, 2023, the Inyo County Planning Commission received a presentation from staff regarding the proposed reclassification of zoning designations on eight separate parcels of land and the associated EIR including avoidance, mitigation measures, and comments, and held a duly noticed public hearing and received public comment; and

**WHEREAS**, following the March 22, 2023, public hearing, the Planning Commission voted 2 to 1 to adopt a resolution recommending the Board of Supervisors adopt the ordinance amending the General Plan, which recommendation did not pass as a matter of law because it was not supported by a majority of the members of the Commission; and

WHEREAS, on May 2, 2023, the Inyo County Board of Supervisors held a duly noticed public hearing pursuant to Government Code section 65355, and determined to proceed as follows for the reasons contained in the record.

**NOW, THEREFORE, the Board of Supervisors, County of Inyo, ordains as follows:**

**SECTION I: AUTHORITY**

This Ordinance is enacted pursuant to the police powers of the Board of Supervisors and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establish the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County as set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

**SECTION II: FINDINGS**

The recitals above are incorporated herein as Findings.

After considering all testimony, public comment, information and evidence submitted, the Board finds as follows:

- (1) In accordance with Inyo County Code Section 18.81.320, the Inyo County Planning Commission considered amendments to the zoning map of the County of Inyo to change the designations on eight separate parcels to increase housing opportunities as described in Section III of this Ordinance.
- (2) On March 22, 2023 the Inyo County Planning Commission conducted a duly noticed public hearing on Zone Reclassification (ZR) 2023-01/Inyo County - Vacant lands and Housing Opportunity and, also at that time, staff presented eight parcels to the Commission with recommendations to change the zoning of each of the parcels to correspond with the proposed Zone Reclassification. The Planning Commission's vote to approve the Zone Reclassification did not pass as a matter of law.
- (3) The proposed Zone Reclassification, and the ultimate reclassifications approved, are consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment changing designations on four separate parcels.
- (4) The proposed actions, and the ultimate actions taken, will act to further the orderly growth and development of the County by rezoning the parcels to allow for more housing opportunity within already developed and disturbed areas, which have adequate services and available infrastructure, as this best matches the current policies of the State and County and helps to limit development pressure on currently undeveloped areas of the County.
- (5) Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR

contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.

**SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED**

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on eight separate parcels is changed, as follows:

- 
- Independence (APN 002-160-08) from Rural Residential to One Family Residential, 12,000 square-foot minimum;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.

**SECTION IV: 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.

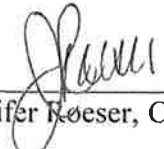
PASSED AND ADOPTED THIS 2<sup>nd</sup> DAY OF MAY, 2023.

AYES: -5- Supervisors Griffiths, Kingsley, Marcellin, Orrill, Roeser

NOES: -0-

ABSTAIN: -0-

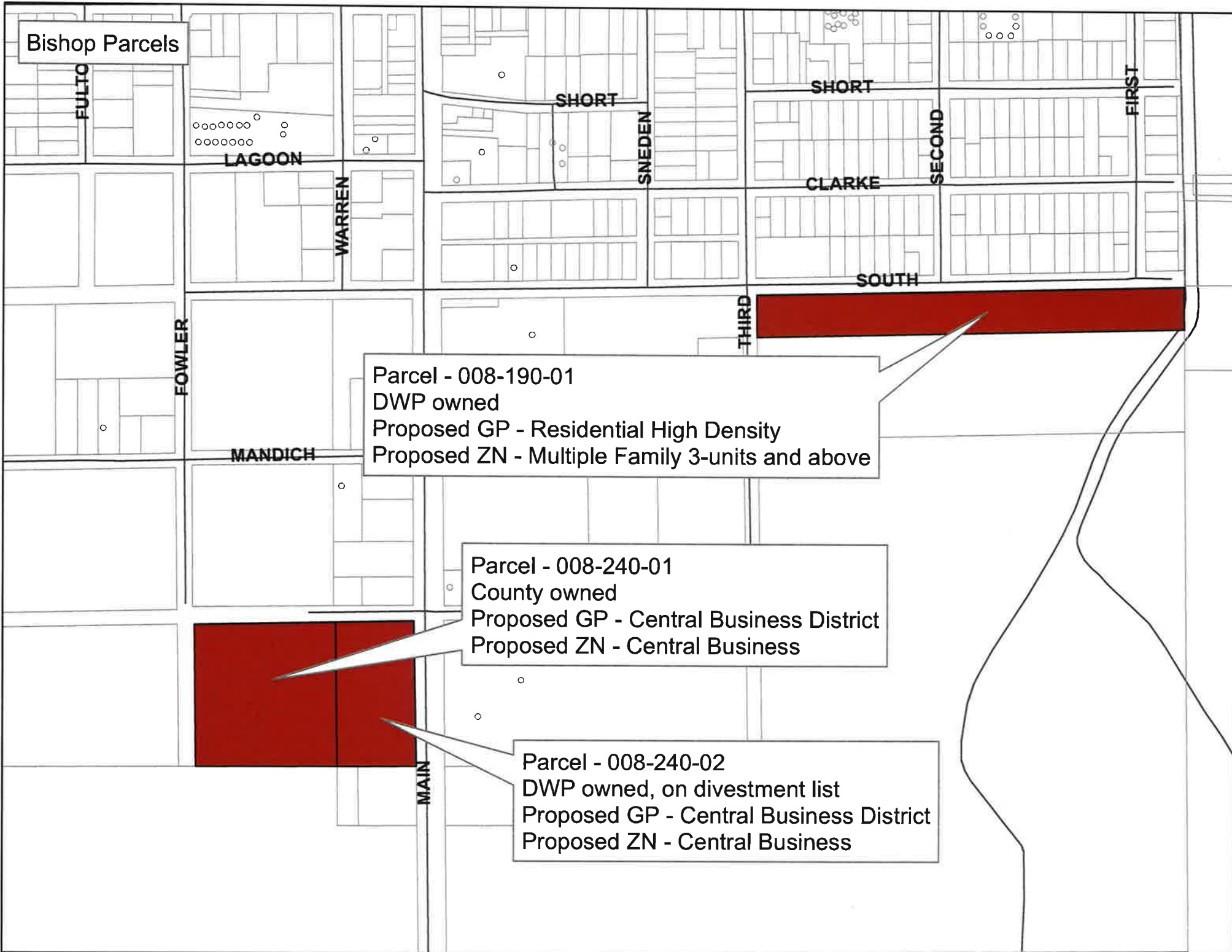
ABSENT: -0-

  
\_\_\_\_\_  
Jennifer Roeser, Chairperson

ATTEST: Nathan Greenberg  
Clerk to the Board

By:   
\_\_\_\_\_  
Darcy Ellis, Assistant

**Bishop Parcels**



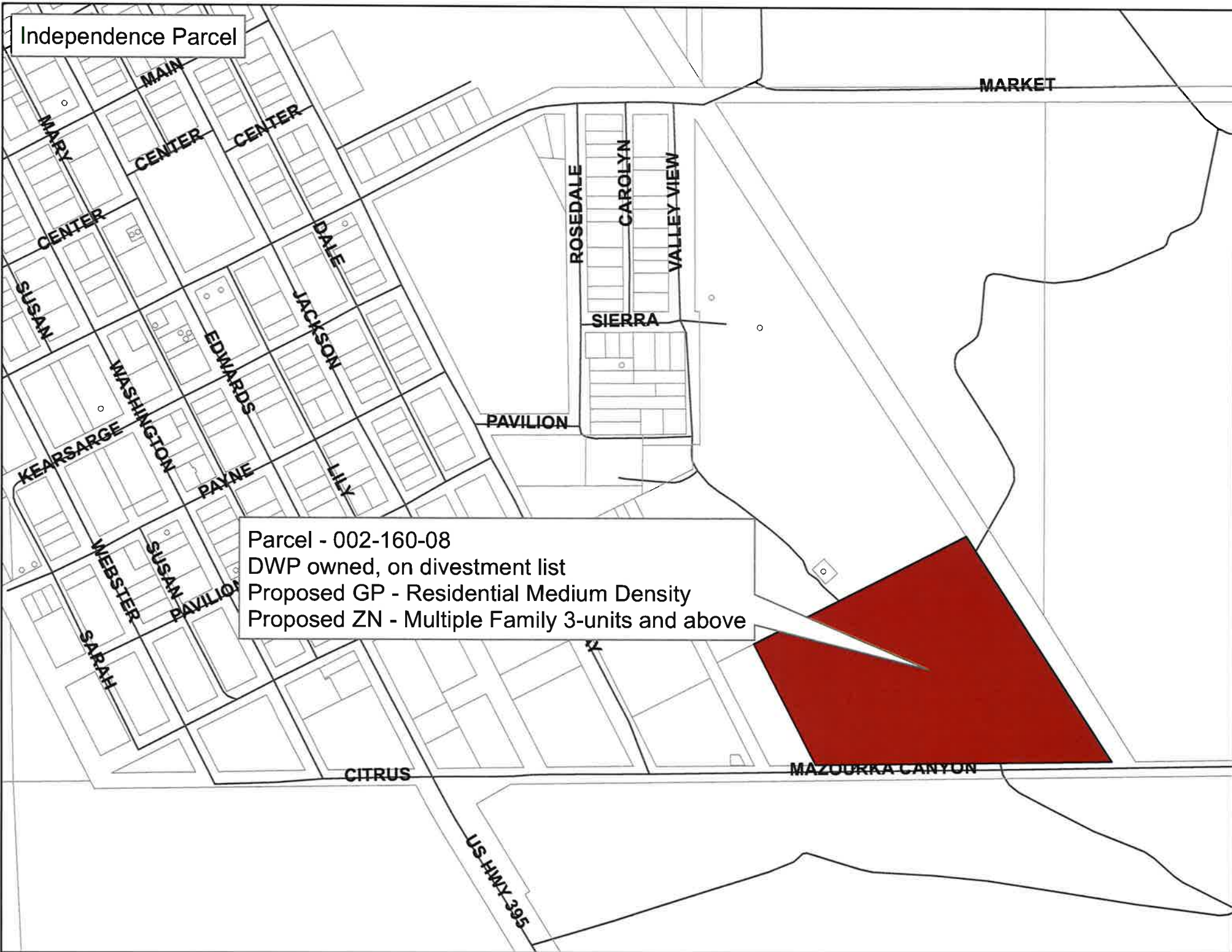
Parcel - 008-190-01  
DWP owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

Parcel - 008-240-01  
County owned  
Proposed GP - Central Business District  
Proposed ZN - Central Business

Parcel - 008-240-02  
DWP owned, on divestment list  
Proposed GP - Central Business District  
Proposed ZN - Central Business



Independence Parcel



Parcel - 002-160-08  
DWP owned, on divestment list  
Proposed GP - Residential Medium Density  
Proposed ZN - Multiple Family 3-units and above



Lone Pine Parcels

WILLOW

Parcel - 005-072-30  
Parcel - 005-072-07  
DWP owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

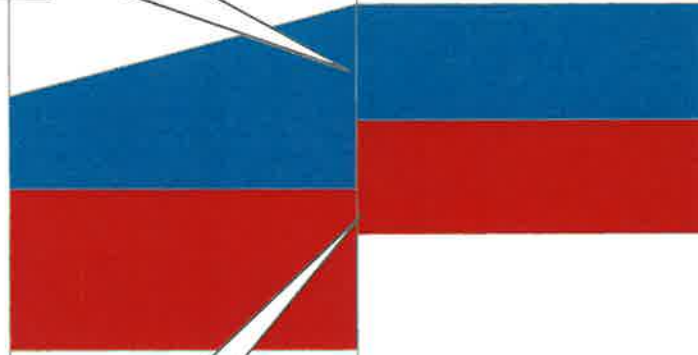
MCCLROY

BUSH

Parcel - 005-072-07  
Parcel - 005-072-24  
County owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

HAY

MOUNTAIN VIEW





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

**Phone: (760) 878-0263**  
**FAX: (760) 872-2712**  
**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:** March 22, 2023

**SUBJECT:** Zone Reclassification (ZR) 2023-01/Inyo  
County - Vacant lands and Housing  
Opportunity; General Plan Amendment  
(GPA) 2023-01/Inyo County -Vacant lands  
and Housing Opportunity

#### **EXECUTIVE SUMMARY**

*Staff presented this item to the Planning Commission on February 22, 2023. Due to noticing errors, it is being brought back to the Planning Commission for a new hearing.*

Staff applied for and received a Senate Bill (SB) 2 grant that is directed at planning assistance to help local jurisdictions achieve affordable housing. With the help of HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. These parcels were then evaluated under the California Environmental Quality Act (CEQA) and are now being recommended for General Plan and zoning designation changes.

#### **PROJECT INFORMATION**

**Supervisory District:** County-wide

**Applicants:** Inyo County

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

**Community:** County-wide

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

**Surrounding Land Use:**

Various

**Recommended Action:**

**Approve a Resolution Recommending that the Board of Supervisors:**

**1.) Make certain findings with respect to, and approve, Zone Text Amendment ZTA/2023-01/Inyo County - Vacant lands and Housing Opportunity, changing parcels:**

- Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business;
- Bishop (APN 008-240-02) from Public to Central Business;
- Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;
- Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.

**2.) Make certain findings with respect to, and approve a resolution adopting, General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity changing parcels:**

- Bishop (APN 008-240-01) from Public Facilities to Central Business District;
- Bishop (008-240-02) from Agriculture to Central Business District;
- Bishop (APN 008-190-01) from Retail Commercial to Residential High Density;
- Independence (APN 002-160-08) from Residential Ranch to Residential Medium Density;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and,

- Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density.

**3. Certify the Environmental Impact Report was prepared in compliance with the California Environmental Quality.**

**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.

**BACKGROUND**

Staff applied for the SB 2 grant funding to address current shortage of family-wage and other affordable housing opportunities in the County. There are many factors that contribute to this including:

- A lack of available private property for development;
- Difficulties in the provision of infrastructure and services;
- Little interest from builders to provide “family-wage” and/or “affordable” housing choices;
- State subdivision regulations that prohibit subdivision of areas outside Community Service District Boundaries (Fire); and,
- Outdated zoning and General Plan designations and regulations.

Staff approached the project with current county residents’ needs in mind by considering what is affordable to people living in the county, how to provide starter type housing so that local youth has an opportunity for housing ownership as well as senior housing so county residents can age in place. This was also evaluated through the lens of not inadvertently creating more opportunity for second/vacation homes.

*Project strategy*

The project’s intended strategy was to:

- Conduct a vacant lands inventory and General Plan/zoning designations review of private properties located throughout the County (GIS exercise with set criteria).
- The information was also to be used to help identify parcels of land for the Regional Housing Needs Allocation (RHNA) for the Housing Element update.
- Identify land that may be appropriate for designation changes to promote housing opportunities, primarily by increasing allowable residential density.
- Include evaluating an increase the amount of multi-family zoning available in the County and/or additional zoning areas with principal permitting for mobile home parks.

- Review of the County's current zoning with a focus on commercial zones for opportunities for infill (residential) development as well as Accessory Dwelling Units (ADU).
- Give preference to areas near public transportation and other services.

## **Environmental Impact Report**

### *Scoping*

On November 5, 2020, after the initial review, a CEQA Notice of Preparation was submitted to the State Clearinghouse. This was followed by a scoping meeting held on November 18, 2020. The scoping meeting was held to:

- Provide information on the Environmental Impact Report (EIR) process.
- Identify the environmental issues the EIR would address.
- Solicit community input on the environmental issues that may be involved with the proposed project.
- Collect comments on the environmental analysis of the proposed project, especially for:
  - The range of alternatives to be considered to avoid or reduce impacts;
  - Potential environmental impacts of greatest concern to public agencies, organizations and individuals; and,
  - Avoidance, minimization and mitigation measures.

The scoping meeting resulted in staff getting very good comments, these included:

- There is an environmental constraints document that was produced by the City of Bishop around 2012 that might have relevant information to this proposed project.
- Better define which Los Angeles Department of Water and Power (DWP) parcels to include, perhaps defining a sphere of influence for each neighborhood or town within which to include parcels.
- Support for mixed use commercial and residential zoning.
- Include DWP lands, particularly lots on Main Street in Lone Pine, even if they are not on divestment lists because it may be possible to request divestment.
- Consider bringing in a large septic tank to support additional housing in areas such as Charleston View or Cartago even if these areas would otherwise fall outside the boundaries of the parcels under review because they do not fall within a sewer or water district.
- Include vacant or lightly developed County-owned lands for consideration.
- Several suggestions for increasing residential density, including easing restrictions for renting rooms in existing housing and changing existing zoning to allow for duplexes and additional accessory dwelling units (ADU) in certain zones.

### *Draft Environmental Impact Report*

County and consultant staff used the ideas collected at the scoping meeting to complete the vacant lands analysis and zone/General Plan designations review. This information was used to generate a project description and baseline for the Environmental Impact Report (EIR) and a final draft parcel list for proposed designation changes. The Geographic Information Systems (GIS) analysis was conducted with a set of parameters

to find the best parcel candidates for designation changes that met the project's objectives and could be inclusive of the scoping comments. The GIS process employed county assessor parcel data with overlays to determine the best fit for county purposes, starting with the countywide parcel dataset, the following parameters were used to identify parcels:

1. Classified as vacant according to county assessor data coding.
2. Located within a local fire protection district.
3. Located within or adjacent to a water and sewer/sanitary service district.
4. Located in an area without high environmental concerns including: Alquist-Priolo identified earthquake fault zones; flood prone areas per the Federal Emergency Management Agency (FEMA) flood maps; and, High and Very High fire hazard zone classifications, per Cal Fire.
5. County and DWP ownership. These were added after the scoping meeting based on public comment.
6. Identified parcels with residential zoning designations that were greater than 0.5 (this was based on requirements in the housing element for the RHNA), and parcels in the Central Business District (CBD) designation.
7. Compiled a list of parcels that met the initial criteria and added parcels identified as priorities in the 2014 Housing Element update.
8. For each parcel included in the recommendation, evaluations of the current minimum and maximum housing density and minimum and maximum number of dwelling units supported by the target parcels was generated.

The preliminary results found 48-parcels that matched the criteria, 27 of these are located in the CBD designation and 14 are in other zoning designations. The parcel list was then further refined by information found in the City of Bishop Constraints report. Eight parcels totaling 32-acres were then evaluated by the Draft Environmental Impact Report.

These parcels are (maps attached):

#### *Bishop*

Three undeveloped parcels in the Bishop area, two of the Bishop area parcels (APNs 008-240-01 and 02) are proposed for a General Plan designation change to Central Business District from Public Service Facilities and Agriculture designations; and zoning designation changes to Central Business from Public and Light Industrial - Precise Plan. The third Bishop parcel (APN 008-190-01) is proposed for a General Plan land use designation change from Retail Commercial to Residential High Density and includes a zone change from Single-Family Residential to Multiple Family Residential. Combined, the three Bishop parcels would allow for a maximum of 344 dwelling units. The two parcels along Highway 395 were identified for their potential for mixed use commercial residential development or multi-family housing as they are located in an area with good access to services. The parcel along South Street could provide a mix of housing types from apartments/duplexes to zero lot line townhomes/condos.

### *Independence*

An undeveloped parcel in Independence is 16.9 acres and located along Mazourka Canyon Road, east of Edwards Street. The project parcel is identified as APN 002-160-08. It is owned by DWP and is included on the DWP property divestment list. It was evaluated for a proposed zone change from Rural Residential, 1-acre minimum to Multiple Family Residential and a General Plan change from Residential Ranch to Residential Medium Density for a maximum of 128 dwelling units. Staff's evaluation determined that more units on this parcel would create better affordability for people who currently live and work in the county than a 1-acre ranch/horse property as it is currently zoned for. This type of development, however nice, is not generally affordable to people making an average wage in the county. Discussions about this parcel also included the potential for senior housing, a tiny home village and zero lot line townhomes/condos.

### *Lone Pine*

Four Lone Pine parcels APNs 005-072-06; 005-072-07; 005-072-24; and 005-072-30 are proposed for a General Plan designation change from Public Facilities and Residential Medium-High Density to Residential High Density and a rezone from Public and Multiple Family 2-units to Multiple Family Residential 3-units and above. Combined, the four Lone Pine Parcels would allow for a maximum of approximately 20 dwelling units. These parcels are currently being used as a county road yard that is located inside a residential neighborhood. Considerations for this parcel's potential, included cottage apartments, town homes or duplexes. Two of these parcels are already zoned for duplexes and all current zoning allows for two-story buildings.

The project objectives drafted per Section 15124 of the CEQA Guidelines are:

- Provide for increased housing opportunities in Inyo County primarily through increasing allowable residential density within existing and established communities, especially within the Central Business District land use designation.
- Allow for increased housing opportunities (primarily multi-family) in certain commercial zones ministerially (no additional discretionary action needed).
- Focus future housing opportunities to vacant land located adjacent to existing public transit stops and public utilities/services.
- Minimize direct and indirect impact from increased housing opportunities on the physical, biological, cultural, political, and socioeconomic environments.
- Identify zone changes to be consistent with General Plan land use designations to maximize density.

Project alternatives for the EIR were drafted per Section 15126.6 of the CEQA Guidelines, and include:

1. Proposed Project: Increased housing opportunities resulting in a net increase of approximately 219-492 Dwelling Units
2. No Project Alternative: No change to General Plan land use designations or zoning ordinance.
3. Reduced Housing Opportunity Alternative – This alternative would eliminate the Independence parcel and evaluate up to 364 additional dwelling units.

For this EIR staff also applied for an additional state grant (Regional Early Action Planning Grant) or REAP. This grant was used to provide a Vehicle Miles Traveled (VMT) study and recommendations report to enhance the EIR.

The Draft EIR<sup>1</sup> was prepared and posted on the State CEQA Clearinghouse and recorded with the County Clerk for advertising on November 30, 2022 for a 45-day review period ending on January 16, 2023. The County received one comment on January 17, 2023 from DWP (comment attached).

## **FINDINGS**

*General Plan:* The proposed General Plan land use designation changes are being conducted to increase the allowed density on the parcels chosen for the project as part of a State program to promote housing opportunities through an SB2 grant. Changing the General Plan designations to:

Bishop parcels – Residential High Density (RH) and Central Business District (CBD) designations will result in 7.6 to 24 dwelling units per acre (du/acre) that correspond with the proposed Multiple Family Residential (R-3) and Central Business (CB) zones.

Independence parcel – Residential Medium Density (RM) designation will result in a 4.6 to 7.5 du/acre that corresponds with the proposed R-3 zoning designation.

Lone Pine Parcels – RH designation will result in a 15.1 to 24 du/acre that corresponds with the proposed R-3 zoning designation.

The RH designation is to be used in areas where single-family and multiple family residential units are appropriate and access to adequate water and sewer connections are available. All three areas can accommodate the increase in housing density as evaluated by the EIR and will increase the potential for increased housing opportunity as provided by the State grant program. The CBD designation allows for main street type commercial uses as well as multiple-family dwellings and mixed use projects. The parcels identified for the CBD designation have access to adequate water and sewer services and are appropriate for higher density housing development with mitigations per the EIR analysis. It too will increase the potential for increased housing density. The RM designation is to be used in areas where single-family residential units are appropriate and access to adequate water and sewer connections are available.

*Zoning:* The proposed zoning designation changes are being conducted to be consistent with the allowed density on the parcels, per the proposed General Plan changes and consist of:

Bishop parcels – Central Business (CB) allows for multiple-family dwellings 3-units and above and mixed-use commercial/residential projects, and Multiple Family Residential (R-3) that allows for residential development at 3-units and above.

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<sup>1</sup> <https://www.inyocounty.us/sites/default/files/2022-12/Vacant%20Lands%20DEIR%2011.30.2022.pdf>



Independence parcel – R-3 designation allows for residential development at 3-units and above.

Lone Pine Parcels – R-3 designation allows for residential development at 3-units and above.

#### *Tribal Consultation*

General Plan updates require that jurisdictions offer consultation opportunities to local Tribes. Pursuant to Government Code Section 65352.3, Tribes have 90-days, after receiving invitations to consult on GPAs to request consultation opportunities. Staff mailed consultation invitations on November 5<sup>th</sup>, 2020 to the: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Kern Valley Indian Council, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Walker River Reservation, pursuant to the list provided by the Native American Heritage Commission. The Big Pine Paiute Tribe of the Owens Valley requested consultation, but did not engage in scheduling one. No other Tribes requested consultation and the 90-day window for a consultation request has passed.

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on November 4, 2020 about the project and the opportunity for consultation. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Cabazon Band of the Mission Indians, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the Tribes requested consultation.

#### *Environmental Review*

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County – Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County- Vacant Lands and Housing Opportunity. The Draft EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. The issues that are analyzed in detail in the Draft EIR include: aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology and soils; greenhouse gas (GHG) emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources; utilities and service systems; and, wildfire.

The analysis contained in the Draft EIR identified potentially significant impacts for biological resources, with the proposed project having the potential to affect sensitive or special-status species, a sensitive natural community, or State or federally protected wetlands. With the implementation of mitigation measures that include rare plant

surveys, surveys for Owens Valley vole, avoidance measures for special-status fish, Swainson's hawk and nesting bird surveys, and the completion of a jurisdictional delineation, all potentially significant impacts would be mitigated to a less than significant level. Potentially significant impacts were also identified for cultural resources, but mitigation measures including inadvertent discovery of cultural resources procedures, cultural resource investigations, and procedures for the inadvertent discovery of human remains would reduce potentially significant impacts to a less than significant level. Site-specific geotechnical investigations and avoidance and minimization measures for paleontological resources would be implemented to reduce geology and soils impacts to a less than significant level. The proposed project would also implement stormwater quality protection measures to reduce hydrology and water quality impacts to a less than significant level. Construction noise reduction measures and construction vibration limits would be implemented to reduce noise impacts to a less than significant level. The County would require developers to demonstrate the proposed development would have a residential density equal to or greater than 4.5 dwelling units per acre prior to issuance of a grading permit to reduce transportation impacts to a less than significant level. A minimum density greater than 4.5 dwelling units per acre would meet the criteria for reducing vehicles miles traveled (VMT) at least 15 percent below the County average. Potentially significant impacts were also identified for tribal cultural resources, but mitigation measures including inadvertent discovery of tribal cultural resources procedures would reduce potentially significant impacts to a less than significant level. The proposed project would demonstrate adequate water supply prior to issuance of a grading permit in order to reduce potentially significant impacts to a less than significant level. Table ES-1 (located at the end of the Executive Summary) summarizes the project's potentially significant environmental impacts and proposed mitigation measures by issue, as discussed in Section 4.1-4.20 of the Draft EIR.

#### *Noticing*

The project was noticed on March 11, 2023 in the Inyo Register and mailed to residents within 300-feet of the parcels subject to the changes. One comment letter was received at the original hearing, it is attached.

#### **RECOMMENDATIONS**

Planning Department staff is recommending:

The Planning Commission adopt a resolution (attached) recommending the Board of Supervisors:

1. Adopt a Resolution Approving General Plan Amendment 2023-01/Inyo County - Vacant lands and Housing Opportunity
2. Adopt an Ordinance Approving Zone Reclassification 2023-01/Inyo County - Vacant lands and Housing Opportunity; and,
3. Approve and certify the EIR was prepared in compliance with CEQA.

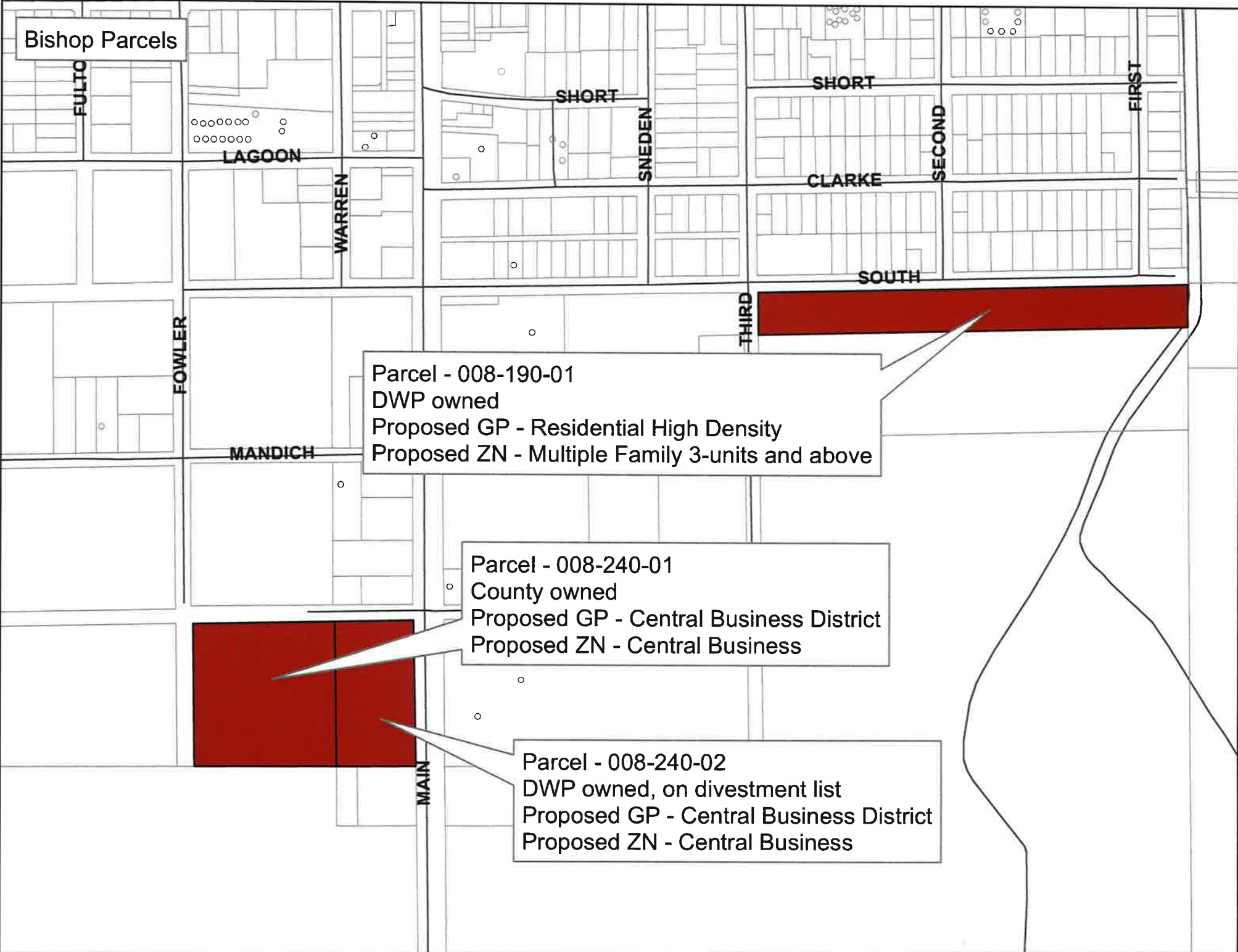
#### **ATTACHMENTS**

- Maps of parcels proposed for General Plan and zone reclassifications
- Comment letter
- Response to comments

- Draft Planning Commission Resolution
- Draft Board Ordinance
- Draft Board Resolution
- Comment letter received February 22, 2023

Attachment - Maps

**Bishop Parcels**

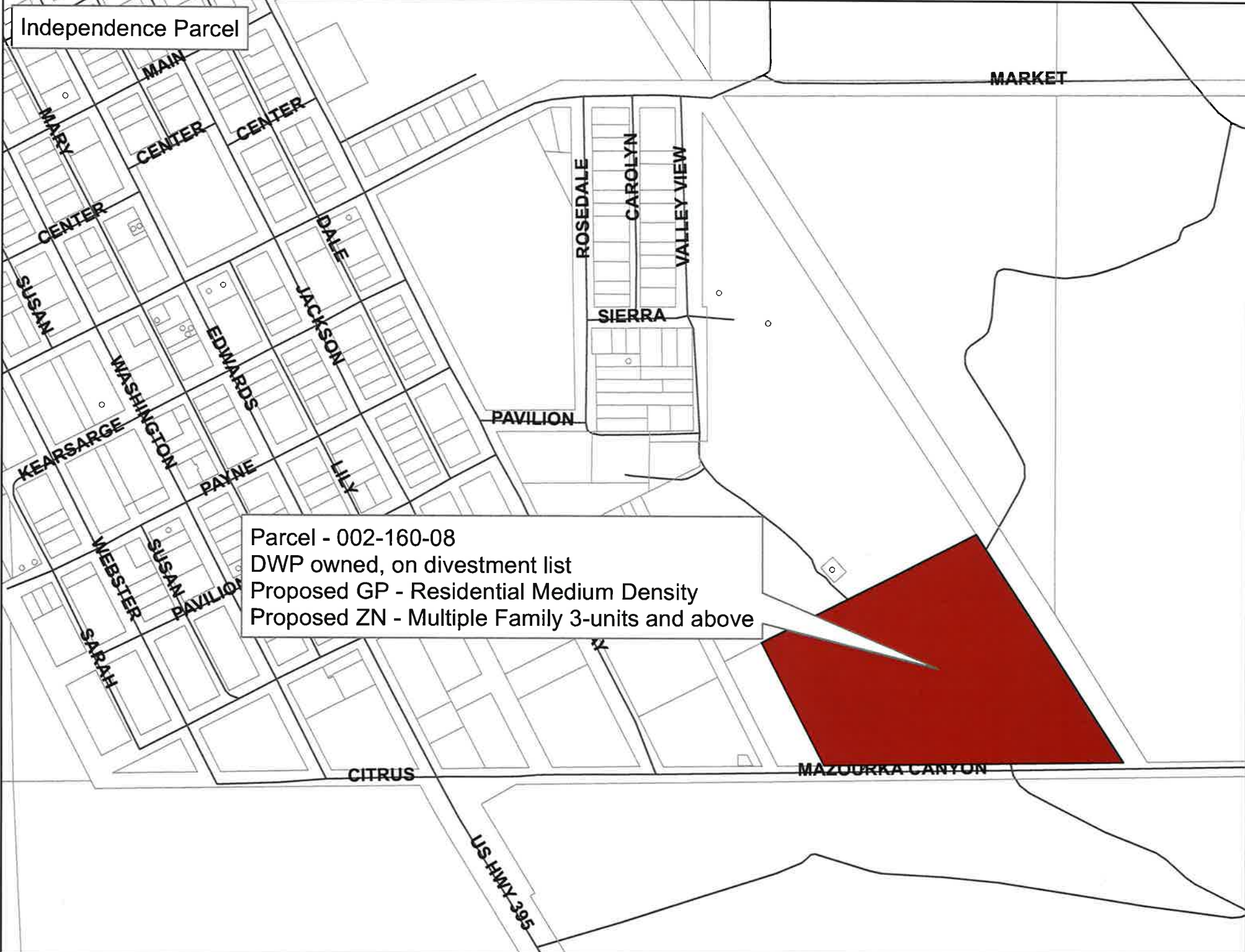


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DWP owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

Parcel - 008-240-01  
County owned  
Proposed GP - Central Business District  
Proposed ZN - Central Business

Parcel - 008-240-02  
DWP owned, on divestment list  
Proposed GP - Central Business District  
Proposed ZN - Central Business

Independence Parcel



Parcel - 002-160-08  
DWP owned, on divestment list  
Proposed GP - Residential Medium Density  
Proposed ZN - Multiple Family 3-units and above

MARKET

ROSEDALE

CAROLYN

VALLEY VIEW

SIERRA

PAVILION

CITRUS

MAZOURKA CANYON

US HWY 395

Lone Pine Parcels

WILLOW

Parcel - 005-072-30  
Parcel - 005-072-07  
DWP owned  
Proposed GP - Residential High Density  
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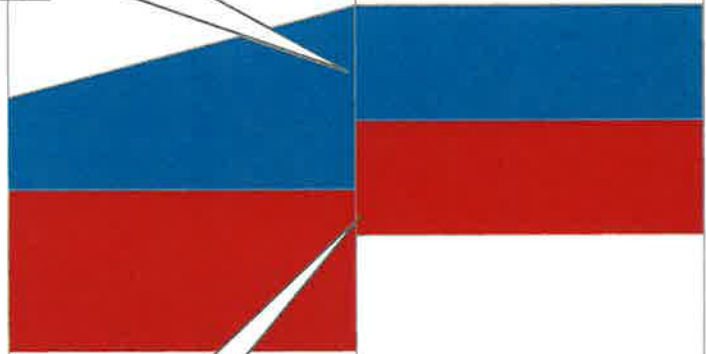
MCCLROY

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Parcel - 005-072-24  
County owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

HAY

MOUNTAIN VIEW



**Attachment EIR Comments**





BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners  
Cynthia McClain-Hill, President  
Cynthia M. Ruiz, Vice President  
Mia Lehrer  
Nicole Neeman Brady  
Nurit Katz  
Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

January 17, 2023

Ms. Cathreen Richards, Planning Director  
Inyo County Planning Department  
P.O. Drawer L  
Independence, CA 93526  
[crichards@inyocounty.us](mailto:crichards@inyocounty.us)

Dear Ms. Richards:

Subject: Public Comments on Draft Environmental Impact Report (DEIR)  
(SCH No. 2020110088)

The Los Angeles Department of Water and Power (LADWP) is providing comments on the Notice of Availability filed on November 30, 2022, regarding Inyo County's (County) Vacant Lands Inventory and Zoning Evaluation for Possible Housing Opportunities. The proposed project is to change the General Plan and Zoning designations on eight vacant parcels, most owned by the City of Los Angeles, to promote increased housing opportunities. The County finds that the project would have no significant and unavoidable environmental effects, and the potential effects would be less than significant with mitigation incorporated. LADWP does not concur with some of the findings and offers the following comments for consideration:

### **Bishop Area**

Assessor Parcel No. 008-190-01

- This area is leased for livestock grazing and classified as Type-C vegetation under the Inyo-Los Angeles Long-Term Water Agreement (Water Agreement). China Slough, a water conveyance ditch, traverses the parcel's southern boundary. Relocation of ditch or reduction of parcel will be required. Relocation of the ditch, loss of riparian areas, and the effect on the Water Agreement have not been analyzed.
- Reduction of the parcel size to exclude the China Slough ditch from the parcel, requires a 50-foot offset on each side of the ditch for operation and maintenance purposes and possibly a lot line adjustment, which was not addressed.

**Attachment – Response to EIR comments**

# Memorandum

HELIX Environmental Planning, Inc.  
1180 Iron Point Road, Suite 130  
Folsom, CA 95630  
916.435.1205 tel  
[www.helixepi.com](http://www.helixepi.com)



**Date:** 07 February 2023

**To:** Cathreen Richards, Inyo County Planning Director

**cc:**

**From:** Robert Edgerton, Principal Planner

**Subject:** Inyo County Vacant Lands EIR – Response to LADWP Comment Letter

A single comment letter was received by the Inyo County Planning Department (County) regarding the public review draft Environmental Impact Report (EIR) for the proposed Vacant Lands Inventory and Zoning Evaluation for Possible Housing Opportunities project. Although the comment letter from the Los Angeles Department of Water and Power (LADWP) was written and received after the close of the public comment period, the County has prepared written responses to the comments.

Communication between Inyo County Planning Department and LADWP in regards to the Vacant Lands EIR began February 2021, as LADWP requested to participate in the planning process for the Vacant Lands EIR. During and subsequent to the Notice of Preparation phase for the EIR, the County provided LADWP with an overview of the project and requested that LADWP provide comment on LADWP-owned parcels during the EIR process. No further communication was provided by LADWP until the County received the late comment letter on January 17, 2023.

LADWP comments are provided in bold text below, followed by County responses to comments.

## **BISHOP AREA**

### Assessor Parcel No. 008-190-01

***This area is leased for livestock grazing and classified as Type-C vegetation under the Inyo-Los Angeles Long-Term Water Agreement (Water Agreement). China Slough, a water conveyance ditch, traverses the parcel's southern boundary. Relocation of the ditch or reduction of parcels will be required. Relocation of the ditch, loss of riparian areas, and the effect on the Water Agreement have not been analyzed.***

As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not currently propose development on any parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for future residential lots. In the future, if a developer seeks to build residential dwelling units on one of the subject parcels, they are required to submit an entitlement application and prepare subsequent analysis for any proposed development. As no development is currently proposed, the China Slough ditch is not proposed for relocation.

***Reduction of the parcel size to exclude the China Slough ditch from the parcel, requires a 50-foot offset on each side of the ditch for operation and maintenance purposes and possibly a lot line adjustment, which was not addressed.***

As stated on Page 3-4 of the draft EIR, the proposed project would include rezoning one Bishop parcel (APN 008-190-01) to R-3. The R-3 zoning district allows for multiple-family dwelling units as a principal permitted use. The parcel size would not be reduced to exclude the China Slough ditch, it will only be rezoned to allow for future residential lots. Future development proposals seeking residential entitlement of this parcel would be required to comply with setback requirements from the slough for LADWP maintenance purposes.

***This parcel is outside the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-service agreement with the City of Bishop and/or Eastern Sierra Community Service District should be in place before granting high-density land entitlements that require access to a sewer treatment plant.***

As stated on Page 4.19-12 of the draft EIR, although water availability in the City of Bishop is currently unknown, all eight of the proposed project parcels are located within the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet, which is 84 percent of the basin's groundwater supply. The Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14 of the draft EIR, Population and Housing, the population growth rate between 2010 (18,546 people) and 2020 (18,584 people) is less than 0.01 percent. Therefore, the portion of the proposed project located in the City of Bishop is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and/or multiple dry years.

Additionally, as mentioned on Page 4.19-12 of the draft EIR, wastewater treatment for the Bishop parcels would be provided by the City of Bishop. Connections to the wastewater treatment system are available in the adjacent utility easements along the roads bordering the Bishop parcels. According to Deston Dishion, Public Works Director for the City of Bishop, the City has adequate capacity to provide wastewater services to the maximum number of proposed units in Bishop (D. Dishion, personal communication, August 3, 2021). In the future, if a developer proposes to build residential dwelling units on a Bishop parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

***Hydrology analysis on Page 4.10-15, HYD-3, does not analyze relocation of the China Slough Ditch or putting it in an underground conduit. LADWP is unable to divest in land needed for operational purposes.***

As stated on Page 3 2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not propose any development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the

future, if a developer proposes to build residential dwelling units on the referenced parcel, they are required to submit applications and prepare subsequent analysis, including environmental analysis, as necessary, for any proposed development. As no development is currently proposed, the China Slough ditch would not need to be relocated.

Assessor Parcel No. 008-240-02

***This area is leased for livestock grazing and classified as Type-E vegetation under the Water Agreement. Water conveyance ditches traverse the southern and eastern parcel boundaries. The same comments for APN 008-190-01 pertain to this parcel. Impacts on LADWP operations have not been considered.***

Parcel 008-240-02 is listed in the Long Term Water Agreement as a divestment parcel. As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not currently propose development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the future, if a developer proposes to build residential dwelling units on the referenced parcel, they are required to submit applications and prepare subsequent analysis, including further environmental analysis, as necessary, for any proposed development. As no development is currently proposed, the water conveyance ditches would not need to be relocated and impacts to DWP's operations and any changes required to be made to the Long Term Water Agreement would have to be considered at the time of divestment.

***This parcel is outside the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-service agreement with the City of Bishop should be in place before granting high-density development land entitlements. LADWP is required to reserve all water and water rights. Development can only occur should the City of Bishop service the property with water.***

As stated on Page 4.19-12 of the draft EIR, although water availability in the City of Bishop is currently unknown, all eight of the proposed project parcels are located within the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet, which is 84 percent of the basin's groundwater supply. The Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14 of the draft EIR, Population and Housing, the population growth rate between 2010 (18,546 people) and 2020 (18,584 people) is less than 0.01 percent. Therefore, the portion of the proposed project located in the City of Bishop is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and/or multiple dry years.

Additionally, as mentioned on Page 4.19-12 of the draft EIR, wastewater treatment for the Bishop parcels would be provided by the City of Bishop. Connections to the wastewater treatment system are available in the adjacent utility easements along the roads bordering the Bishop parcels. According to Deston Dishion, Public Works Director for the City of Bishop, the City has adequate capacity to provide wastewater services to the maximum number of proposed units in Bishop (D. Dishion, personal communication, August 3, 2021). In the future, if a developer proposes to build residential dwelling units

on a Bishop parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

***The parcel is subject to the objectives of the 1997 Memorandum of Understanding (MOU) between Lessor and the County of Inyo, the California Department of Fish and Game (Department of Fish and Wildlife as of 2012), the California State Lands Commission, the Sierra Club, the Owens Valley Committee, the Carla Scheidlinger ("1997 MOU"). The development of grazing management plans (collectively, the "Grazing Management Plan") to meet the 1997 MOU objectives include measures to accomplish the goal of sustainable agriculture. It is not clear how the proposed change affects the MOU.***

Parcel 008-240-02 is listed as a divestment parcel in the Long Term Water Agreement. Any changes to the MOU and managements plans as currently set forth would be reviewed and amended if necessary at the time of divestment and again if a development proposal is submitted. As stated on Page 4.2-5 of the draft EIR, one parcel in Bishop, APN 008-240-02, currently has an agricultural land use designation under the General Plan. However, the parcel is zoned as light industrial (M2-PP) and is currently vacant. Page 4.2-6 of the draft EIR states that the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project would have no impact and would not contribute to a potential cumulative impact to these resources. As the parcel is zoned light industrial and is currently vacant, it is not currently used or zoned for agricultural use.

***Page 4.2-5 discusses Impact Analysis. It concludes under AG-1 through AG-4 there are no impacts to agricultural property. AG-2 acknowledges this parcel has a general plan agricultural land use designation with a light industrial zoning use designation. AG-4 states the parcel is not currently used or zoned for agricultural use. Therefore, the proposed project would not convert agricultural land to non-agricultural use and concluded there will be no impact. This is not accurate. The land is currently under ranch lease, irrigated, and used for livestock grazing purposes.***

As stated on Page 4.2-5 of the draft EIR, one parcel in Bishop, APN 008-240-02, currently has an agricultural land use designation under the General Plan. However, the parcel is zoned as light industrial (M2-PP) and is currently vacant. Page 4.2-6 of the draft EIR states that the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project to rezone would have no impact and would not contribute to a potential cumulative impact to these resources. As the parcel is zoned light industrial and is currently vacant, it is not currently used or zoned for agricultural use.

***Hydrology analysis on page 4.10-15, HYD-3, does not analyze the relocation of the irrigation ditches or putting them in an underground conduit. LADWP is unable to divest in land needed for operation purposes.***

As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not propose any development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the future, if a developer proposes to build residential dwelling units on the referenced parcel, they are

required to submit applications and prepare subsequent analysis, including further environmental review, as necessary, for any proposed development.

**INDEPENDENCE**

Assessor Parcel No. 002-160-08

***The County should consider purchasing the Independence wastewater treatment system for future development purposes.***

As stated on Page 4.19-13 of the draft EIR, per a personal communication with the LADWP Independence Chief Plant Operator, the wastewater system in Independence was designed to serve a population roughly three times the size of Independence's existing population and therefore has capacity to serve the maximum number of additional units proposed by this project. In the future, if a developer proposes to build residential dwelling units on the parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

- This parcel is outside of the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-serve agreement with the City of Bishop and/or Eastern Sierra Community Service District should be in place before granting high-density land entitlements that require access to a sewer treatment plant.
- Hydrology analysis on page 4.10-15, HYD-3, does not analyze relocation of the China Slough Ditch or putting it in an underground conduit. LADWP is unable to divest in land needed for operational purposes.

**Assessor Parcel No. 008-240-02**

- This area is leased for livestock grazing and classified as Type-E vegetation under the Water Agreement. Water conveyance ditches traverse the southern and eastern parcel boundaries. The same comments for APN 008-190-01 pertain to this parcel. Impacts on LADWP operations have not been considered.
- This parcel is outside of the City of Bishop with no legal access to municipal water. An annexation or an out-of-serve agreement with the City of Bishop should be in place before granting high-density development land entitlements. LADWP is required to reserve all water and water rights. Development can only occur should the City of Bishop service the property with water.
- This parcel is subject to the objectives of the 1997 Memorandum of Understanding (MOU) between Lessor and the County of Inyo, the California Department of Fish and Game (Department of Fish and Wildlife as of 2012), the California State Lands Commission, the Sierra Club, the Owens Valley Committee, and Carla Scheidlinger ("1997 MOU"). The development of grazing management plans (collectively, the "Grazing Management Plan") to meet the 1997 MOU objectives include measures to accomplish the goal of sustainable agriculture. It is not clear how the proposed change affects the MOU.
- Page 4.2-5 discusses *Impact Analysis*. It concludes under AG-1 through AG-4 there are no impacts to agricultural property. AG-2 acknowledges this parcel has a general plan agricultural land use designation with a light industrial zoning use designation. AG-4 states the parcel is not currently used or zoned for agricultural use. Therefore, the proposed project would not convert agricultural land to non-agricultural use and concludes there will be no impact. This is not accurate. The land is currently under ranch lease, irrigated, and used for livestock grazing purposes.



Ms. Cathreen Richards  
Page 3  
January 17, 2023

- Hydrology analysis on page 4.10-15, HYD-3, does not analyze the relocation of the irrigation ditches or putting them in an underground conduit. LADWP is unable to divest in land needed for operational purposes.


**Independence**

Assessor Parcel No. 002-160-08

- The County should consider purchasing the Independence wastewater treatment system for future development purposes.

If you have any questions regarding these comments, please write to LADWP at 300 Mandich Street, Bishop, CA 93514.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Adam', with a large, stylized flourish extending to the right.

Adam Perez  
Manager of Aqueduct

SRC:fm  
c: Mrs. Sue Chudy

**Attachment - Draft Resolution**

**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PROJECT WAS PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE RECLASSIFICATION (ZR) 2023-01/INYO COUNTY - VACANT LANDS AND HOUSING OPPORTUNITY AND GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY -VACANT LANDS AND HOUSING OPPORTUNITY**

**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; and

**WHEREAS**, the Environmental Impact Report (EIR) for the proposed project was prepared in compliance with CEQA; and

**WHEREAS**, mitigation and avoidance measures were prepared to reduce potentially significant impacts to a less than significant level; and

**WHEREAS**, the Inyo County Planning Commission held a duly noticed public hearing on February 22, 2023 to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant lands and Housing Opportunity and considered the staff report for the project and all oral and written comments regarding the proposal; and

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

**WHEREAS**, the approval of ZR 2023-01 will result in the reclassification of the zoning of eight parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

**WHEREAS**, the approval of GPA 2023-01 will result in the reclassification of General Plan designations on eight parcels in the county and these changes are consistent with the changes to the Inyo County Zoning code as it causes higher densities matching the increase of dwelling units concurrent with the zoning code.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that based on all written and oral comments and input received during the February 22, 2023, hearing, including but

not limited to the Planning Department Staff Report and all associated attachments, 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. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.
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. Make certain findings with respect to, and approve, Zone Text Amendment ZTA/2023-01/Inyo County - Vacant lands and Housing Opportunity, changing parcels: Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business; Bishop (APN 008-240-02) from Public to Central Business; Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above; Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and, Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.
2. Make certain findings with respect to, and approve, General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity changing parcels: Bishop (APN 008-240-01; 008-240-02) from Public Facilities to Central Business District; Bishop (008-240-02) from Agriculture to Central Business District; Bishop (APN 008-190-01) from Retail Commercial to Residential High Density; Independence (APN 002-160-08) from Residential Ranch to Residential Medium

Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and, Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density.

3. Certify the Environmental Impact Report was prepared in compliance with the California Environmental Quality Act.

PASSED AND ADOPTED this 22<sup>nd</sup> day of February, 2023, by the following vote of the Inyo County Planning Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Chairperson  
Inyo County Planning Commission

ATTEST:  
Cathreen Richards, Planning Director

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

**Attachment - Draft Ordinance**

**ORDINANCE NO.**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2023-01/INYO COUNTY-VACANT LANDS AND HOUSING OPPORTUNITY AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING EIGHT PARCELS OF LAND INCLUDING, IN THE BISHOP AREA: (APN 008-240-01) FROM LIGHT INDUSTRIAL PRECISE PLAN TO CENTRAL BUSINESS; (APN 008-240-02) FROM PUBLIC TO CENTRAL BUSINESS; (APN 008-190-01) FROM ONE FAMILY RESIDENTIAL TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; IN INDEPENDENCE: (APN 002-160-08) FROM RURAL RESIDENTIAL TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND IN LONE PINE: (APN 005-072-07; 005-072-24; 005-072-30) FROM PUBLIC TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND, (APN 005-072-06) MULTIPLE FAMILY RESIDENTIAL 2-UNITS TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE

WHEREAS, county staff applied for and was awarded a Senate Bill (SB) 2 grant to conduct a vacant lands inventory and a zoning and General Plan review of properties located in the County; and

WHEREAS, this information was used to identify parcels that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density; and

WHEREAS, eight separate parcels of land located in the Bishop area, Independence and Lone Pine were identified for General Plan and zoning designation changes to increase the allowable housing densities and dwelling units; and

WHEREAS, an Environmental Impact Report (EIR) was prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, as required by law, the EIR was posted to the State CEQA Clearinghouse on November 5, 2022; filed with the County Clerk; and advertised in the Inyo Register; for a forty-five day review and comment period, ending on January 16, 2023; and

WHEREAS, one comment was submitted on January 17, 2023 from the Los Angeles Department of Water and Power; and

WHEREAS, on February 22, 2023 the Inyo County Planning Commission received a presentation from staff regarding the proposed reclassification of zoning designations on eight separate parcels of land and the associated EIR including avoidance, mitigation measures and comments; held a public hearing and received public comment; made all necessary findings and adopted a resolution recommending the Board of Supervisors adopt the resolution amending the General Plan, adopt the ordinance approving Zone Reclassification No. 2023-01 and certify the EIR was prepared in compliance with CEQA; and

WHEREAS, on March 28, 2023, the Board held a duly noticed public hearing.

NOW, THEREFORE, the Board of Supervisors, County of Inyo, ordains as follows:

#### SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police powers of the Board of Supervisors and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establishes the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County as set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

#### SECTION II: FINDINGS

The recitals above are incorporated herein as Findings.

After considering all testimony, information and evidence, submitted, including the recommendation of the Inyo County Planning Commission and statements made at the public hearings held on this matter, this Board finds as follows:

- (1) In accordance with Inyo County Code Section 18.81.320, the Inyo County Planning Commission considered amendments to the zoning map of the County of Inyo to change the designations on eight separate parcels to increase housing opportunity as described in Section III of this Ordinance.
- (2) On February 22, 2023 the Inyo County Planning Commission conducted a duly noticed public hearing on Zone Reclassification (ZR) 2023-01/Inyo County - Vacant lands and Housing Opportunity, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the parcels as described in Section III of this Ordinance.
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Staff presented eight parcels of land to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended to best match the proposed zoning and in support of higher density housing.
- (5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment changing designations on eight separate parcels.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the parcels to allow for more housing opportunity within already developed and disturbed areas, which have adequate services and available infrastructure, as this best matches the current policies of the State and County and helps to limit development pressure on currently undeveloped areas of the County.



(7) Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.

**SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED**

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on eight separate parcels is changed, as follows:

- Bishop (APN 008-240-01) from Light Industrial, Precise Plan to Central Business;
- Bishop (APN 008-240-02) from Public to Central Business;
- Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;
- Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.

**SECTION IV: 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 28<sup>TH</sup> DAY OF MARCH, 2023.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Jennifer Roeser Chairperson

ATTEST: Nathan Greenberg  
Clerk to the Board

By: \_\_\_\_\_  
Darcy Ellis, Assistant

**Attachment – Draft Board Resolution**

**RESOLUTION NO.**

**A RESOLUTION OF INYO COUNTY BOARD OF SUPERVISORS ADOPTING  
GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY-VACANT  
LANDS AND HOUSING OPPORTUNITY**

**WHEREAS**, on March 28, 2023, the Inyo County Board of Supervisors held a duly noticed public hearing to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity and considered the staff report for the project and all oral and written comments regarding the proposal; and

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

**WHEREAS**, the approval of ZR 2023-01 will result in the reclassification of the zoning of eight parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

**WHEREAS**, on February 22, 2023, the Inyo County Planning Commission held a duly noticed public hearing, following which it approved a resolution recommending the Board of Supervisors adopt GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity and certify the EIR was prepared in compliance with CEQA; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level; and

**WHEREAS**, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, and the recommendation of the Planning Commission, the Board of Supervisors now makes the required findings and adopts GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

**NOW, THEREFORE, BE IT RESOLVED** that the Inyo County Board of Supervisors hereby finds and resolves as follows:

**SECTION ONE:** The recitals above are incorporated herein as Findings.

**SECTION TWO:** The Board of Supervisors certifies the EIR for GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

**SECTION THREE:** The Board of Supervisors finds that the General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity which changes parcels: Bishop (APN 008-240-01; 008-240-02) from Public Facilities to Central Business District; Bishop (008-240-02) from Agriculture to Central Business District; Bishop (APN 008-190-01) from Retail Commercial to Residential High Density; Independence (APN 002-160-08) from Residential Ranch to Residential Medium Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and, Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density is consistent with the goals and policies of the same and any applicable area plans, is reasonable and beneficial at this time, and will not have a substantial adverse effect on surrounding properties.

**PASSED AND ADOPTED this 28<sup>th</sup> day of March, 2023, by the following vote of the Inyo County Board of Supervisor:**

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Jennifer Roeser, Chair

ATTEST: Nathan Greenberg  
Clerk of the Board

By \_\_\_\_\_  
Darcy Ellis, Assistant

**Attachment – Public Comments**

February 17, 2023

Planning Commission  
Drawer L  
Independence, CA 93526

Subject: Vacant Lands and Housing Opportunity

I live at 146 N Lone Pine Ave next to The County Road Yard. The Road Yard is proposed to become High Density Housing. I am strongly Opposed to:

Affordable Housing

Hi Density Housing

Government Funded Housing

Adjacent to our Home. If you must move the Road Yard It should be replaced with four private lots to be sold on the private market. These lots should be zoned the same as their neighbors which could create housing for up to eight residents. Anything more would change the neighborhood with potential to disrupt and devalue the adjacent property.


In 1986 all lots surrounding The Road Yard were rezoned to R-2-6,500 MH. A packet with a letter and map was sent to me and I assume other property owners surrounding the Road Yard, to let us know of their intentions and of a public meeting. This did not happen for these proposed changes. Tribes were notified via certified letter November 4, 2020. I find this rather alarming.

I first became aware of these proposed changes February 4, 2023 in an article in our local paper, "Supervisors to receive county housing update". Then another Public Notice in the local paper I believe February 10, 2023 of the Planning Commission Meeting February 22, 2023. I was told by some one, the problem is, no one wants High Density Housing next to there home. Maybe there is good reason for this. Would you?

High Density Property should have its own area like Mt Whitney Apartments and the property next to Mc Donald's. not adjacent to private homes. No one wants people looking down into their homes or yards. This is our community lets do it right.

I believe there is a lot of pressure from Sacramento along with Tax Payers dollars i.e. Grant Money to create housing. If you must use our tax dollars to create High Density Housing maybe a land trade north of the Mt Whitney Apartments or somewhere similar would work. The cost to put in infrastrucure would be much less costly than a low density neighborhood.

Bruce Pischel

  
760-614-0018

February 17, 2023

Planning Commission  
Drawer L  
Independence, CA 93526

Subject: Vacant Lands and Housing Opportunity

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Bruce Pischel

  
760-614-0018

From: InyoPlanning  
Sent: Wednesday, March 15, 2023 1:32 PM  
To: Cathreen Richards  
Subject: FW: bishop zoning changes

Hi Cathreen:

Here is a letter for your vacant lands project.

Thank you,  
Paula Riesen  
Inyo County Planning  
(760) 878-0263

From: Jerry Rodgers [mailto:jjsierra48@yahoo.com]  
Sent: Wednesday, March 15, 2023 12:55 PM  
To: InyoPlanning  
Subject: bishop zoning changes

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You don't often get email from [jjsierra48@yahoo.com](mailto:jjsierra48@yahoo.com). Learn why this is important

To the planning commission

My wife and I have lived at 487 east south street 40 years. We have enjoyed living here along with our great neighbors. If the proposed plan to build high density housing units ever comes to fruition, it would be devastating to the land owners/ property tax payers on south street.

The enormous increase in traffic and noise, would destroy the peace and tranquility we have enjoyed over the years. Where would all the cars park, this street can not handle all that activity.

We are 100 percent against changing the zoning on south street, it would immediately decrease the value of our properties. There are other places within the city limits that are more appropriate for this type of housing, that would not disturb current landowners.

I do not believe this plan was well thought out, and the distress it would put on current landowners. I am proposing you reconsider your plan for East South Street and leave the zoning as it is currently.



**From:** InyoPlanning  
**Sent:** Monday, March 20, 2023 4:52 PM  
**To:** Cathreen Richards  
**Subject:** FW: Letter

:)

-----Original Message-----

**From:** Krista Evangelist [mailto:kristamevangelist2015@gmail.com]  
**Sent:** Monday, March 20, 2023 2:55 PM  
**To:** InyoPlanning  
**Subject:** Letter

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[You don't often get email from kristamevangelist2015@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

This is in regards to a letter sent out about the parking lot we currently lease. We Neighborhood Church did not receive a letter regarding this. We were given info today from a neighbor. We do not want housing going in across the street.

Sent from my iPhone

From: InyoPlanning  
Sent: Monday, March 20, 2023 4:51 PM  
To: Cathreen Richards  
Subject: FW: opposition of zoning change near bishop

:)

From: Joe Buffington [mailto:joe\_buffington@hotmail.com]  
Sent: Monday, March 20, 2023 1:21 PM  
To: InyoPlanning  
Subject: opposition of zoning change near bishop

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You don't often get email from joe\_buffington@hotmail.com. Learn why this is important

I am writing in response to the zoning change of Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business; \* Bishop (APN 008-240-02) from Public to Central Business; \* Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above.

I am in opposition to these changes for the following reasons.

1. the change of agricultural land takes away from a key asset to farmers and ranchers. taking away grazing land takes feed away from the cattle and horses that graze these allotments.
2. loss of scenery in the areas, when building these buildings one will take away the natural beauty of bishop and see apartments on the outskirts of our town.
3. loss of value of houses, Many houses are in this area and if over 200 low-income apartments are built on these lots it will drive down the value of the neighborhood houses. houses that value depends on the views and open surrounding land
4. environmental concerns. I have read the environmental impact statement on this change and it is unclear how the chya should be dealt with. making a half-mile pipeline is hard to do and has not been studied if it is even environmentally friendly. this will take away the water used by birds and wildlife as well as stock water used for the livestock on the remaining land.

Please reconsider this adjustment and consider finishing the other projects that are proposed in less visible as well as environmentally and agriculturally valuable areas of the city of Bishop.

thank you

joe buffington

From: betsy forsyth <betsy.forsyth28@gmail.com>  
Sent: Monday, March 20, 2023 5:17 PM  
To: InyoPlanning  
Subject: E. South Street Rezoning

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You don't often get email from betsy.forsyth28@gmail.com. Learn why this is important

I am writing because I am not able to be at the meeting on 3/22 in Independence. I wish I could as I am opposed to the rezoning of the land on E. South St.

I live on E. South St. and love my view. I realize that DWP owns the open field across the street from my house, and that they have the ability to sell or rezone the property. That said, I am hoping that it does not happen. It was explained to me that we need more high-density (low-income and/or veteran) housing. I believe there is a project already in the works on Maciver, correct? And that there are a few other parcels that have been rezoned for the same purpose? Isn't it better to infill portions of the city rather than expand our footprint? So do we need to move forward with the rezoning of the land on E. South St.? I am hoping not. It makes me concerned that DWP might also sell the land to a private entity, and really, I am hoping to keep E. South St. as it is.

Thank you,  
Betsy Forsyth

PS - I did not receive the notice regarding the rezoning, but was told by a neighbor. How do I make sure that I receive any further updates?

From: tenaya roberts <tenaya.d.roberts@gmail.com>  
Sent: Monday, March 20, 2023 8:12 PM  
To: InyoPlanning  
Cc: Mikestansberry@ymail.com  
Subject: Against Residential High Density on E. South St. Bishop 93514

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You don't often get email from [tenaya.d.roberts@gmail.com](mailto:tenaya.d.roberts@gmail.com). Learn why this is important

To whom it may concern,

My family purchased the home at 459 E South St. April of 2016. Since my grandparents recent passing, the house is temporarily in the Schotz Family Trust. I occupy the home with my two young children. The beautiful, open land across E. South Street is the sole reason we purchased this property. I have a few concerns regarding the decision to allow development in that area besides my main personal concern I share with my neighbors, the complete sabotage of our street privacy, view, neighborhood community, and property value.

The area across the street from my home is 50ft from a water source. The land itself is entirely marsh, its swamp. I don't understand how that can be a viable foundation. This year is a primary example of what to consider when this valley does get water. The rain washed out the canal roads right there. That entire area completely flooded. There was no where else for the water to go. I am also curious what the methane gas levels are in that area. The school zone was evacuated several times this year due to rising methane gas. Will we be evacuated from our homes if methane gas rises? Development on the south side of E. South St. would absolutely cause more flood and methane gas concerns and hazards.

The marsh, swamp lands on the south side of E. South street occupy thousands of species (From mammal to fowl and amphibians). There are cranes, owls, and hawks that are all part of California Endangered Species List, and the other species could be too. There are consequences to moving these species further from the water source and canals into the desert, including losing them completely. So I would absolutely protest this development any possible way I could because that is the reason I live here, to respect and enjoy the nature.

I have only lived on E. South St. for 7 years, and in that period of time have seen a massive change to Main St./HWY395 traffic. When I first moved to this street in 2016, I would only have to wait a minute or two to turn from E. South St. onto Main St. Presently, it can take anywhere as long as 30 mins if there is any reason for North or South bound traffic (Any holiday). I have to leave earlier to get anywhere, like in the mornings to get my kids to school on time. This is where the speed limit changes and where North bound drivers come too fast into town, too fast to turn out on to Main St. Could the City support High Density Residential on E. South St.? What steps will be taken to assure traffic and pedestrians would be safe? Would side walks, street lamps and a traffic light go in before residential was developed? Will my children be able to ride their bikes safely outside? Since this street is an alternate route through town, we already

From: Mike Stansberry <mikestansberry@ymail.com>  
Sent: Tuesday, March 21, 2023 6:57 AM  
To: InyoPlanning  
Cc: tenaya.d.roberts@gmail.com  
Subject: South St. zoning changes.....

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You don't often get email from mikestansberry@ymail.com. Learn why this is important

Dear Inyo Planning Commission,

My name is Michael Stansberry. I currently live at 463 E South St. in Bishop where I have lived for over 8 years. This house has been in our family since 2001 and having that open field across the street has led to our decision of staying there for this long. I also have a welding business located on E. South St. so I have first hand experience with the current planning and development in that area.

I am writing this email with strong opposition to the proposed plans of changing the zoning to Residential High Density. This plan seems to only benefit the county and does not seem to benefit the many residents currently living on South St. I understand the need of creating new housing areas in Bishop but there are many other sites that would work great and not hurt current homeowners. Potentially bringing in high density residences to the already limited space on E South St. does not seem responsible or realistic. In fact it actually seems completely opportunistic and potentially harmful to current property values and the safe and secure feel of that neighborhood.

The land proposed for this zoning change is literally a marshland that has flooded multiple times this year alone. It has forced the closure of the canal area located directly east of lot due to overflowing waters. Where would the water flood if there were apartment buildings there? Would it flood into the streets? Would it flood our front yards? Would our sewers overflow?

Not only is this proposed change harmful to the wildlife and locals, this could also potentially DESTROY the view that all of us residents absolutely love that live on this street. I have not found a single resident that supports this plan, and in contrary, I have only heard strong opposition. It just doesn't make sense.

Please reconsider this proposal to change the zoning on E South St in Bishop.

Thank you for your time,  
Mike Stansberry

**From:** Krista Evangelist <kristamevangelist2015@gmail.com>  
**Sent:** Monday, March 20, 2023 2:55 PM  
**To:** InyoPlanning  
**Subject:** Letter

**Categories:** Cathreen

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[You don't often get email from kristamevangelist2015@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

This is in regards to a letter sent out about the parking lot we currently lease. We Neighborhood Church did not receive a letter regarding this. We were given info today from a neighbor. We do not want housing going in across the street.

Sent from my iPhone

From: Joe Buffington <joe\_buffington@hotmail.com>  
Sent: Monday, March 20, 2023 1:21 PM  
To: InyoPlanning  
Subject: opposition of zoning change near bishop

Categories: Cathreen

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2. loss of scenery in the areas, when building these buildings one will take away the natural beauty of bishop and see apartments on the outskirts of our town.
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4. environmental concerns. I have read the environmental impact statement on this change and it is unclear how the chya shough will be dealt with. making a half-mile pipeline is hard to do and has not been studied if it is even environmentally friendly. this will take away the water used by birds and wildlife as well as stock water used for the livestock on the remaining land.

Please reconsider this adjustment and consider finishing the other projects that are proposed in less visible as well as environmentally and agriculturally valuable areas of the city of Bishop.

thank you

joe buffington

**From:** kegregorich <kegregorich@gmail.com>  
**Sent:** Tuesday, March 21, 2023 10:32 AM  
**To:** InyoPlanning  
**Subject:** Vacant lands and housing opportunity

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You don't often get email from kegregorich@gmail.com. [Learn why this is important](#)

To the Planning Commission,

My wife and I own 475 E. South St in Bishop, across the street from Parcel APN 008-190-01 being considered for re-zoning.

We chose this home because of the views and minimal congestion afforded by the vacant LADWP land to the south.

Re-zoning parcel APN 008-190-01 as Residential High Density will immediately reduce property values along East South St.

Approximately 17 homes are on the north side of E. South St. opposite Parcel APN 008-190-01. High density residential development with upwards of 100 units will totally change the character of the neighborhood, with increased congestion causing problems with traffic, parking, and noise.

We ask the planning commission to reconsider the rezoning of parcel APN 008-190-01.

Thank you for your consideration,  
Kenneth and Carola Gregorich



**From:** Meryl <meryl.picard@gmail.com>  
**Sent:** Tuesday, March 21, 2023 7:33 PM  
**To:** Cathreen Richards  
**Subject:** support of GPA 2023-01

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[You don't often get email from meryl.picard@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing in full support of GPA 2023 01. There is a critical need for housing. Families can't afford to buy homes here and must double up with other family members. We're also challenged with attracting talent for needed positions for vital services in our community without more housing.

Meryl Picard

From: Stacey Burke <sjburke927@gmail.com>  
Sent: Tuesday, March 21, 2023 10:02 PM  
To: Cathreen Richards  
Subject: Support for GPA: Vacant Lands & Housing Opportunity & Zone  
Reclassification

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You don't often get email from sjburke927@gmail.com. Learn why this is important

Hello there,

I am a nurse at Northern Inyo Hospital, working in almost all of the hospital's departments. I am therefore very well connected with many of the staff members throughout the hospital, from nurses to secretaries, physicians to technicians, respiratory therapists to physical therapists and more. I am very aware of the housing shortage in Bishop, as I have had countless co-workers over the past four years of my employment discuss the struggle in finding good quality, affordable housing. Every year, it gets harder to find housing, as it is so limited, and rent becomes more and more expensive.

A local example of what could happen if we don't address our housing shortage problem immediately is Mammoth Hospital and their Obstetrics Department. I also work as a nurse at Mammoth Hospital, and since my hire approximately two years ago, they have had to completely shut down their OB department, due to Mammoth Lake's housing crisis. Too few housing options, all at extremely elevated prices, created a terrible situation where the hospital was able to hire nurses to staff their OB dept, but sadly, the nurses could not find affordable housing. The hired nurses then had to turn the positions down. As a result, the hospital had no choice but to close their OB department all together. Residents of Mammoth Lakes are now forced to have their children delivered out of town, an hour to multiple hours drive away, with providers they do not know. This has led to many unsafe deliveries of babies. This is a scenario I do not wish on any of my fellow community members. It is a scenario that could be prevented, if we act now and take charge of our housing shortage in Bishop.

This is why I write, in support of taking advantage of the General Plan Amendment, that would reclassify vacant lands and create new housing opportunities for people in Bishop and Inyo County.

Thank you for your time in reading this support letter. I hope to see this amendment pass, in order to keep our hospital well staffed, and our community safe.

Stacey Burke

From: InyoPlanning  
Sent: Wednesday, March 22, 2023 7:59 AM  
To: Cathreen Richards  
Subject: FW: Against Residential High Density on E. South St. Bishop 93514

:/

From: tenaya roberts [mailto:tenaya.d.roberts@gmail.com]  
Sent: Monday, March 20, 2023 8:12 PM  
To: InyoPlanning  
Cc: Mikestansberry@ymail.com  
Subject: Against Residential High Density on E. South St. Bishop 93514

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The area across the street from my home is 50ft from a water source. The land itself is entirely marsh, its swamp. I don't understand how that can be a viable foundation. This year is a primary example of what to consider when this valley does get water. The rain washed out the canal roads right there. That entire area completely flooded. There was no where else for the water to go. I am also curious what the methane gas levels are in that area. The school zone was evacuated several times this year due to rising methane gas. Will we be evacuated from our homes if methane gas rises? Development on the south side of E. South St. would absolutely cause more flood and methane gas concerns and hazards.

The marsh, swamp lands on the south side of E. South street occupy thousands of species (From mammal to fowl and amphibians). There are cranes, owls, and hawks that are all part of California Endangered Species List, and the other species could be too. There are consequences to moving these species further from the water source and canals into the desert, including losing them completely. So I would absolutely protest this development any possible way I could because that is the reason I live here, to respect and enjoy the nature.

I have only lived on E. South St. for 7 years, and in that period of time have seen a massive change to Main St./HWY395 traffic. When I first moved to this street in 2016, I would only have to wait a minute or two to turn from E. South St. onto Main St. Presently, it can take anywhere as

From: InyoPlanning  
Sent: Wednesday, March 22, 2023 7:58 AM  
To: Cathreen Richards  
Subject: FW: E. South Street Rezoning

:/

From: betsy forsyth [mailto:betsy.forsyth28@gmail.com]  
Sent: Monday, March 20, 2023 5:17 PM  
To: InyoPlanning  
Subject: E. South Street Rezoning

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I am writing because I am not able to be at the meeting on 3/22 in Independence. I wish I could as I am opposed to the rezoning of the land on E. South St.

I live on E. South St. and love my view. I realize that DWP owns the open field across the street from my house, and that they have the ability to sell or rezone the property. That said, I am hoping that it does not happen. It was explained to me that we need more high-density (low-income and/or veteran) housing. I believe there is a project already in the works on Maciver, correct? And that there are a few other parcels that have been rezoned for the same purpose? Isn't it better to infill portions of the city rather than expand our footprint? So do we need to move forward with the rezoning of the land on E. South St.? I am hoping not. It makes me concerned that DWP might also sell the land to a private entity, and really, I am hoping to keep E. South St. as it is.

Thank you,  
Betsy Forsyth

PS - I did not receive the notice regarding the rezoning, but was told my a neighbor. How do I make sure that I receive any further updates?

From: Kody Jaeger <kjaeger395@gmail.com>  
Sent: Tuesday, March 21, 2023 7:27 PM  
To: Cathreen Richards  
Subject: Support GPA-2023-1

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[You don't often get email from kjaeger395@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Good evening,

I am in full support of GPA 2023-01. There is a critical need for housing. We are unable to attract talent for needed positions that provide essential services in our community. Our community can't grow or thrive if we are unable to provide housing to our residents.

I live and work on the Bishop Paiute Reservation and this lack of available housing is impacting all of us.

This is action in the right direction.

Thank you for your time.

Kody Jaeger

Cell 562.234.1768

Would need email send email to

[crichards@inyocounty.us](mailto:crichards@inyocounty.us)

Kody

# General Plan Amendment 2023-01 Zone Reclassification 2023-01 Vacant Lands and Housing Opportunity

Inyo County Board of Supervisors

May 2, 2023



# Introductions

## Inyo County Planning Department

- Cathreen Richards, Planning Director

## HELIX Environmental Planning, Inc.

- Robert Edgerton, Principal Planner

## T. Kear Transportation Planning & Management, Inc.

- Tom Kear, PhD, PE, President

Funding Sources: Regional Early Action Planning (REAP) and SB2 Grants from the California Housing and Community Development Department (HCD).





# Background

Staff applied for the SB 2 grant funding to address the current shortage of family-wage and other affordable housing opportunities in the County. There are many factors that contribute to this including:

- A lack of available private property for development;
- Difficulties in the provision of infrastructure and services;
- Little interest from builders to provide “family-wage” and/or “affordable” housing choices;
- State subdivision regulations that prohibit subdivision of areas outside Community Service District Boundaries (Fire); and,
- Outdated zoning and General Plan designations and regulations.





# Project Strategy

- Conduct a vacant lands inventory and General Plan/zoning designations review of private properties located throughout the County (GIS exercise with set criteria).
- The information was also to be used to help identify parcels of land for the Regional Housing Needs Allocation (RHNA) for the Housing Element update and State RHNA criteria was used.
- Identify land that may be appropriate for designation changes to promote housing opportunities, primarily by increasing allowable residential density.



# Project Strategy

- Evaluate an increase to the amount of multi-family zoning available in the County and changing zoning allowances in some designations to allow for principal permitting of mobile home parks.
- Review of the County's current zoning with a focus on commercial zones for opportunities for infill (residential) development, as well as, Accessory Dwelling Units (ADU).
- Give preference to areas near public transportation and other services.



# GIS Analysis

- Systematic identification of privately owned parcels Countywide for the purposes of identifying potential land use designation changes to increase the opportunities for housing development.
- Used assessor parcel data with overlays to determine the best fit for County purposes, starting with Countywide parcel dataset, the following parameters were used to identify parcels:
  1. Classified as private, vacant, property or DWP Tier 1 Divestment.
  2. Located within a local fire protection district.
  3. Located within or adjacent to a water and/or sewer sanitary service district.



# GIS Analysis

5. Located in areas without high environmental concerns e.g. earthquake, high fire danger, flooding.
6. Identify parcels residentially zoned that were greater than 0.5 acres, and parcels in the Central Business zone.
7. Compiled a list of parcels that met initial criteria; added parcels that were identified as priorities in the current Housing Element; additional DWP Divestment properties (not Tier 1) and County owned.
8. For each parcel included in the recommendation list, the current and the possible minimum and maximum number of dwelling units was evaluated.



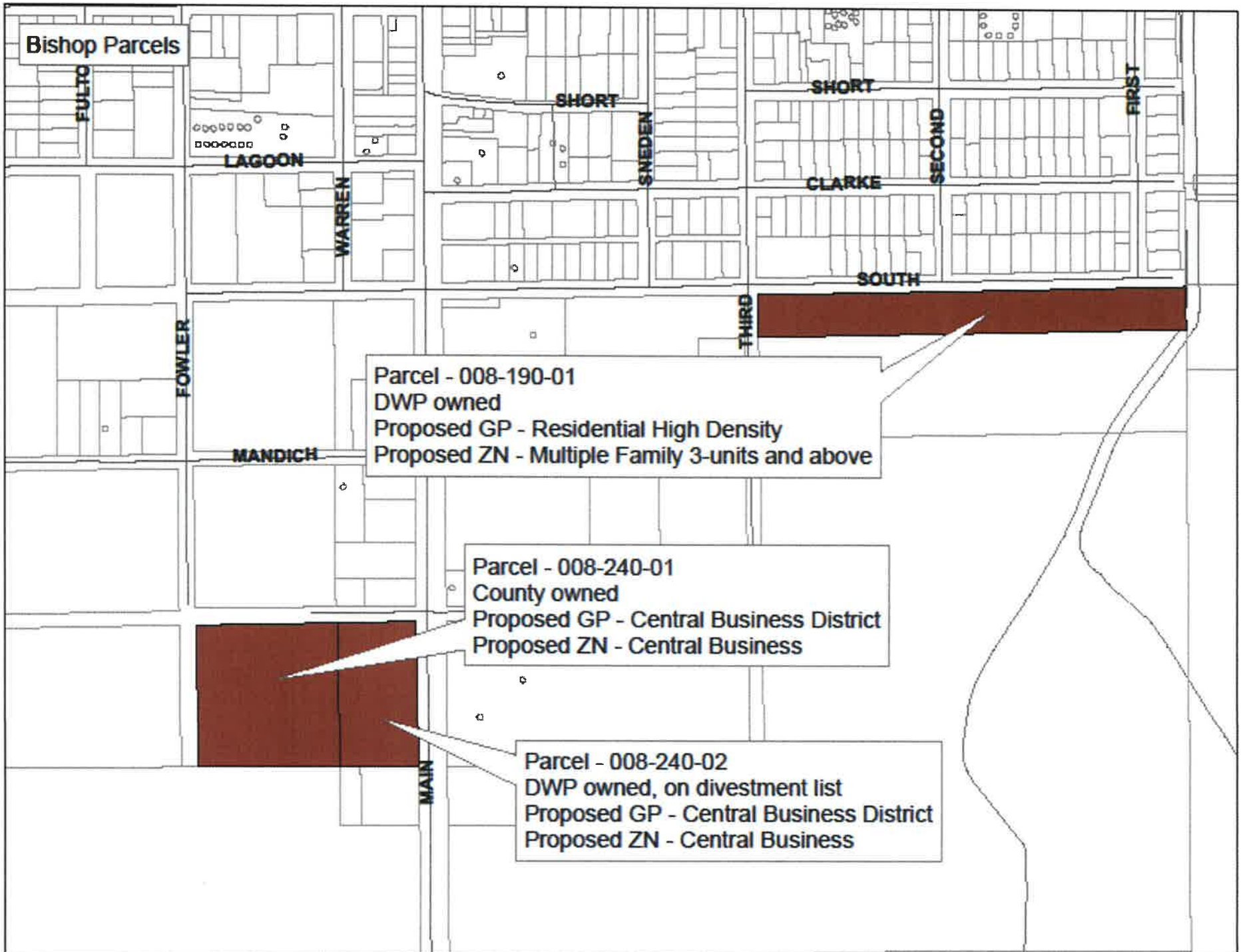


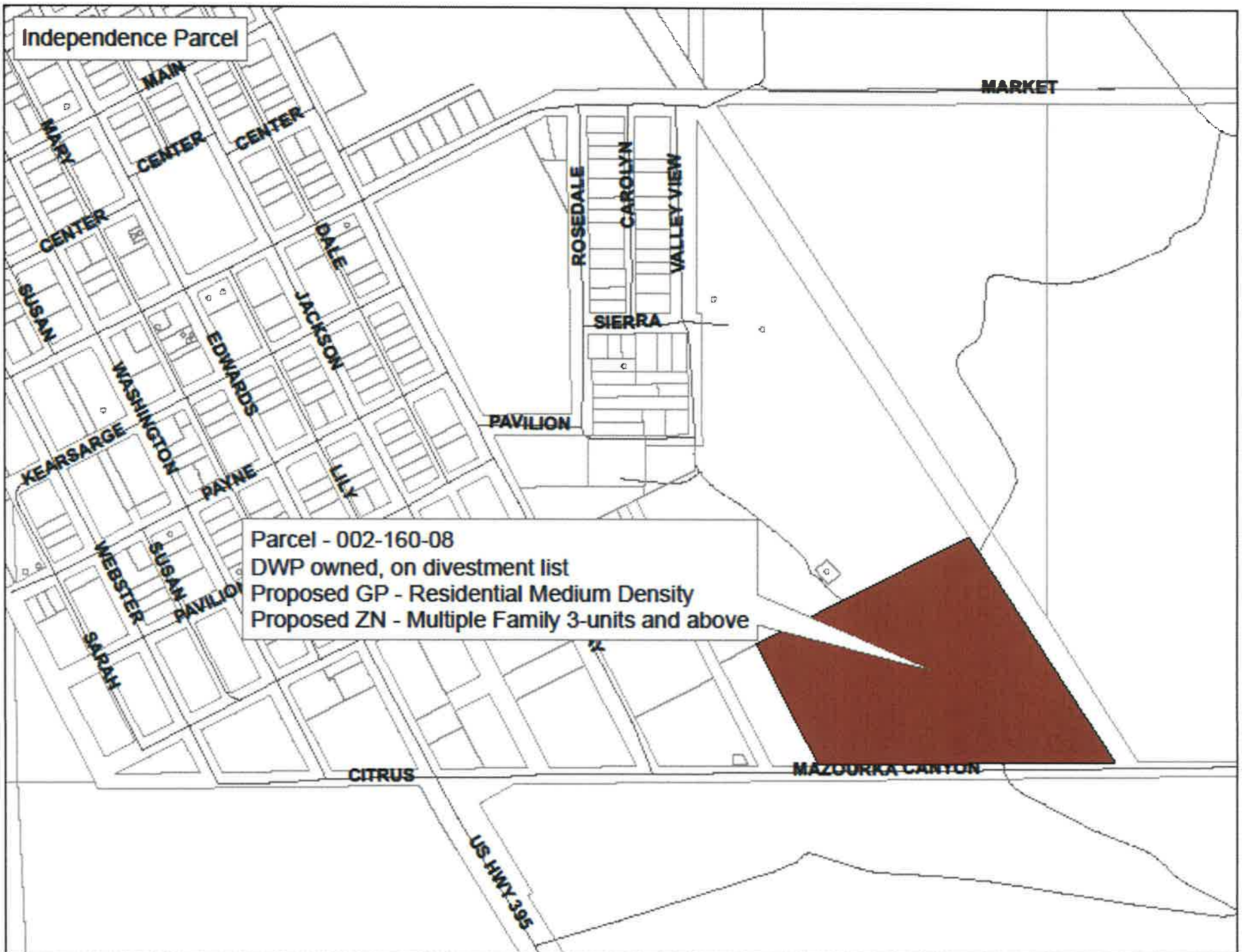
# GIS Analysis

- Preliminary Results: Approximately 41 parcels were identified, 27 of these were located in the Central Business zone and 14 were in other various zones.
- This was further refined based on scoping comments, which included adding DWP parcels not on the Tier 1 Divestment list and County owned parcels and removing parcels based on the City of Bishop's Land Constraints Report.
- Eight total parcels were identified for General Plan and Zone Change CEQA review.

\* None are privately owned.







Independence Parcel

Parcel - 002-160-08  
DWP owned, on divestment list  
Proposed GP - Residential Medium Density  
Proposed ZN - Multiple Family 3-units and above

MARKET

CITRUS

MAZOURKA CANYON

US HWY 395



**Lone Pine Parcels**

**WILLOW**

Parcel - 005-072-30  
Parcel - 005-072-07  
DWP owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

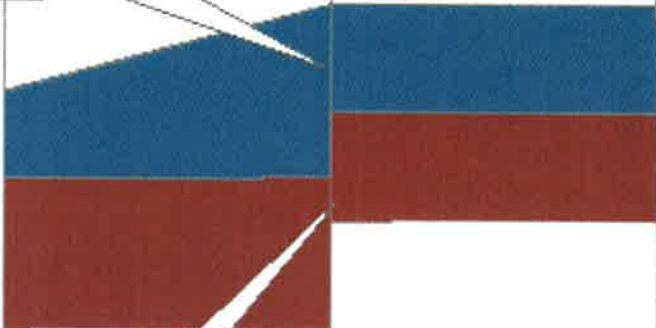
**MCELROY**

**BUSH**

Parcel - 005-072-07  
Parcel - 005-072-24  
County owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

**HAY**

**MOUNTAIN VIEW**





# Vacant Lands EIR

- HELIX assisted the County with an evaluation of the proposed project pursuant to the California Environmental Quality Act (CEQA).
- An Environmental Impact Report (EIR) as determined to be the most appropriate level of documentation and provides the County with legal defensibility.
- Project objectives drafted per Section 15124 of the CEQA Guidelines.



# CEQA Objectives

1. Provide for increased housing opportunities in the County primarily through increasing allowable residential density within existing and established communities.
2. Focus future housing opportunities to vacant land located adjacent to existing public transit stops and public utilities/services.
3. Minimize direct and indirect impact from increased housing opportunities on the physical, biological, cultural, political, and socioeconomic environments.
4. Identify zone changes to be consistent with General Plan land use designations to maximize density.



# Vacant Lands EIR

Project alternatives for the EIR per Section 15126.6 of the CEQA Guidelines include:

1. Proposed Project: Increased housing opportunities resulting in a net increase of approximately 219-492 Dwelling Units.
2. No Project Alternative: No change to General Plan land use designations or zoning ordinance.
3. Reduced Housing Opportunity Alternative – This alternative would eliminate the Independence parcel and evaluate up to 364 additional dwelling units.



# Vacant Lands EIR

For this EIR staff also applied for an additional state grant (Regional Early Action Planning Grant) or REAP. This grant was used to provide a Vehicle Miles Traveled (VMT) study and recommendations report to enhance the EIR.



# VMT Assessment

- Lowering VMT is a State goal; affordable housing is an important factor in VMT reduction.
- The result of the analysis are VMT reduction strategies/goals aimed at complying with State mandates and promoting housing opportunities across the socioeconomic spectrum.
- VMT conditions across the County were evaluating using an evaluation that considered:
  - vacant land availability;
  - VMT outputs from state modeling tools;
  - VMT elasticity with regard to density (one of the “5D” elasticities).





# VMT Approach

- The California Statewide Freight Forecasting and Travel Demand Model (CSF2TDM) was leveraged for VMT estimates.
- Analysis included base-year (2020) and a horizon-year (2040) VMT estimates with and without the Inyo County vacant lands inventory, rezoning, and General Plan review.
- Rather than amending CSF2TDM to reflect the Plan. A quantitative “FRATAR” process and qualitative VMT elasticities (“5D elasticities”) were used to account for changes and interactions with the built environment

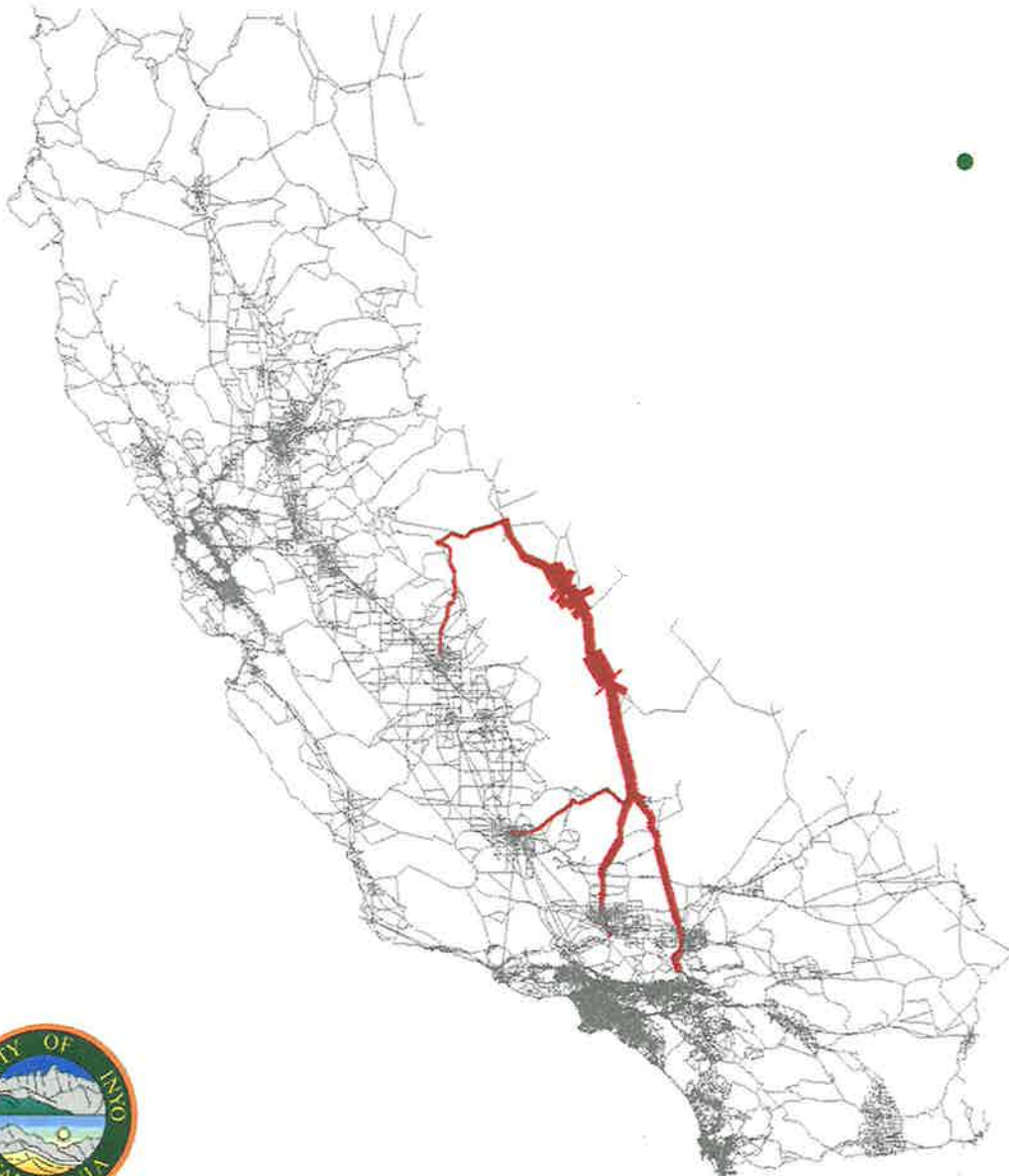


# VMT Outreach

- Two community workshops were held to solicit Stakeholder feedback:
  - Lone Pine – Wednesday July 27, 2022, and,
  - Bishop – Thursday July 28, 2022.
- The three principle take-aways from the community outreach sessions:
  - While transit service along Highway 395 is limited, there is both transit and car pooling along the 395 corridor for commute trips;
  - Large shopping areas and supermarkets are limited in Inyo County, with most shopping occurring in the Bishop area, and in Ridgecrest;
  - Housing supply limits the choice of communities where people live, creating an observable AM peak and PM peak period commute between communities along Highway 395.



# VMT Estimates



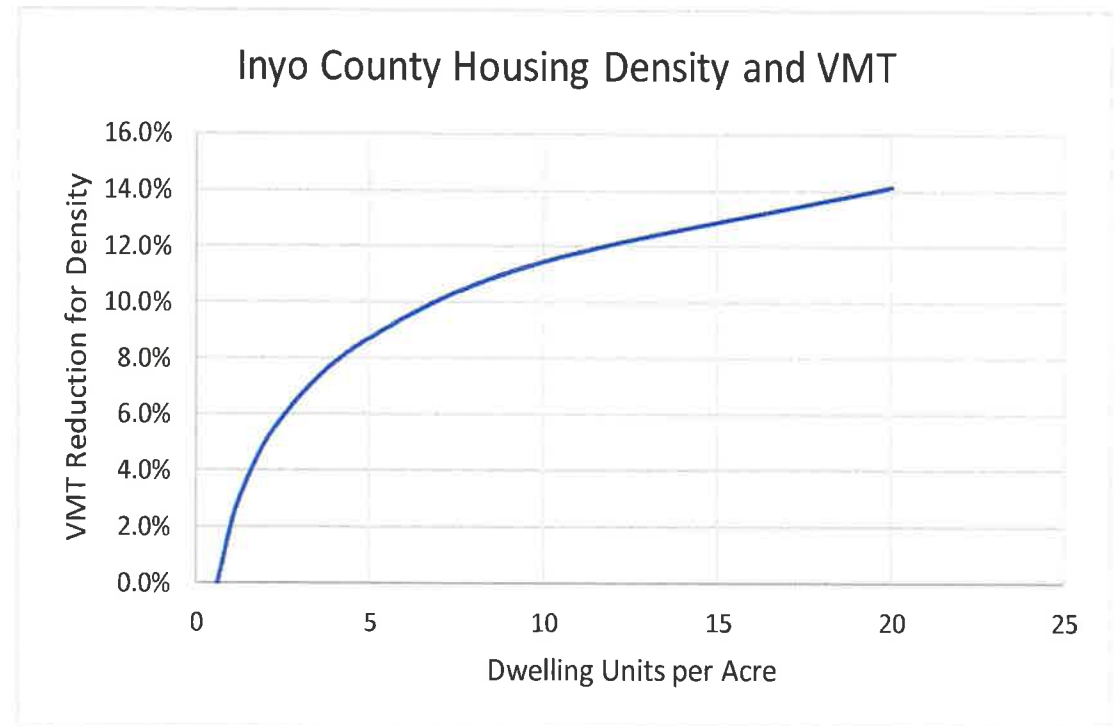
- VMT and service population estimates were compiled for:
  - 2020 community regions, without proposed additional housing
  - 2020 community regions, with proposed additional housing
  - 2020 all Inyo County TAZs, without proposed additional housing
  - 2020 all Inyo County TAZs, with proposed additional housing





# VMT Estimates

- “5D” Adjustment for density (off model):
  - Travel demand models estimate travel for avg conditions across a region
  - Population weighted density in Inyo County is about 1.25 persons per acre
  - Doubling density decreases VMT per service population by 3.1%



# VMT Findings & Recommendations

- County-wide average VMT per service population is estimated to be 36.4 in 2020 and 39.5 in 2040.
- VMT in the “community regions” along 395 is anticipated to be about 6.5% below the Inyo county average.
- Areas specifically effected by the proposed project of 492 additional housing units are anticipated to see an additional 8% reduction in VMT per service population.



# VMT Findings & Recommendations

- County-wide average VMT per service population is estimated to be 36.4 in 2020 and 39.5 in 2040.
- VMT per service population for the upzoned parcels is 14.5% below the Inyo County average. A 15% reduction is necessary to make a less-than-significant finding for VMT impacts under CEQA.
- Housing projects with a density  $> 5$  dwelling units per acre along 395 are anticipated to have a less than significant VMT impact under CEQA.



# VMT Use Beyond this EIR

- Findings of this study may be used to screen future projects for VMT impacts under CEQA.
- Residential projects in or adjacent to Bishop, Big Pine, Lone Pine, and Independence with a density of 5 or more dwelling units per acre may be assumed to have a less-than-significant impact on VMT under CEQA.



# EIR

- The Draft EIR was prepared and posted on the State CEQA Clearinghouse; recorded with the County Clerk and advertised on November 30, 2022 for a 45-day review period ending on January 16, 2023. The County received one comment on January 17, 2023 from DWP.
- Potentially significant impacts were found for several elements in the EIR, avoidance and mitigation measures are included to reduce these to less than significant impacts and are required for any future development.





# Additional Food for Thought

- This project is for General Plan and Zoning Designation changes – only – there are no development proposals for any of these properties at this time. Any of the parcels owned by DWP will have to be sold and/or leased by DWP before any development could possibly happen.
- The changes do not guarantee development, they just make it possible, per the County General Plan and Zoning Code.
- Any potential future development will be subject to all of the mitigation requirements and conditions set forth in the EIR and staff report for the project.



# Additional Food for Thought

## Housing Types and Affordability

Housing Element basic assumption: **Density = Affordability**

Above Moderate Income

Moderate Income

Lower Income



Single Family (2-4 du/ac)



Multifamily Low Density (7-12 du/ac)



Multifamily High Density (20-30 du/ac)



Single Family High Density (4-7 du/ac)



Multifamily Medium Density (12-20 du/ac)



Mixed Use (20-30 du/ac)



# Recommendations

Planning Department staff is recommending: the Planning Commission adopt a resolution recommending the Board of Supervisors:

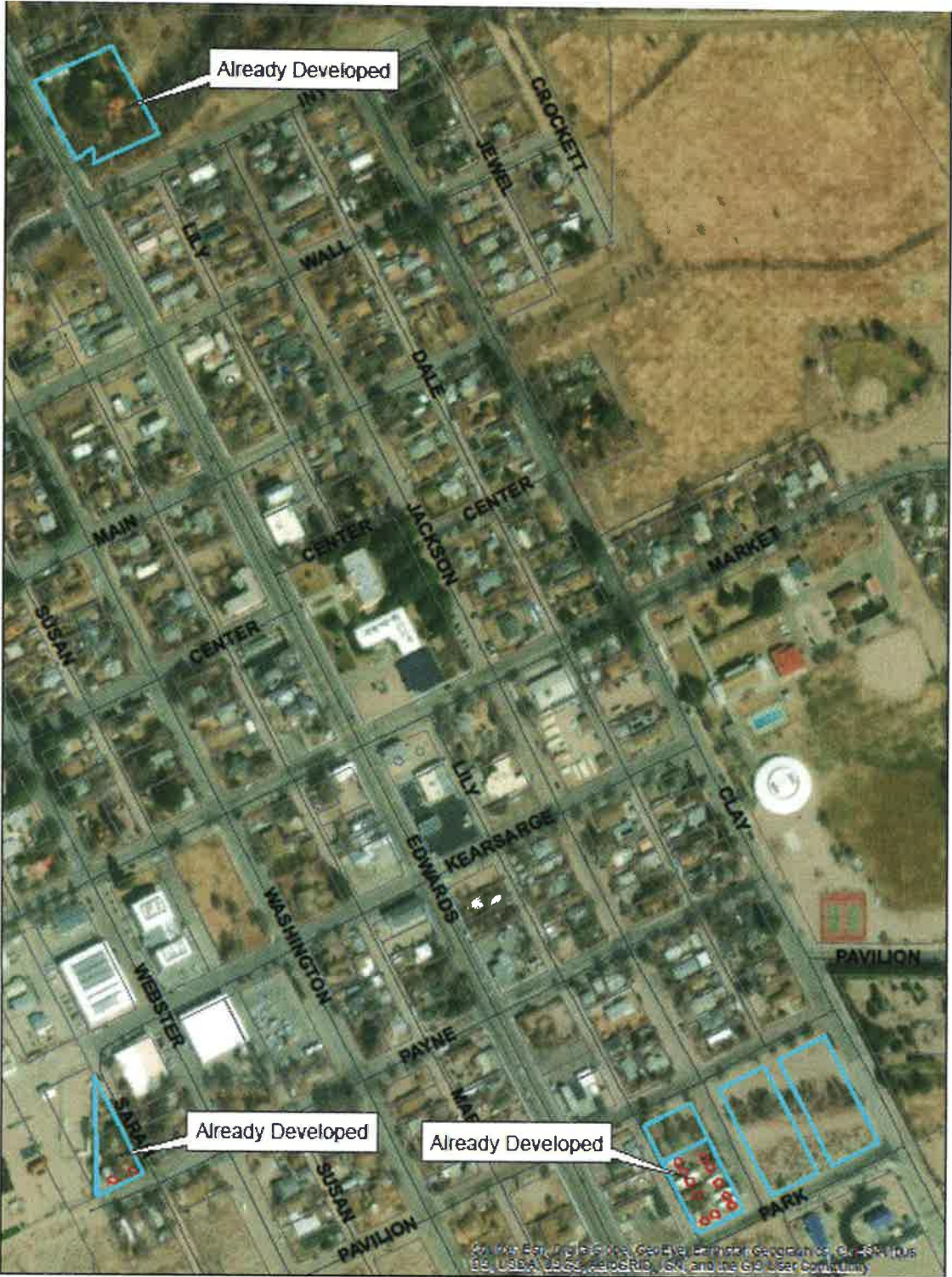
1. Adopt a Resolution Approving General Plan Amendment 2023-01/Inyo County - Vacant lands and Housing Opportunity;
2. Adopt an Ordinance Approving Zone Reclassification 2023-01/Inyo County - Vacant lands and Housing Opportunity; and,
3. Approve and certify the EIR was prepared in compliance with CEQA.





# Questions





Already Developed

Already Developed

Already Developed

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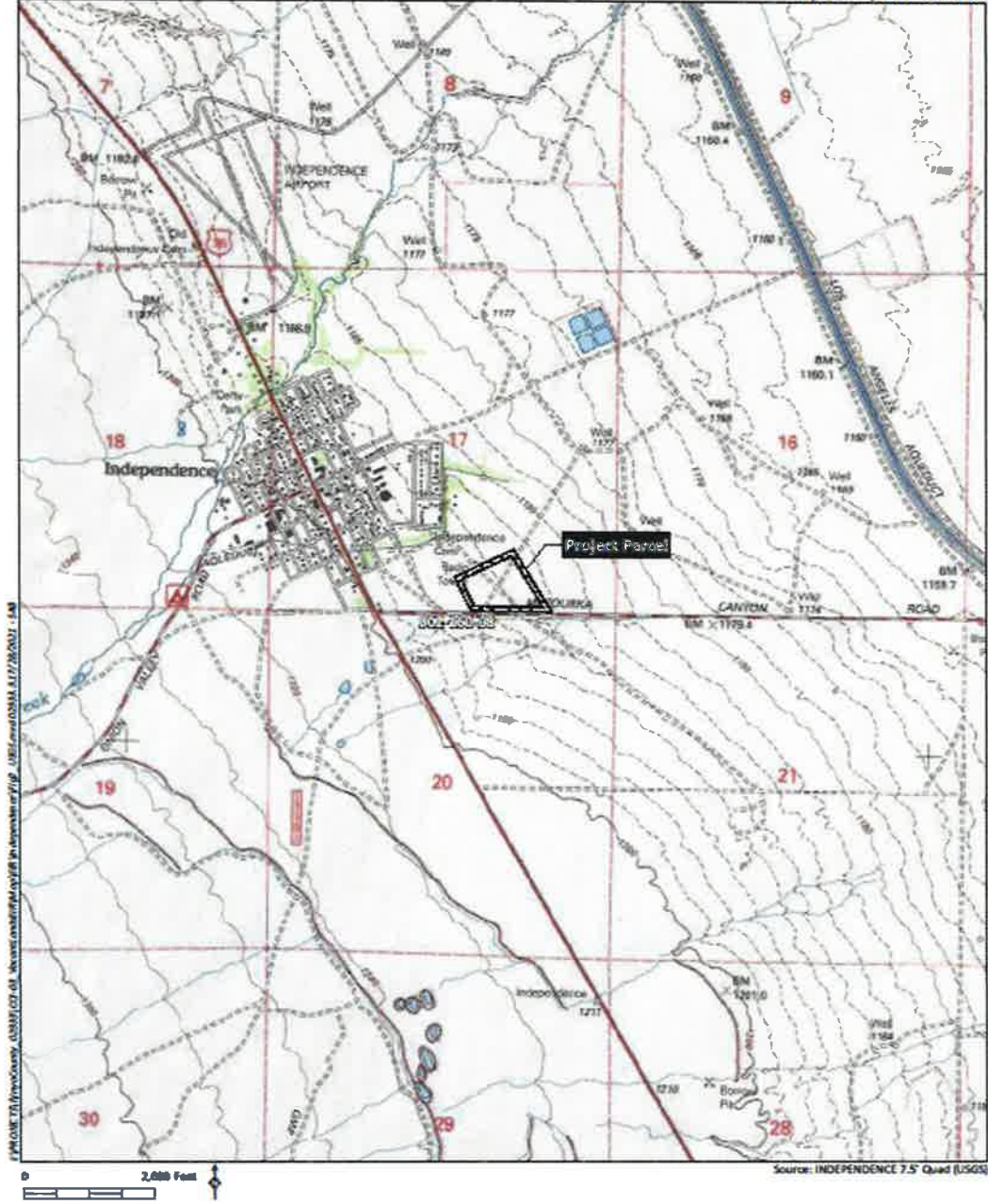








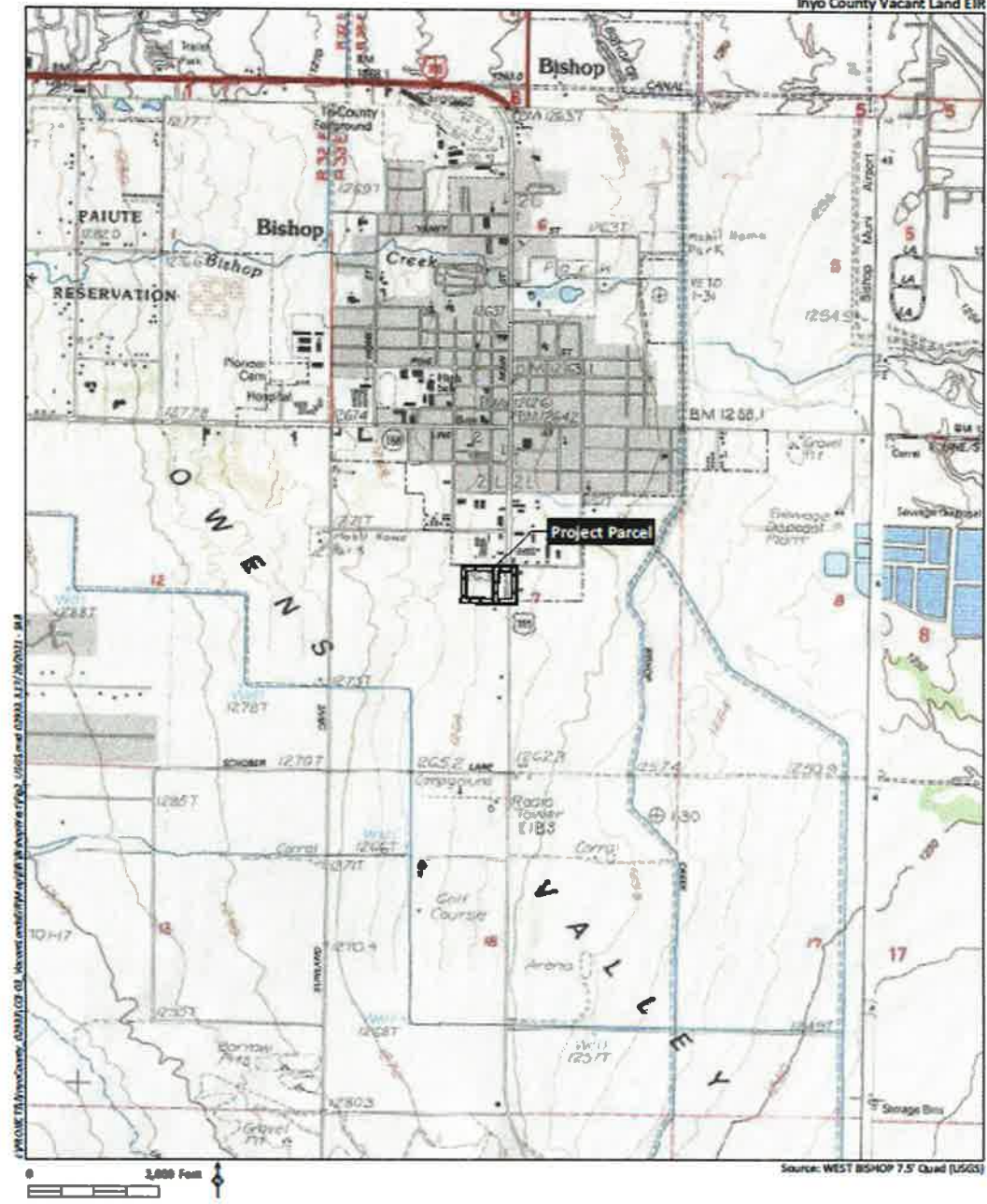




**HELIX**  
 Engineering & Planning

USGS Topography - Independence

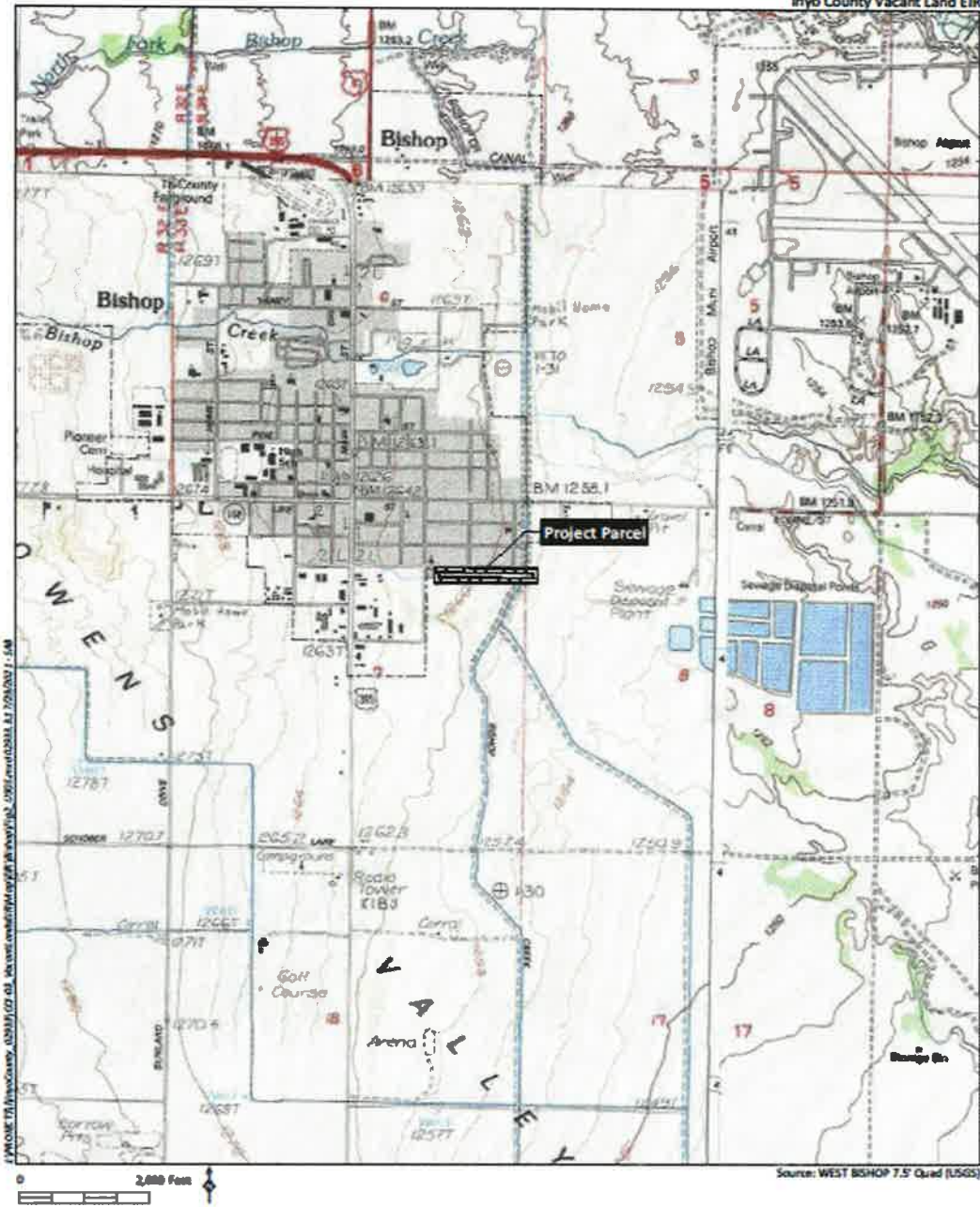
Figure 2-2



USGS Topography - Bishop (West)

Figure 2-6a



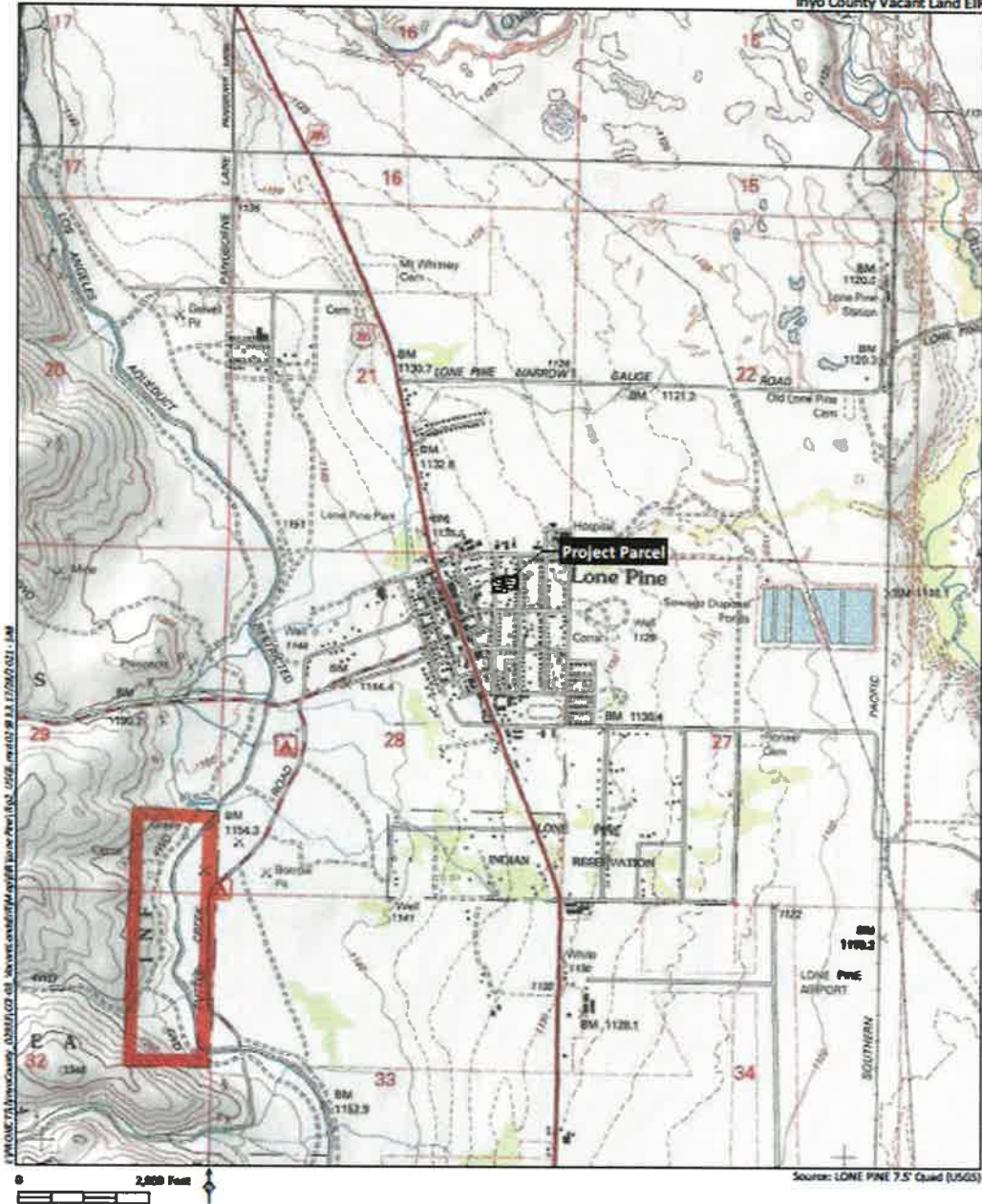


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USGS Topography - Bishop (East)

Figure 2-6b



USGS Topography - Lone Pine

Figure 2-10

**TABLE 2-1  
EXISTING AND PROPOSED LAND USES FOR PROJECT PARCELS**

No.	APN	Location	Existing GP Designation	Existing Zoning	Proposed GP Designation	Proposed Zoning	Parcel Size (acres)	Proposed Minimum Units	Proposed Maximum Units
1	002-160-08	Independence	RR	RR-1.0	RM	R-3	16.9	79	128
2	008-240-01	Bishop	PF	P	CBD	CB	5.8	45	139
3	008-240-02	Bishop	A	M2-PP	CBD	CB	3.3	26	79
4	008-190-01	Bishop	RC	R-1	RH	R-3	5.2	78	126
5	005-072-06	Lone Pine	RMH	R-2	RH	R-3	0.2	3	5
6	005-072-07	Lone Pine	PF	P	RH	R-3	0.2	3	5
7	005-072-24	Lone Pine	PF	P	RH	R-3	0.2	3	5
8	005-072-30	Lone Pine	PF	P	RH	R-3	0.2	3	5
<b>Total</b>							<b>32.0</b>	<b>240</b>	<b>492</b>

Sources: Inyo County 2001; 2021.

**Acronyms:**

APN = Assessor's Parcel Number

GP = General Plan

**General Plan Designations:**

RR = Residential Ranch, PF = Public Service Facilities, A = Agriculture, RC = Retail Commercial, RMH = Residential Medium-High Density, RM = Residential Medium Density, CBD = Central Business District, and RH = Residential High Density.

**Zoning Designations:**

RR-1.0 = Rural Residential, 1-acre minimum, P = Public, M2-PP = Light Industrial - Precise Plan Overlay, R-1 = Single Family Residential, R-2 = Duplex, R-3 = Multiple Family Residential, and CB = Central Business.