



Planning Department
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AGENDA ITEM NO.: 5 (Action Item – Public Hearing)
PLANNING COMMISSION MEETING DATE: December 7, 2022
SUBJECT: Tentative Parcel Map (TPM) 422/Olancha Lake

EXECUTIVE SUMMARY

The applicant has re-applied for previously approved Tentative Parcel Map (TPM) 422/Olancha Lake to combine seven separate parcels into one. The request is part of a greater business plan for a commercial RV and camping business. At build out the project proposes: 5 cabins for rent; 95 RV spaces; 30 camping spaces; a tennis court; showers; amphitheater; star gazing area; skate board park; restaurant; and, a store. The applicant also intends to fill the preexisting, dry lake for recreational use (kayaking). The original application was also for a General Plan Amendment, Zone Reclassification and a Conditional Use Permit. The TPM was required by Inyo County Code 16.52.070 as it combines four or more parcels.

Supervisory District: 5

Project Applicant: Nacho Saldana

Property Owner: Olancha Lake LLC, Leedy Ying

Community: Olancha, California

A.P.N.: 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17

General Plan: Commercial Recreation (C5) & Resort Recreation (REC)

Zoning: Commercial Recreation (C5)

Size of Parcel: Approximately 80-acres

Staff Recommended Action: Approve TPM 422/Olancha Lake with the findings and conditions as set forth in the staff report.

Alternatives:

- 1.) Deny the requested approval of TPM 422
- 2.) Continue this item to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner:

Cathreen Richards

STAFF ANALYSIS

Background and Overview

Tentative Parcel Map 422 was approved by the Planning Commission on September 23, 2020 for the merger of seven parcels (Staff Report and Notice of Decision Attached). This merger was part of a larger project request that included a Zone Reclassification; General Plan Amendment and a Conditional Use Permit to create the correct land use designations for a proposed commercial RV and campground business. The parcel is located in Olancha, about one-eighth of a mile east of Highway 395 and adjacent to SR 190. The zone reclassification and General Plan Amendment went on to be approved by the Board of Supervisors on October 20, 2020 (Board Order Attached). These approvals were a requirement for the Final Map to be processed, which is reviewed and ultimately must be approved by the County Surveyor before it is filed with the County Clerk Recorder.

Section 16.20.110 of the Inyo County Code - Tentative map: Approval of Title 16 Subdivisions reads as follows:

The approval or conditional approval of a tentative map shall be for twenty-four months. Upon written application, the advisory agency may grant extensions not exceeding three one-year periods. The amount of the filing fee for a time extension shall be set by a resolution of the Board of Supervisors.

TPM 422 was approved on September 23, 2020 with all of the conditions that had to be met for the Final Map to be processed, including that it had to be filed with the County Clerk Recorder within 24-months. This put the Final Map filing date at September 23, 2022. During this 2-year period, the County lost its Surveyor and Tentative Map 422 was left unattended. Since an extension was not applied for within the required timeframe, the map must now go back to the Planning Commission for re-approval. On November 17, 2022, the applicant re-applied for TPM 422.

TRIBAL CONSULTATION

TPM 422 and the additional land use entitlement requests were not exempted from CEQA analysis and required an Initial Study/Mitigated Negative Declaration. Consequently, pursuant to AB 52, Tribes received a written request to comment on the environmental document being produced for this project. Staff mailed AB 52 consultation invitations on October 31, 2019 to the following: Big Pine Paiute Tribe of the Owens

Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Cabazon Band of Mission Indians.

No requests for consultation were received.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration (MND) were completed to evaluate for environmental impacts on the original application for a TPM, ZR, GPA, and a CUP - SCH#2020039074. Staff has determined that an Addendum to the original MND is unnecessary as re-approving the TPM does not meet the conditions of 15164 or 15162 of the CEQA Guidelines as absolutely nothing has changed with regard to the project and many of the conditions of approval have already been met by the applicant. The same findings and conditions of approval for the project will also remain the same.

NOTICING

The Planning Commission Hearing for TPM 422/Olancha Lake was advertised in the Inyo Register on November 26, 2022 and notices were mailed to properties within 300-feet of the project location.

Staff has received no comments from the public.

RECOMMENDATION

Planning Department staff recommends the re-approval of TPM 422 with the following finding and conditions

TPM 422 - Findings:

1. Proposed TPM 422/Olancha Lake RV, an Initial Study and Mitigated Negative Declaration under CEQA, SCH 202039074 was conducted for the project and it was found that impacts will be less than significant with mitigations. Staff has also found that the re-approval of TPM 422 does not meet the requirements for a CEQA Addendum, pursuant to 15164 or 15162 of the CEQA Guidelines.
[Evidence: the proposed project will include 30 tent-camping sites, 95 RV camping spaces, 5 cabin rentals, a star gazing area, a tennis court, a restaurant, a skateboarding park, an amphitheater, a store, showers, and kayaking rentals for use on Olancha Lake. Although the property has already been disturbed (a preexisting tennis court, seven built structures, and water and septic connections), the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. Mitigations have been developed and adopted for the project and are required to remain the same for TPM 422 as Conditions of Approval for the project.]

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is in conformance with the Commercial Recreation zone (C5). A zone change to C5 was originally a condition of approval of TPM 422. This zone change was approved by the Board of Supervisors on October 20, 2020 and therefore this condition has been met. The uses requested by the applicant are in conformance with the C5 zone.
3. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is in conformance with the Inyo County General Plan Resort Recreational (REC). This General Plan Amendment was approved by the Board of Supervisors on October 20, 2020 and therefore this condition has been met. The uses requested by the applicant are in conformance with the REC General Plan designation.
4. Based on substantial evidence in the record, the Planning Commission finds that TPM 422, as conditioned, is in conformance with and the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.
[Evidence: Proposed TPM 422 is consistent with the requested C5 zoning designation as the new parcel meets the development standards of a minimum parcel size and setback requirements of the zoning district. The Tentative Map is being produced because more than four lots are being merged (16.52.070-E). The proposed single lot meets the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]
5. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.
[Evidence: The project is consistent with the rural character of the surrounding area, is already developed and will not increase demands on public services and utilities. TPM 422 has been routed to appropriate county departments and the comments that were received have been addressed in the conditions of approval. The project is not expected to increase demands for fire protection services and is located within a local fire district.]
6. Based on the substantial evidence the Planning Commission finds that the provisions of Government Code 66474.02 have been met (fire Protection and suppression services).
[Evidence: The proposed commercial project is within a local fire district, which effectively exempts TPM 422 from 66474.02. TPM 422 has been routed to the local fire district in Olancha and no comments have been received.]
7. Based on substantial evidence in the record, the Planning Commission finds that the design of the merged lots or the types of improvements will not conflict with easements

acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.

[Evidence: The project will be accessed from US 395. This will require an encroachment permit from Caltrans to address project work within the State's right of way. Additional easements for water and sanitary services are not required as there are existing facilities that serve the property and no conflicts with existing easements have been identified.]

8. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

[Evidence: As indicated by the Initial Study and Mitigated Negative Declaration, the project will have impacts to ground water use, utilities (septic), storm water, with possible impacts to botanical and wildlife resources. Conditions of approval are included to ensure that the final map mitigates the above mentioned potential impacts. The proposed campground will be regulated as a public water system and has been evaluated by both the County's Environmental Health Department and the Lahontan Regional Water Quality board. Preconstruction surveys, on all suitable nesting habitats within the Project area, will be performed, no more than three (3) days prior to vegetation clearing or ground disturbance activities. The applicant will coordinate with their biologist, Inyo County, CDFW, and USFWS, following all relevant CDFW protocols, to determine what additional surveys and mitigation measures are needed to avoid impacts to Mohave ground squirrel, Desert Tortoise, and other plant and animal communities.]

9. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.

[Evidence: The site is already developed and the merger of parcels, and resulting campground project, does have potential to impact native botanical species and nesting bird species. Preconstruction surveys, on all suitable nesting habitats within the Project area, will be performed no more than three (3) days prior to vegetation clearing or ground disturbance activities. The applicant will coordinate with their biologist, Inyo County, CDFW, and USFWS, following all relevant CDFW protocols, to determine what additional surveys and mitigation measures are needed to avoid impacts to Mohave ground squirrel, Desert Tortoise, and other plant and animal communities.]

TPM 422 – Conditions of Approval:

- 1.) A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.

- 2.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 422/Olancha Lake or applicant's failure to comply with conditions of approval.
- 3.) Prior to the recordation of the Final Parcel Map, all payments of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector.
- 4.) Prior to recordation, all reports submitted by public utilities, emergency service entities, or other public agencies that serve the area, and have reviewed the Tentative Map, shall be reviewed by the Inyo Planning Department to determine whether they should be added to the Final Map in conformity with Title 16 of the Inyo County Code.
- 5.) The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all roads and utilities within and serving the parcel per applicable standards, as may be required by the County in the future.

Attachments

- A. Planning Commission Staff Report, September 23, 2020
- B. Notice of Decision for TPM 422, dated December 9, 2020
- C. Board Order, October 20, 2020
- D. Tentative Parcel Map 422

Attachment A
September 23, 2020 Planning Commission Staff Report



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AGENDA ITEM NO.: 7 (Action Item and Public Hearing)

**PLANNING COMMISSION
MEETING DATE:** September 23, 2020

SUBJECT: ZR 2019-02; GPA 2019-01; TPM 422; CUP 2020-03/Olancha Lake RV

EXECUTIVE SUMMARY

The applicant, Olancha Lake LLC, is requesting a parcel merger/lot-line adjustment of seven parcels. This parcel merger request requires a Tentative Parcel Map because there are "more than four lots involved in the lot line adjustment" and therefore "a re-subdivision tentative map application [is] required" (ICC 16.52.070). This parcel merger also requires a Zone Reclassification and General Plan Amendment to create the correct land use designations for the proposed commercial RV camping business. The applicant is requesting Commercial Recreation with 80-acre minimum (C5-80) and a General Plan designation of Resort Recreational (REC) with between 1 and 24 dwelling units per acre density requirement. The REC designation is intended for a mix of tourism-oriented commercial and residential uses, though permanent residential use is also permitted. The parcel is located in Olancha, one-eighth of a mile east of Highway 395, adjacent to SR 190. It is currently zoned Rural Residential with a 5-acre minimum (RR-5.0); has the General Plan designation of Residential Estate (RE); and, includes seven parcels to be merged, with Assessor Parcel Numbers (APNs): 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03 (Attachment - site and vicinity maps). The zone reclassification to C5 and General Plan Amendment to REC properly accommodate the proposed future use as a commercial RV and tent camping site. Finally, the C5 zoning designation will require a CUP, since mobile-homes and campgrounds are allowed as a conditional use requiring Planning Commission approval, as stated by ICC 18.54.040(A)(C).

PROJECT INFORMATION

Supervisory District: 5

Applicants: Olancha Lake, LLC

Landowners: Olancha Lake, LLC

Community: Olancha, CA

A.P.N.: 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03

Existing General Plan: Residential Estate (RE) & Light Industrial (LI)

Existing Zoning: Rural Residential with a 5-acre minimum (RR-5.0-MH) & Light Industrial with a 2.5-acre minimum (M2-2.5)

Surrounding Land Use:

Location	Use	General Plan Designation	Zone
Site	Vacant cabins, site currently unused	Residential Estate (RE)	Rural Residential, 5 acre minimum (RR-5-MH)
North	Vacant	Residential Estate (RE)	Rural Residential, 5 acre minimum (RR-5-MH)
East	Vacant	Rural Protection (RP)	Open Space, 40-acre minimum (OS-40)
South	vacant	Residential Estate (RE)	Rural Residential, 5 acre minimum (RR-5-MH)
West	industrial	Light Industrial (LI) & Rural Protection (RP)	General Industrial (M1) & Light Industrial (M2)

Recommended Action:

- 1.) Make certain findings with respect to and approve TPM 422/and certify the Mitigated Negative Declaration under CEQA.
- 2.) Make certain findings with respect to and recommend the Board of Supervisors approve ZR 2019-02/Olancha Lake RV, and certify the Mitigated Negative Declaration under CEQA.
- 3.) Make certain findings with respect to and recommend the Board of Supervisors approve GPA 2019-01/Olancha Lake RV, and certify the Mitigated Negative Declaration under CEQA.
- 4.) Make certain findings with respect to and approve CUP 2020-03/Olancha Lake RV, and certify the Mitigated Negative Declaration under CEQA.

Alternatives:

- 1.) Specify modifications to the proposal and/or the Conditions of Approval.
- 2.) Make specific findings and deny the application.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner:

Steve Karamitros

BACKGROUND

The applicant has applied for TPM 422 as part of their business plan to combine seven separate parcels into one for purposes of a commercial RV camping business. The applicant is also the current owner of the properties to be merged (Olancha Lake, LLC; Lcedy Ying). The project will include 5 cabins for rent, as well as 95 RV spaces and 30 camping spaces. The final buildout for the project will include a tennis court, showers, amphitheater, star gazing area, skate board park, restaurant, and store available to customers at the resort. The applicant intends to fill the preexisting, dry lake for recreational use (kayaking). Combining four or more parcels without a Tentative Map would not comply with Inyo County Code 16.52.070, and would not be considered a legal parcel without the benefit of this Tentative Parcel Map, as set forth by the California Subdivision Map Act.

The parcels proposed for merger are zoned RR-5.0-MH & M2-2.5, which prohibits commercial, recreational activities, such as RV parks and campgrounds; therefore, the applicant is also requesting a zone reclassification of the approximately 80-acres to Commercial Recreation with an 80-acre minimum lot size. The minimum lot size under the current zoning will change following the zone reclassification. Once the parcels are merged, the property will not have the potential to be subdivided. A General Plan Amendment is also required as the current designation of RE and LI does not allow for commercial uses, such as the proposed RV camping project.

STAFF ANALYSIS

Land Use Analysis: The property is surrounded by vacant and open space land, to the north, east and south, all of it privately owned. Directly to the west is a bridge building warehouse and materials staging area. Less than 0.25 miles west is the community of Olancha. The TPM, ZR and GPA will alter the existing land use to enable future planned development for a commercial RV project. The TPM, ZR and GPA will enhance the character of the property, bringing existing buildings up to Building & Safety Code, and filling the Olancha Lake to create recreational opportunities. The site will utilize three preexisting permitted wells to supply the lake, and the applicant is working with the Inyo County Department of Environmental Health to design and upgrade the septic system that can accommodate the RV camping site.

General Plan: The proposed Tentative Parcel Map and zone reclassification necessitate a change to the General Plan land use designation of Residential Estate (RE) and Light Industrial (LI). The applicant is requesting a General Plan designation of Resort Recreational (REC). The current designation of RE does not allow for non-residential commercial uses, such as the proposed RV park. Changing the General Plan designation to REC will result in a 1-acre per

1/2.5 – 24 dwelling unit density that corresponds with the 80-acre lot size requirement of the proposed C5 zone. Clustering of residential units is encouraged, with density of developed area allowed up to 24 dwelling units per net acre. The REC designation is to be used in rural areas oriented toward tourist use, however, it also permits permanent residential use and public and quasi-public uses. This designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, *campgrounds*, *trailer parks*, restaurants, general stores, service stations, and similar and compatible uses. The REC designation is better suited to the proposed future use, providing commercial development and employment to the Olancha community. This would better align with Inyo County's goal to: "provide commercial land uses that adequately serve the existing and anticipated future needs of the community and surrounding environs." Three preexisting wells, for domestic water use, would be utilized. Drilling an additional well may be required. Septic systems for 5 cabins, showers, restaurant, store, and 95 RV spaces are currently being designed in coordination with the Inyo County Environmental Health Department, Lahontan Regional Water Quality Control Board, and the California Housing Community Development Agency. There are currently seven existing buildings cumulatively among the seven parcels being merged. Five of these structures will be converted into cabins for overnight rentals on the proposed recreational project. The merged, 80-acre parcel will have a density requirement of 1 camping/cabin space per acre; however, the General Plan stipulates that with clustering of dwelling units, densities of developed areas are allowed up to 24 dwelling units per net acre. This density is applied to projects, such as commercial RV parks and campgrounds, where the density ratio of camping/RV spaces-to-acreage is used, rather than residential units per acre. This change will allow for the proposed 95 RV spaces, 5 cabins, and 30 tent camping spaces.

Zoning: The proposed zone reclassification to C5-80 will result in an increase to the minimum lot size requirement that is currently 5-acres. The property is not currently in use and the C5-80 zoning designation, combined with the merger under the Tentative Map, would allow the owner/applicant to establish a commercial RV campground as a conditional use. The change in designation would not provide for additional future subdivisions. Additionally, the resulting single parcel will not create a situation where there could be as many single-family homes allowed as there are RV/camping spaces. The density and number of RV and tent camping spaces allowed is based on the commercial use of the RV park. Any future subdivision related to residential use and development would require an additional zone reclassification. It is in the public interest to have zoning designations match the uses on a parcel, and even more so to have zoning that matches an applicant's future plans for a parcel. This produces consistency between use and designation. TPM 422 is conditioned with first attaining the zone reclassification.

Subdivision: ICC Title 16 and the Subdivision Map Act (Government Code Section 66410 et seq.) regulate subdivisions. The proposed lot meets the applicable lot standards and design requirements specified in ICC Chapter 16.16, and the TPM meets the applicable preparation specifications identified in ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act. Due to the rural, undeveloped, nature of the area, staff recommends that the street and utility improvements required by ICC Section 16.40.010 be waived, as permitted. A condition of approval is included to require such improvements in the future if they become necessary.

Access: Access will be provided to the parcel/campground via US 395. A condition of approval is included to require that the applicant procure an encroachment permit from the Caltrans, District 9 before construction of the ingress/egress to the proposed project property.

Utilities and Public Services: The project site does not currently have complete utility provisions. LADWP will be providing electricity to the site and there are existing power poles on the property. The applicant is working with LADWP to create appropriate electrical designs for the project. Water is accessible with 3 existing wells. Wastewater will be received using septic systems that are still in the design phase. The required setbacks between structures, wells, septic systems, and property boundaries will be met, based on the current project plans. A condition of approval is included that requires the applicant to comply with well and septic permitting requirements and protocols set by the Inyo County Environmental Health Dept., Lahontan Regional Water Quality Board, and the California Housing Community Development Agency.

Fire

The project area is located within a Local Responsibility Area for fire protection services. The project meets the requirements of the Sub Division Map Act regarding Fire Districts as it located within the Olancha Community Service District that provides fire protection and suppression services.

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. Pursuant to SB 18 Tribes were invited to consult on this General Plan Amendment. In addition, this project is not exempted from CEQA analysis and required an Initial Study/Mitigated Negative Declaration. Consequently, pursuant to AB 52, Tribes received a written request to comment on the environmental document being produced for this project. Staff mailed SB 18 & AB 52 consultation invitations on October 31, 2019 to the following: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Cabazon Band of Mission Indians. No requests for consultation were received.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration has been completed to evaluate for environmental impacts. This application for a TPM, ZR, GPA, and CUP is for a property that is already disturbed, which includes a preexisting tennis court, seven built structures (cabins), and utility connections. However, the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations will be added to the proposed TPM, ZR, and GPA as Conditions of Approval for the project.

NOTICING & REVIEW

The application for TPM 422; ZR 2019-02; GPA 2019-01; and CUP 2020-03/ Olancha Lake RV have been reviewed by the appropriate County departments. The Inyo County Environmental Health Dept. has identified well and septic design issues that must be addressed for the proposed project to be compliant with County and State regulations. Completion of this additional project design work will be added as a Condition of Approval for the conditional use permit.

The notice for the project's public hearing was advertised in the *Inyo Register* on September 5, 2020 and the notice was mailed to property owners within 300-feet of the project location on September 4, 2020. No comments have been received by staff to date.

RECOMMENDATIONS

Planning Department staff is recommending:

1. The Planning Commission approve TPM 422 and certify the Initial Study and Mitigated Negative Declaration under CEQA.
2. The Planning Commission provide a recommendation that the Board of Supervisors approve General Plan Amendment 2019-01 and Zone Reclassification 2019-02/Olancha Lake RV and certify the Mitigated Negative Declaration under CEQA.
3. The Planning Commission approve CUP 2020-03/Olancha Lake RV and certify the Initial Study and Mitigated Negative Declaration under CEQA.

Recommended Findings and Conditions

TPM 422 - Findings:

1. Proposed TPM 422/Olancha Lake RV, an Initial Study and Mitigated Negative Declaration under CEQA, was conducted for the project and it was found that impacts will be less than significant with mitigations.

[Evidence: the proposed project will include 30 tent-camping sites, 95 RV camping spaces, 5 cabin rentals, a star gazing area, a tennis court, a restaurant, a skateboarding park, an amphitheater, a store, showers, and kayaking rentals for use on Olancha Lake. Although the property has already been disturbed (a preexisting tennis court, seven built structures, and water and septic connections), the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations will be added to the proposed TPM, ZR, GPA, and CUP as Conditions of Approval for the project.]

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is not in conformance with the Rural Residential Zoning designation currently found on the property; therefore, a condition of approval to change the Zoning designation to Commercial Recreation with a 80-acre minimum (C5-80) will be required for a Final Map. *[Evidence: Inyo County Code (ICC) Chapter 18.21.010 states the intent of the current RR zoning designation is to "provide suitable areas...for low density, single family...uses and estate uses where certain agricultural activities can be successfully maintained in conjunction with residential use..." This designation is for low density residential use, which does not align with the planned commercial use of the project. The Final Map will merge 7 parcels for a commercial campground, with 95 RV and 30 tent camping spaces;*

this planned commercial project will be out of compliance with ICC 18.21, the RR designation; therefore, the applicant is requesting a Zone Reclassification to Commercial Recreation with a 80-acre minimum (C5-80) as this designation best fits the project's planned use and will allow TPM 422 to be finalized. Once this condition is met, TPM 422 will be in conformance with the Zoning designation.]

3. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is not in conformance with the Inyo County General Plan designation of Rural Estate (RE) or Light Industrial (LI) that is currently found on the property and a condition of approval to change the General Plan designation to Resort Recreational (REC) will be required for a Final Map.

[Evidence: The RE designation provides for single-family dwellings with a density of 1 single-family dwelling per 5-acres, and the LI designation does not allow for any residential use. This does not correspond consistently with the requested C5 zoning. For consistency and compliance with the General Plan, the applicant is requesting a General Plan Amendment to change the designation from RE to REC. The REC designation is traditionally used in tandem with the C5 zoning designation. It allows for RVs and tent campgrounds, which are geared toward commercial rather than residential uses. Once this condition is met TPM 422 will be in conformance with the REC General Plan designation.]

4. Based on substantial evidence in the record, the Planning Commission finds that TPM 422, as conditioned, is in conformance with and the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.

[Evidence: Proposed TPM 422 is consistent with the requested C5 Zoning designation as the new parcel meets the development standards of a minimum parcel size and setback requirements of both respective zoning districts. The Tentative Map is being produced because more than four lots are being merged (16.52.070-E). The proposed single lot meets the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]

5. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

[Evidence: The project is consistent with the rural character of the surrounding area, is already developed and will not increase demands on public services and utilities. TPM 422 has been routed to appropriate County departments and the comments that were received have been addressed in the conditions of approval. The project is not expected to increase demands for fire protection services and is located within a local fire district.]

6. Based on the substantial evidence the Planning Commission finds that the provisions of Government Code 66474.02 have been met (fire Protection and suppression services).

[Evidence: The proposed commercial project is within a local fire district, which effectively exempts TPM 422 from 66474.02. TPM 422 has been routed to the local fire district in Olancha and no comments have been received.]

7. Based on substantial evidence in the record, the Planning Commission finds that the design of the merged lots or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.

[Evidence: The project will be accessed from US 395. This will require an encroachment permit from Caltrans to address project work within the State's right of way. Additional easements for water and sanitary services are not required as there are existing facilities that serve the property and no conflicts with existing easements have been identified.]

8. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

[Evidence: As indicated by the Initial Study and Mitigated Negative Declaration, the project will have impacts to ground water use, utilities (septic), storm water, with possible impacts to botanical and wildlife resources. Conditions of approval are included to ensure that the final map mitigates the above mentioned potential impacts. The proposed campground will be regulated as a public water system and has been evaluated by both the County's Environmental Health Department and the Lahontan Regional Water Quality board. Preconstruction surveys, on all suitable nesting habitats within the Project area, will be performed, no more than three (3) days prior to vegetation clearing or ground disturbance activities. The applicant will coordinate with their biologist, Inyo County, CDFW, and USFWS, following all relevant CDFW protocols, to determine what additional surveys and mitigation measures are needed to avoid impacts to Mohave ground squirrel, Desert Tortoise, and other plant and animal communities.]

9. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.

[Evidence: The site is already developed and the merger of parcels, and resulting campground project, does have potential to impact native botanical species and nesting bird species. Preconstruction surveys, on all suitable nesting habitats within the Project area, will be performed no more than three (3) days prior to vegetation clearing or ground disturbance activities. The applicant will coordinate with their biologist, Inyo County, CDFW, and USFWS, following all relevant CDFW protocols, to determine what additional surveys and mitigation measures are needed to avoid impacts to Mohave ground squirrel, Desert Tortoise, and other plant and animal communities.]

TPM 422 – Conditions of Approval:

- 1.) A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.

- 2.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 422/Olancha Lake RV or applicant's failure to comply with conditions of approval.
- 3.) Payment of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to recordation of the Final Parcel Map.
- 4.) The applicant shall complete ZR 2019-02/Olancha Lake RV changing the zoning designation on the proposed single Parcel from (RR-5) & (M2) to (C5-80) prior to recordation of the Final Parcel Map.
- 5.) The applicant shall complete a GPA 2019-01 changing the General Plan Designation from (RE) & (LI) to (REC) prior to recordation of the Final Parcel Map.
- 6.) The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all roads and utilities within and serving the parcel per applicable standards, as may be required by the County in the future.

GPA 2019-01 & ZR 2019-02/Olancha RV - Findings:

1. Based on the substantial evidence the Planning Commission recommends that the Board of Supervisors certify that General Plan Amendment 2019-01 and Zone Reclassification 2019-02/Olancha Lake are a Mitigated Negative Declaration under CEQA.
[Evidence: the proposed project has been analyzed for environmental impacts Under CEQA, which has resulted in a Mitigated Negative Declaration. As the CEQA lead agency, all mitigations required by the Initial Study, have been added as conditions of approval for the future RV/campground project. This application for a TPM is for a property that is already disturbed and includes no additional development proposals; the land use designations that are proposed will not result in more impactive uses.]
2. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2019-01/Olancha Lake RV and Zone Reclassification 2019-02/Olancha Lake RV are in conformance with the Goals and Objectives of the Inyo County General Plan.
[Evidence: The proposed designation of REC provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, and campgrounds. This designation is oriented towards commercial use, but does provide for permanent residential use, with a density (1 dwelling unit per 25-acres). Clustering of residential units is encouraged, which would increase the density of developed area to 24 dwelling units per net acre. This higher density is appropriate for the proposed 95 RV spaces, 30 campsite spaces, and 5 cabins and better corresponds to the proposed zoning designation, which is oriented around such commercial uses as campgrounds and RV parks.]

3. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2019-01/Olancha Lake RV and Zone Reclassification 2019-02/Olancha Lake RV are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

[Evidence: The proposed designation of C5-80 provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism, which corresponds to the proposed General Plan designation. The proposed zoning will not result in more potential parcels than could currently be subdivided from the property without these changes.]

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

[Evidence: The project is consistent with the rural character of the surrounding area and this request for a GPA and ZR will not allow for a development type that would change the character of the site or the surrounding area. The GPA and ZR will increase the potential for increased intensity or density on the site as it changes the parcel to C5-80, which allows for more intensity in use than do the current RR-5 and M2-2.5 designations. The property has three existing wells to meet the increase intensity of water use from the proposed lake and domestic water use for the campground. This commercial RV campground will be regulated as a public water system and be subject to the rules and constraints set by the Inyo Environmental Health Department, Lahontan Regional Water Quality Board, and California Housing Community Development Department. Additionally, septic systems are already in place on the property and will be redesigned and upgraded to meet the intensity of commercial use. This will be adequate for the planned commercial enterprise. Electricity services are also currently provided to the parcel, but will be upgraded for the proposed campground, although; electrical connections will not be provided for RV hookups.]

Recommendation: Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the design or proposed improvements are not likely to cause substantial impacts to public health, safety or welfare.

[Evidence: The proposed General Plan Amendment and Zone Reclassification will allow the current uses on the property to be consistent with the County's Zoning Ordinance by changing the zoning to match the future planned uses on the parcel and changing the General Plan to properly correspond with the zoning designation. The designation changes will allow for increased density and intensity of use on the property; however, this will not create substantial impacts to the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.]

CUP 2020-03/Olancha Lake RV – Findings

1. The proposed Conditional Use Permit is a Mitigated Negative Declaration under CEQA guidelines and the provisions of the California Environmental Quality Act have been satisfied.

[Evidence: The proposed project will include 30 tent-camping sites, 95 RV camping spaces, 5 cabin rentals, a star gazing area, a tennis court, a restaurant, a skateboarding park, an

amphitheater, a store, showers, and kayaking rentals for use on Olancha Lake. Although the property has already been disturbed (a preexisting tennis court, seven built structures, and water and septic connections), the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations have been added to the proposed CUP as Conditions of Approval for the project.]

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Resort Recreation (REC).
[Evidence: The proposed designation of REC provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, and campgrounds. This designation is oriented towards commercial use, but does provide for permanent residential use, with a density (1 dwelling unit per 25-acres). Clustering of residential units is encouraged, which would increase the density of developed area to 24 dwelling units per net acre. This higher density is appropriate for the proposed 95 RV spaces, 30 campsite spaces, and 5 cabins and better corresponds to the proposed zoning designation, which is oriented around such commercial uses as campgrounds and RV parks.]
3. The proposed Conditional Use Permit is consistent with the proposed RV park and campground, as stated in the provisions of the Inyo County Zoning Ordinance, which allow for RV parks and campgrounds in the REC, as a conditional use, following approval from the Inyo County Planning Commission.
[Evidence: Chapter 18.54.040-Conditional Uses (Commercial Recreation) allows for RV parks and campgrounds as a conditional use. The proposed designation of C5-80 provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism, which corresponds to the proposed General Plan designation. The proposed zoning will not result in more potential parcels than could currently be subdivided from the property without these changes.]
4. The proposed Conditional Use Permit is necessary or desirable.
[Evidence: The General Plan's Land Use Element states that the REC designation "provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism," which corresponds to the proposed General Plan designation. This project will help the County meet its goals to provide commercial land uses that adequately serve the existing and anticipated future needs of the community and surrounding environs (Existing Goal 3).]
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.
[Evidence: The project will not cause negative impacts on transportation or service facilities in the vicinity. Access will be provided to the parcel/campground via US 395. A condition of approval is included to require that the applicant procure an encroachment permit from the Caltrans, District 9 before construction of the ingress/egress to the proposed project property.]

6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.
[Evidence: As indicated by the Initial Study and Mitigated Negative Declaration, the project will have impacts to ground water use, utilities (septic), storm water, with possible impacts to botanical and wildlife resources. The proposed campground will be regulated as a public water system and has been evaluated by both the County's Environmental Health Department and the Lahontan Regional Water Quality board. Preconstruction surveys will be conducted to determine if additional mitigation is needed to lower the level of impacts to botanical & wildlife resources to a level below significance. The project has been evaluated by the Department of Building & Safety and Environmental Health and will not create impacts on the health or safety of persons living or working in the vicinity, nor will it be materially detrimental to the public welfare.]
7. Operating requirements necessitate the Conditional Use Permit for the site.
[Evidence: Use of the property for the purposes of the proposed project requires a conditional use permit per Inyo County Code Section 18.54.040(A)(C). Therefore, the conditional use permit is necessary for the continued operations at the site.]

CUP 2020-03; ZR 2019-02; GPA 2019-01/Olancha Lake RV – Conditions of Approval:

- 1) **Hold Harmless**
 The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2020-03; ZR 2019-02; GPA 2019-01/Olancha Lake RV. The County reserves the right to prepare its own defense.
- 2) **Compliance with the Zoning Code**
 Any changes to size or configuration of the commercial or residential components of this project shall require further review and potentially approval by the Inyo County Planning Commission.
- 3) **Compliance with County Code**
 The applicant/developer shall conform to all applicable provisions of Inyo County Code and State regulations. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.
- 4) **Light & Glare**
 The owner or his agent shall adhere to Inyo County's General Plan Visual Resources requirement (VIS-1.6-Control of Light & Glare), which requires all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and are fully shielded.

5) Noise

The owner or his agent shall post and enforce quiet hours on the campground (9pm – 7am)

6) Transportation

The owner or his agent shall obtain an encroachment permit from Caltrans, District 9 in order to access the proposed project using State right of way.

7) Water Quality & Waste Management

The applicant shall work with the Inyo Environmental Health Department, Lahontan Regional Water Quality Control Board, and the California Housing Community Development Department to ensure that all permitting and regulations, both County and State, are met for the project's proposed wells and septic systems.

8) Biological Resources

Botanical surveys shall be conducted for plants with blooming seasons outside the previous survey period (July 2019 & May 2020). These field surveys shall follow protocols set forth in the 'Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities' (CDFW 2018). As the Project has potential to support special-status species protected by federal and state laws [Fish & Game Code, §§ 711.7 (a) & 1802; PRC § 21070; CEQA Guidelines § 15386 (a), PRC § 21069; CEQA Guidelines, § 15381; Endangered Species Act Section 7(a)(2)], the applicant shall coordinate with CDFW & USFWS on the following surveys and provide the County with CDFW/USFWS' letter of compliance prior to construction:

- Mohave Ground Squirrel
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>)
- Desert Tortoise
(https://www.fws.gov/nevada/desert_tortoise/documents/manuals/Mojave%20Desert%20Tortoise_Pre-project%20Survey%20Protocol_2017.pdf)
- Plant & Natural Communities
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

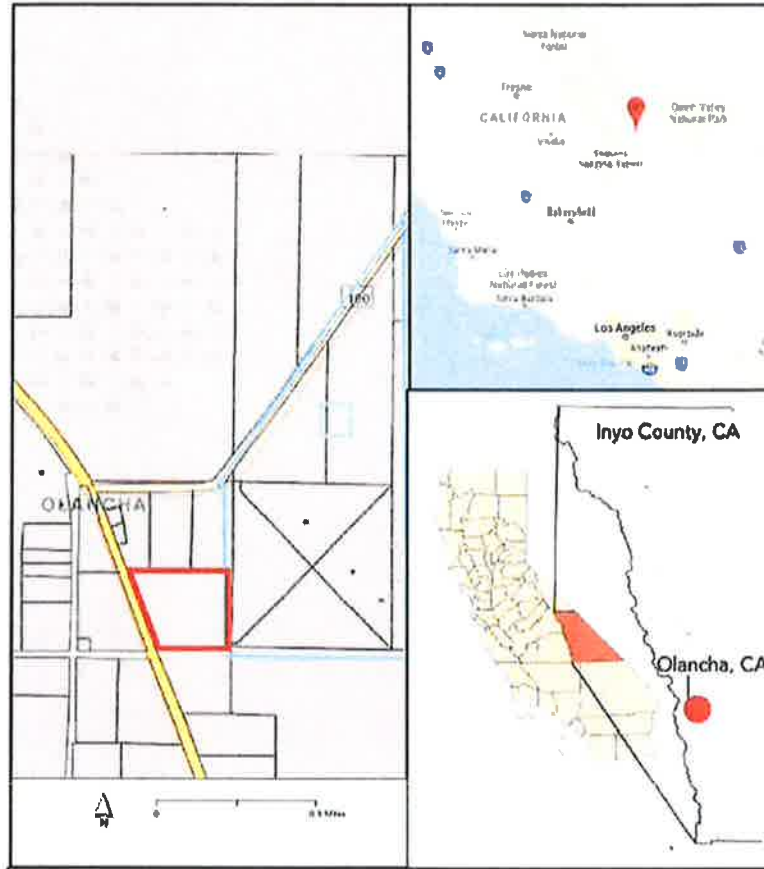
The applicant shall conduct focused pre-construction surveys on all suitable nesting habitats within the Project area, no more than three (3) days prior to vegetation clearing or ground disturbance activities, and provide the County Planning Department with the survey report and findings before any ground disturbing activities.

Attachments:

- Vicinity Map
- Site Map
- Draft Ordinance



Site Map



DRAFT ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2019-02/OLANCHA LAKE RV AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING AN 80.4-ACRE PARCEL LOCATED EAST OF THE COMMUNITY OF OLANCHA, (APNS 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, 033-080-37) FROM RURAL RESIDENTIAL WITH A 5-ACRE MINIMUM (RR-5) & LIGHT INDUSTRIAL WITH A 2.5 ACRE MINIMUM (M2-2.5) TO COMMERCIAL RECREATION WITH A 80-ACRE MINIMUM (C5-80)

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police power 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

Upon consideration of the material submitted, 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, OLANCHA LAKE, LLC applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Rural Residential with a 5-acre minimum (RR-5) & Light Industrial with a 2.5-acre minimum (M2-2.5) to Commercial Recreation with an 80-acre minimum (C5-80) as described in Section III of this Ordinance.
- (2) On September 23, 2020, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification No. 2019-02/Olancha Lake RV, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance to Commercial Recreation with a 80-acre minimum (C5-80).
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Olancha Lake LLC applied to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended from Residential

Estate (RE) to Resort Recreation (REC) to best match the requested zoning and the planned commercial recreational use on the property.

- (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.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the property to Commercial Recreation with a 80-acre minimum (C5-80) as it best matches the current and planned future uses on the property.

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 an 80.4-acre site as created by TPM 422 located east of the community of Olancho, south of State Route 190, CA (APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, 033-080-37) is changed from Rural Residential a 5-acre minimum (RR-5) & Light Industrial with a 2.5-acre minimum (M2-2.5) to Commercial Recreation with a 80-acre minimum (C5-60).

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 XXTH DAY OF JUNE, 2020.

AYES:

NOES:

ABSTAIN:

ABSENT:

Matt Kingsley, Chairperson
Inyo County Board of Supervisors

ATTEST:
Clint Quilter
Clerk of the Board

Attachment B
December 9, 2020 Notice of Decision



**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

NOTICE OF DECISION

December 9, 2020

Leedy Ying
12550 Whittier Blvd.
Whittier, CA 990602

SUBJECT: APPROVAL OF Zone Reclassification 2019-02; General Plan Amendment 2019-01; Tentative Parcel Map 422; Conditional Use Permit 2020-03/Olancha Lake RV

On September 23, 2020 the Inyo County Planning Commission considered the above action (ZR 2019-02; GPA 2019-01; TPM 422; CUP 2020-03/Olancha Lake RV), which would allow for a commercial RV and tent camping resort, located at 205 Highway 190 in Olancha, in Inyo County. After deliberation, the Commission voted to approve TPM 422 and CUP 2020-03, and voted to certify the land entitlements for the proposed future project as an Initial with Mitigated Negative Declaration under CEQA. The Commission also voted to recommend that the Board of Supervisors approve General Plan Amendment 2019-01 and Zone Reclassification 2019-02/Olancha Lake RV. On October 20, 2020, the Board of Supervisors voted to approve the Planning Commission's recommendations for a Zone Reclassification and General Plan Amendment. As a result, both the Inyo County Planning Commission and Board of Supervisors have APPROVED the four land entitlements, with the following Findings and Conditions of Approval:

Findings for TPM 422/Olancha Lake RV:

1. Proposed TPM 422/Olancha Lake RV, an Initial Study and Mitigated Negative Declaration under CEQA, was conducted for the project and it was found that impacts will be less than significant with mitigations.
[Evidence: the proposed project will include 30 tent-camping sites, 95 RV camping spaces, 5 cabin rentals, a star gazing area, a tennis court, a restaurant, a skateboarding park, an amphitheater, a store, showers, and kayaking rentals for use on Olancha Lake. Although the property has already been disturbed (a preexisting tennis court, seven built structures, and water and septic connections), the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations will be added to the proposed TPM, ZR, GPA, and CUP as Conditions of Approval for the project.]
2. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is not in conformance with the Rural Residential Zoning designation currently found on the property; therefore, a condition of approval to change the Zoning designation to Commercial Recreation with a 80-acre minimum (C5-80) will be required for a Final Map.

[Evidence: Inyo County Code (ICC) Chapter 18.21.010 states the intent of the current RR zoning designation is to "provide suitable areas...for low density, single family...uses and estate uses where certain agricultural activities can be successfully maintained in conjunction with residential use..." This designation is for low density residential use, which does not align with the planned commercial use of the project. The Final Map will merge 7 parcels for a commercial campground, with 95 RV and 30 tent camping spaces; this planned commercial project will be out of compliance with ICC 18.21, the RR designation; therefore, the applicant is requesting a Zone Reclassification to Commercial Recreation with a 80-acre minimum (C5-80) as this designation best fits the project's planned use and will allow TPM 422 to be finalized. Once this condition is met, TPM 422 will be in conformance with the Zoning designation.]

3. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is not in conformance with the Inyo County General Plan designation of Rural Estate (RE) or Light Industrial (LI) that is currently found on the property and a condition of approval to change the General Plan designation to Resort Recreational (REC) will be required for a Final Map.

[Evidence: The RE designation provides for single-family dwellings with a density of 1 single-family dwelling per 5-acres, and the LI designation does not allow for any residential use. This does not correspond consistently with the requested C5 zoning. For consistency and compliance with the General Plan, the applicant is requesting a General Plan Amendment to change the designation from RE to REC. The REC designation is traditionally used in tandem with the C5 zoning designation. It allows for RVs and tent campgrounds, which are geared toward commercial rather than residential uses. Once this condition is met TPM 422 will be in conformance with the REC General Plan designation.]

4. Based on substantial evidence in the record, the Planning Commission finds that TPM 422, as conditioned, is in conformance with and the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.

[Evidence: Proposed TPM 422 is consistent with the requested C5 Zoning designation as the new parcel meets the development standards of a minimum parcel size and setback requirements of both respective zoning districts. The Tentative Map is being produced because more than four lots are being merged (16.52.070-E). The proposed single lot meets the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]

5. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

[Evidence: The project is consistent with the rural character of the surrounding area, is already developed and will not increase demands on public services and utilities. TPM 422 has been routed to appropriate County departments and the comments that were received have been addressed in the conditions of approval. The project is not expected to increase demands for fire protection services and is located within a local fire district.]

6. Based on the substantial evidence the Planning Commission finds that the provisions of Government Code 66474.02 have been met (fire Protection and suppression services).

[Evidence: The proposed commercial project is within a local fire district, which effectively exempts TPM 422 from 66474.02. TPM 422 has been routed to the local fire district in Olancha and no comments have been received.]

7. Based on substantial evidence in the record, the Planning Commission finds that the design of the merged lots or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.

[Evidence: The project will be accessed from US 395. This will require an encroachment permit from Caltrans to address project work within the State's right of way. Additional easements for water and sanitary services are not required as there are existing facilities that serve the property and no conflicts with existing easements have been identified.]

8. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

[Evidence: As indicated by the Initial Study and Mitigated Negative Declaration, the project will have impacts to ground water use, utilities (septic), storm water, with possible impacts to botanical and wildlife resources. Conditions of approval are included to ensure that the final map mitigates the above mentioned potential impacts. The proposed campground will be regulated as a public water system and has been evaluated by both the County's Environmental Health Department and the Lahontan Regional Water Quality board. Preconstruction surveys, on all suitable nesting habitats within the Project area, will be performed, no more than three (3) days prior to vegetation clearing or ground disturbance activities. The applicant will coordinate with their biologist, Inyo County, CDFW, and USFWS, following all relevant CDFW protocols, to determine what additional surveys and mitigation measures are needed to avoid impacts to Mohave ground squirrel, Desert Tortoise, and other plant and animal communities.]

9. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.

[Evidence: The site is already developed and the merger of parcels, and resulting campground project, does have potential to impact native botanical species and nesting bird species. Preconstruction surveys, on all suitable nesting habitats within the Project area, will be performed no more than three (3) days prior to vegetation clearing or ground disturbance activities. The applicant will coordinate with their biologist, Inyo County, CDFW, and USFWS, following all relevant CDFW protocols, to determine what additional surveys and mitigation measures are needed to avoid impacts to Mohave ground squirrel, Desert Tortoise, and other plant and animal communities.]

Conditions of Approval-TPM 422:

1. A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.

2. The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 422/Olancha Lake RV or applicant's failure to comply with conditions of approval.
3. Prior to the recordation of the Final Parcel Map, all payments of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector.
4. Prior to recordation, all reports submitted by public utilities, emergency service entities, or other public agencies that serve the area, and have reviewed the Tentative Map, shall be reviewed by the Inyo Planning Department to determine whether they should be added to the Final Map in conformity with Title 16 of the Inyo County Code.
5. The applicant shall complete ZR 2019-02/Olancha Lake RV changing the zoning designation on the proposed single Parcel from (RR-5) & (M2) to (C5-80) prior to recordation of the Final Parcel Map.
6. The applicant shall complete a GPA 2019-01 changing the General Plan Designation from (RE) & (LI) to (REC) prior to recordation of the Final Parcel Map.
7. The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all roads and utilities within and serving the parcel per applicable standards, as may be required by the County in the future.

Findings for GPA 2019-01 & ZR 2019-02/Olancha Lake RV:

1. Based on the substantial evidence the Planning Commission recommends that the Board of Supervisors certify that General Plan Amendment 2019-01 and Zone Reclassification 2019-02/Olancha Lake are a Mitigated Negative Declaration under CEQA.
[Evidence: the proposed project has been analyzed for environmental impacts Under CEQA, which has resulted in a Mitigated Negative Declaration. As the CEQA lead agency, all mitigations required by the Initial Study, have been added as conditions of approval for the future RV/campground project. This application for a TPM is for a property that is already disturbed and includes no additional development proposals; the land use designations that are proposed will not result in more impactive uses.]
2. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2019-01/Olancha Lake RV and Zone Reclassification 2019-02/Olancha Lake RV are in conformance with the Goals and Objectives of the Inyo County General Plan.
[Evidence: The proposed designation of REC provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, and campgrounds. This designation is oriented towards commercial use, but does provide for permanent residential use, with a density (1 dwelling unit per 25-acres). Clustering of residential units is encouraged, which would increase the density of developed area to 24 dwelling units per net acre. This higher density is appropriate for the proposed 95 RV spaces, 30 campsite spaces, and 5 cabins and better corresponds to the

proposed zoning designation, which is oriented around such commercial uses as campgrounds and RV parks.]

3. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2019-01/Olancha Lake RV and Zone Reclassification 2019-02/Olancha Lake RV are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

[Evidence: The proposed designation of C5-80 provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism, which corresponds to the proposed General Plan designation. The proposed zoning will not result in more potential parcels than could currently be subdivided from the property without these changes.]

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

[Evidence: The project is consistent with the rural character of the surrounding area and this request for a GPA and ZR will not allow for a development type that would change the character of the site or the surrounding area. The GPA and ZR will increase the potential for increased intensity or density on the site as it changes the parcel to C5-80, which allows for more intensity in use than do the current RR-5 and M2-2.5 designations. The property has three existing wells to meet the increase intensity of water use from the proposed lake and domestic water use for the campground. This commercial RV campground will be regulated as a public water system and be subject to the rules and constraints set by the Inyo Environmental Health Department, Lahontan Regional Water Quality Board, and California Housing Community Development Department. Additionally, septic systems are already in place on the property and will be redesigned and upgraded to meet the intensity of commercial use. This will be adequate for the planned commercial enterprise. Electricity services are also currently provided to the parcel, but will be upgraded for the proposed campground, although; electrical connections will not be provided for RV hookups.]

Findings - CUP 2020-03/Olancha Lake RV:

1. The proposed Conditional Use Permit is a Mitigated Negative Declaration under CEQA guidelines and the provisions of the California Environmental Quality Act have been satisfied.

[Evidence: The proposed project will include 30 tent-camping sites, 95 RV camping spaces, 5 cabin rentals, a star gazing area, a tennis court, a restaurant, a skateboarding park, an amphitheater, a store, showers, and kayaking rentals for use on Olancha Lake. Although the property has already been disturbed (a preexisting tennis court, seven built structures, and water and septic connections), the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations have been added to the proposed CUP as Conditions of Approval for the project.]

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Resort Recreation (REC).

[Evidence: The proposed designation of REC provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, and campgrounds. This designation is

oriented towards commercial use, but does provide for permanent residential use, with a density (1 dwelling unit per 25-acres). Clustering of residential units is encouraged, which would increase the density of developed area to 24 dwelling units per net acre. This higher density is appropriate for the proposed 95 RV spaces, 30 campsite spaces, and 5 cabins and better corresponds to the proposed zoning designation, which is oriented around such commercial uses as campgrounds and RV parks.]

3. The proposed Conditional Use Permit is consistent with the proposed RV park and campground, as stated in the provisions of the Inyo County Zoning Ordinance, which allow for RV parks and campgrounds in the REC, as a conditional use, following approval from the Inyo County Planning Commission.

[Evidence: Chapter 18.54.040-Conditional Uses (Commercial Recreation) allows for RV parks and campgrounds as a conditional use. The proposed designation of C5-80 provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism, which corresponds to the proposed General Plan designation. The proposed zoning will not result in more potential parcels than could currently be subdivided from the property without these changes.]

4. The proposed Conditional Use Permit is necessary or desirable.

[Evidence: The General Plan's Land Use Element states that the REC designation "provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism," which corresponds to the proposed General Plan designation. This project will help the County meet its goals to provide commercial land uses that adequately serve the existing and anticipated future needs of the community and surrounding environs (Existing Goal 3).]

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

[Evidence: The project will not cause negative impacts on transportation or service facilities in the vicinity. Access will be provided to the parcel/campground via US 395. A condition of approval is included to require that the applicant procure an encroachment permit from the Caltrans, District 9 before construction of the ingress/egress to the proposed project property.]

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

[Evidence: As indicated by the Initial Study and Mitigated Negative Declaration, the project will have impacts to ground water use, utilities (septic), storm water, with possible impacts to botanical and wildlife resources. The proposed campground will be regulated as a public water system and has been evaluated by both the County's Environmental Health Department and the Lahontan Regional Water Quality board. Preconstruction surveys will be conducted to determine if additional mitigation is needed to lower the level of impacts to botanical & wildlife resources to a level below significance. The project has been evaluated by the Department of Building & Safety and Environmental Health and will not create impacts on the health or safety of persons living or working in the vicinity, nor will it be materially detrimental to the public welfare.]

7. Operating requirements necessitate the Conditional Use Permit for the site.

[Evidence: Use of the property for the purposes of the proposed project requires a conditional use permit per Inyo County Code Section 18.54.040(A)(C). Therefore, the conditional use permit is necessary for the continued operations at the site.]

Conditions of Approval-CUP 2020-03; ZR 2019-02; GPA 2019-01/Olancha Lake RV:

1) Hold Harmless

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2020-03; ZR 2019-02; GPA 2019-01/Olancha Lake RV. The County reserves the right to prepare its own defense.

2) Compliance with the Zoning Code

The allowance for any changes to size or configuration of the commercial or residential components of this project shall require further review and potentially approval by the Inyo County Planning Commission.

3) Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code and State regulations. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.

4) Light & Glare

The owner or his agent shall adhere to Inyo County's General Plan Visual Resources requirement (VIS-1.6-Control of Light & Glare), which requires all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and are fully shielded.

5) Noise

The owner or his agent shall post and enforce quiet hours on the campground (9pm – 7am)

6) Transportation

The owner or his agent shall obtain an encroachment permit from Caltrans, District 9 in order to access the proposed project using State right of way.

7) Water Quality & Waste Management

The applicant shall work with the Inyo Environmental Health Department, Lahontan Regional Water Quality Control Board, and the California Housing Community Development Department to ensure that all permitting and regulations, both County and State, are met for the project's proposed wells and septic systems.

8) Biological Resources

Botanical surveys shall be conducted for plants with blooming seasons outside the previous survey period (July 2019 & May 2020). These field surveys shall follow protocols set forth in the 'Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and

Sensitive Natural Communities' (CDFW 2018). As the Project has potential to support special-status species protected by federal and state laws [Fish & Game Code, §§ 711.7 (a) & 1802; PRC § 21070; CEQA Guidelines § 15386 (a), PRC § 21069; CEQA Guidelines, § 15381; Endangered Species Act Section 7(a)(2)], the applicant shall coordinate with CDFW & USFWS on the following surveys and provide the County with CDFW/USFWS' letter of compliance prior to construction:

- Mohave Ground Squirrel
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>)
- Desert Tortoise
(https://www.fws.gov/nevada/desert_tortoise/documents/manuals/Mojave%20Desert%20Tortoise_Pre-project%20Survey%20Protocol_2017.pdf)
- Plant & Natural Communities
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

The applicant shall conduct focused pre-construction surveys on all suitable nesting habitats within the Project area, no more than three (3) days prior to vegetation clearing or ground disturbance activities, and provide the County Planning Department with the survey report and findings before any ground disturbing activities.

If there are any questions regarding the above information, please contact the Planning office.

Respectfully,



Steve Karamitros
Senior Planner, County of Inyo

Attachment C
Board Order, October 20, 2020

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 20th day of October 2020 an order was duly made and entered as follows:

*Planning –
Ordinance
1260/GPA 2019-01
(Olancha RV)*

Assistant Planner Steve Karamitros introduced and explained a request for a zone reclassification for an 80-acre site located at 205 Highway 190 in the community of Olancha (APNs: 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03). No comments were received during the public hearing. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to: A) approve General Plan Amendment No. 2019-01/Olancha Lake RV changing the General Plan designation from Residential Estate (RE) to Resort Recreational (REC) to best match the requested zoning and current uses on the property; B) certify that the provisions of the California Environmental Quality Act (CEQA) have been met and make certain findings with respect to and approving Zone Reclassification No. 2019-02/Olancha Lake RV and General Plan Amendment No. 2019-01/Olancha Lake RV; and C) waive the reading of and approve an ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2019-02/Olancha Lake RV and amending the Zoning Map of the County of Inyo by rezoning an 80-acre Parcel located east of the community of Olancha (APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03) from Rural Residential with a 5-acre Minimum (RR-5) & Light Industrial with a 2.5-acre Minimum (M2-2.5) to Commercial Recreation with an 80-acre Minimum (C5-80)." Motion carried unanimously.

WITNESS my hand and the seal of said Board this 20th
Day of October, 2020

<i>Routing</i>
CC Purchasing Personnel Auditor CAO: Other: Planning DATE: October 21, 2020



CLINT G. QUILTER
Clerk of the Board of Supervisors

A handwritten signature in black ink, appearing to read "Clint G. Quilter".

By: _____



County of Inyo



Planning Department

TIMED ITEMS - ACTION REQUIRED

MEETING: October 20, 2020

FROM: Steve Karamitros

SUBJECT: Zone Reclassification (ZR) 2019-02/Olancha Lake RV; General Plan Amendment (GPA) 2019-01/Olancha Lake RV

RECOMMENDED ACTION:

Request Board:

- A) Conduct a public hearing on the following actions for an 80-acre site located at 205 Highway 190 in the community of Olancha (APNs: 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03):
- General Plan Amendment No. 2019-01/Olancha Lake RV changing the General Plan designation from Residential Estate (RE) to Resort Recreational (REC) to best match the requested zoning and current uses on the property; and,
 - a proposed ordinance (attached) titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2019-02/Olancha Lake RV and amending the Zoning Map of the County of Inyo by rezoning an 80-acre Parcel located east of the community of Olancha (APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03) from Rural Residential with a 5-acre minimum (RR-5) & Light Industrial with a 2.5-acre minimum (M2-2.5) to Commercial Recreation with an 80-acre minimum (C5-80);"
- B) Certify that the provisions of the California Environmental Quality Act (CEQA) have been met and make certain findings with respect to and approving Zone Reclassification No. 2019-02/Olancha Lake RV and General Plan Amendment No. 2019-01/Olancha Lake RV; and
- C) Waive the reading and approve the above referenced Ordinance approving Zone Reclassification No. 2019-02/Olancha Lake RV.

SUMMARY/JUSTIFICATION:

The applicant, Olancha Lake LLC (Leedy Ying), has applied for a Zone Reclassification (ZR) and General Plan Amendment (GPA) for seven parcels of land with APNs: 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-03 located at 205 Highway 190 in the community of Olancha (site and vicinity map attached). The applicant is also preparing a Tentative Parcel Map to merge all seven parcels since there are "more than four lots involved in the lot line adjustment" and therefore "a re-subdivision tentative map application required" (ICC 16.52.070). The single parcel, once combined, will total 80.4 acres. These properties are currently vacant. The property has only been used for low density residential and miscellaneous recreational activities. The applicant intends on using the property for a commercial RV and tent camping facility.

The property is surrounded by vacant and open space land, to the north, east and south, all of it privately owned. Directly to the west is a bridge building warehouse and materials staging area. Less than 0.25 miles west is the community of Olancho. The TPM, ZR and GPA will alter the existing land use to support the future planned development for a commercial RV project. The Inyo County Planning Commission approved the Conditional Use Permit on September 23, 2020 allowing for the proposed RV and tent camping resort. This proposed commercial recreational use includes 5 cabins for rent, 95 RV spaces, 30 camping spaces, a tennis court, showers, amphitheater, star gazing area, skate board park, restaurant, and store available to customers at the resort. The TPM, ZR and GPA will enhance the character of the property, bringing existing buildings up to Building & Safety Code, and filling the artificial sky lake to create recreational opportunities. The GPA and ZR will result in a 1-acre per 1/2.5 – 24 dwelling unit density that corresponds with the 80-acre lot size requirement of the proposed C5 zone. Clustering of residential units is encouraged, with density of developed area allowed up to 24 dwelling units per net acre. The proposed REC designation is used in rural areas oriented toward tourist use, while also permitting permanent residential use and public and quasi-public uses. This designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, campgrounds, trailer parks, restaurants, general stores, service stations, and similar and compatible uses.

Zoning: The parcels proposed for the ZR have zoning designations of RR-5.0-MH & M2-2.5, which prohibit commercial, recreational activities, such as RV parks and campgrounds. The applicant is requesting a change to Commercial Recreation with an 80-acre minimum lot size. Inyo County Code (ICC) Chapter 18.54 states the minimum standard parcel size for development is 5-acres; the parcel widths must be 350-feet; and the setback requirements are 25-feet for front, 20-feet for rear and sides yards. The merged parcel would meet the requirements of the C5 zone.

The change in designation would not provide for additional future subdivisions. Once the parcels are merged, the property will not have the potential to be subdivided. Additionally, the resulting single parcel will not create a situation where there could be as many single-family homes allowed as there are RV/camping spaces. The density and number of RV and tent camping spaces allowed is based on the commercial use of the RV park. Any future subdivision related to residential use and development would require an additional zone reclassification. It is in the public interest to have zoning designations match the uses on a parcel, and even more so to have zoning that matches an applicant's future plans for a parcel. This produces consistency between use and designation. The 80-acre minimum will eliminate the potential for the parcel to subdivide. The six parcels zoned RR could each be divided into between 2-3 separate parcels with each allowed to have private, noncommercial recreational facilities (including country clubs, swimming pools and golf courses) on them.

General Plan: The parcel's current General Plan Residential Estate (RE) and Light Industrial (LI) designation relates to the current zoning RR & M2. The proposal to change to the REC General Plan designation will result in it corresponding to the proposed C5 zoning. Zoning and General Plan consistency are required by the State and by the Inyo County Code meaning a zoning designation cannot be changed in a manner that causes it to no longer be compatible with the General Plan designation. In this circumstance, the ZR requires the GPA to be in compliance. The GPA will also result in the General Plan designation being aligned with the current uses and future vision for the property.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration has been completed to evaluate for environmental impacts. This application for a ZR and GPA is for a property that is already disturbed, which includes a preexisting tennis court, seven built structures (cabins), and utility connections. However, the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations have been added to the proposed ZR and GPA as Conditions of Approval for the project.

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. Pursuant to SB 18 Tribes were invited to consult on this General Plan Amendment. In addition, this project is not exempted from CEQA analysis and required an Initial Study/Mitigated Negative Declaration. Consequently, pursuant to AB 52, Tribes received a written request to comment on the environmental document being produced for this project. Staff mailed SB 18 & AB 52 consultation invitations on October 31, 2019 to the following: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Cabazon Band of Mission Indians. No requests for consultation were received.

BACKGROUND/HISTORY OF BOARD ACTIONS:

The application for GPA 2019-01/Olancha Lake RV and ZR 2019-02/Olancha Lake RV have been reviewed by the appropriate County departments with comments from the Department of Environmental Health regarding water and septic issues. Compliance with all County Environmental Health requirements relating to water quality, well permitting, and septic systems have been added to the ZR and GPA as Conditions of Approval.

The project was noticed in the Inyo Register pursuant to State and County requirements. No comments have been received by staff to date.

The Planning Commission held a Public Hearing on September 23, 2020, took public comment, and voted unanimously to recommend the Board Certify that the project is a Mitigated Negative Declaration under CEQA and to approve Zone Reclassification No. 2019-02/Olancha Lake RV and General Plan Amendment No. 2019-01/Olancha Lake RV.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Do NOT approve the requested actions.
- Return to staff with direction.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

The applicant provided fees to cover the costs of these actions.

ATTACHMENTS:

1. Draft Ordinance Zoning Reclassification Olancha Lake RV
2. Olancha Lake RV Vicinity Site Map

APPROVALS:

Steve Karamitros	Created/Initiated - 9/28/2020
Darcy Ellis	Approved - 9/29/2020
Steve Karamitros	Approved - 10/7/2020
Marshall Rudolph	Approved - 10/7/2020
Cathreen Richards	Approved - 10/7/2020
Darcy Ellis	Final Approval - 10/7/2020

ORDINANCE NO. 1260

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2019-02/OLANCHA LAKE RV AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING AN 80.4-ACRE PARCEL LOCATED EAST OF THE COMMUNITY OF OLANCHA, (APNS 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, 033-080-37) FROM RURAL RESIDENTIAL WITH A 5-ACRE MINIMUM (RR-5) & LIGHT INDUSTRIAL WITH A 2.5 ACRE MINIMUM (M2-2.5) TO COMMERCIAL RECREATION WITH A 80-ACRE MINIMUM (C5-80)

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police power 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

Upon consideration of the material submitted, 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, OLANCHA LAKE, LLC applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Rural Residential with a 5-acre minimum (RR-5) & Light Industrial with a 2.5-acre minimum (M2-2.5) to Commercial Recreation with an 80-acre minimum (C5-80) as described in Section III of this Ordinance.
- (2) On September 23, 2020, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification No. 2019-02/Olancha Lake RV, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance to Commercial Recreation with a 80-acre minimum (C5-80).
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Olancha Lake LLC applied to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended from Residential

Estate (RE) to Resort Recreation (REC) to best match the requested zoning and the planned commercial recreational use on the property.

- (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.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the property to Commercial Recreation with a 80-acre minimum (C5-80) as it best matches the current and planned future uses on the property.

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 an 80.4-acre site as created by TPM 422 located east of the community of Olancho, south of State Route 190, CA (APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, 033-080-37) is changed from Rural Residential a 5-acre minimum (RR-5) & Light Industrial with a 2.5-acre minimum (M2-2.5) to Commercial Recreation with a 80-acre minimum (C5-80).

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 20TH DAY OF OCTOBER, 2020.

AYES: -5- Supervisors Griffiths, Kingsley, Pucci, Tillemans, Totheroh

NOES: -0-

ABSTAIN: -0-

ABSENT: -0-



Matt Kingsley, Chairperson
Inyo County Board of Supervisors

ATTEST:
Clint Quilter
Clerk of the Board

Attachment 1

By: 
Darcy Ellis, Assistant



Site Map



PROOF OF PUBLICATION

(2015.5 C.C.P.)

This space is for County Clerk's Filing Stamp

STATE OF CALIFORNIA,
COUNTY OF INYO

2020 OCT 20 AM 9:00

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, And not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the
The Inyo Register

Proof of Publication of Public Notice

NOTICE OF PUBLIC HEARING/PROPOSED ORDINANCE ADOPTION

NOTICE IS HEREBY GIVEN the Inyo County Board of Supervisors will conduct a public hearing at 11 a.m. Tuesday, October 20, 2020 in the Board

of Supervisors Room, County Administrative Center, 224 N. Edwards St., Independence, on a proposed ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2019-02/Olancha Lake RV and Amending the Zoning Map of the County of Inyo By Rezoning an 80.4-Acre Parcel Located East of the Community of Olancha (APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, 033-080-37) From Rural Residential with a 5-Acre Minimum (Rr-5) & Light Industrial with a 2.5 Acre Minimum (M2-2.5) to Commercial Recreation with an 80-Acre Minimum (C5-80)."

A reading of the proposed ordinance will take place at 11 a.m. Tuesday, October 20, 2020 in the Board of Supervisors Room, County Administrative Center, 224 N. Edwards St., Independence, with adoption scheduled for immediately after.

The proposed ordinance re-zones seven parcels - APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-37 - located in Olancha, one-eighth of a mile east of U.S. Highway 395, abutting State Route 190 and U.S. Highway 395. Olancha Lake LLC is requesting a Zone Reclassification and General Plan Amendment as required in order to create the correct land use designations for the proposed commercial RV camping business. The properties are currently zoned Rural Residential & Light Industrial with General Plan designations of Residential Estate (RE) & Light Industrial (LI). The zoning designa-

tion would change to Commercial Recreation with 80-acre minimum (C5-80) and the General Plan designation to Resort Recreational (REC). The REC designation is intended for a mix of tourism-oriented commercial and residential uses. This RV/camping resort project will include 30 tent camping sites, 95 RV parking spaces, and five cabin rentals. The resort would include a tennis court, showers, store, amphitheater, star gazing area, and restaurant across the 80 acre parcel. On September 23, 2020, the Inyo County Planning held a public hearing and voted to recommend that the Board of Supervisors approve the change in land use designations.

Written comments may be filed with the Inyo County Board of Supervisors by delivery to the Assistant Clerk of the Board, County of Inyo Administrative Center, 224 N. Edwards St., Independence, CA 93526, by mailing to the Inyo County Board of Supervisors, P.O. Box N, Independence, CA 93526, or by email to the Assistant Clerk of the Board, dellis@inyocounty.us, so that the comments are received by the Board prior to the conclusion of the hearing. If you wish to challenge any finding, determination or decision made regarding this project in court, you may be limited to raising only the issues you or someone else raises at the public hearing described in this notice, or in written correspondence de-

livered prior to the hearing. The Board of Supervisors Chambers are currently closed to the public due to the COVID-19 pandemic. The public may participate in the hearing via Zoom at <https://zoom.us/j/868254781>. For more information, contact the Inyo County Planning Department at (760) 878-0405. (IR 10.10.2020 #20347)

County of Inyo

The Inyo Register has been adjudged a newspaper of general circulation by the Superior Court of the County of Inyo, State of California, under date of Oct. 5, 1953, Case Number 5414; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following date, to with:

October 10th,
In the year of 2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Bishop, California, on this
12th Day of October, 2020



Signature

Olancha Mailing List

CITY OF LOS ANGELES DWP
300 MANDICH ST
BISHOP, CA 93514

KENNETH CARPENTER
2261 LONGVIEW DR
BISHOP, CA 93514

MLH LLC
PO BOX 2611
APPLE VALLEY, CA 92307

PLH LLC
222 S 9TH ST #1600
MINNEAPOLIS, MN 55402

MASUMOTO TRUST
31 GRASSY KNOLL LN
RANCHO SANTA MARGARITA, CA 92688

THE MEYLEMANS TRUST
983 JUSTICE GRADE
HAGERMAN, ID 83332

ROBERT & MARSHA KLUGE TRUST
4803 SUNRISE HILLS DR
EL CAJON, CA 92020

GUS & NANCY NIEPAGEN
PO BOX 108
OLANCHA, CA 93549

BOHL JEFFREY P
PO BOX 69
OLANCHA, CA 93549

VASQUEZ CRAIG & CHARLENE 1/3
12001 SHOEMAKER AVE
SANTA FE SPGS, CA 90670



EL CAMINO SIERRA

BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526

TELEPHONE (760) 878-0373

e-mail: dellis@inyocounty.us

MEMBERS OF THE BOARD
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CLINT G. QUILTER
Clerk of the Board

DARCY ELLIS
Assistant Clerk of the Board

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A reading of the proposed ordinance will take place at 11 a.m. Tuesday, October 20, 2020 in the Board of Supervisors Room, County Administrative Center, 224 N. Edwards St., Independence, with adoption scheduled for immediately after.

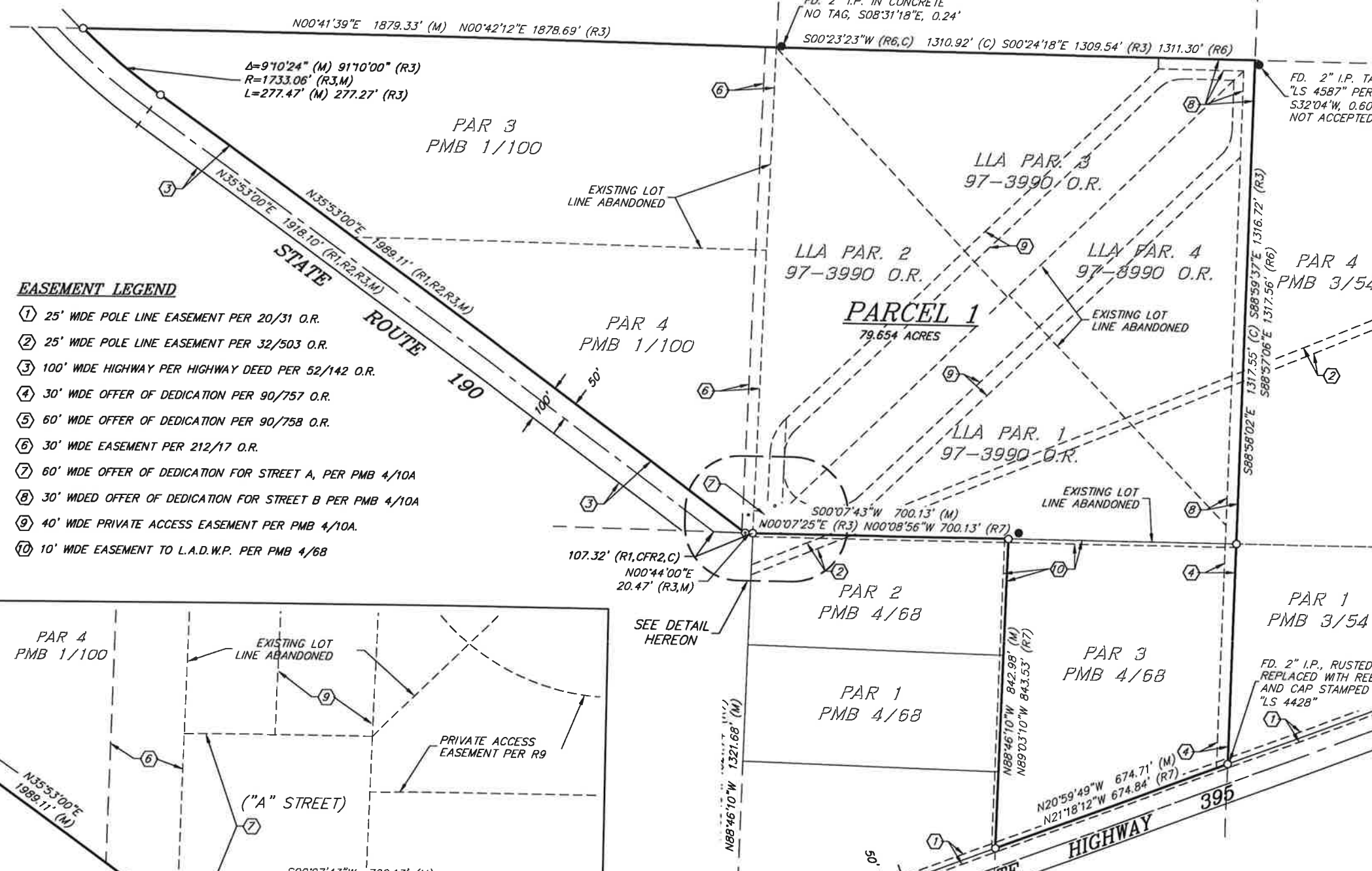
The proposed ordinance re-zones seven parcels – APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17, and 033-080-37 – located in Olancha, one-eighth of a mile east of U.S. Highway 395, abutting State Route 190 and U.S. Highway 395. Olancha Lake LLC is requesting a Zone Reclassification and General Plan Amendment as required in order to create the correct land use designations for the proposed commercial RV camping business. The properties are currently zoned Rural Residential & Light Industrial with General Plan designations of Residential Estate (RE) & Light Industrial (LI). The zoning designation would change to Commercial Recreation with 80-acre minimum (C5-80) and the General Plan designation to Resort Recreational (REC). The REC designation is intended for a mix of tourism-oriented commercial and residential uses. This RV/camping resort project will include 30 tent camping sites, 95 RV parking spaces, and five cabin rentals. The resort would include a tennis court, showers, store, amphitheater, star gazing area, and restaurant across the 80 acre parcel. On September 23, 2020, the Inyo County Planning held a public hearing and voted to recommend that the Board of Supervisors approve the change in land use designations.

Written comments may be filed with the Inyo County Board of Supervisors by delivery to the Assistant Clerk of the Board, County of Inyo Administrative Center, 224 N. Edwards St., Independence, CA 93526, by mailing to the Inyo County Board of Supervisors, P.O. Box N, Independence, CA 93526, or by email to the Assistant Clerk of the Board, dellis@inyocounty.us, so that the comments are received by the Board prior to the conclusion of the hearing. If you wish to challenge any finding, determination or decision made regarding this project in court, you may be limited to raising only the issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered prior to the hearing.

The Board of Supervisors Chambers are currently closed to the public due to the COVID-19 pandemic. The public may participate in the hearing via Zoom at <https://zoom.us/j/868254781>.

For more information, contact the Inyo County Planning Department at (760) 878-0405.

Attachment D
Tentative Parcel Map 422



EASEMENT LEGEND

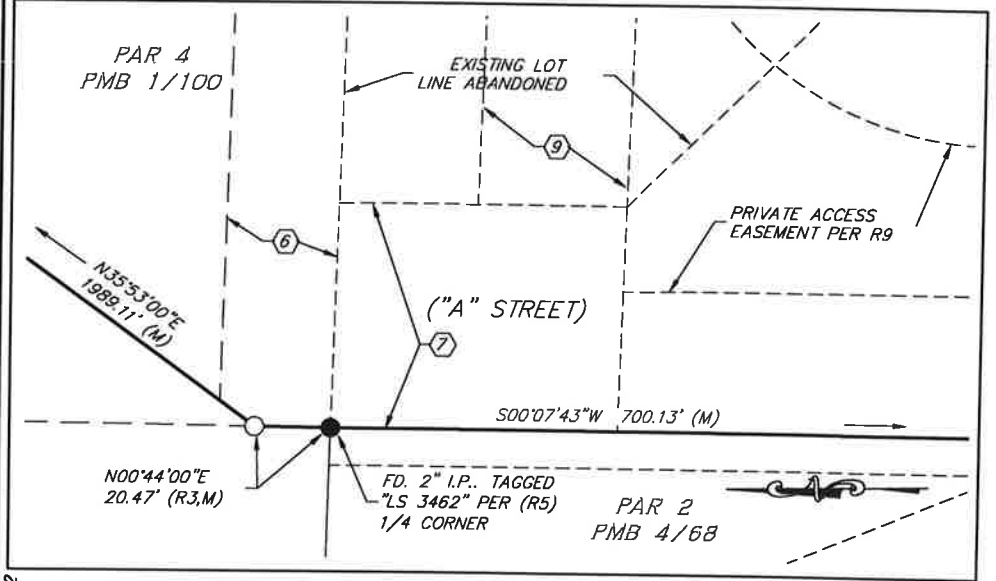
- ① 25' WIDE POLE LINE EASEMENT PER 20/31 O.R.
- ② 25' WIDE POLE LINE EASEMENT PER 32/503 O.R.
- ③ 100' WIDE HIGHWAY PER HIGHWAY DEED PER 52/142 O.R.
- ④ 30' WIDE OFFER OF DEDICATION PER 90/757 O.R.
- ⑤ 60' WIDE OFFER OF DEDICATION PER 90/758 O.R.
- ⑥ 30' WIDE EASEMENT PER 212/17 O.R.
- ⑦ 60' WIDE OFFER OF DEDICATION FOR STREET A, PER PMB 4/10A
- ⑧ 30' WIDE OFFER OF DEDICATION FOR STREET B PER PMB 4/10A
- ⑨ 40' WIDE PRIVATE ACCESS EASEMENT PER PMB 4/10A.
- ⑩ 10' WIDE EASEMENT TO L.A.D.W.P. PER PMB 4/68

RECORD INFORMATION:

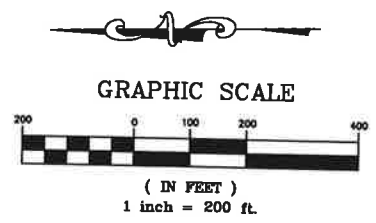
- (R1) HIGHWAY DEED RECORDED IN BOOK 52, PAGE 142 OF OFFICIAL RECORDS.
- (R2) ROAD SURVEY PER MAP RECORDED IN BOOK 4 OF RECORD OF SURVEYS AT PAGE 96.
- (R3) RECORD OF SURVEY PER MAP RECORDED IN BOOK 5 OF MAPS AT PAGE 4.
- (R4) RECORD OF SURVEY PER MAP RECORDED IN 10 OF RECORD OF SURVEYS AT PAGE 34
- (R5) PARCEL MAP NO. 218 PER MAP RECORDED IN BOOK 3 OF PARCEL MAPS AT PAGE 54
- (R6) PARCEL MAP NO. 275 PER MAP RECORDED IN BOOK 4 OF PARCEL MAPS AT PAGE 10
- (R7) PARCEL MAP NO. 324 PER MAP RECORDED IN BOOK 4 OF PARCEL MAPS AT PAGE 68

LEGEND:

- (R) RECORD
- (M) MEASURED
- (CFR) CALCULATED FROM RECORD
- I.P. IRON PIPE
- O.R. OFFICIAL RECORDS
- RSMB RECORD OF SURVEY MAP BOOK
- PMB PARCEL MAP BOOK
- C CALCULATED
- P PROPORTIONED
- CFR CALCULATED FROM RECORD
- FOUND MONUMENT AS DESCRIBED HEREON
- SET MONUMENT 5/8" REBAR WITH PLASTIC CAP STAMPED "LS 4428" UNLESS NOTED OTHERWISE



DETAIL
1"=30'



PARCEL MAP No. 422

IN THE UNINCORPORATED TERRITORY OF INYO COUNTY
STATE OF CALIFORNIA

BEING A LOT MERGER OF PARCELS 1, 2, 3 AND 4 OF LOT LINE ADJUSTMENT NO. 187, PER CERTIFICATE OF COMPLIANCE RECORDED NOVEMBER 12, 1997 AS INSTRUMENT NO. 97-3990 IN THE OFFICE OF THE COUNTY RECORDER, AND PARCELS 3 AND 4 OF PARCEL MAP NO. 80 RECORDED IN BOOK 1 OF PARCEL MAPS AT PAGE 100 AND PARCEL 3 OF PARCEL MAP NO. 324 RECORDED IN BOOK 4 OF PARCEL MAPS AT PAGE 68, IN THE OFFICE OF THE COUNTY RECORDER,

SEE SHEET 2