



Planning Commission  
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## NOTICE OF DECISION

January 22, 1996

Thomas Platz, R.C.E.  
Triad/Holmes Associates  
Post Office Box 1570  
Mammoth Lakes, CA 93546

Crystal Geysers Roxane  
Post Office Drawer A  
Olancho, CA 93549

**SUBJECT: Conditional Use Permit No. 96-10/Crystal Geysers Roxane**

Dear Mr. Platz:

On January 22, 1997 the Inyo County Planning Commission conducted a public hearing to consider the above application for a Conditional Use Permit to construct a 10,000 square foot warehouse and a 15,081 gallon drainage retention pond on a 2.88 acre leased portion of a 103.56 acre property in the M-2-10.0 (Light Industrial - 10 acre minimum) zone. The subject property is located north of the existing Crystal Geysers Roxane water bottling operation on the east side of U.S. Highway 395, one mile south of the community of Cartego (A.P. No. 33-470-06). After considering the report of staff and all oral and written comments received, the Planning Commission took the following actions:

- A. Based upon the Initial Study, Draft Mitigated Negative Declaration of Environmental Impact, and all oral and written comments received, adopt the Mitigated Negative Declaration and certify that the requirements of the California Environmental Quality Act (CEQA) have been satisfied.

*[Evidence: An Initial Study and Draft Mitigated Negative Declaration of Environmental Impact was completed pursuant to CEQA and circulated to the State Clearinghouse, all affected agencies and interested parties. The 30-day comment period expired on January 6, 1997, and no comments were received.]*

- B. Find that the project site is extensively disturbed and will not result in the loss of native vegetation of wildlife habitat. Any degradation of wildlife habitat which may result from this project will be less than significant and "de-minimus" in its impact of wildlife resources.

*[Evidence: Vegetation has been extensively disturbed on the subject property due to construction activity, groundwater extraction, grazing and agricultural activities. The project will have no impact on nearby remnant portions of the Mojave Riparian Forest Community.]*

C. Approved Conditional Use Permit No. 96-10/Crystal Geyser - Roxane subject to the following conditions:

**1. HOLD HARMLESS**

As a condition of approval of Conditional Use Permit No. 96-10/Crystal Geyser, the applicant/developer shall defend, indemnify and hold harmless Inyo County (County), and its agents, officers and employees from any claim, action or proceeding against the County, its agents, officers or employees to attack, set aside, void, or annul an approval of the County, its advisory agencies, appeals board or legislative body concerning Conditional Use Permit No. 96-10/Crystal Geyser. The County reserves the right to prepare its own defense.

**2. COMPLIANCE WITH COUNTY CODE**

The applicant/developer shall comply with all applicable provisions of Inyo County Code.

**3. ESTABLISHMENT OF USE**

This Conditional Use Permit shall become void unless the use is established or construction necessary to its establishment is diligently pursued within two years from the date of Planning Commission approval.

**4. EXPANSION OF USE**

Any expansion or alteration of the proposed use beyond that contained in the application and authorized herein shall require an amendment to this Conditional Use Permit

**5. CONFORMANCE WITH APPROVED PLOT PLAN**

All development authorized by this Conditional Use Permit shall be in conformance with the approved plot plan.

**6. GRADING PERMIT - APPROVED DRAINAGE PLAN REQUIRED**

Drainage shall be solved to the satisfaction of the Director of Public Works. A grading plan, in ink on mylar, signed by a registered California civil engineer and using actual grades from a surveyor's benchmark shall be submitted to the Public Works Department for approval. A topographic map of the area surrounding this development shall be made to establish existing drainage flow patterns. If the existing natural drainage flow of any adjoining parcel is across this development, a drainage easement shall be granted and drainage facilities provided for that property to the satisfaction of the Director of Public Works. A grading permit will be issued when the grading plan is approved by the Department of Building and Safety in compliance with this condition of approval.

**7. CULTURAL RESOURCES - COMPLIANCE WITH CULTURAL RESOURCE MANAGEMENT PLAN**

The December 14, 1995 Cultural Resource Management Plan: Crystal Geyser Roxane Bottling Plant Lease Area, Inyo County California (CRMP) by Archaeological Research Services, Inc. is hereby incorporated in its entirety by reference into the conditions of approval for this Conditional Use Permit. The CRMP's procedures for preparing for future construction, ground disturbance necessitated by emergencies, discovery of human remains and notification procedures, archaeological field methods, and reporting requirements are attached to the Initial Study and are required mitigation measures. Chapters 3.0 -7.4.2 of the CRMP are attached to ensure compliance by the applicant/developer in establishment of this Conditional Use Permit. The Inyo County Planning Department will provide qualified individuals an opportunity to review the CRMP in its entirety upon written request.

**8. COMPLIANCE WITH REQUIREMENTS OF THE OLANCHA COMMUNITY SERVICES DISTRICT**

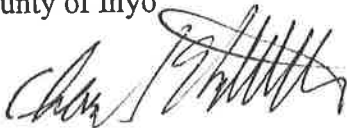
Prior to issuance of building permits, the applicant/developer shall comply with all statutory and District requirements as outlined in the Olancha Cartago Fire/Rescue letter of January 15, 1997 (attached).

These actions will become effective fifteen (15) days after the Planning Commission action. During that time, any interested person alleging error in any determination made by the Planning Commission may appeal all or any portion of this Variance and Tentative Parcel Map to the Inyo County Board of Supervisors after filing a written stating the basis for the appeal and making payment of three-hundred dollars to the Clerk of the Board (Chapter 18.81.030 of Inyo County Code).

If you have any questions regarding the Planning Commission's action, please contact this office.

Sincerely,

PETER CHAMBERLIN  
Director of Planning  
County of Inyo



by: Charles S. Thistlethwaite, AICP  
Senior Planner

cc: Michael Dorame - Supervisor, 5th District  
Jim Gooch, Inyo County Public Works Director  
Mike Conklin, Senior Building Inspector, Inyo County Building and Safety Department  
Steve Davis, Fire Chief, Olancha Cartago Fire/Rescue