

RESOLUTION NO. 2004- 11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING AND ADOPTING AMENDMENTS TO THE 2001 INYO COUNTY GENERAL PLAN GOALS AND POLICIES REPORT, SECTION 4.2, LAND USE, TO ALLOW FOR INCREASES, BY CONDITIONAL USE PERMIT, IN THE FLOOR AREA RATIO IN THE HEAVY COMMERCIAL/COMMERCIAL SERVICE, LIGHT INDUSTRIAL, AND GENERAL INDUSTRIAL LAND USE DESIGNATIONS, WHICH AMENDMENTS ARE COLLECTIVELY REFERRED TO AS GENERAL PLAN AMENDMENT # 2004-01, AND CERTIFYING THAT THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT HAVE BEEN MET WITH REGARD TO THAT ACTION

WHEREAS, on December 11, 2001, the Board of Supervisors adopted the Goals and Policies Report of the Inyo County General Plan (hereinafter referred to as the "General Plan"); and

WHEREAS, Section 65358 of California Government Code provides that a board of supervisors may amend all or part of an adopted General Plan if it deems it to be beneficial to the public interest; and

WHEREAS, on April 15, 2003, this Board of Supervisors adopted a Resolution and therein directed staff to initiate amendments to the General Plan to permit consideration of an increase in the allowable Floor Area Ratio (FAR) in specific land use designations; and

WHEREAS, pursuant to that directive Planning Department staff drafted proposed General Plan amendments, which read as follows (~~deleted language is struck through~~, *new language is in italics*):

Goal LU-3, Policy LU-3.3: Heavy Commercial/Commercial Service Designation (HC)

This designation provides for land extensive commercial, commercial services, and bulk storage and warehousing uses, public and quasi-public uses, and similar and compatible uses. ~~The FAR shall not exceed 0.40.~~ *The standard FAR for this designation is .40, but may be increased under certain circumstances with a Conditional Use Permit up to 1.0.* Residential uses in this designation shall be subject to discretionary review and approval. Residential densities shall be in the range of 7.6 to 24 dwelling units per net acre.

Goal LU-4, Policy LU-4.1: Light Industrial Designation (LI)

This designation provides for industrial parks, warehousing, light manufacturing, public and quasi-public uses, and similar and compatible uses where there are not significant air, odor, water, visual or hazard issues. ~~The FAR shall not exceed 0.50.~~ *The standard FAR for this designation is .50, but may be increased under certain circumstances with a Conditional Use Permit up to 1.20.*

Goal LU-4, Policy LU-4.2: General Industrial Designation (GI)

This designation provides for a full range of manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses with a high or heavy intensity of use where there is a potential for nuisance on surrounding land. ~~The FAR shall not exceed 0.50.~~ The standard FAR for this designation is .50, but may be increased under certain circumstances with a Conditional Use Permit up to 1.20, and,

WHEREAS, the Board of Supervisors also finds it is necessary to amend the Zoning Ordinance to achieve consistency with the General Plan, as amended hereby, and concurrently with the General Plan amendments approved herein will consider an ordinance amending the Zoning Ordinance (Title 18 of the Inyo County Code) to achieve that consistency; those amendments to the Zoning Ordinance would establish a definition of "Floor Area Ratio," and provide for an increase, by conditional use permit, in the allowable Floor Area Ratio in the C-4 Heavy Commercial, M-2 Light Industrial, and M-1 General Industrial and Extractive zoning districts in the County.

WHEREAS, this Board of Supervisors, via Section 15.12.040 of Inyo County Code, has designated the Planning Commission as the environmental review board for County-sponsored projects; and

WHEREAS, the Planning Commission has found that the potential environmental impacts of these General Plan and Zoning Ordinance amendments discussed above have been properly reviewed and analyzed, and that a Mitigated Negative Declaration of Environmental Impact concerning those amendments and impacts was prepared in compliance with the provisions of the California Environmental Quality Act; and

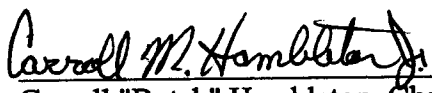
WHEREAS, the Board of Supervisors has considered whether these amendments are consistent with all other provisions in the General Plan and finds them to be so consistent, and also to be beneficial to the public interest; and

WHEREAS, the Board of Supervisors concurs with the finding of the Planning Commission that the Mitigated Negative Declaration of Environmental Impact is in compliance with all applicable provisions of the California Environmental Quality Act.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Inyo hereby approves and adopts General Plan Amendment No. 2004-01/Inyo County and the Mitigated Negative Declaration of Environmental Impact concerning that Amendment (Attachment A).

PASSED AND ADOPTED THIS 6th DAY OF APRIL 2004, by the following vote of the Inyo County Board of Supervisors:

AYES: Supervisors Arcualrius, Bear, Williams, Hambleton and Dorame
NOES: -0-
ABSTAIN: -0-
ABSENT: -0-


Carroll "Butch" Hambleton, Chairman

ATTEST:

René L. Mendez, Clerk of the Board of Supervisors

By 
Patricia Gunsolley, Assistant