

Agenda

County of Inyo Planning Commission

Board of Supervisors Room
Inyo County Administrative Center
Independence, California

FRANK STEWART
CAITLIN (KATE) J. MORLEY
TODD VOGEL
ROSS CORNER
SCOTT KEMP

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

Inyo County Planning Commission
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PLANNING DIRECTOR
PROJECT COORDINATOR
PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR
ASSISTANT COUNTY COUNSEL

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

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

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

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

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

December 6, 2017

10:00
A.M.

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.
4. **APPROVAL OF MINUTES** – Approval of minutes from the October 31, 2017 Planning Commission Meeting.
5. **NORTH SIERRA HIGHWAY CORRIDOR PLAN AND STRATEGIC/SPECIFIC PLAN** – Receive a presentation on the North Sierra Highway Final Corridor Plan and the North Sierra Highway Strategic/Specific Plan from the County's consultant on the project, RRM Design Group. After the presentation there will be an opportunity for the Public and the Planning Commission to comment on the Plans. Staff is requesting the Planning Commission provide a recommendation to the Board to approve the Final Corridor Plan. Links to the Plans are available at

Action
Item

Public
Hearing &
Action
Item

<http://inyoplanning.org/NorthSierraHighwayCorridorSpecificPlan.htm>

COMMISSIONERS' REPORT/COMMENTS

Commissioners to give their report/comments to staff.

PLANNING DIRECTOR'S REPORT

Planning Director, Cathreen Richards, will update the Commission on various topics.

CORRESPONDENCE – INFORMATIONAL

COUNTY OF INYO

PLANNING COMMISSION

MINUTES OF OCTOBER 31, 2017 MEETING

COMMISSIONERS:

FRANK STEWART
CAITLIN MORLEY
TODD VOGEL
ROSS CORNER
SCOTT KEMP

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SECOND DISTRICT
THIRD DISTRICT
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COUNTY ADMINISTRATOR
PROJECT COORDINATOR
COUNTY COUNSEL

The Inyo County Planning Commission met in regular session on Tuesday, October 31, 2017, in the Administration Building, in Independence, California. Commissioner Stewart opened the meeting at 10:00 a.m.

These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

ITEM 1: **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:00.

ITEM 2: **ROLL CALL** - Commissioners: Frank Stewart, Todd Vogel, Caitlyn Morley and Scott Kemp were present.

Staff present: Cathreen Richards, Planning Director; John Vallejo, County Counsel; Ryan Standridge, Project Coordinator; Steven Karamitros, Senior Planner; Tom Schaniel, Associate Planner; Josh Dan, Assistant Planner

Staff absent: Kevin Carunchio, County Administrator; Clint Quilter, Public Works Director

ITEM 3: **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that was not scheduled on the Agenda.

There was no one from the public that wished to comment on any planning subject that was not scheduled on the Agenda. Chair Stewart closed the public comment period at 10:01 A.M.

ITEM 4: **APPROVAL OF MINUTES (Action Item)** – Approval of Minutes from September 27, 2017, meeting of the Planning Commission.

MOTION: Moved by Commissioner Scott Kemp and seconded by Commissioner Todd Vogel to approve the Minutes from September 27, 2017.

The Motion passed 4-0.

ITEM 5: **ZONE TEXT AMENDMENT 2017-03/INYO COUNTY, ADDING CHAPTER 18.67 ENTITLED NON-GROUNDWATER NEUTRAL AGRICULTURAL USE OVERLAY DISTRICT TO THE INYO COUNTY CODE** – Inyo County is proposing a zone text amendment that will require Agricultural Uses within the Overlay District, that will adversely impact the groundwater basin, to have a Conditional Use Permit. The County’s Zoning Map will also be updated to include this Overlay District on the community of Pearsonville in the Indian Wells Valley Groundwater Basin within Inyo County.

Mr. Schaniel, Associate Planner, presented the staff report to the Commission.

Chairperson Stewart opened the Public hearing at 10:16 a.m.

Jeff Borders addressed the Commission with concerns about the seven day notice the county gives on public meeting items that can impact properties substantially. He also expressed his support for the overlay but requested his parcel remain rural residential and not be changed to open space as the map indicated.

Director Richards explained that no zone change would have occurred without the owner’s knowledge and the map may have had an error and that staff will look into it and get back to him.

The public hearing was closed at 10:21 a.m.

MOTION: Moved by Commissioner Vogel to approve the staff recommendations. Commissioner Kemp seconded the motion.

The Motion passed 4-0

ITEM 6: **SHIPPING CONTAINERS:** Receive a presentation from staff regarding storage and shipping containers on properties in the County; their status as accessory buildings; setback requirements; and, provide comment and direction to staff on the future of this use.

Mr. Dan, Assistant Planner, presented the staff report.

Chair Stewart suggested that the Planning Department would benefit from creating an ordinance specific to shipping containers. Commissioner Kemp agreed that development of a possible ordinance and further research would be a good start. Also, Commissioner Vogel suggested separate regulatory provisions for temporary shipping containers.

ITEM 7:

SHORT TERM VACATION RENTALS: On August 23, 2017 staff held a workshop with the Planning Commission to discuss Short Term Rentals in the County and review a discussion draft short term rental ordinance that was prepared based on what other jurisdictions have created and the comments collected at the community workshops. Based on the Commissioner's and public comments the discussion draft has been updated for review, comment, and potentially a recommendation from the Planning Commission to the Board of Supervisors for adoption.

Ms. Richards, Planning Director, presented the staff report.

Chairperson Stewart opened the Public hearing at 10:57 a.m.

Gary Schley addressed the Planning Commissioners expressing his disagreement of Items 3 and 4 in the Staff report and his opposition to the ordinance.

Ted Pedersen complimented staff on the preparation of the ordinance and asked the planning staff re-consider the parking requirements. If road parking is available it should be an option.

Gary Colbert brought forth a signed document requesting exclusion from his neighborhood allowing for short-term rentals. He expressed that he did not oppose the ordinance just exclude his neighborhood and require short-term vacations be on a ballot.

Ms. Richards explained that his description was much like an overlay. The overlay was not well received by the public in previous public meetings. A conditional use permit will be what is required. The conditional use allows for the surrounding 300ft neighbors to participate when a proposed short term rental has been applied for and taken before the planning commission.

Joan Lewis sought the commission to request staff revisit the ordinance with a more layman approach to writing the ordinance using hosted and non-hosted to clear up confusion. She also, asked for a limit on the number of rooms available for rent and limited the number of times they can rent.

Ms. Greenburg complimented staff on the preparation of the ordinance. Also, she acknowledged the potential revenue that could be brought to Inyo County.

Martin Powell endorsed the ordinance. He expressed moving forward with the ordinance that would allow for revenue to start coming to the county, and the ability to regulate the short term rentals.

Chairperson Stewart closed the Public hearing at 12:24 p.m.

Chairperson Stewart recognized that hosted versus vacation rental was confusing and suggested a change in the terms to hosted, and non-hosted.

Commissioner Kemp was appreciative of the public sharing their concerns as well as work completed by staff.

Commissioner Morley suggested adding a Frequently Asked Questions to the planning website to assist the public.

COMMISSIONERS' REPORT/COMMENTS –

Commissioner Stewart relayed Road department's staff report on the pine creek bridge replacement.

DIRECTOR'S REPORT-

Ms. Richards informed the Commission that the upcoming Cannabis Meetings are scheduled as follows: Nov 8th in the Olancho firehouse, Nov 14th Big Pine Town Hall, Nov 15th Bishop Cerro Coso Community College, Nov 17th Tecopa Community Center

ADJOURNMENT –

With no further business, Chair Stewart requested a motion to adjourn the meeting at 1:10 p.m., and for the Commission to reconvene in December, at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Motion by Commissioner Vogel to Adjourn.

Seconded by Commissioner Morley.

Motion passed 4-0

Prepared by:
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AGENDA ITEM NO. 5 (Action Item and Public Hearing)

**PLANNING COMMISSION
MEETING DATE:**

December 6, 2017

SUBJECT:

North Sierra Highway Final Corridor Plan,
North Sierra Highway Strategic/Specific
Plan

EXECUTIVE SUMMARY

Staff, and the project consultant team, RRM Design Group, have prepared the Draft North Sierra Highway Corridor Plan with funding from a Caltrans Sustainable Corridor Plan grant and have also prepared a Draft Strategic Plan for the North Sierra Highway area. Staff is asking the commission to receive a presentation on both plans, provide input, and potentially recommend to the Board of Supervisors approve the Corridor Plan.

PROJECT INFORMATION

Supervisory District: Districts 1, 2 & 3

Applicants: Inyo County

Landowners: Multiple

Address/

Community: Unincorporated Inyo County in Northern Bishop

A.P.N.: Multiple

Existing General Plan: Multiple, to be unchanged by this project

Existing Zoning: Multiple, to be unchanged by this project

Surrounding Land Use: Incorporated City of Bishop and Bishop Paiute Tribal Lands to the South and East, Undeveloped land, commercial development and residential development to the North, and undeveloped land and some commercial to the West.

Recommended Action:

Recommend that the Board of Supervisors:

1.) Review and approve the Final North Sierra Highway Corridor Plan.

Alternatives:

- 1.) Recommend modifications to the Corridor Plan.
- 2.) Recommend denial. This is not recommended as the approval of this non-binding plan allows the County to finalize the provisions of the Sustainable Corridor Plan Grant.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

BACKGROUND

In April of 2015, Caltrans awarded the County and the City of Bishop a grant to develop a Sustainable Corridor Plan over three years for the North Sierra Highway area that focused on transportation planning issues between the Wye/Main Street/Highway 6 intersection to Brockman Lane. With partnerships formed in the summer and fall of 2015, staff, at the Board's direction expanded the scope of this project to also include a Specific Plan for the land that is adjacent to the corridor in the same planning area. The work was divided into two phases, with Phase I consisting of preparation of a final Corridor Plan and a draft Specific Plan. Phase II would consist of creating a final Specific Plan that would include an Environmental Impact Report.

Once the contract with Caltrans was approved in November of 2015, a Request for Proposals for a consultant to assist with the Specific Plan and Corridor Plan was developed and processed in coordination with Caltrans, the City of Bishop, and the Bishop Paiute Tribe, and a contract was awarded to RRM Design Group in April of 2016. RRM Design Group along with County and City staff, have been working on Phase I of this project. A series of stakeholder meetings were conducted in May and July of 2016. A research project, consisting of gathering existing documents and studies that affect the area, along with on the ground research, was conducted through the summer of 2016. An Advisory Committee was formed, with Frank Stewart acting as the representative of the Planning Commission and Rick Pucci acting as the representative of the Board. The committee has acted as a review board, reviewing and providing input on documents such as the Opportunities and Restraints Report, an Infrastructure Report, an Environmental Constraints Analysis that were the product of the research phases of this project. Also, a strong public outreach component was conducted, primarily by encouraging the public to attend the Advisory Committee meetings. Three major public outreach workshops were held in July and October of 2016 and May of 2017. The consultants began design work in earnest after the October 2016 Charrette workshop on the draft Corridor and Specific Plans.

An administrative draft of the Corridor Plan was released by RRM in February of 2017, and reviewed by County and City of Bishop staff, Caltrans and Eastern Sierra Transit Authority (ESTA). Comments were compiled and used to revise the administrative draft plan into the North Sierra Highway Draft Corridor Plan. The Draft Corridor Plan was released in April of 2017, and was taken to the Advisory Committee and public in May of 2017. Presentations

were made to the Inyo County and City of Bishop Planning Commissions, the Bishop City Council and the Inyo County Board of Supervisors.

In the summer and early fall of 2017, staff and RRM worked to finalize the Corridor Plan and prepare the Strategic Plan, culminating the plans being submitted now for your review.

STAFF ANALYSIS

The main objectives of the Corridor Plan are to improve multi-modal transportation, improve public safety, foster vibrant and healthy communities and encourage environmental stewardship. Some of the main recommendations to help promote these objectives are:

- Infill sidewalk gaps along the corridor
- Infill bicycle lanes and generally upgrade bicycle lanes to buffered Class II bicycle lanes
- Provide multi-use trail systems to encourage off highway pedestrian, bicycle and equestrian travel routes
- Provide more protected crossings across the highway
- Encourage looking at the Wye and providing a more functional solution for that area
- Encourage a standardization of highway speeds of 35 miles per hour in the North Sierra Highway Corridor area.
- Expand and modernize of public transportation in the planning area.
- And funding opportunities to realize the above goals.

The draft Final Corridor Plan meets these objectives and specifies these recommendations, fulfilling the needs of the County and the City and the requirements of the Caltrans grant.

The Strategic Plan is a foundational document for a possible future Specific Plan. The Strategic Plan looks at some of the issues that would be part of a Specific Plan including mobility (largely built upon the Corridor Plan) and implementation strategies. Regarding Land Use, the Strategic Plan focuses on key Opportunity sites instead of the entire planning area, as it provides for a more complete, but limited look at opportunity sites versus a less complete but more broad look at the whole planning area. At this stage of the overall planning effort this seemed to be the best alternative to move forward into the Specific Plan. A more comprehensive evaluation can be conducted during the Specific Plan process if the Board decides to move forward with it.

General Plan Consistency

General Plan Chapter 7, Circulation Element: The Corridor Plan is consistent with the goals of the General Plan, as it works toward many of the Goals and Policies of Chapter 7, particularly Policy RH-1.2 Transportation Systems Management Projects; Policy RH-1.3 Safer Truck Transportation; Policy RH-1.4 Level of Service; Policy RH-1.5 Proper Access; Policy RH-1.6 Minimize Environmental Impact; Policy RH-1.7 Maximize State and Federal Funds; RH-2.1 Improve U.S. 395 in Sections; Policy PT-1.1 Transit Facilities; Policy PT-1.3 Public Transit Accessibility; Policy PT-1.4 Develop Long-Range Transit Plans; PT-1.5 Consider Long-Range Transit Plans; Policy PT-1.7 Promote Public Transportation; Policy BT-1.1 Consider the Non-Motorized Mode in Planning; Policy BT-1.2 Bikeway and Trail System in the Region; Policy BT-1.3 Multi-Modal Use

of Road and Highway System; BT-1.4 Minimize Cyclist/Motorist Conflicts; Policy OCT-1.1 Adequate Allocation of Parking; and Oct-1.2 Park-and-Ride Facilities.

The Strategic plan might possibly be used to develop a Specific Plan for the area. Generally it is in compliance with the existing General Plan, but full future implementation of a Specific Plan will create a planning document for the North Sierra Highway Planning Area that is more comprehensive and detailed than the General Plan is for the land use issues of the project area.

Zoning Ordinance Consistency

The Corridor Plan does not involve any proposed changes to the Zoning Code and is consistent with the zoning code. The only land-use issue relating to the Corridor Plan is the need for infill parking, particularly to replace some of the marginal on-street parking along North Sierra Highway between Barlow and See Vee Lane. Possible future projects in the area will have to be looked at on a case by case basis for Zoning Code consistency, and, if required, the zoning code will need to be updated to allow for infill parking. Most sites likely to be considered, however, are currently zoned to allow for public parking lots.

Development Standards

The Corridor Plan proposes no changes to the existing development standards in any portion of the Zoning Code (Inyo County Code, Title 18). The Strategic Plan is a possible first step towards development of a Specific Plan for the North Sierra Highway Project area. The Specific Plan would most likely involve area specific development standards, however, those standards are not directly addressed in the Corridor Plan, except in a very preliminary way.

ENVIRONMENTAL REVIEW

CEQA Guidelines, Section 15262 Feasibility and Planning Studies: “A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities.” The Corridor Plan, outlines specific projects that when/if are implemented have legal requirements for zone changes and CEQA review. Any planning objectives, if implemented, will require their own CEQA evaluation at the time of that project.

RECOMMENDATIONS

Staff recommends the Planning Commission make certain findings and make a recommendation to the the Board of Supervisors to consider the North Sierra Highway Corridor Plan, make certain findings, and approve North Sierra Highway Corridor Plan, completing the County and City’s obligations under the Caltrans Sustainable Corridor Plan Grant.

Recommended Findings

1. This proposed ordinance is covered by the CEQA Section 15262, Feasibility and Planning Studies

[Evidence: A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities.]

2. Subsequent projects once this ordinance is in effect will be reviewed under CEQA on a project by project basis.

[Evidence: Future projects based upon the direction and recommendations of this plan will require their own compliance with CEQA on a project by project basis.]

3. Based on substantial evidence in the record, the Corridor Plan is consistent with the Goals and Policies of the Inyo County General Plan.

[Evidence: The Corridor Plan is consistent with Chapter 7 of the Inyo County General Plan and helps to further many of the goals outlined in that chapter.]

4. Based on substantial evidence in the record, the Corridor Plan is consistent with Title 18 (Zoning Ordinance of Inyo County Code).

[Evidence: The Corridor Plan proposal will not directly change Title 18, and if fully implemented, will be generally consistent with Title 18. It is possible that minor elements might require Zone Reclassification, but those would be on a project by project basis at implementation.]

ATTACHMENTS

- Draft Final North Sierra Highway Corridor Plan
- Draft North Sierra Highway Area Strategic Plan