

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO,
STATE OF CALIFORNIA, ADDING CHAPTER 18.44, ENTITLED “CB DISTRICT -
CENTRAL BUSINESS,” TO THE INYO COUNTY CODE.**

The Board of Supervisors of Inyo County ordains as follows:

SECTION I: PURPOSE.

The Inyo County General Plan has designated certain areas of the County as Central Business Districts. There currently is no zone in Title 18 of the Inyo County Code (Zoning) that corresponds with the General Plan designation and that permits all of the central business uses. This ordinance is intended to create a new zoning district, the Central Business District. Additionally, this ordinance is intended to apply the newly created Central Business District to those properties identified in the General Plan as comprising the Central Business Districts.

SECTION II: AUTHORITY.

This Ordinance is enacted pursuant to the police power of this Board of Supervisors, Government Code § 65850, which empowers this Board to create ordinances to regulate the use of buildings, structures and land in the County, and by Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establish the procedure for the Board of Supervisors to enact changes to the Inyo County Zoning Ordinance, set forth in Title 18 of said code.

SECTION III: ADD CHAPTER 18.44 TO INYO COUNTY CODE.

Chapter 18.44 is added to Title 18 of the Inyo County Code, to read as follows:

Chapter 18.44

CB District – Central Business

18.44.010 Intent.

The purpose of the CBD zoning district is to designate areas for a variety of small commercial retail, service, and offices uses, mixed use, as well as multi-family. This

zoning district implements the General Plan Central Business District Land Use Designation.

18.44.020 Permitted Uses.

The following principle uses are permitted in the CB district, plus such other uses as the Planning Director may deem to be similar and not detrimental to other uses permitted in this zone, subject to Section 18.81.020:

- A. Auto Repair Business
- B. Church/Community Assembly
- C. General Hospital/Medical Services
- D. Libraries and Museums
- E. Banks and Financial Services
- F. Business Support Services
- G. Indoor Entertainment
- H. Eating/Drinking Establishments
- I. Food and Beverage Sales, Including Liquor
- J. Hotels and Motels (including Bed & Breakfasts)
- K. Office - Business, Professional, and Medical
- L. Personal Services
- M. Retail Sales/Rentals
- N. Specialized Education and Training
- O. Bus and Transit Shelters
- P. Parking Lots/Park & Ride Lots
- Q. Gas Stations
- R. Public & Quasi-Public Buildings
- S. Mixed Use

18.44.030 Conditional Uses

The following are conditional uses in the CB district, and shall be permitted only if approved by the Planning Commission:

- A. Public utility facility or substation, not including any service yard or repair shop.
- B. Mortuary
- C. Combination signs, electronic signs, informational kiosks and directory boards, off-site directional signs, off-site advertising signs not exceeding 50 square feet in sign area, tall wall signs, and three-dimensional signs in compliance with the provisions of Chapter 18.75 and subject to the requirements of Section 18.44.050.
- D. Multiple-family dwellings.
- E. A detached residential dwelling unit, if it is for occupancy by the owner or lessee of the business premises on the same parcel, or by a caretaker or watchman.
- F. Child Care

- G. Any permitted use when combined with or involving any outdoor display of goods, outdoor seating, or outdoor business activity.

18.44.040 Accessory Uses

- A. Emergency housing, in conformance with the policies stated in the Housing Element of the Inyo County General Plan.
- B. Signs and advertising for permitted, accessory or conditional uses in compliance with the provisions of Chapter 18.75 and subject to the requirements of Sections 18.44.050.

18.44.050 Development Standards

The following are minimum standards for development in the CB zone, except as otherwise provided in this title or as modified for conditional uses:

- A. Maximum height of buildings:
 - 1. Principle buildings; 3 stories or 40 feet.
 - 2. Accessory buildings; two stories or 25 feet
- B. Minimum parcel size, ten thousand square feet.
- C. Parcel width; 50 feet;
- D. Front yard; zero;
- E. Rear yard; zero;
- F. Side yard; zero;
- G. Density:
 - 1. 7.6 – 24.0 dwelling units/acre
 - 2. Maximum Floor Area Ratio; 1.0
- H. Off-street parking required: One parking space for each 400 square feet of usable floor area, or as determined by Planning Director. Parking will be located on-site, except as approved by Planning Director.
- I. Residential Adjacency Exceptions: Where a parcel abuts a residentially zoned parcel and no public right-of-way for a street or alleyway lies between the central business and residentially zoned parcels, the following standards apply to the lot line that is common to the central business and residentially zoned parcels):

Rear Yard Setback:	Same as is required for residential parcel
Side Yard Setback:	Same as is required for residential parcel
Building Height:	Average of what is required for residential parcel & what is required of commercial parcel
- J. Existing Parcel Size: Notwithstanding paragraph B of this section, parcels with an area of less than 10,000 square feet that exist on creation of this Chapter 18.44 comply with the minimum parcel size standard of this chapter.

SECTION IV: AMEND INYO COUNTY CODE CHAPTER 18.06

Chapter 18.06 of the Inyo County Code is amended by the addition of Section 18.06.382:

18.06.382 Mixed Use

“Mixed use” means a residential use in a building where a commercial use exists on the ground or lower levels of the building and the residential use exists on the levels above, or to the rear of, the commercial use. Mixed use requires that a minimum of 50% of the usable floor area on the ground level must be utilized for commercial use.

SECTION V: AMEND INYO COUNTY CODE SECTION 18.03.060

Inyo County Code Section 18.03.060 is amended by the addition of the following line below “RMH, Single Residence or Mobilehome Combined”:

CB, Central Business;

SECTION VI: AMEND INYO COUNTY CODE SECTION 18.75.100

Section 18.75.100 of the Inyo County Code is amended by replacing the first sentence of subsection C with the following:

C. The amount of signage on any commercially zoned (CB, C-1, C-2, C-3, C-4 and C-5 districts) lot is permitted as follows:

SECTION VII: AMEND INYO COUNTY CODE SECTION 18.75.110

Section 18.75.110 of the Inyo County Code is amended by replacing subsection B with the following:

B. In the OS, CB, C-1, C-2, C-3, C-4, C-5, M-2, M-1 and P zones, no sign shall exceed twenty-five feet in height, except billboards under an approved conditional use permit.

SECTION VIII: AMEND INYO COUNTY CODE SECTION 18.75.120

Section 18.75.120 of the Inyo County Code is amended by the addition of a column in the chart entitled Permitted Signs by Zoning Designation. The column shall be added directly following the column with a heading of R-3, to read as follows:

CB
P
P
NA
P
P
P
P
P
P
CUP
P
P
P
P
CUP
NA
P
P
PDR
CUP
P
P
P
P
P
CUP
CUP
P
P
P
PDR
P
P
P
P
P
P
CUP
PDR
CUP
P
NA
P
P

SECTION IX: 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 properties within the boundaries of the General Plan-defined Central Business District (CBD), as described in Exhibit A to this Ordinance, are changed to Central Business (CB).

SECTION X: SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the remaining portion of this Ordinance. This Board of Supervisors hereby declares that it would have enacted this Ordinance and every section, subsection, sentence, clause, or phrase hereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or otherwise invalid.

SECTION XI: 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 _____ day of _____, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Bilyeu, Chairperson
INYO COUNTY BOARD OF SUPERVISOR

ATTEST: Ronald J. Juliff
Clerk of the Board

BY: _____
Patricia Gunsolley, Assistant Clerk

