

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF INYO, STATE OF CALIFORNIA, FINDING THE
PROPOSED PROJECT EXEMPT FROM THE REQUIREMENTS OF
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND
MAKING CERTAIN FINDINGS WITH RESPECT TO AND
APPROVING ZONE TEXT AMENDMENT NO. 2017-04 INYO
COUNTY**

WHEREAS, the County of Inyo (“County”) desires to add a chapter to the Inyo County Code Title 18 (Zoning) relating to short-term rental of residential property; and

WHEREAS, the County intends to regulate short-term rentals where the owner inhabits the dwelling unit concurrently with the transient renter(s) differently than for short-term rentals where the owner does not concurrently inhabit the dwelling unit with the transient renter(s); and

WHEREAS, the purpose of this ordinance is to provide the requirements and standards for the establishment and operation of short-term rentals within the unincorporated areas of Inyo County. The establishment of these regulations will help ensure that short-term rental activities do not become a nuisance or threaten the public health, safety, or welfare due to excessive noise, disorderly conduct, overcrowding, traffic congestion, illegal parking, the accumulation of refuse, and other effects related to short-term rental activities; and,

WHEREAS, the establishment of these regulations will further provide a balance between the distinct public welfare interests of protecting the availability of long-term housing and enhancing the economic value of real estate and the local economy; and,

WHEREAS, the Inyo County Board of Supervisors, through Inyo County Code (ICC) Section 15.12.040, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines, which is responsible for the environmental review of all County projects; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), the proposed ordinance is covered by the General Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and,

WHEREAS, projects subsequent to this ordinance will be pursuant to CEQA Guidelines Section 15301 Existing Facilities Class 1, as Short-term Rentals are defined as a means to provide transient lodging in an existing dwelling unit in the One Family and

Single Residence Residential, Rural Residential, Rural Residential-Starlite and Open Space Zones, and will involve negligible or no expansion of an existing use, proposals as such fall into the Categorical Exemption Class 1 Existing Facilities (15301) and a Notice of Exemption should be filed; and

WHEREAS, on October 31, 2017, following a noticed public hearing the Inyo County Planning Commission recommended that this Board of Supervisors:

1. Certify that the proposed project is exempt from the requirements of the California Environmental Quality Act.
2. Make certain findings with respect to and approve Zone Text Amendment 2017-04/Short-Term Rental of Residential Property, based on all of the information in the public record and on the recommendation of the Planning Commission; and

WHEREAS, pursuant to that recommendation, this Board of Supervisors held a public hearing on February 6, 2018, and considered all written and oral testimony presented concerning Zone Text Amendment No. 2017-04/Short-Term Rental of Residential Property.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comment and input received at the February 6, 2018 hearing, including the Planning Department Staff Report, this Board of Supervisors makes the following findings:

RECOMMENDED FINDINGS

1. The proposed ordinance is covered by the General Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
2. Projects subsequent to this ordinance will fall into the Categorical Exemption Class 1: Existing Facilities (15301) and a Notice of Exemption should be filed.
3. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.
4. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

BE IT FURTHER RESOLVED, that the Board of Supervisors of Inyo County, State of California, does hereby declare that it has considered Zone Text Amendment

2017-04/Short-Term Rental of Residential Property, which reflects the independent judgment of this Board and which complies with CEQA.

PASSED AND ADOPTED THIS FEBRUARY 13, 2018

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Totheroh, Chairperson
Inyo County Board of Supervisors

ATTEST:

KEVIN CARUNCHIO
Clerk of the Board

By _____
Darcy Ellis, Assistant