



**CITY OF BISHOP**  
377 West Line Street - Bishop, California 93514  
P. O. Box 1236 - Bishop, California 93515  
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**Draft Negative Declaration of Environmental Impact**

**Date:** February 1, 2011

**Subject:** Emergency Shelter Combining Zoning Ordinance

**Project Title:** Environmental Review / Emergency Shelter Combining Zoning Ordinance

**Project Proponent:** City of Bishop  
P.O. Box 1236  
Bishop, CA 93515

**Project Location:** The City of Bishop

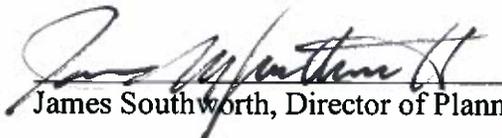
**Project Description:** The City of Bishop is proposing an amendment to the Zoning Regulations and official Zoning District Map to include a definition for "Emergency Shelter," an Emergency Shelter overlay zone, and standards for emergency shelters.

**Proposed Findings:** The Initial Study finds that the proposed project would not have a significant adverse impact on the environment for the following reasons:

- The information provided in this Initial Study indicates that there would be no significant cumulative impacts, or substantial adverse impacts on human beings, or substantial adverse impacts on fish or wildlife or sensitive species or cultural resources. No significant adverse impacts are foreseen, and no mitigation measures are required.

The City of Bishop has determined that the project could not have a significant effect on the environment, and a Negative Declaration will be prepared. This Initial Study has been prepared to generally describe the proposed project and solicit input from agencies and the public regarding the scope of the proposed project.

The review period for this Draft Negative Declaration expires: March 14, 2011. In order to meet State requirements for consideration of this Ordinance, the City of Bishop will not have an opportunity to respond to any comments received after this date.

  
James Southworth, Director of Planning

February 1, 2011

**City of Bishop**  
**Environmental Initial Study**

1. Project title: *Emergency Shelter Combining District Zoning Ordinance*
2. Lead agency name and address: *City of Bishop*  
*377 W. Line Street*  
*Bishop, Ca 93514*
3. Contact person and phone number: *James Southworth 760/873-5863*
4. Project location: *City of Bishop*
5. Project sponsor's name and address: *City of Bishop*  
*P.O. Box 1236*  
*Bishop, CA 93515*
6. General plan designation: *General Commercial*  
*/Retail, High Density Residential and High Density Residential and/or Professional and Administrative Offices*
7. Zoning *C-1, R-3 and R-3-P*
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
*The City of Bishop is proposing an amendment to the Zoning Regulations and official Zoning Map to include a definition for "Emergency Shelter," an Emergency Shelter overlay zone, and standards for emergency shelters.*  
*State Law (Government Code §65583) was amended on January 1, 2008 through Chapter 633 Statutes of 2007 (SB2) to strengthen requirements governing emergency shelters. The law now requires:*
  - *At least 1 zone to allow emergency shelters without CUP or other discretionary action*
  - *Sufficient capacity to accommodate need and at least 1 year-round emergency shelter*
  - *Permit procedures that encourage and facilitate shelter development or conversion*
  - *Requirements no greater than required for other approved uses in the zone*
  - *Written and objective standards may be provided (3 beds, length of stay, security, etc.)*
  - *Allows need to be met with existing ordinances or demonstrate that need can be met through existing shelters or an adopted multi-jurisdictional agreement*
  - *Limits ability to deny approval to qualified shelter projects*
9. Surrounding land uses and setting: Briefly describe the project's surroundings:  
*The proposed project area encompasses about 38 acres of land bounded on the west by a point east of North Main, on the south by a point north of Yaney, on the east by a point west of the municipal town boundary, and on the north by a point well south of Wye Road (see map). The majority of land inside the proposed district boundary is currently vacant and zoned for R-3 residential and C-1 commercial uses; two high density mobile home parks occupies a small area on the north side of the project area and a high*

*density mobile home park for senior citizens occupies a small area on the south side of the project area. Surrounding lands contain commercial and residential uses as well as park land.*

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)  
*No other agency approvals are required for adoption of the proposed Ordinance.*

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture Resources	Air Quality
Biological Resources	Cultural Resources	Geology /Soils
Hazards & Hazardous Materials	Hydrology / Water Quality	Land Use / Planning
Mineral Resources	Noise	Population / Housing
Public Services	Recreation	Transportation/Traffic
Utilities / Service Systems	Mandatory Findings of Significance	

**DETERMINATION:** On the basis of this initial evaluation:

◆ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or

mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 Signature James Southworth – Director of Planning February 1, 2011  
 Date

Signature \_\_\_\_\_ Date \_\_\_\_\_

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS -- Would the project:</b>				
<i>The State of California Department of Housing and Community Development, and the City of Bishop 2009 Housing Element, require a least one zone within the city limits allow emergency shelter by right. The C-1, R-3 and R-3-P zoning districts have been identified for the placement of emergency shelters. The three zones identified are considered compatible for the placement of emergency shelters because they are proximate to social services, transportation and commercial areas. Emergency shelters provided in this district would be required to comply with all standard regulations (landscaping, setbacks, etc.), and adoption by ordinance of an Emergency Shelter Combining Zoning District is not expected to have a significant impact on aesthetic resources</i>				
a) Have a substantial adverse effect on a scenic vista?				◆
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				◆
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				◆
d) Create a new source of substantial light or glare which would adversely affect day or				◆

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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nighttime views in the area?

**II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:**

*The identified zoning districts for the placement of emergency shelters are not used for agriculture or located within an agriculture resource area, therefore, the adoption by ordinance of an Emergency Shelter Combining Zoning District will have no impact on agricultural resources.*

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?



b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?



c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?



**III. AIR QUALITY -- Where available, the significance criteria set by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:**

*The uses that would be permitted in the proposed combining district are consistent (in terms of standards, density, traffic, utility consumption and related factors) with uses allowed in these underlying zones. Adoption by ordinance of an Emergency Shelter Combining Zoning District will have no significant impact on air quality.*

a) Conflict with or obstruct implementation of the

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
applicable air quality plan?				◆
b) Violate an air quality standard or contribute substantially to an existing or projected air quality violation?				◆
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including emissions that exceed quantitative thresholds for ozone precursors)?				◆
d) Expose sensitive receptors to substantial pollutant concentrations?				◆
e) Create objectionable odors affecting a substantial number of people?				◆

**IV. BIOLOGICAL RESOURCES--Would the project:**

*The proposed project area contains no native plant communities, streams or wetlands, and is not subject to any conservation plan, nor does the project area connect to adjoining open space lands and have potential value as a migration corridor. Adoption by ordinance of an Emergency Shelter Combining Zoning District will have no significant impact on biological resources.*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the Calif. Dept. of Fish and Game or U.S. Fish and Wildlife Service?				◆
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the Calif. Dept. of Fish and Game or US Fish and Wildlife Service?				◆
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				◆
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				◆
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				◆
<b>V. CULTURAL RESOURCES--Would the project:</b>				
<i>The proposed ordinance for a Emergency Shelter zoning overlay will not impact historical, archaeological and unique paleontological resources or disturb any human remains, therefore, have no impact on cultural resources.</i>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				◆
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				◆
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				◆
d) Disturb any human remains, including those interred outside of formal cemeteries?				◆

**VI. GEOLOGY AND SOILS--Would the project:**  
*An emergency shelter zoning overlay ordinance will not directly impact the geology or soils in the overlay area, and future proposals to develop an emergency shelter would be subject to applicable codes and*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>standards. No significant impact is foreseen.</i>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				◆
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				◆
ii) Strong seismic ground shaking?				◆
iii) Seismic-related ground failure, including liquefaction?				◆
iv) Landslides?				◆
b) Result in substantial soil erosion or the loss of topsoil?				◆
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				◆
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				◆
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				◆

**VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:**

*Neither the proposed zoning amendment nor the use (emergency shelters) is associated with the transport, use, or disposal of hazardous materials or public safety hazards, and no significant impact is foreseen.*

a) Create a significant hazard to the public or the environment through the routine transport, use, or				◆
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				◆
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				◆
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				◆
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				◆
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				◆
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				◆
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands adjoin urbanized areas or where homes intermix with wildlands?				◆

**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

*Future uses within the proposed emergency shelter zone overlay would be required to comply with all applicable water quality standards, water supply and drainage requirements, and flood hazard protection measures. No significant impacts on hydrology or water quality are foreseen.*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				◆
b) Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				◆
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				◆
d) Substantially alter existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would cause flooding on- or off-site?				◆
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				◆
f) Otherwise substantially degrade water quality?				◆
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				◆
h) Place structures in a 100-year flood hazard area that would impede or redirect flood flows?				◆
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				◆
j) Inundation by seiche, tsunami or mudflow?				◆

**IX. LAND USE AND PLANNING--Would the project:**

*The project does not physically divide the*

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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*community, conflict with any land use plan, policy, or regulation. The project will implement and bring the City of Bishop into conformance with state requirements. No significant impacts on land use and planning are foreseen.*

a) Physically divide an established community?



b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?



c) Conflict with any applicable habitat conservation plan or natural community conservation plan?



**X. MINERAL RESOURCES--Would the project:**

*The project area is not a designated mineral resource zone, and adoption by ordinance of an Emergency Shelter Combining Zoning District will have no significant impact on mineral resources.*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?



b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?



**XI. NOISE B Would the project result in:**

*Future uses within the proposed emergency shelter zone overlay would be required to comply with all applicable standards and requirements pertaining to noise and vibration. The project will not produce or increase the vicinity ambient noise levels beyond the standards set by the City's Municipal Code (§8.12).The proposed ordinance of an Emergency Shelter Combining*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*Zoning District will have no significant impact on noise.*

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	◆
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	◆
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	◆
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	◆
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e) For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	◆
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*The Bishop Eastern Sierra Airport located within one mile of the project area should not expose people residing in the area to excessive noise levels, therefore, having no impact.*

f) If in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	◆
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**XII. POPULATION AND HOUSING --  
Would the project:**

*The proposed project is intended to serve residents of Bishop in need of emergency shelter, and will not induce population growth. The majority of land inside the proposed district boundary is currently vacant and zoned for R-3 residential and C-1 commercial uses; two high density mobile home parks occupies a small area on the north side of the project area and a high density mobile home park for senior citizens occupies a small area*

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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*on the south side of the project area. The project will not displace existing housing or substantial numbers of people necessitating replacement of housing elsewhere. The Emergency Shelter Combining Zoning District will have no impact on population and housing.*

- |   |   |
|---|---|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ◆ |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | ◆ |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | ◆ |

**XIII. PUBLIC SERVICES**

*The proposed ordinance of an Emergency Shelter Combining Zoning District will not significantly impact the City of Bishop public services, therefore, have no impact.*

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |                    |   |
|--------------------|---|
| Fire protection?   | ◆ |
| Police protection? | ◆ |
| Schools?           | ◆ |
| Parks?             | ◆ |

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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Other public facilities?



**XIV. RECREATION**

*The emergency shelter zoning overlay will not significantly impact the use of local public parks or necessitate the expansion of recreational facilities, therefore have no impact on recreation.*

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?



b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?



**XV. TRANSPORTATION/TRAFFIC --  
Would the project:**

*Neither the proposed emergency shelter zoning overlay nor future uses permitted within the zone (which would be limited to a maximum of 10 beds) would have potential to cause a substantial increase to existing traffic load or conditions; therefore, no significant impact on traffic conditions is foreseen.*

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?



b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?



c) Result in a change in air traffic patterns, including an increase in traffic levels or a change in location that results in substantial safety risks?



d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
intersections) or incompatible uses (e.g., farm equipment)?				
e) Result in inadequate emergency access?				◆
f) Result in inadequate parking capacity?				◆
G) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				◆
<b>XVI. UTILITIES AND SERVICE SYSTEMS</b>				
<b>--Would the project:</b>				
<i>The proposed project is the adoption by ordinance of an Emergency Shelter Combining Zoning District. Future emergency shelter uses within the proposed zoning district would be consistent with the types of land uses allowed in the underlying zones, and would be limited to a maximum of ten beds. No significant impact on utilities and service systems is foreseen.</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				◆
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				◆
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				◆
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				◆
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				◆
g) Comply with federal, state, and local statutes and regulations related to solid waste?				◆

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

*Based on considerations presented in this Initial Study, it is concluded that the project will not have the potential to eliminate, degrade, reduce, restrict or endanger existing plant, fish and animal environment or historic resources.*

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

*The potential impacts are not cumulatively considerable when viewed in light of past, current, or future projects.*

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

*This project does not have any significant environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.*