



**PLANNING COMMISSION
COUNTY OF ALPINE, STATE OF CALIFORNIA**

**Meeting Agenda
Thursday, March 31, 2022
5:00 P.M.**

**Administration Building, Board Chambers
99 Water Street, Markleeville, CA 96120**

Hybrid Meeting with Zoom Link

Planning Commission

Bob Broyer, Chair
Nick Hartzell, Vice-Chair
Jim Haen
Jeanne Mortimer
Tom Sweeney

If you would like to participate virtually, you can click on the Zoom website link or call the phone number listed below. You will be asked to enter the Meeting ID. You do not need a participant ID to join the meeting and can press the pound key (#) to connect to the meeting.

Zoom Link: <https://us06web.zoom.us/j/82812769934?pwd=K3MxMndqc20vZ1lyVlAzdnErMzNudz09>

Meeting ID: 828 1276 9934

Passcode: 790514

Phone #: 1-669-900-9128

Members of the public who wish to make a general public comment for items not on the day's agenda may submit their comment via email, preferably limited to 250 words or less, to Larry Shoemaker at lshoemaker@alpinecountyca.gov. The Planning Commission date and "general comment" should be indicated in the subject line. The comment will be placed in the record for the meeting, and every effort will be made to read the comment into the record at the appropriate time on the agenda.

Every reasonable effort will be made to accommodate any person needing special assistance to participate in this meeting. Please contact Larry Shoemaker at 530-694-2140 ext 437 or at lshoemaker@alpinecountyca.gov in advance of the meeting.

The Planning Commission welcomes you to its meetings, which are regularly scheduled for the last Thursday of each month. Your participation and interest are encouraged and appreciated. All members of the public are encouraged to participate in the discussion on any items on the agenda at the time the items come up for Commission consideration. Speakers are requested to identify themselves before speaking. Whenever possible, lengthy testimony should be presented to the Commission in writing and only pertinent points presented.

1. Call to Order

2. General Public Comment

Any person may make comments during the General Public Comment period on items of interest, within the subject matter jurisdiction of the Commission, that are not listed on the posted agenda. In accordance with the Brown Act, the Planning Commission cannot deliberate or vote on any matter under general public comment.

3. Planning Commission Minutes

3.1 Requested Action/Proposed Motion: Pass a motion to approve the February 17, 2022 Planning Commission meeting minutes. Responsible Staff Member: Larry Shoemaker

4. Unfinished Business

4.1 Planning Commission Rules of Procedure

Requested Action/Proposed Motion: Approve a resolution adopting the revised Rules of Procedures for the Alpine County Planning Commission. Responsible Staff Member: Candace H. Stowell, AICP

4.2 Camping Discussion

Requested Action/ Proposed Motion: Continue discussion on the current regulations for camping on private property and provide direction to staff. Responsible Staff Member: Larry Shoemaker.

4.3 Floodplain Management Ordinance Update

Requested Action/Proposed Motion: Receive an update on the draft floodplain management ordinance and preliminary flood hazard maps for Alpine County. Responsible Staff Member: Larry Shoemaker

5. New Business

None

6. Public Hearings

None

7. OTHER BUSINESS

7.1. Deputy Director Report

7.2. Items initiated by Commissioners

8. ADJOURNMENT



UNAPPROVED: SUBJECT TO CORRECTION

**PLANNING COMMISSION
COUNTY OF ALPINE, STATE OF CALIFORNIA
Administration Building, Board Chambers
99 Water Street, Markleeville, CA 96120**

MINUTES
THURSDAY, February 17, 2022

1. CALL TO ORDER

Chair Bob Broyer called the special meeting of the Alpine County Planning Commission to order at 5:02 p.m. with Commissioners Nick Hartzell, Jeanne Mortimer, Jim Haen, and Tom Sweeney present.

All Commissioners present were in attendance via Zoom. A quorum was established.

Staff Present: JT Chevallier, Interim Director, Candace H. Stowell, AICP, Deputy Director, and Larry Shoemaker, Planner II.

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

None.

3. MINUTES

3.1. Request approval of regular meeting minutes of January 27, 2022.

Vice-Chair Nick Hartzell requested that the comments by Alpine County Building official Tony Creter be amended to reflect his statement that the Camping Ordinance (18.68.130) was in reaction to an election effort by the Posse Comitatus.

Chair Broyer also requested the Call to Order be amended to include which members attended virtually by zoom.

MOTION: Hartzell / SECOND: Sweeney approving the regular meeting minutes of January 27, 2022 as amended.

AYES: Broyer, Hartzell, Sweeney

ABSTAIN: Haen, Mortimer

MOTION CARRIED

4. UNFINISHED BUSINESS

4.1. Planning Commission Rules of Procedure

Candace Stowell reported that County Counsel did review the Rules of Procedure and recommended some minor revisions related to closed sessions in Section 7 and a time limit of 3 minutes per speaker instead of 5 minutes. County Counsel also stated that the Planning Commission can not require speakers to provide their name or address during public hearings. At the last meeting, the Planning Commission discussed the proposed time limit

change recommended by County Counsel. Stowell noted that 3 minutes per speaker is a typical time limit, but the Chair does not have to limit the time to 3 minutes.

Chair Broyer stated that he still preferred to have the time limit for speakers stay at 5 minutes. He also noted that there are other sections (9c and 14a) which also require members of the public being to provide their name and address so there needs to be another revision to the Rules to ensure consistent language.

Commissioner Sweeney stated that he would prefer the 3-minute time limit. Commissioner Sweeney agreed that there needs to be consistent language related to members of the public providing comments.

Commissioner Hartzell commented that he preferred keeping the time limit at 5 minutes. The Planning Commission needs to be credible in the public eye. Commissioner Haen abstained from making any comment. Commissioner Mortimer agreed with the five-minute limit and that allowing the members of the public the extra two minutes is reasonable and agreed there needs to be consistency regarding the name and address for members of the public.

Chair Broyer suggested that since there was consensus, staff would revise the Rules of Procedure regarding consistency on the identification of speakers' names and addresses as well as to retain the five-minute time limit. The revised Rules of Procedure will be brought back to the Planning Commission.

4.2. Housing Element Update (File #2021-065)

Candace Stowell reviewed the proposed programs in the Draft Housing Element. Several programs are mandatory due to state law. Stowell reviewed the other programs and presented some staff recommendations to either streamline or delete some of the proposed programs based on initial feedback received to date.

Commissioner Hartzell expressed his disappointment in the staff recommendations to delete some of the programs in the Draft Housing Element. Commissioner Sweeney commented that the staff suggestions appear reasonable and he would like the Housing Element pared down to something reasonable. Commissioner Haen agreed with Commissioner Sweeney that the document should be slimmed down and any programs that are not applicable should be deleted.

Commissioner Haen asked if ADUs can become affordable housing. Stowell responded that ADUs can provide more affordable housing stock depending on the whether the property owners would like to rent the unit or use the unit for relatives or caretakers. ADUs provide non-deed restricted affordable housing. Commissioner Broyer noted that there used to be several secondary units in Bear Valley but these units have disappeared in part due to utility costs.

Commissioner Hartzell noted there is a need to address the accomplishments of the Washoe Nation. Commissioner Hartzell added that the MPUD will receive funding to rebuild the sewer lines and the County could explore some advocacy for the Sierra Pines Mobile Home Park.

Commissioner Broyer asked for staff to bring back the draft Housing Element programs to the Planning Commission on February 24 for final review by the Commission based on consensus of the Commissioners with strike outs and color coding for additions. Commissioner Haen suggested moving any deleted programs to an appendix. Chair Broyer asked if the deleted programs could be reviewed at the next update of the Housing Element, which will be in 2024.

5. NEW BUSINESS

None

6. PUBLIC HEARINGS

6.1. Death Ride Special Event (File # 2022-001)

The public hearing was opened at 5:10 pm. Larry Shoemaker, Planner II, provided a presentation on the 2022 Death Ride Event, which is put on each year by the Alpine County Chamber of Commerce. Staff is recommending approval of the Special Event Application based on the conditions in the draft permit and a finding that the event is categorically exempt from CEQA based on Section 15304, Class 4.

Staff received a public comment from the Bear Valley CSA concerning the turn around on Highway 4. Chair Broyer expressed his similar concern with the route terminus that is downhill with a dirt turn around. The bicyclists will need warnings. This stop does provide a safety hazard. Shoemaker proceeded to review the Special Permit conditions with the Planning Commission. Staff has received the previous year's Traffic Control Plan and will need an updated traffic control plan.

Becky DeForest, Alpine County Chamber of Commerce, provided a presentation with additional information on the 2022 Death Ride Event. Cory Bolton will be the Course Director this year. DeForest stated that this year's Traffic Control Plan will be adjusted so that the Death Ride can obtain the Caltrans Permit. This year's permit is for up to 3,000 people. To date, there are over 900 people registered for the event. The event will start at 5:00 am and end at 7:00 p.m. The finish line festival will be at Turtle Rock Park. There will be 9 aid stations and a lunch stop. The Chamber is coordinating with Eastern Alpine Fire and the Sherriff's Office Search and Rescue. If the Chamber can obtain a permit from Grover Hot Springs State Park, there will be enough camping availability.

The event would start on Friday, July 15 with set up at Turtle Rock Park Community Center with the event on Saturday, July 16 with closures on Highways 89 and 4. The Turtle Rock Park Campground will be closed due the Tamarack Fire and the Burn Pile area would be limited.

The public hearing opened. Larry Shoemaker provided more information on the public comment emailed to staff on February 17. The public comment was provided by the Bear Valley CSA (CSA Board Member Mike McKee) regarding the Chickaree planned turn around and included several recommendations to increase the safety at this location. Becky DeForest stated there will be additional signage to alert riders for this section of the Death Ride.

Commissioner Sweeney stated that the planning this year is the best he has ever seen. Shoemaker noted that the new Traffic Control Plan can address the safety concerns

discussed. Chair Broyer closed the public hearing at 5:57 and asked the Planning Commission for a motion on the Death Ride Special Event Permit.

MOTION: Sweeney/ SECOND: Hartzell approving 1) Special Event Permit based on the analysis in the staff report and the conditions in the Special Event Permit; 2) finding the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 (e), Class 4.

AYES: Broyer, Hartzell, Haen, Mortimer, Sweeney

ABSTAIN: None

NAYS: None

7. OTHER BUSINESS

7.1. Deputy Director's Report

Candace Stowell reported that the Planning Commission will need to hold a regular meeting on February 24 in order to review the General Plan Annual Report and to submit it to the Board of Supervisors. The Annual Report must be submitted to OPR and HCD no later than April 1.

7.2 Items Initiated by the Planning Commission

None

8. ADJOURNMENT

The Planning Commission adjourned at 7:00 p.m. to the next regular meeting of February 24, 2022.

Bob Broyer, Chair

Attest:

Larry Shoemaker, Planner II
Alpine County Community Development

RESOLUTION NO. PC 2022-02

RESOLUTION OF THE PLANNING COMMISSION

COUNTY OF ALPINE, STATE OF CALIFORNIA

ADOPTING REVISED RULES OF PROCEDURE

WHEREAS, the Planning Commission is an advisory body responsible for the preparation of the Alpine County General Plan and the review authority for discretionary development review applications;

WHEREAS, the Planning Commission adopted Rules of Procedure in 2002 to provide information on meeting dates and time, membership, and open meeting requirements;

WHEREAS, the Planning Commission would like to revise the Rules of Procedure to reflect changes to the meeting time, changes to the agenda order, and other related matters;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, County of Alpine, State of California, hereby adopts the revised Rules of Procedure, as reflected in Exhibit A of this Resolution.

PASSED AND ADOPTED this 31st day of March 2022 by the following vote:

AYES:

NOES:

ABSENT:

Bob Broyer, Chair
Planning Commission
County of Alpine, State of California

ATTEST:

Candace H. Stowell, AICP
Deputy Director



EXHIBIT A
RULES OF PROCEDURE
FOR THE
ALPINE COUNTY PLANNING COMMISSION

- | | |
|-------------|---|
| Section 1. | General Purpose |
| Section 2. | Alpine County General Plan and Updates to County Code |
| Section 3. | Purpose of Rules of Procedure |
| Section 4. | Membership and Term |
| Section 5. | Meetings |
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Section 1. General Purpose

The Alpine County Planning Commission is an advisory body to the Alpine County Board of Supervisors responsible for the preparation of the General Plan and other plans for the sound and orderly growth and development of Alpine County, including processing of procedures and regulations related to such plans. The Planning Commission is a permanent committee charged with the responsibility of reviewing and acting on matters related to planning and development (CA Government Code 65100).

These procedures and regulations are established in Title 17 Subdivisions and Title 18 Zoning of the Alpine County Code. For certain types of development applications, the Planning Commission is the final decision authority.

Section 2. Alpine County General Plan and Updates to County Code

The Alpine County Planning Commission is responsible for maintaining and updating the General Plan of Alpine County and ensuring that proposed development applications are consistent with the adopted General Plan, including its goals, policies and implementation strategies.

Section 3. Purpose of Rules of Procedures

The rules of procedures for the Alpine County Planning Commission are established for the following reasons:

- a) To provide information on the location and time of Planning Commission Meetings;
- b) To provide information on the qualifications, terms, and appointment of Commission members;
- c) To provide information on how meetings are to be conducted and noticing for all meetings as well as public hearings;
- d) To provide compliance with the Brown Act (Government Code Section 54950)
- e) To specify ethical standards

Section 4. Membership and Term

The Alpine County Planning Commission consists of five members appointed by the Alpine County Board of Supervisors. Each member will serve a four-year terms and may apply for re-appointment. While the preference is to have a member representing each Board of Supervisor district, this is not a requirement.

Section 5. Meetings.

- a) Regular Meetings.

The Planning Commission shall conduct a regular monthly meeting. The regular meeting shall be held in Markleeville, California at either Turtle Rock Park or the Board of Supervisors Chambers in the County Administration Building. Regular meetings shall normally be held on the last Thursday of each month, beginning at 5:00 p.m., or at such other date, time and place established by motion. Meeting locations other than Turtle Rock Park or the Board of Supervisors Chambers are acceptable when, based on a majority vote of the quorum, an alternative location is desirable to provide easier access to the meeting for the public. Participation by teleconference or video will be permitted to enable expanded access to the Planning Commission by members of the public and for the convenience of Planning Commissioners.

If a regular meeting falls on a public holiday, the regular meeting will be cancelled and or rescheduled to another day.

b) Special Meetings.

A special meeting may be called at any time by the Chair or by determination of the majority of the Commission. Written notice of any such meeting must be given to all members of the commission and to all newspapers, radio stations, television stations, or other media who have previously requested same in accordance with applicable provisions of the Government code. Such notice may be given either personally or by mail, but must be given at least 24 hours before the time set for the special meeting.

c) Workshops.

The Commission may be convened for the purpose of holding a workshop on a specific topic. A quorum will be required for workshops, but no action shall be taken. The workshop will be noticed and open to the public.

d) Site Visits.

The Commission may schedule site visits as part of a regular meeting or special meeting. Site visits involving public hearing items shall be noticed as such, as required by all applicable laws. Site visits shall be listed on the Commission's meeting agenda for either a regular or special meeting, and the agenda shall be posted as provided in this resolution. A written summary of the site visit including locations visited and information received shall be included in the minutes of the meeting of which the site visit is a part.

Site visits are conducted for the purpose of gathering information about a specific project location or a general area of interest with regard to development of regulations, policy or a special study being conducted by the Commission. The public may attend the site visit and may provide information about the location and general characteristics of a specific proposal. Public testimony regarding the merits of a specific proposal or application shall not be allowed. No action shall be taken at a site visit and Commission members shall refrain from discussing the merits or giving specific directions concerning subjects of the site visit. Site visits may be conducted by less than a quorum of the Commission.

A summary report of the site visit shall be presented during the Commission's regular or special meeting at which the subject of the site visit is on the agenda for discussion or action. If the site visit is conducted in relation to a public hearing for a specific application or proposal, the summary of information gained at the site visit shall be included as part of the record. If the Commission relies on specific information acquired during the site visit in taking action on a specific application or proposal, the Commission shall reference such information in its deliberations on the application or proposal.

e) Adjourned Meetings.

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn.

f) Closed Sessions.

The Commission may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by State law to hear or consider in closed session. If a closed session is included on the agenda, the description of the item need only identify the statutory basis for the closed session, and need not include the specific topic which is the subject of the closed session. During closed session, the Commission may exclude any person or persons which it is

authorized by State law to exclude from a closed session. No minutes of the proceedings of the closed session are required.

Section 6. Agenda – Posting, Contents, and Limitations on Actions.

a) Posting of Agenda.

For every regular and special meeting, the planning staff shall post an agenda specifying the time and place at which the meeting will be held and a brief description of all the items of business to be discussed at the meeting.

b) Location of Posting.

The agenda shall be posted in a place to which the public has unrestricted access during at least normal business hours and where the agenda is not likely to be removed or obscured by other posted material. Specifically, the agenda shall be posted at the places indicated below, and/or at such other location (s) as the County Clerk may designate:

- Alpine County Web Site (Agenda Center and Planning Commission Web Pages)
- County Administration Building
- Community Development Department
- Alpine County Post Offices

c) Posting for Regular Meetings.

For any regular meeting of the Commission, the agenda shall be posted no later than seventy-two (72) hours prior to the time set for the meeting.

d) Posting for Special Meetings

For any special meeting of the Commission, the agenda shall be posted no later than- twenty-four (24) hours prior to the time set for the meeting.

e) Description of Matters.

All items of business to be discussed at a meeting of the commission shall be briefly described on the agenda. The description need not set out the specific action or alternatives which will be considered by the commission, but should contain sufficient detail so that a person otherwise unaware could determine the general nature or subject matter of the item by reading the agenda.

f) Limitations of Actions.

No action shall be taken by the Commission on any item not appearing on a posted agenda, subject to the exceptions listed in subsection (g) below. “Actions taken” as used herein shall mean a collective decision made by a majority of the members of the Commission to make a positive or a negative decision, or an actual vote by a majority of the members of the Commission upon a motion, proposal, resolution, order, or ordinance. With regards to matters not on the agenda, the members of the Commission may ask questions of persons who raise such matters during the public comment period or otherwise, and the Chair should handle such matters as provided in Section 7 (c) but such questions should be limited to informational purposes, and the Commission should avoid discussions of the merits or giving directions regarding such subjects. With regards to matter raised by members of the Commission under items from members, such matters should normally be placed on the agenda and the Chair should handle such matters as provided in Section 7 without discussion by the Commission.

g) Exceptions to Agenda Requirement for Action Taken.

The Commission may take action at a meeting on an item not appearing on the agenda for that meeting only under one of the following circumstances:

1. Upon a majority determination that an “emergency situation,” as that term is defined by State law, exists.
2. Upon a determination by a unanimous vote of those members present that the need to take action arose subsequent to the agenda posting. For the purposes of this subsection, the term “need to take action” shall mean those circumstances whose occurrence creates a situation which is materially different from that which existed at the time the agenda was posted, and which requires the immediate attention of the Commission. The mere failure of any person to notify the commission or staff of a pre-existing situation requiring Commission attention until after the time for the posting of the agenda shall not be deemed to constitute a “need to take action” hereunder. If the commission makes a determination pursuant to this subsection, the minutes of the meeting at which the determination is made shall reflect what circumstance gave rise to the “need to take action” and why the item could not be placed on the agenda.
3. Where the item upon which action is to be taken was included on a properly posted agenda for a prior meeting of the commission occurring not more than five (5) calendar days prior to the date of the meeting at which action is to be taken, and at the prior meeting the item was continued to the meeting at which action is being taken.

h) Public Comment Period.

Every agenda posted for any regular or special meeting shall contain an item consisting of an opportunity for the public to address the commission on items of interest to the public within the Commission’s subject matter jurisdiction. This public comment period shall be conducted in accordance with the procedures set forth in Section 8.

Section 7. Order of Business.

The order of business at meetings of the Commission shall be as follows, in accordance with the procedures specified below. The Commission may, by approval of majority of the quorum present, change the order of business for one or more agenda items. However, such change shall not cause a public hearing item to be heard prior to the time specified in the notice for the hearing.

- a) Call to Order, Roll Call, Establish Quorum
- b) Confirmation of Agenda
- c) Approval of Minutes
- d) General Public Comment
- e) Consent Items (optional)
- f) Public Hearings
- g) Unfinished Business
- h) New Business
- i) Closed Session
- h)j) Deputy Director Report
- i)k) Commission Member Items (to be placed on a future meeting agenda)
- j)l) Adjournment

The commission in a single motion may approve items of a routine or generally uncontested nature by adoption of consent items. The approval of the consent items shall signify the approval of each matter or recommendation included therein. Upon the request of any member of the Commission or upon the request

of a member of the public made through the Chair, an item may be removed from consent for separate discussion and/or action.

Section 8. Public Comment.

a) Public Comment and Items from Members.

During the public comment item of the agenda, any member of the public may address the commission on items of interest to the public that are within the subject matter jurisdiction of the Commission that are not otherwise on the agenda. No action may be taken on such matters without being placed on a subsequent agenda, and members of the Commission shall refrain from discussing the merits or giving specific directions concerning such subjects.

b) Limitations.

The Chair may limit the public comment period to five (5) minutes per speaker or no more than thirty (30) minutes for all speakers, to be apportioned among all speakers who request time.

c) Procedure.

1. Upon addressing the commission, each speaker ~~will be requested to~~ **must first** state his or her name and physical address and then identify the subject or subjects upon which he/she intends to speak.
2. At the close of the speaker's comments, the Chair may ask staff to respond to the speaker's comments. Thereafter, the Chair shall make one of the following three determinations:
 - i. The subject(s) raised do not require investigation or response.
 - ii. The subject (s) raised should be referred to staff for investigation and/or response.
 - iii. The subject(s) raised should be placed on a future meeting agenda for action by the Commission.

d) Other Agenda Matters

In addition to receiving comment from the public during the public comment period, the Chair shall have the discretion to recognize persons from the audience who wish to address the Commission on a particular agenda item at the time the Commission considers that item.

Section 9. Public Hearings.

a) Matters required to be heard in a noticed public hearing, shall be conducted in the following manner:

1. Agenda Title Read by Chair
2. Disclosure or Recusal by Planning Commission Members
3. Staff Presentation
4. Questions and Answers to Staff
5. Applicant Presentation
6. Questions and Answers to Applicant
7. Public Comment Open
8. Public Comment Closed
9. Planning Commission Discussion
10. Planning Commission Decision

b) Time for Consideration.

Matters noticed to be heard by the Commission shall commence at the time specified in the notice of hearing, if so specified, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

c) Hearing Procedure.

Prior to declaring the public hearing open, the Chair may establish a time limit for the entire public hearing, or establish time limits for the presentation of each individual speaker. The Chair shall conduct the hearing in such a manner as to afford due process to all affected persons. All persons interested in the matter being heard by the Commission shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained as part of the record.

When a matter for public hearing comes before the Commission, the Chair shall open the public hearing. Upon opening the public hearing, the Chair shall request that staff present the staff report and any other relevant evidence, but the presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing.

The Chair shall thereupon inquire if there are any persons present who desire to address the commission on the matter. Any person desiring to speak or present evidence shall then make his or her presence known to the Chair, and upon being recognized, may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Chair. Each speaker will be requested to state his or her name and physical address. ~~and stating their full name and physical address for the record.~~ Speakers shall direct all of their comments to the Commission. Discussion, debate and argument among the speaker and the audience shall not be allowed.

Members of the Commission who wish to ask questions of the speakers or each other during the public hearing portion may do so. Members should be mindful that the purpose of the public hearing is to obtain testimony and not to debate the merits of the item under consideration. Members shall not argue or debate the merits of an item with the speakers or audience. Members should avoid debate among themselves and expressions of personal opinion until after the close of the public hearing.

Upon closing of the public hearing by the Chair, no additional public testimony shall be solicited or received by the Commission without reopening the public hearing.

Section 10. Officers.

The Officers of the Commission shall be a Chair and Vice-Chair. The offices of Chair and Vice-Chair shall be elected by the Commission members and shall serve a one-year term, with a maximum of two consecutive full one-year terms. Elections shall be held at the end of the first regular meeting of the Commission following July 1 of each calendar year, or when a vacancy in one of these positions occurs.

Section 11. Meeting Attendance; Removal of Members

Commission members are expected to attend all regular and special meetings. Commission members who are not in attendance at two consecutive regular meetings may be asked to provide an explanation of their absences to the Commission. Commission members who are not in attendance at three consecutive regular meetings without prior notice being provided to the Commission, may be removed at the discretion of the Board of Supervisors. Commission members who are habitually absent from regular meetings may be removed at the discretion of the Board of Supervisors. Prior to any action that may result in removal of a

member, the Board of Supervisors shall provide written notice to the member along with an opportunity for the member to address the Board.

Section 12. Procedures for the Conduct of Meetings.

a) Chair

The meeting shall be presided over and chaired by the Chair, or, in the Chair's absence, the Vice-Chair. In the absence of the Chair and the Vice-Chair, the remaining Commission members shall, by consensus, designate a member to carry out the duties of the Chair until the Chair or Vice-Chair rejoins the meeting.

The Chair shall have the authority to rule any speaker out of order, including speakers during the public comment period if the subject raised is not within the subject matter jurisdiction of the Commission, or during a public hearing if the speaker is not presenting testimony or evidence relevant to the matter that is the subject of the public hearing or if the speaker and any audience member are engaging in debate with other audience members. The Chair shall have the responsibility for the conduct of meetings in an orderly manner and to prevent the obstruction of business, and in carrying out this responsibility shall have the authority to give the floor to any member of the Commission or public by recognizing them, to prevent the misuse of legitimate forms of motions or privileges, to take matters up out of order, and to order any persons willfully interrupting the meeting to be removed from the room.

b) Obtaining the Floor and Making Motions.

Any member of the Commission wishing to speak, or any member of the public wishing to address the Commission, must first obtain the floor by being recognized by the Chair. The Chair must recognize any member of the Commission who seeks the floor when appropriately entitled to address the Commission.

Any member of the Commission, including the Chair, may bring a matter of business properly before the Commission by making a motion. Any member, including the Chair, except the member making the motion, may second a motion. Once a motion is seconded, it may be opened for discussion and debate.

a) Voting.

After a full opportunity for debate, any member of the Commission may call for a vote by a Motion to call the question. If it appears that there is a consensus of opinion among the members of the Commission on the matter to be voted upon, the Chair may state the consensus of the Commission and ask if there is any objection. If there is no objection, the consensus as so states shall become the order of the Commission. Otherwise, all votes of the Commission shall be by voice vote, except voting upon any ordinance, which shall be by roll call vote. After every vote, the Chair shall declare the result, and on all but consensus votes, shall note for the record the number of votes for or against the matter.

Section 13. Votes Required for Action.

The Commission may take action only with three affirmative votes for an item. Action by a 2-1 vote shall not be permitted. In the event of a 2-1 or tie vote, it shall be ruled by the Chair either that no action has been taken and the matter shall be referred to the Board of Supervisors for action or that the requested action is denied without prejudice (i.e. the Commission makes no determination or findings regarding the merits of the proposal that is the subject of the requested action) and may be appealed to the Board of Supervisors under the established County procedures regarding such appeals.

Section 14. Record of Meetings and Minutes

The proceedings of all Planning Commission meetings shall be electronically recorded. The written minutes of the meeting shall be kept by the planning secretary and retained in the Planning Department files in accordance with established policies. The minutes shall contain a record summary of each item of business transacted. Verbatim minutes shall not be prepared unless directed by the Chair or the Community Development Director. For public hearing items, the minutes shall include the following information:

- a) The name and physical address of every person addressing the Commission, if such information is available.
- a) Any position pro or con or otherwise regarding the subject of the public hearing that any person expressly states to be theirs
- b) A list of all written documents submitted to the Commission regarding the subject of the public hearing

Section 15. Committees

The Commission may form sub-committees for the purpose of gathering information and conducting special studies regarding issues of concern to the Commission and preparing reports to the full Commission on implementation of the General Plan and other applicable plans, ordinances and policies. Sub-committees shall not be formed to investigate specific development proposals or permit applications that are under consideration by the full Commission. Sub-committees shall operate and conduct business in compliance with the Brown Act (Government Code Sections 54950 et seq.)

Section 16. Ethics

All members of the Alpine County Planning Commission are expected to:

- a) Fully comply with all applicable federal, state, and local statutes regarding disclosure of assets, open meeting practices, and other ethics-based requirements.
- b) Act in good faith and conscience using professional expertise, personal experience, and common sense based upon the best available information, observation, and testimony and within established legal limits and authority.

Section 17. Amendments.

The Rules of Procedure may be amended from time to time as necessary by resolution passed by a majority vote of the Planning Commission.



Camping on Private Property

Planning Commission

Meeting: March 31st, 2022

Subject: Review of regulations and discussion pertaining to camping on undeveloped private property.

Existing Alpine Code

18.68.130 - Vehicular dwellings and camp dwellings.

- *No person may establish, use, or occupy a camp, campsite, or camping area for living or sleeping purposes in a recreational vehicle or otherwise except within an approved and authorized public or private recreational trailer park or camping area which is equipped and operated for such use.*
- **Exceptions Subsection:** . Temporary use and occupancy for such purposes is permitted on a **private site owned by the use occupant**, or with the written consent of the site owner, for a period not to **exceed sixteen days in any calendar year**. Such period may be extended by planning commission approval of an [occupancy permit](#).
- This section shall be so administered as to ensure conformity with applicable federal and state law, *local codes and health regulations, and with the General Plan of the county and Title 13 of this code*. Permits pertinent hereto shall contain, as appropriate in each particular case, conditions and standards for lot size and design, yards, park areas, landscaping, walls or enclosures, signs, access, vehicle parking, and accessory structures and uses. (Ref: Section [18300](#), Health and Safety Code.)



Section 18.68.130-1

One mobile home or recreational vehicle may be parked for storage purposes only upon property of the owner, provided that it is not occupied for living or sleeping purposes at any time, it is not connected to any water, power, sewerage, or other utility services and it does not occupy any required front or street side yard or sight distance area on a street corner lot or parcel.



Potential Paths Forward

1) No Action

- Ordinance stands as-is.
- Owner occupancy camping not to exceed 16 days
- Owner retains right to apply extend duration for ***Occupancy Permit*** with **[yet to be utilized/ developed] application to Planning Commission.**

2) Create Camping Specific Regulations

- Create / Update Ordinance to further define what the regulations are.
- Opportunity to clearly define acceptable camping limits and uses.
- Requires adoption by County Board of Supervisors, Public Hearings.

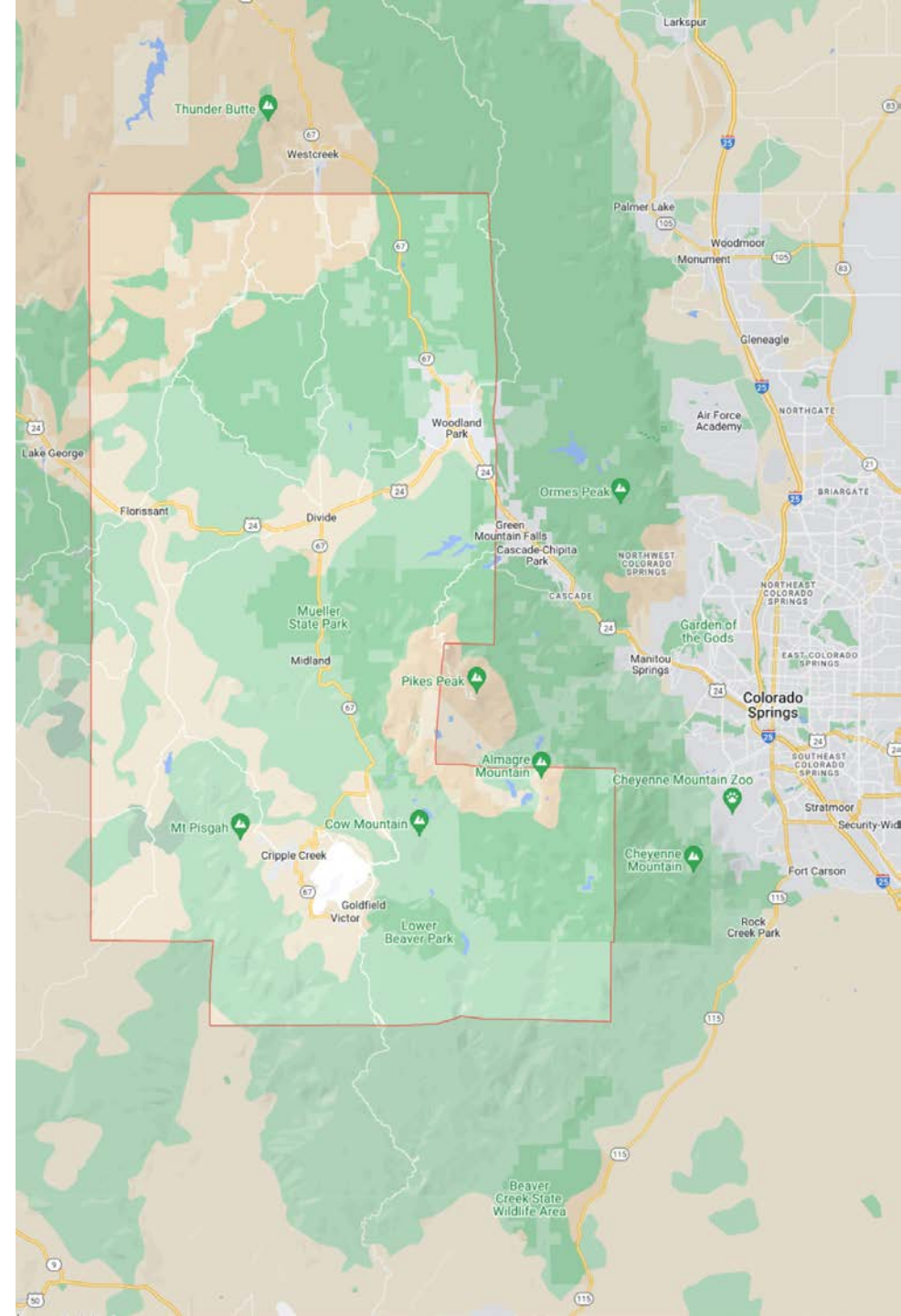
3) Create Temporary Use Permit Process

- Creation of Temporary Use Permit Process
- Allow for ministerial approval of use to minimize wait time.
- Flexible, could be used for multiple types of events
- Allows for tracking, monitoring and compliance.

Path 2: Create Camping Specific
Regulations

Private Property Camping Specific Regulations

- **Example Ordinance: Teller County, Colorado [2019]**
- Applies to all Residential and Agricultural Zones in unincorporated areas.
- Owner Camping on Vacant Property
 - **60 day limit (12 month period)**
 - + 60 days = permanent residence [**violation**]
 - **Permit required for more than 14 days**
 - Two Camping Units per parcel limit:
 - RV, camp trailer, or tent.
 - Meet Zone Setback requirements
 - Sewage must be disposed off off-site, dump receipt must be provided.
 - On site sewage ok with approved wastewater disposal system.




Camping on Improved Properties

- Improved property= vacant (no structures), but a permanent water supply and water treatment installed.
- **Camping Limited to 14 days, no more than 30 days during any 6 month period.**
- **Two Camping units**
- Events on improved properties involve more than 25 non paying guests (le family reunion), require Special Events Permit.

Permit Details

- Required for camping on vacant property / including “improved” vacant property.
- Camping permit must include narrative detailing the camping, permissions from the property owners (if necessary), property address, method for obtaining:
 - potable water supply,
 - wastewater treatment
 - trash removal.

Path 3: Create a Temporary Use Permit

 Carson River and Indian Creek Reservoir, Alpine County,
California



Temporary Use Permit

- The Purpose of a temporary use permit is to allow for temporary land uses which are not specifically forbidden in a zoning district.
- Since zoning codes are not drafted to deal with every conceivable circumstance, a temporary use permit process is designed to provide flexibility to determine whether a proposed land use on a site location will be compatible with its environment, the Alpine County General Plan, County Codes, and the zoning and land uses on surrounding parcels.
- In reviewing a temporary use permit, Planning staff would evaluate: use type, size, and location of the proposed temporary use, provisions for parking, compatibility of use with nearby properties and other related development impacts.
- Conditions may be imposed as necessary to assure that proposed use will not adversely affect the environment and nearby property.



Alpine County Planning Commission Staff Report

Meeting Date: March 31st, 2022
Title: Floodplain Management Ordinance Update
File: 2022-016
Staff Member: Larry Shoemaker, Planner II

Background:

Development in Alpine County Floodplains is currently regulated by Chapter 16.08- Floodplain Development Standards of Alpine County code. These regulations, last updated in 1988, institute a permitting process to deny or approve proposed developments in a known floodplain. Section 16.08.040 states *"a permit shall be obtained for all proposed construction or other development in the community, [...], so that it may be determined whether such construction or development is within flood-prone areas."* The Director of the Community Development department has the administrative authority *"to implement this chapter by granting or denying development permit and/or building permit applications in accordance with its provisions"*. In 2019, the Community Development Department began updating the Floodplain Development ordinance. The Alpine County Hazard Mitigation Plan and the General Plan Safety Element both call for updates to the floodplain regulations.

Floodplain work is also being conducted by the Federal Emergency Management Agency (FEMA). FEMA is responsible for producing Flood Insurance Rate Maps (FIRMS) which indicate floodplains and subsequent flood-risk areas for participants in the National Flood Insurance Program (NFIP). The NFIP provides flood insurance through coordination with private insurers, and insurance rates are set based on the flood risk level outlined in the FIRMs. Currently, all of Alpine County is classified in FEMA FIRM's as Zone D, meaning there is undetermined but potential flood hazards. FEMA is preparing to release new preliminary FIRM maps for portions of Alpine County in the immediate future. New FIRM maps will affect flood insurance rates for new and existing county residents and businesses in studied areas.

Issues and Discussion

Updating Floodplain Ordinances

The Floodplain Management branch of the California Department of Water Resources (CADWR) released model floodplain management ordinances in August 2020 that are written explicitly to rely on the flood provisions of the California Building Standards Code for buildings and structures in flood hazard areas. The model ordinance is designed to meet FEMA - National Flood Insurance Program (NFIP) participation requirements and explicitly rely on the California building code.

Additional higher development standards can be incorporated into the ordinance. Community Development proposes the three additional higher standards:

Higher Standard 1: Freeboard Building Elevation

The existing (CCR Title 24) minimum standard for “freeboard” building elevation is Baseflood Elevation + 1 foot.

As a higher standard, it is proposed structures in flood hazard areas shall have the lowest floors elevated to or above the **base flood elevation plus 2 feet***.

**Exception:* Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements.

Benefit: Lower insurance flood insurance premiums, additional buffer against flood events.
Cost: Potential increase to cost of initial construction.

Higher Standard 6: Non-Conversion Agreements

The base NFIP regulations and California Building code (Title 24) allow areas under elevated buildings to be enclosed with walls below the lowest floor. Any enclosed area must be limited to use for parking of vehicles, storage, and building access. The non higher-standard NFIP regulations do not require any form of owner agreement regarding subsequent modification or conversion of these enclosures. Walls of enclosed areas must meet specific requirements depending on the flood zone.

Proposed Higher Standard: A form provided by the *Floodplain Administrator* to be signed by the owner and recorded on the property deed in Official Records of the Clerk of Courts, for the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, enclosures below elevated buildings.

Higher Standard 13: Setbacks along Waterways

In general, areas immediately adjacent to bodies of water tend to be where floodwater is deeper and where velocities and waves are likely to be higher than at locations farther away from the source of flooding. In addition, areas near bodies of water are more likely to include wetlands and often serve as corridors for movement of wildlife. For these and other reasons, many states and communities establish buffers or setbacks, typically by prohibiting all development or limiting development (e.g., prohibit grading and fill) within specified minimum distances from the body of water. Enforcing setback distances can guide development to locations outside of floodways and areas prone to flood-related erosion, and can help protect natural shorelines

Proposed Higher Standard:

- (1) All development, including fill, buildings, and structures, shall be set back from the top of bank a distance equal to {2} times the width of the watercourse (measured at the top of bank) or {50} feet from the top of the bank, whichever is greater, unless documentation is submitted that there are no alternative locations for the development and all other requirements of the code and this appendix are satisfied.

Additional Higher Standards

The following CADWR approved higher standards are open to discussion and possible inclusion into the ordinance:

Higher Standards for buildings:

2. Cumulative substantial improvement
3. Dwellings designed in accordance with ASCE 24
4. Limitation of size of enclosures
5. Limit use of fill to elevate buildings and/or dwellings
7. Prohibit enclosures below elevated buildings
8. Repetitive flood loss (Substantial damage)

Other Standards:

9. Compensatory storage
10. Designating the Floodplain Administrator
11. Determining BFE in unnumbered Zone A
12. Flood hazard map other than FIRM
14. Manufacture home limitations
15. Subdivision limitations

FEMA FIRMS- Floodplain Mapping

FEMA's flood maps, known officially as Flood Insurance Rate Maps (FIRMS) are used to determine flood risk, and corresponding flood insurance rates. FIRMS show areas of high-risk (*Special Flood Hazard Areas*; Zone A, Zone AO), moderate-to low risk (*Non-Special Flood Hazard Areas*; Zones X & shaded-X) and unmapped/unknown risk – Zone D. Currently, all of Alpine County is classified in FEMA FIRM's as Zone D.

Special Flood Hazard Areas (High Risk)

Zone A – 1 in 100 year flood event, or 1 percent annual chance of flooding, is at least a 1 in 4 chance of flooding during a 30-year mortgage in high-risk areas.

All home and business owners in Zone A, with mortgages from federally regulated or insured lenders are required to buy flood insurance.

Non Special Flood Hazard Areas (Moderate/ Low Risk)

X (shaded), - Areas of *moderate flood hazard* between limits of the 1-percent-annual-chance floodplain and the 0.2-percent-annual-chance floodplain.

X (unshaded), -Areas of *minimal flood hazards* outside 0.2-percent-annual-chance floodplain.

See Attachment 2 for an FIRM Map on nearby Carson River in Douglas County, Nevada for example.

Federal Emergency Management Agency (FEMA), has already begun the process of creating FIRMs (Flood Insurance Rate Maps) for portions of Alpine County. This process started back in 2003, by

creating a hydraulic model for the Carson River and FIRM mapping the entire Carson watershed in nearby Nevada. This was expanded in 2019 to include Bear Valley's Blood Creek and the West Fork of the Carson River immediately east of State highway 89 to the Nevada state line. While these maps and hydraulic models do not cover all of Alpine County, they represent the first time high and moderate/low risk flood zones will be officially charted within Alpine. Community Development will continue to advocate for additional floodplain mapping throughout the county. At this point in time, FEMA is nearing the release of the Preliminary Flood Maps for public review in April or May 2022. Please see attachment 1 [FIRM Map Adoption Timeline] for a visual representation of this process.

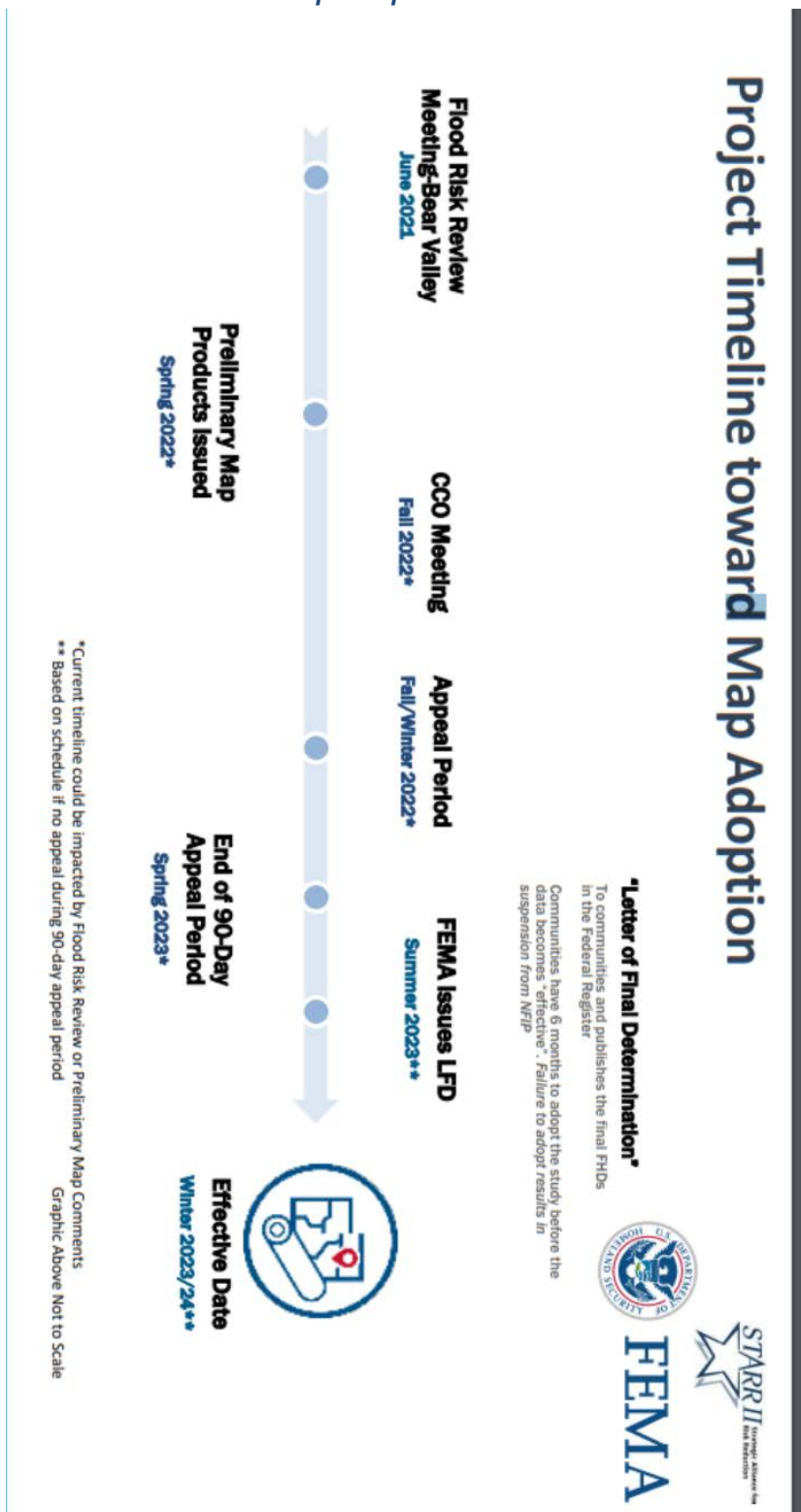
Next Steps

Staff anticipates bringing the CADWR Draft Ordinance language to the Planning Commission for review and discussion in April.

Community Development will be announcing workshops with FEMA in the immediate future to gain public input and gather stakeholder feedback on Preliminary FIRM maps. After these public workshops, a public appeal period occurs for 90 days for any contestation of the data. After the appeal period, and assuming no appeals occur, FEMA issues a *Letter of Final Determination*. The Letter of Final Determination gets published to the Federal register, and Alpine County has six months to adopt the study. Failure to adopt results in suspension from the National Flood Insurance program.

Attachments

Attachment 1: FIRM Map Adoption Timeline



Attachment 2: Example FIRM Map- Carson River

