



# PLANNING COMMISSION COUNTY OF ALPINE, STATE OF CALIFORNIA

**Meeting Agenda**  
**Thursday, May 30, 2024**  
**1:00 P.M.**

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

### **Hybrid Meeting with Zoom Link**

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/81407034140?pwd=NX1M31jeCdNFua6byuCW6bC1MomRGT.1>

Meeting ID: 814 0703 4140  
Passcode: 631921

Dial by your location:  
+1-669-900-6833

### **Planning Commission**

Bob Broyer, Chair  
Nick Hartzell, Vice-Chair  
Jim Haen  
Tom Sweeney  
(Vacant)

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 Sam Booth at [sbooth@alpinecountyca.gov](mailto:sbooth@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 Sam Booth at 530-694-2140 ext 425 or at [sbooth@alpinecountyca.gov](mailto:sbooth@alpinecountyca.gov) in advance of the meeting.

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. Planning Commission Minutes**

2.1 Requested Action/Proposed Motion: Pass a motion to approve the March 28, 2024, Planning Commission meeting minutes.

### **3. 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.

### **4. Public Hearings**

4.1 Request approval of a Special Event Permit for the Death Ride-Tour of the California Alps, File #2024-010

Review and possible action to approve a special event permit application to allow the Tour of the California Alps: Death Ride, cycling event with up to 1500 participants, to occur on July 13, 2024. The event is staged from Turtle Rock Park and the course includes State Routes 4 and 89; including a finding that the project is categorically exempt from CEQA pursuant to Section 15304.e, Class 4 Minor Alterations to Land.

4.1 Request approval of variance from driveway grade requirements from Cynthia Munoz for 838 Quaking Aspen Rd, Bear Valley, File #2024-018.

Review the variance application from Cynthia Munoz for a variance to the Alpine County Development Standards, Driveway Centerline Profile Grade Requirements. To increase the allowed paved centerline profile grade from 13% to 15; including a finding that the project is categorically exempt from CEQA pursuant to Section 15305, Class 5: Projects consisting of minor alterations in land use. The property is located at 838 Quaking Aspen Rd, Bear Valley APN:(005-291-004-000).

4.3 Request approval of a Conditional Use Permit for an Expanded Home Occupation for 155 Blue Camas Rd, Markleeville, File #2024-022.

Review the proposed conditional use permit application for an expanded home occupation. Determine whether to grant an exemption to the Home Occupation Standard 18.70.090 (B.); and including the finding that the permit is Categorically Exempt for California Environmental Policy Act (CEQA) pursuant to Section 15304 (e). The property is located at 155 Blue Camas Rd, Markleeville, APN: (002-130-001-000).

### **5. Unfinished Business**

None

### **6. New Business**

6.1 Presentation from Ed James, General Manager of the Carson Water Subconservancy District on an update to the 30-Year Regional Water Study.

### **7. OTHER BUSINESS**

7.1. Community Development Director Report

7.2. Items initiated by Commissioners

### **8. ADJOURNMENT**



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

**MINUTES**

Thursday March 28, 2024

**1. CALL TO ORDER**

Chair Bob Broyer (attending via zoom) called the meeting to order at 1:00 p.m. with Commissioners, Jim Haen, Tom Sweeney present. Vice Chair Nick Hartzell abstained from the meeting due to conflict of interest.

A quorum was established.

**2. MINUTES**

**2.1. Request approval of regular meeting minutes of Thursday, January 25, 2024**

MOTION: Haen/ SECOND: Sweeney approving the regular meeting minutes of January 25, 2023

AYES: Broyer, Haen, Sweeney

ABSTAIN: Hartzel

MOTION CARRIED

**3. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT**

No public commentators for topics other than the agenda item presented.

**4. PUBLIC HEARING**

4.1 **Residential Short-Term Rental Code Changes 18.73** Review the individual code sections and make a recommendation for approval to the Board of Supervisors regarding proposed code changes to chapter 18.73 for Residential Short-Term Rentals. Approve finding that the code amendment is statutorily exempt from CEQA pursuant to Section 15061 (b)(3): The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (attachment 1)

Staff planner Sarah Traiman introduced the item and proceeded to give background information, explaining that on January 25<sup>th</sup>, 2024, Community Development staff met with the planning commission to discuss existing issues with current county code for residential short-term rentals and potential solutions. Each code section was discussed, and the commissioners provided staff with direction and feedback. Mrs. Traiman continued to state that at today's meeting staff would present the updated code language with the planning commissioner's recommendations incorporated.

Other sources of information that guided staff in the code change recommendations included a public workshop held in December of 2023, the results of a survey made available to workshop attendees and for the public on the

Community Development website. Mrs. Traiman stated that herself and colleague recognized issues with the short-term rental code through the process of bringing property owners into compliance.

Mrs. Traiman then presented a summary of each updated code section up for vote. Including the following sections:

**18.73.020 Applicability**

Prohibited use of Accessory Dwelling Units (ADUs) for short term rental. California code allows short term rental use for ADUs built prior to 2017. Update to reflect statewide standards for ADUs.

**18.73.070 Standards (B) Noise Limitations**

Removal of outdoor amplified sound restriction. Prior language too vague. Refer to General County noise standards (18.68.090).

**18.73.070 Standards D. Solid Waste & (J)(4) Interior Notice Requirements**

Changed language to specify that waste is not to be placed outside the dwelling until the scheduled day of trash pickup unless it is stored in a wildlife proof enclosure.

**18.73.070 Standards (N) Emergency contact.**

Changed criteria for person of contact in case of an emergency related to the rental. Contact does not need to be local (within one hour's driving distance) but must be available to respond 24/7 and able to abate the nuisance within an hour of contact.

**18.73.110 License required.**

Added language to prohibit property owners from advertising their rental property without a valid short-term rental license with the county.

**19.73.130 Requirement for license issuance.**

The East Slope 100 ft buffer zone requirement does not apply to short-term rental properties in commercial zoning districts.

**18.73.140 East Slope Waitlist (new section)**

Property owners wishing to obtain a short-term rental license can submit a waitlist application if restricted by buffers and limits pertaining to East Slope properties.

**18.73.150 events at residential short-term rentals (new section)**

Restricts use of short-term rental properties as event venues. Requires granting of conditional use permit for a home occupation. Occupancy is stated upon application according to added section **18.73.120**

**Application requirements (B)**

**18.73.200 Cessation of use of a residential unit as a short-term rental**

Clarification of language to specify that property owners may not obtain a short-term rental license without the intent to rent and must demonstrate that the property was rented on an annual basis by submitting transit occupancy tax information.

**18.73.080 Enforcement and penalties**

Violation of standards will result in increased fines. An administrative fine will be issued upon the first violation.

Community Development Director Sam Booth then addressed the commissioners and added that staff also request an approval of the finding that the item is exempt from further review from the California Environmental Policy Act or CEQA in accordance with section 15061. Mr. Booth directed commissioners to page 17 of the packet where staff request to approve the code changes as presented here today, or with suggestions for minor alterations and issue a recommendation to the Board of Supervisors.

Chairman Bob Broyer then invited commissioners to address Community Development staff regarding any questions or recommendations as to the proposed code changes. He commented that he was not clear about the definition of the East Slope overlay district terminology used in the code. Mr. Broyer said that several terms in the code should be clearly defined including bed and breakfast, hotel, motel and accessory dwelling unit.

Sam Booth replied that definitions are stated in the beginning of the zoning code section 18.08. Mr. Booth then gave the definition of the East Slope overlay stating it includes all portions of Alpine County, lying generally east of the Sierra Nevada Crest, or that drains easterly and into the Carson River of Nevada and California. East Slope communities include Markleeville, Mesa Vista, Hope Valley, and Blue Lakes Road but not Kirkwood or Bear Valley.

Bob Broyer commented that if he were an owner of a short-term rental property, he would want to see the definitions made more visible and available for applicants.

Bob Broyer referred to section 18.73.110 and asked if property management agencies in charge of many short-term rentals adequately provide a license number when advertising the properties for rent. Staff planner Alexa Burke confirmed that rental management agencies were accurately providing the license information on the vacation rental websites.

Bob asked about new section 18.73.140 East Slope Waitlist and if the penalty for renting while on the waitlist should result in the applicant being moved to the end of the list. Sam Booth responded that if a property owner is found to be renting without a valid license, they are removed from the list for 12 months after which they can reapply. This will result in the applicant being at the bottom of the wait list.

Bob Broyer asked for clarity concerning the 10-day notice given to property owners in violation of the standards. Mr. Booth said that owners are issued a notice of license revocation 10 days prior with the language that they have the right to appeal the decision before the Board of Supervisors.

Bob Broyer asked other commissioners if there were any other questions for staff. Hearing none, Mr. Broyer opened the meeting for public comment.

Mary Rosen 199 Spring Canyon Rd:

Lives next to a rental property in Mesa Vista and has experienced many noise disturbances. Mrs. Rosen stated that the properties in the area are quite large, about 5-acres. However, they are narrow and long in configuration, so homes are close together and the noise is a nuisance to other homeowners. She does not agree with the suggested code change to remove that "outdoor amplified sound is prohibited". Mrs. Rosen

said that county staff are not available on weekends to address the noise complaints and feels there is little recourse available to address noise violations. She said they sometimes call 911 but the authorities respond hours later after the violation is no longer occurring. She continued to state that short term rental property owners should not be allowed to advertise that the premises can be used for weddings in the yard or weddings at all. Mary Rosen said there are at least 60 people showing up for wedding events at the neighboring short term rental property. She believes the first violation of noise standards should result in a \$500 fine and once they have 3 violations, they lose their privilege of renting the property. She does not think that a short-term rental license should transfer to new owners if the property is sold. She would like to have the ability to vote on whether a license is granted.

Bob Broyer asked if there were any remote attendees that would like to comment.

Eric Tiffany, 153 Spring Canyon Road. Eric lives two homes away from Mary Rosen and agrees with her statements. He stated he is not in favor of removing the prohibition of amplified sound from the code. He does not believe that difficulty enforcing the amplified sound stipulation is a good reason to remove it from the code. Mr. Tiffany does not feel that calling the authorities is a good use of the Sheriff Departments limited resources. Mr. Tiffany stated that often the prohibition of outdoor amplified sound has been his only recourse when reporting disturbances. He would also like to see an outright ban on events at short-term rental properties. He observes the neighboring short-term rental property hosting weddings with up to 70 attendees. He does not think a residential property is equipped to deal with the additional impact on septic and water systems. He agrees with Mary Rosen that violation fines should be further increased and the application fee as well. He would like to see the County take a stricter stance on repeat violators.

Bob Broyer asked for more comments from remote attendees.

Stacy Stillman, a homeowner in Bear Valley for 6 years, was a vacation rental manager. She agrees with both Mary Rosen and Eric Tiffany and does not want to see the ban on outdoor amplified music removed from the code. Mrs. Stillman would like events banned at short term rental properties and suggests a headcount restriction for each property that does not increase during nighttime or daytime hours. Absolutely no visitors allowed.

Bob Broyer asked if there was any more public comment.

Staff Planner Alexa Burke introduced herself and read a comment submitted by Walter Bell, a resident of Blue Camas Road in Hope Valley. The following statement was read for the commissioners.

I strongly support the Planning Division's proposed Zoning Code amendments to Alpine County Code Section 18.73 – Residential Short-Term Rentals. Based on experience as a full-time county resident from 2004 to 2014, and my continued frequent use of my residence in the county, I believe these code additions are crucial to preserve the sanctity, security, and serenity of my residence, which could be otherwise impacted by unregulated events hosted at nearby Residential Short-Term Rental properties. I believe many other county residences are at similar risk. In fact, these unregulated events hosted at short-term rental properties have already caused substantial disruptions to neighbors. Those disruptions include noise, traffic, and trespassing, all of which degrade the values most of us sought in owning residences in our scenic rural setting.

The new regulations proposed by the Planning Division provide regulatory protection of the rights of the adjacent property owners to the privacy, serenity, and security they deserve, while still giving those property owners

wishing to further monetize their property by hosting events, a path to apply for that privilege under regulated conditions. That path, the application for a permit for Conditional Use for an Expanded Home Occupation, has been used by the county for many years to provide a path for commercial operations in areas that are not zoned for such activity. Importantly, this permit application process requires a close evaluation of impact to adjoining properties, including notification of neighbors of the intention to conduct such activities.

If these additional short-term rental regulations are not put in place, such that large unregulated events are allowed, all existing short-term rental licenses should be put up for reapplication, because in my opinion, most neighbor approvals for these commercial operations were based on those operations limited to small capacity lodging. If that is no longer the case, neighbors need to be given another chance to approve or disapprove those licenses with the knowledge that these large events are allowed.

Best regards, Walter Bell, 290 Blue Camas, Markleeville (Hope Valley)

Bob Broyer asked for any more public comments or emails received. Community Development Director Sam Booth said that Eric Tiffany sent an email but had conveyed the information from the email himself over Zoom. Mary Rosen approached the podium to add that she agreed with the statements of the other public participants and that she would like to see updates to the Special Event code with contributions from public input. Bob Broyer responded that the topic of Special Events was not up for discussion at today's meeting. Mrs. Rosen acknowledged Bobs statement but said she would like to see the topic brought up at the next commissioner meeting.

With no other public participants wishing to comment, Bob Broyer closed the public hearing at 1:50pm.

Jim Haen started the discussion with the topic of noise and the difficulty in regulating the standards. He thinks that referencing the County noise standards is a more direct way to address the issue and stated that amplified sound would be accounted for under those standards. Sam Booth verified that Jim Haen's statement was correct. Mr. Booth said the reason for removing the prohibition of outdoor amplified sound from the code is the difficulty in enforcing the regulation. The topic has been discussed at previous meetings with the county council. "Amplified sound" could pertain to a cell phone speaker or blue tooth speaker when the regulation is intended for sound from live amplified music.

Bob Broyer stated that at the last planning commissioner meeting that he recommended including an example such as sound being kept at the level of two people standing roughly five feet apart talking at normal conversation volume.

Tom Sweeny asked if the 65-decibel standard was the same throughout the county. Sam Booth stated that the noise standards vary depending on the zoning of the location. Mr. Booth stated that the decibel level in Mesa Vista is 60 db as it is zoned Residential Estate and as high as 75 db in commercially zoned areas. The purpose being that people in residential areas would be more sensitive to higher noise levels. Mr. Booth said that sound is measured from the property line according to the code. Mr. Sweeny asked if the Sheriff's Department has a sound measuring device. Mr. Booth said they do. He continued to state that by raising the violation fines and regulating events at rentals, the county may see a reduction in violations due to nuisance behavior. Mr. Booth said that staff are looking for other ways to support the Sheriff's Department. Mr. Booth said he doesn't believe the Board of Supervisors would be interested in hiring additional staff for code enforcement purposes. The Community Development Department does have the opportunity to establish a complaint hotline that is staffed by an outside agency. The hotline is staffed 24/7 and homeowners can make a complaint. If the nuisance is not abated within

one hour of the complaint the county will have grounds to issue a violation. From an administrative perspective, there would be a request for budget funding approved by the Board for a complaint hotline or enforcement staffing.

Bob Broyer asked if there was an option to have a sound monitoring system installed at rental properties. Mr. Booth responded that option was discussed in January's commission meeting. Jim Haen inquired about the practicality of noise monitoring for short-term rentals. Jim said there was likely downloadable software that can collect sound emission data. Mr. Booth said it is difficult to say how practical or impractical the monitoring system would be, but it could be something we require for short-term rental properties with violations related to noise. In addition, the property owner in violation would pay a fine. Mr. Booth went on to say that if a noise complaint was made, the monitor could provide the short-term rental property owner with proof of whether there was in fact a violation.

Bob Broyer invited Mary Rosen back up to the podium to speak about noise monitoring systems. Mary Rosen stated that sound emission software retains data for 30 days.

Jim Haen asked Sam Booth if the noise monitoring requirement could be tied to a conditional use permit. Sam Booth said yes. Mr. Booth directed the commissioners to the proposed added section for events at short term rentals 18.73.150. The new section prohibits property owners from advertising their rentals for event usage and a short-term rental property owner would need to be granted a conditional use permit for a home occupation to use the premises to host events. If the rental property owner wanted to utilize outdoor space for events they would need an expanded home occupation conditional use permit. Conditional use permits require a public hearing for approval. Commissioners could require a sound monitor as a condition of the permit.

Tom Sweeny suggested that maybe it should be written in the code that the homeowner applying for the use permit must demonstrate that they will keep sound below the decibel level specified for the zone in which the property is located. If the property owner violates the conditions, Mr. Sweeny suggests violations and the loss of the short-term rental license. Mr. Booth mentioned that there are only a few short-term rental properties that have ongoing issues with hosting events. Guests at short-term rental properties will not be permitted to have events, however if the homeowner wishes to use their property for a single event of their own such as a wedding they would be allowed to do so. Mr. Booth again stated that a home occupation conditional use permit would need to be approved by the Planning Commission for the property to legally be used as an event venue, and neighbors would be notified that they can attend the public hearing to make comment. Sam Booth does not anticipate there being many requests for these types of permits. Jim Haen suggested that the noise monitoring system be mandatory for the granting of the use permit. Sam Booth agreed that there could be a standard set of conditions attached to the use permit. Bob Broyer asked if the permit is granted for the perpetuity of the rental property. Mr. Booth clarified that the permit would be for more than just a single event at the property.

Jim Haen asked if the planning commission would have absolute authority in determining the granting of use permits. Mr. Booth responded that yes it would be at the discretion of the planning commission but that an applicant could appeal the decision to the Board of Supervisors if they were not satisfied with the decision. Bob Broyer asked if it would be appropriate to create a set of criteria in preparation for home occupation use permit applications being submitted or to just keep the conditions open-ended and heard on a case-by-case basis. Sam Booth said that the language for home occupational uses already exists in our county code and that we are not proposing any changes to that section of the code. Mr. Booth stated that he has been meeting with planning directors around the state to determine what types of conditions are reasonable for home occupation use

permits. He said that many counties around the state have similar issues with events being held at rental properties. We hope to have a set of standard conditions drafted prior to an application being brought before the commission.

Jim Haen stated that an event should be better defined for property owners wanting to apply for use permits. Provide examples using language such as “not exclusively but including”.

Jim Haen addressed the proposed code pertaining to waste disposal. Short-term rental properties in East Slope Communities will be required to have a bear box for waste disposal but should be given a time frame in which the box must be installed. For example, within 3 to 6 months of obtaining a rental license or from the time that that code section is adopted. Mr. Haen said making sure not to require the box be installed during winter months. Mr. Booth said it would be appropriate to require the box 6 months from the time that the code is adopted or when the license is renewed. If approved, the bear box requirement should occur while the homeowners can apply for bear box installation through the grant program in progress. Sam Booth asked for more comments from the planning commissioners.

Bob Broyer said that he was in favor of a comment from Mrs. Stillman regarding occupancy at rental properties. Daytime occupancy can not exceed overnight occupancy. Mr. Booth said that on the administrative side we will require homeowners to state occupancy upon application. Once the applicant states occupancy we would review if the occupancy provided by the owner is appropriate given the capacity of the home. This will be important for addressing Health Department concerns such as septic capacity. The occupancy will be displayed on the license which is supposed to be posted so it is visible to people outside. If there are more guests at the property than the stated occupancy a violation can be issued if a complaint is made and verified by the authorities.

Bob Broyer asked if he were the owner of a short-term rental and wanted to use his property to host an event with more people than the occupancy stated, would there be a violation. Mr. Booth responded that when utilizing the property for personal use none of the short-term rental standards would be applicable. If there is no commercial transaction occurring that activity would be exempt if for the owner’s personal use.

Bob Broyer clarified investigations into violations of short-term rental standards would only come into play if there were a complaint. Mr. Booth confirmed the statement and that noise monitors would only be required if there was a violation for the rental property.

Jim Haen made a motion to accept the statutory exemption for CEQA with minor alterations to the proposed short-term rental code. Sam clarified that Jim was the maker of the motion and staff would implement the alterations suggested by the commissioners. Mr. Booth confirmed that Section 18.73.070 will include a requirement for a noise monitor if a violation is issued for the property. Section 18.73.150 be altered to include a definition of an event and types of events to clarify what constitutes as an event. Bob Broyer suggested “such as but not limited to” language to be included. Section 18.73.070 letter d: waste disposal requirements will include a six-month timeline for short term rental property owners to install a bear box in east slope communities only.

Bob Broyer seconds the motion with Tom Sweeny in agreement. Bob Broyer closes the discussion. Sam Booth reads roll.

Jim Hayne: Aye

Tom Sweeny: Aye

Bob Broyer: Aye

Nick Hartzel: not present.

The request was approved 3 – 0.

**5. UNFINISHED BUSINESS**

5.1. None

**6. NEW BUSINESS**

6.1. Request to approve the General Plan Annual Report

Sam Booth introduced the item and gave a short summary of the plan. Chairman Broyer then opened up the discussion to commissioner comments. Jim Haen commented that he believed building permit numbers should be shown for more than one year and should show trends. Commissioner Haen also commented that staff should add a priority to revise the zoning ordinance to address building set backs on residential subdivision lots. The commissioners discussed several clerical edits to the report and asked clarifying questions about the submittal of the report an the housing element to the state.

Jim Haen then made a motion to approve the report, Tom Sweeney seconded the motion. There was no further discussion.

Vote:

Jim Haen: Aye

Tom Sweeney: Aye

Bob Broyer: Aye

Approved 3 – 0.

**7. OTHER BUSINESS**

No other business was discussed.

**8. ADJOURNMENT**

The meeting was adjourned at 2:56 p.m.



## COUNTY OF ALPINE Community Development Department

Samuel R. Booth, AICP, Director

### STAFF REPORT

**TO:** Planning Commission

**FROM:** Community Development Department

**DATE:** May 30, 2024

**SUBJECT:** 4.1 Special Event Permit for the 43<sup>rd</sup> Death Ride-Tour of the California Alps, File #2024-010

Review and possible action to approve a special event permit application to allow the Tour of the California Alps: Death Ride, cycling event with up to 1500 participants, to occur on July 13, 2024. The event is staged from Turtle Rock Park and the course includes State Routes 4 and 89; including a finding that the project is categorically exempt from CEQA pursuant to Section 15304.e, Class 4 Minor Alterations to Land.

### RECOMMENDATION

Approval of Special Event permit 2024-010 and finding that project is Categorical Exempt from CEQA.

### SITUATION

A. Applicant

Alpine County Chamber of Commerce

B. Background

Location:	Turtle Rock Park and State Routes 89, 4
Environmental Processing:	Categorical Exemption, Class 4
Previous Processing:	Special Events approved from 2009-2023.

C. Project description

The Death Ride is an annual endurance cycling event held in July beginning at Turtle Rock Park with up to 3,500 participants and 1000 spectators. The ride has historically included Monitor Pass (SR 89), Ebbetts Pass (SR 4), and Carson Pass (SR 88) for a course length of 129 miles. Recently the course was changed to eliminate Carson Pass and add a new 7-mile segment of SR 4 from Hermit Valley to Lake Alpine. This plan is being continued for 2024. traffic. The application materials and exhibits are Attachment 1 of the report.

D. Criteria for Decision

County Code requires that special events of more than 500 participants be approved by the Planning Commission. County Code 18.78.010 A describes the purpose of the special event ordinance as:

*The purpose of this section is to establish a permit procedure for public or private events that may require regulation to insure public health, welfare, and safety in regard to sanitation, traffic control, police protection, environmental protection, and aesthetics.*

E. Issues & Staff Analysis

The proposed event will include closure of State Route 89 and 4 and will include an estimated attendance of 1200-2000 riders. The applicant has traffic control measures being provided by CHP and the Alpine County Sheriff's Office. Eastern Alpine Fire and Rescue are the medical and emergency leads that will assist with the event. A further description is included with the applicants' event narrative (attachment 1).

**ENVIRONMENTAL REVIEW**

The project is categorically exempt from CEQA pursuant to Section 15304.e. - Class 4; Minor Alterations to Land, Temporary Use. A notice of exemption is included as attachment 2.

**RECOMMENDED CONDITIONS**

1. A site plan showing the route and locations of all supporting facilities must be provided to the Alpine County Community Development Department prior to each year's event.
2. Written authorization must be received by the Community Development Department (acknowledged special event permit) from the owners of all land used by the event prior to each year's event. This includes Caltrans, Alpine County Public Works, and the U.S. Forest Service.
3. The event shall comply with all the requirements of agencies with jurisdiction including, but not limited to, Caltrans, California Highway Patrol, Alpine County Sheriff, Alpine County Community Development, Alpine County Unified School District, and the U.S. Forest Service.

4. The event shall be held in compliance with all medical, security, fire, and parking measures as required by those agencies or organizations with responsibility for these services, and as deemed necessary for the health, safety, and welfare of participants and the public.
5. The Death Ride promoters are responsible for providing on site medical services consisting of qualified and currently licensed or certified personnel capable of providing primary care and first aid. Emergency response and transport in accordance with accepted protocols shall also be provided.
6. The applicant shall maintain a minimum of \$1,000,000 in public liability insurance for the Death Ride. Alpine County shall be named as an additional insured on said policy. Proof of the required insurance shall be provided to the Community Development Department prior to each year's event.
7. Signs and banners for the event shall comply with the regulations of the agency with jurisdiction. Event signs may be subject to the Alpine County Sign Ordinance or Cal Trans encroachment permits.
8. Recycling of glass, aluminum, cardboard, and plastic shall be provided and materials to be recycled shall be collected in separate containers.
9. The applicant shall be responsible for final cleanup of all sites used during the event.
10. Sanitation facilities including portable toilets, hand washing stations and trash disposal shall be provided as required by the Alpine County Health Department.
11. All persons selling, preparing, or serving food and/or beverages shall comply with the current California Retail Food Facility Law.
12. The required permits for food service and alcoholic beverages shall be obtained prior to the event and provided to the Community Development Department.
13. Public officials and their assigned representatives shall have access to all event sites at all times for the performance of official duties.

**PUBLIC NOTIFICATION**

Notice of the public hearing was posted according to the County Code 18.78.030. No comments have been received as of the date of this report.

**ALTERNATE ACTIONS**

1. Deny the application with specific findings addressing the criteria for decision listed in this report.
2. Continue the public hearing pending consideration of additional information necessary to make a decision.

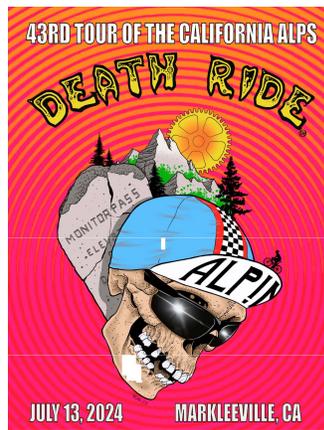
**RECOMMENDATION**

1. Approval of the special event permit with the following findings:
  - a. The event has been successfully produced for many years in Alpine County and the applicant has a history of effectively coordinating both event and agency resources to ensure public safety, health, and welfare.
2. Adopt a Notice of Exemption (Attachment 2) for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

Respectfully submitted,

Alpine County Community Development staff

- Attachments:
1. Applicant's Materials
  2. Notice of Exemption



**Death Ride®**  
**“Tour of the California Alps”**  
**Saturday, July 13, 2024**

**EVENT HISTORY:**

The Death Ride began as a one-day cycling tour of the California Alps started by a local Alpine County resident, Wayne Martin in 1978. Called a “Super Tour,” a group of hardcore endurance bicyclists attempted to climb and descend multiple mountain passes in the eastern Sierra. The original ride started and finished at Grover Hot Springs and consisted of climbing and descending five passes: Daggett Pass (Kingsbury Grade NV207); Luther Pass, Carson Pass, Monitor Pass and Ebbetts Pass, returning to Grover Hot Springs. This ride was originally known as the Markleeville Death Ride and continued to 1981 when Wayne Martin moved away from Alpine County and the ride remained dormant.

In 1984, the Alpine County Chamber of Commerce approached the newly formed Alta Alpina Cycling Club to assist in producing the Death Ride as bicycling tourism event to support Alpine County’s Tourism efforts. This beneficial partnership continued to grow and enhance the event through 2007.

Course routing and re-routing continued for several years, and in the early 1990’s, California Highway Patrol in agreement with Caltrans allowed for the complete closure of Highway 89 from the Highway 4 junction in Alpine County to Highway 395 in Mono County, from 5:00 AM to 12:00 PM; as well as the complete closure of Highway 4 from Highway 89 to Hermit Valley from 5:00 AM to 3:00 PM. This was a major enhancement to bicyclist safety for 3,000+ participants. This also eliminated riding in Nevada (NV207) and contained the event to Alpine County (mostly) by sending riders over both sides of Monitor Pass, both sides of Ebbetts Pass, turning around at Hermit Valley to return to Turtle Rock Park. From Turtle Rock Park they continued on open roadway westward via Highway 88 to the top of Carson Pass and back to complete the fifth pass.

The Death Ride® participation rapidly grew to 3,500 riders and became the economic driver for Alpine County; bringing unprecedented resources to the Alpine County Chamber and Visitor’s Center, local businesses, and many non-profit organizations and volunteer groups that became the backbone of the ride’s support. The Death Ride® had become one of the most highly

recognized endurance bicycling event in the country, drawing participants from all over the world.

The Alpine County Chamber of Commerce continued to produce the annual event with resounding success for several years. Then event participation started to decrease, and by 2019 the registration numbers had decreased by half. As the largest event produced in and for Alpine County's tourism economy, rebuilding the event became a priority for the Chamber of Commerce. In 2020, the Alpine County Chamber contracted professional cycling event director Curtis Fong with Bike the West (TGFT Productions) to re-route the course and revamp the aid stations and related cyclists support.

The ride was cancelled in 2020 due to the COVID-19 pandemic. In 2021, with the support of CalTrans and many other agencies, the Alpine County Chamber of Commerce revitalized the event with a new route, new leadership, and a very hopeful 40<sup>th</sup> Anniversary Celebration. On the eve of the ride, the entire town of Markleeville and neighboring communities were evacuated due to the Tamarack Fire. The event was again cancelled, although weeks later reports began to come in of many dedicated cyclists who rode the route, or portions of it, on their own after the fire seceded.

#### **THE 2022 STAGE:**

Continuing with the plans laid out by Mr. Fong and Bike the West over the past two years, Alpine County Chamber of Commerce again received agency approvals to enhance bicyclist safety and continue with the course re-routing to greatly reduce cyclists on open roadway. The route eliminated Highway 88 from Woodfords to Carson Pass and back, and extended the former road closure (Hermit Valley) on Highway 4 to the gate east of Lake Alpine. This section of the route would be closed to vehicle traffic from 5:00 AM to 4:00 PM. This allows bicyclists to ride most of the route on closed roadways and shortened the course mileage from 129 miles to 103, allowing participants to finish riding six passes within normal daylight hours from 5:00 AM to 6:30 PM.

# Work Description

## **2024 EVENT DESCRIPTION:**

This year's Death Ride® will be held on Saturday, July 13, 2024, between the hours of 5:00 AM – 6:30 PM, taking place along CA State Highways 89 and 4 and Alpine and Mono counties.

The Death Ride® is a bike ride tour, not a race, meaning each participant is encouraged to ride at his or her own pace. In addition, many cyclists do not enter with plans to finish the whole course. Rather, they are encouraged to “choose their challenge” and find success in riding one, two, three or more passes.

Approximately 1,200 – 2,000 cyclists are expected to participate in the 2023 event, which in the past has accommodated a capacity of 3,500 cyclist and nearly 1,000 spectators. Over the years, the bicycle tour has been successful in placing Alpine County “on the map” as a cycling tourism destination, while also serving as a fundraiser for the Alpine County Chamber's tourism promotion and operating budgets, providing much-needed resources for the County's tourism marketing efforts. For more information about the ride, visit [www.deathride.com](http://www.deathride.com).

Bicyclists are required to “Share the Road” and obey all “Rules of the Road/Ride” to include COVID-19 prevention protocol.

## **START / FINISH:**

The event Start and Finish will be staged at Turtle Rock Park (TRP) located on Highway 89 two miles north of Markleeville, Calif. Registration/participant check-in, expo festival, pre and post ride meals, medical center, standby ambulance service, Ham communications center, rest stop, and volunteer coordination will all be administered from Turtle Rock Park.

## **EVENT PARKING:**

Highway 89 off-pavement parking will be provided by mowing of the north-bound and south-bound shoulders on SR 89 from Turtle Rock Park to Sierra Pines Country Store. This will be scheduled prior to event to provide fire mitigation and abatement. Eastern Alpine County Fire/Rescue will be on standby with water tender during the mowing process.

Limited participant parking will be available at Turtle Rock Park. Additional participant and spectator roadside parking will be available on SR 89, off pavement, keeping the park entrance intersection clear using traffic cones. Parking at the Start and Finish area will be coordinated by Search and Rescue volunteers. Parking areas are established and subject to the 25 mph and 35 mph speed limits, with signs placed in connection with the special event.

Spectator roadside parking zones will be coned off for NO PARKING in advance of the event, so they remain unobstructed to oncoming traffic.

Following the event, parking areas will be cleaned of debris and left in their previous condition. Volunteers entering the course from the Lake Alpine corridor will be advised to park at Bear Valley and carpool to their volunteer location(s) on the course. Spectators and families will be encouraged to park accordingly to enjoy the Lake Alpine recreation area, visit local merchants/restaurants, and avoid parking on private property.

### **CLOSED HIGHWAYS**

California Highway Patrol (CHP) will close Highway 89 in Markleeville at 5:00 AM, then move to “Whorehouse Flats” at 7:00 AM to close Highway 89 at that location and assist in bib screening of registered participants.

CHP will close Highway 89 / Highway 4 Junction from 5:00 AM to 12:00 noon.

CHP will close Highway 89 / Highway 395 from 5:00 AM to 12:00 noon.

CHP will close Highway 4 at the east gate of Lake Alpine from 5:00AM - 4:00PM

Service agreements are in place with CHP for traffic control, as well as with the Alpine County Sheriff’s Office for law enforcement.

Emergency vehicles, law enforcement vehicles, authorized Course Marshall vehicles, SAG transport vehicles, motorcycle SAG vehicles and other authorized vehicles will be allowed to conduct necessary services on all closed highways.

### **TRAFFIC CONTROL:**

Closures and traffic control will be conducted by the CHP and local law enforcement agencies, to include Alpine County Sheriff’s Office. Traffic control signage will be placed in accordance with Caltrans standards and approved signage plans. Sierra Events Traffic Solutions is our contracted ATSSA Certified Temporary Traffic Control Technicians. CA C-31 License 1017770 Contact: (530) 562-7628 on-site cell and email: [regpeterson@sbcglobal.net](mailto:regpeterson@sbcglobal.net) Ham call: KM6CHM (Ham to be used in emergency when cell is unavailable).

**THE DEATH RIDE RESURGENCE 6 PASS COURSE:  
103 Miles – 6 CATEGORIZED CLIMBS - 14,000+ FEET OF CLIMBING  
5:00AM TO 6:30PM**

All pre-registered riders must check in, show ID, sign their waiver and receive their official bib number that allows them access to the closed course, all rest stops, and all support services of the ride. Bib numbers will be stamped at various rest stops to verify completion of passes, including at the Finish, to be entitled to receive special honors - the Finisher Pin, signing of the annual commemorative poster, and the option to purchase an all-pass finisher's jersey.

**OPENING CEREMONIES**

California Highway Patrol and Alpine County Sheriff's Department will close the access road to Turtle Rock Park and assist with traffic control of southbound Highway 89 motorists.

Opening Ceremonies will take place starting at 5:00 AM with bicyclists lining up on the Turtle Rock Park roadway, 200 feet from entrance / exit of Highway 89. At 5:00 AM, opening ceremonies and greetings will be presented, along with bicycle safety information provided by the CHP and Alpine County Sheriff's Department.

**COURSE:**

Registered participating bicyclists will officially start at Turtle Rock Park on Highway 89 between Woodfords and Markleeville, between 5:00 AM to 7:30 AM, in pre-selected :15-minute start windows. Starting at 5:15 AM, 20-30 bicyclists will be released every 2-3 minutes to spread riders out. Welcome greetings will be re-staged at 5:45, 6:15 and 6:45 AM.

Bicyclist will make a RIGHT TURN (south) on to Highway 89.

Bicyclists will continue to ride southbound on Highway 89 through Markleeville and continue to Whorehouse Flats where there is a bib check area to allow only registered bicyclist on to the closed course.

Bicyclists will continue south bound on Highway 89 to Highway 4 Junction and make a LEFT TURN (east bound) on Highway 89 to Monitor Pass. CHP on site to Close Highway 89 / Highway 4 junction from 5:00 AM to 12:00 PM.

A **\*Quick Energy Rest Stop "Heenan"** / Quick Energy bars / Water / Tech support station / HAM Op Station. will be set up 20 ft+ off the road surface 0.7 mile just east of Heenan Lake on the south side (right side) of roadway.

Bicyclists will continue east bound on Highway 89 to **\*\*Full Support Rest Stop “Monitor Pass”** on south side (right side) of roadway, approximately ¼ mile west of the Monitor Pass summit marker. Rest Stop will be positioned a minimum of 50 feet off road surface and will include Tent/Awnings (Shade), Spread out table food distribution stations, Bottled Water distribution station, Tech Support Station, Medical Station, HAM Station as well as Bike Racks and Portable Toilets areas positioned at least 30 ft away from Rest Stop area.

Bicyclists opting to ride the 1-Pass Option may turn around and ride Lunch or back to Finish at Turtle Rock Park.

Monitor Pass rest stop open time: 5:00 AM - 12:00 PM

Monitor Pass cut-off time to continue east to Topaz Junction: 10:00 AM

Bicyclists will continue eastbound on Highway 89 and descend to Highway 395 junction to **\*\*Full Support Rest Stop “Topaz”**. Rest Stop will be positioned on the north side of the roadway and will be a Full Support Rest Stop with addition of standby Sag Transport Vehicle. CHP to close Highway 89 / Highway 395 Junction from 5:00 AM to 12:00 PM.

Bicyclists will depart for Topaz Rest Stop, westbound on Highway 89 to climb back up Monitor Pass.

Topaz Junction to Monitor Pass cut-off time: 11:00 AM

A **\*Quick Energy Rest Stop “Half Monitor”**, will be positioned approximately halfway up the climb on the right side of roadway at the first right hand switch back to distribute water refills from 5 gallon bottled water.

Bicyclists will continue westbound on Highway 89 to **\*\*Full Support Monitor Pass Rest Stop**. Bicyclists opting to ride 2 Passes may descend and ride to Wolf Creek Lunch or to the Finish at Turtle Rock Park.

Bicyclists will descend westbound Highway 89 to Highway 4 Junction and make LEFT TURN (westbound) on Highway 4 towards Ebbetts Pass.

CHP will open westbound Highway 89 from Highway 395 to Highway 4 Junction and eastbound Highway 89 from Highway 4 junction to Highway 395 at 12:00 PM to allow both east and west bound traffic to proceed. Standby SAG Transport Vehicle will be positioned at the Hwy 89/Hwy 4 junction to return bicyclists to Finish.

A **\*\*Full Support Lunch Stop “Wolf Creek”** will be positioned off the road surface at Centerville Flats / Wolf Creek for lunch. This full support rest / lunch stop will feature Port of Subs bagged lunches, fruit, snacks, water, electrolyte and canned soft drinks.

The Wolf Creek rest stop is open 9:00 AM to 4:00 PM.

Cut-off time to continue westbound Highway 4 to climb Ebbetts Pass: 12:00 PM.

Bicyclists will continue west bound on Highway 4 towards Ebbetts Pass with a **\*Quick Energy Rest Stop at “Scossa’s Cow Camp”**, located on right side of the roadway and eventually to the **\*\*Full Support Rest Stop “Ebbetts Pass”** located on the left side of roadway, prior and post of the cattle guard / Ebbetts Pass Summit Marker.

The Ebbetts Pass rest stop is open 9:00 AM to 4:00 PM.

Bicyclists opting to ride the 3-Pass option may turn around and descend eastbound Highway 4 to Wolf Creek and on Highway 89 to the Finish at Turtle Rock Park.

Cut-off time to continue from Ebbetts Pass to Hermit Valley: 1:30 PM.

Cut-off time from Ebbetts Pass to return to the Finish: 4:00 PM.

Continuing bicyclists will descend westbound Highway 4 to **Quick Energy Rest Stop “Hermit Valley”** positioned off the road surface on the west end of the camp area.

Bicyclists opting to ride the 4-Pass option may turn around and ride east bound Highway 4 back over Ebbetts Pass and return to Wolf Creek and/or the Finish at Turtle Rock Park.

Hermit Valley rest stop open times: 9:00 AM to 3:30 PM.

Cut-off time from Hermit Valley to Alpine: 2:00 PM.

Cut-off time from Hermit Valley to Ebbetts Pass: 3:30 PM

Bicyclist will continue westbound on Highway 4 over Pacific Grade and descend to **Full Support Rest Stop “Alpine”** located on the southside off roadway across from Stanislaus Forest Sign, approximately ¼ mile from the road closure at the east gate of Lake Alpine.

CHP will close Highway 4 at the east gate of Lake Alpine from 5:00 AM to 4:00 PM. Alpine County Sheriff Department will assist in enforcement of possible intrusion of traffic from campgrounds and trail heads on Highway 4 between Hermit Valley and east gate of Lake Alpine.

**A Traffic Control Point** will be established west of the road closure on Highway 4 at Mt. Reba Road (207) to screen westbound motorists and advise them the road is closed past Lake Alpine till 4:00 PM, with option to continue to Lake Alpine or visit Bear Valley or take the alternate route.

**Alpine Water Stop will be the turnaround point of the Death Ride and all bicyclists will return eastbound on Highway 4 to Hermit Valley.**

Alpine rest stop open times: 10:00 AM to 3:00 PM (although volunteers and the station will remain in place until all riders are through and SAG can navigate the course to assist stragglers).

Cut-off time from Alpine to Hermit Valley: 2:45 PM.

Bicyclists will ride eastbound Highway 4 from Hermit Valley to Ebbetts Pass.

Cut-off time from Hermit Valley to Ebbetts Pass: 3:30 PM.

Bicyclists will ride eastbound on Highway 4 from Ebbetts Pass to Wolf Creek and / or Highway 89 to Finish at Turtle Rock Park.

Cut-off time from Ebbetts Pass to return to Finish at Turtle Rock Park: 4:00 PM (after 4:00 PM remaining bicyclists on course must share the road with open, two-way traffic).

CHP will assist with traffic control at the Finish on Highway 89 to allow Bicyclists to make a LEFT TURN in to Turtle Rock Park to ride under the 30 ft wide Finish Arch. All bicyclists returning to the Finish will have their bib stamped "Finish." Six-Pass finishers will receive special All-Pass Pin, sign the official poster, and given the option to purchase the Death Ride All-Pass Jersey.

CHP will open eastbound Highway 4 from east gate of Lake Alpine and westbound Highway 4 from Highway 89 junction at 4:00 PM to allow both east and west bound vehicular traffic to proceed.

The course officially closes at 6:30 PM. Remaining bicyclists on the course will be informed to utilize SAG transport to the Finish or allowed to continue to ride to the finish if their assessed condition by Course Marshal is authorized to continue and finish by 7:00 PM.

Temporary Traffic Control Signage will be removed starting after Highway 89 reopens at 12:00 PM and Highway 4 reopens at 4:00 PM and after course management's SAG transport sweeps course to pick up remaining bicyclists to transport to Finish or to verify course is clear of bicyclists.

#### **REST STOPS:**

All Rest Stops will be positioned a minimum of 15 Feet from the road surface. Tent installation and set-up of facilities, water delivery, portable toilets, dumpsters, etc. and rest stop supply delivery will take place starting 2-3 days prior to the event.

Nine rest stops are indicated on the attached route map, along with a key indicating the level of support services available at each stop. While final portable toilet and hand-washing stations

are determined by the number of participants, an estimated 95 portable toilets will be strategically placed at the rest stops based on number of participants expected to reach each stage in the course.

Retrieval of remaining rest stop supplies and equipment will take place after Highway 89 reopens at 12:00 PM and Highway 4 reopens at 4:00 PM. Remaining tent awnings, portable toilets, dumpsters, etc. will be removed by contractors the following Sunday through Tuesday.

**Quick Energy Rest Stops: Heenan, Half Monitor, Scossa's Cow Camp, Hermit Valley & Markleeville.** Will include pop up tent awning / table / quick energy bars-food / water / energy drink mix / first aid / bike mechanic tech support station / ham radio station / bike racks / portable toilets / trash removal

**\*\*Full Support Rest Stops: Monitor Pass, Wolf Creek, Ebbetts Pass & Alpine Lake.** Will include tent awnings / tables / chairs / assorted fresh fruit, cookies, bars and other carbohydrates / water station / energy drink mix / medical station / bike mechanic tech support station / ham radio station / standby sag transport vehicle / trash dumpster and recycling bins. **Wolf Creek / Centerville Flats Lunch** will include all of the above plus premade, Port of Subs bagged lunches and canned soft drinks.

#### **EMERGENCY MEDICAL PLAN:**

Eastern Alpine Fire and Rescue are the medical and emergency leads on the event and supported closely by the Alpine County Sheriff's Office as well as California Highway Patrol.

As many as four (4) standby ambulances will be serving emergency needs and will be strategically placed at Start / Finish (Turtle Rock Park), on Highway 89 (Monitor Pass), and on Highway 4 (Hermit Valley). The Death Ride® has contracted with Care Flight/REMSA to cover the eastern side of the course, and Ebbetts Pass Fire Department to cover the western side of the course.

Standby helicopters will include Care Flight out of Gardnerville and CalStar out of South Lake Tahoe Airport for back up evacuation transport.

A medical clinic will be staffed by a physician and staff at Start / Finish (Turtle Rock Park).

Medical and first aid teams, SAR-EMT, will be at all full support rest stops.

#### **COURSE MANAGEMENT / COMMUNICATIONS:**

Tahoe Amateur Radio Association (TARA) will administer the Death Ride Management Center at the Start Finish (Turtle Rock Park). TARA member volunteers will staff mobile Ham Op stations at ALL rest stops with the addition of two HAM Op Station on Highway 4 "Half Ebbetts" below Cadillac Curve and an additional HAM Op Station on Highway 4 near Pacific Grade. The

communications system will be tied in with Alpine County Sheriff, Douglas County Sheriff and California Highway Patrol frequencies.

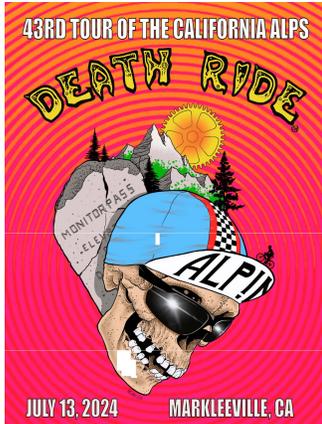
Megan Wolff, event director, along with the Course Director Corey Bolton, will manage course logistics and decisions of action necessary to manage all aspects of conducting the event with attention to safety for both bicyclists and vehicular traffic on closed as well as open highways. Cell on site: (775) 781-9292, email: [teambolton@deathride.com](mailto:teambolton@deathride.com) Or, Ham call: KF7JVE.

#### **COMMUNICATIONS PLAN and EVENT PARTNERS:**

The communications lead on all event marketing, participant engagement, media outreach, and interagency communications is the Alpine County Chamber of Commerce Executive Director, Meghan Wolff can be reached at the office (530) 694-2475 or [info@alpinecounty.com](mailto:info@alpinecounty.com) and Melissa Edwards Marketing/Expo Coordinator, Melissa by cell (707) 480-8870, or by email [medwards@deathride.com](mailto:medwards@deathride.com)

The Alpine County Chamber of Commerce continuously engages stakeholders and media partners in messaging that alerts travelers, locals, property owners, and participants of road closures, rules of the road, and event timelines. Key communications stakeholders include CalTrans, United States Forest Service, Alpine County, business and property owners, media outlets (The Record Courier, Nevada Appeal, Inyo Register, Tahoe Tribune, South Tahoe Now, Calaveras Enterprise, Mammoth Times, Sacramento Bee, Reno Gazette Journal), California Highway Patrol, Nevada Highway Patrol, and the California Parks Service.

While hosted by the Alpine County Chamber of Commerce, the event requires significant collaborative partnership to succeed. The Alpine County Chamber of Commerce recognizes the valuable contributions of our partners, including but not limited to the County of Alpine, Alpine County School District, California Highway Patrol, Alpine County Sheriff's Department, Eastern Alpine Fire and Rescue, Bear Valley Fire and EMS, CalTrans, CAL STAR, Care flight, Tahoe Amateur Radio Association, and numerous event sponsors, nonprofits, and volunteer groups.



# Rules of the Ride & Rules of the Road

Death Ride – Tour of the California Alps® | Saturday, July 13, 2024  
5:00 a.m. – 6:30 p.m.

## RULES OF THE ROAD:

Bicyclists are required to obey all traffic laws governing bicycle riding in the state of California. To include:

- Bicyclists must stop at all stop signs and stop lights, before proceeding.
- Bicyclists must ride in the right lane at all times and must not cross the center line. Where there is no center divide, cyclists **MUST** remain on the **RIGHT-MOST** side of the road.
- Bicyclists must ride single file as far to the right as practicable unless in passing.
- Passing maneuvers will be permitted to pass on the left to overtake another participant and must **not exceed 2 abreast**. As a courtesy, the passing rider must call out, “passing on your left”
- **Emergency Vehicles:** Bicyclists must stop and pull off the road surface to allow emergency vehicles to pass.
- **Equipment Checks, Rest/Fuel:** Bicyclists must stop and pull off the road surface to check gear, refuel, or take a rest break in any location on the course that is not an official aid station/rest stop.

## In addition:

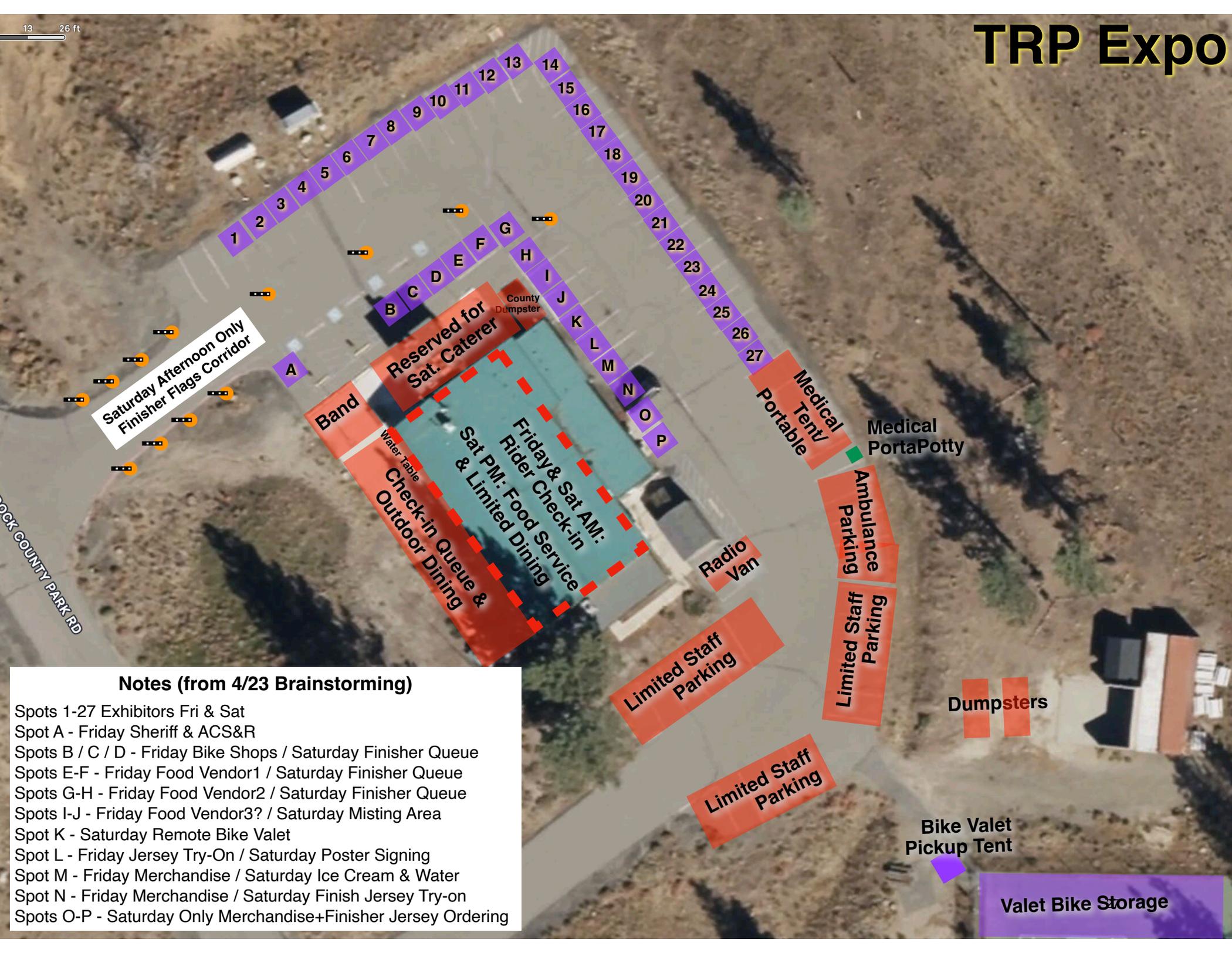
- Participants may NOT enter the course without their official bib, and bib numbers must be visible on the rider’s back at all times. Course marshals and law enforcement may remove any rider from the course who does not display their bib.
- Official event hours are 5:00 a.m. to 6:30 p.m. Participants still on the course after 4:00 p.m. are subject to riding with motor vehicles. By entering the Death Ride®, you acknowledge that this is the nature of the course and you will ride with utmost caution.
- Those wishing to apply for the all-pass finisher’s jersey and pin must ride the course in the official sequence: Monitor > Monitor > Ebbetts > Pacific Grade > Pacific Grade > Ebbetts > Finish

## COVID 19 PROTOCOL:

This Covid-19 prevention and rider safety plan is subject to updates. Additional rules and regulations may be set in place on ride day.

- Each participant must conduct a self-screening test before the race.
- If you have tested positive or been in contact with someone that tested positive within 14 days of July 15, 2023, we ask you to stay home.
- If you have any COVID-19 or flu symptoms, please stay home.

- The event officially starts at 5:00 a.m. Riders will be in a staggered start from that point forward. Any riders on the road before that time are riding at their own risk, and aid stations may not be open when you arrive.
- Participants must have their ***bib placed visibly on their back at all times*** during the ride. This is for rider identification, and to minimize contact between riders/volunteers at pass checkpoints.
- Participants should not touch any food/beverage items, expo merchandise or sag support tools and equipment until it has been transferred to the participant's possession by a staff/volunteer.
- Participants must sanitize hand before entering and departing portable toilets or public facilities.
- Participants may be required by public health to wear a face mask at all times EXCEPT while riding, drinking, or eating. We ask that you carry a face mask on your person throughout the ride.
- Participants must move off the road surface to service their bicycle or to rest. If assisted by sag (van/moto) or tech support at rest stop, masks and gloves must be utilized.
- While aid/fuel stations will be available throughout the course, we encourage riders to prepare their own nutrition packs based on their own unique fueling needs. This is a safety precaution on the part of the rider. Drop-bag services to aid stations will be available.
- Aid stations will consist of pre-packaged items, no communal items. Items will be served to you by volunteers; please respect the volunteers, staff, and other participants.
- Food service is no touch, utensils not shared, no self-serve buffets, food servers must wear gloves, provide markers for glasses and/or ample, clean back-up supply, use disposable food service supplies where applicable.
- Depending on current COVID-19 prevention protocol, staff, volunteers and attendees may be required to wear facial coverings and encouraged to maintain six-feet of physical distancing from others.
- We ask that all participants, families, spectators and staff attempt to maintain a 6' physical distance from others outside their family, particularly in congregated areas such as aid stations and the start/finish.
- All permittees, guests, vendors and staff are provided written information regarding hand washing and the following is posted that handwashing is mandatory at the following times:
  - After using the restroom
  - After blowing your nose, coughing, or sneezing
  - Before, during, and after work shifts
  - Before and after work breaks
  - After touching frequently touched surfaces



Saturday Afternoon Only  
Finisher Flags Corridor

COCK COUNTY PARK RD

Reserved for  
Sat. Caterer

Band  
Water Table  
Check-in Queue &  
Outdoor Dining  
Friday & Sat AM:  
Rider Check-in  
& Limited Dining

Medical  
Tent/  
Portable

Medical  
PortaPotty

Ambulance  
Parking

Limited Staff  
Parking

Radio  
Van

Limited Staff  
Parking

Limited Staff  
Parking

Dumpsters

Bike Valet  
Pickup Tent

Valet Bike Storage

### Notes (from 4/23 Brainstorming)

- Spots 1-27 Exhibitors Fri & Sat
- Spot A - Friday Sheriff & ACS&R
- Spots B / C / D - Friday Bike Shops / Saturday Finisher Queue
- Spots E-F - Friday Food Vendor1 / Saturday Finisher Queue
- Spots G-H - Friday Food Vendor2 / Saturday Finisher Queue
- Spots I-J - Friday Food Vendor3? / Saturday Misting Area
- Spot K - Saturday Remote Bike Valet
- Spot L - Friday Jersey Try-On / Saturday Poster Signing
- Spot M - Friday Merchandise / Saturday Ice Cream & Water
- Spot N - Friday Merchandise / Saturday Finish Jersey Try-on
- Spots O-P - Saturday Only Merchandise+Finisher Jersey Ordering

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Alpine

From: (Public Agency): Alpine County Community Development
50 Diamond Valley Rd
Markleeville CA 96120

(Address)

Project Title: 2024 Tour of California Alps: Death Ride

Project Applicant: Alpine County Chamber of Commerce

Project Location - Specific:

Turtle Rock Park 17300 HWY 89 Markleeville CA 96120 APN: 002-230-055

Project Location - City: Markleeville Project Location - County: Alpine

Description of Nature, Purpose and Beneficiaries of Project:

Special Event Permit for an annual one day bike ride event open to public. Attracts visitors to Alpine County and generates income to the county.

Name of Public Agency Approving Project: Alpine County Planning Commission

Name of Person or Agency Carrying Out Project: Alpine County, Sam Booth & Sarah Traiman

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15304 section e. Class 4
Statutory Exemptions. State code number:

Reasons why project is exempt:

Class 4: Minor alterations to land, Temporary use

Lead Agency
Contact Person: Sarah Traiman Area Code/Telephone/Extension: (530)694-1371

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: Title:

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:



**COUNTY OF ALPINE**  
**Community Development Department**

Samuel R. Booth, AICP, Director

**STAFF REPORT**

**TO:** Planning Commission

**FROM:** Community Development Department

**DATE:** May 30, 2024

**SUBJECT:** 4.2 Variance Application for 838 Quaking Aspen Rd, Bear Valley, File # 2024-018.

Review the variance application from Cynthia Munoz for a variance to the Alpine County Development Standards, Driveway Centerline Profile Grade Requirements. To increase the allowed paved centerline profile grade from 13% to 15; including a finding that the project is categorically exempt from CEQA pursuant to Section 15305, Class 5: Projects consisting of minor alterations in land use. The property is located at 838 Quaking Aspen Rd, Bear Valley APN:(005-291-004-000).

**RECOMMENDATION**

Approval of variance request and finding that project is Categorical Exempt from CEQA.

**SITUATION**

A. Applicant

Cynthia Munoz  
4633 Old Ironside Drive. Suite 130  
Santa Clara, CA 95054

B. Background

Location:	838 Quaking Aspen Rd
General Plan Designation:	Planned Development - PD
Zoning Designation:	Residential Neighborhood- RN
Environmental Processing:	Categorical Exemption, Class 5
Previous Processing:	None
Property Slope Average:	approximately 18%

C. Project description

Cynthia Munoz has submitted a Variance Application on behalf of Benjamin Petty to the County Development Standards. The variance would permit a paved driveway with a centerline profile grade of 15%, 2% greater than the 13% currently allowed by the development standards. This variance is part of Mr. Petty's submitted application to construct a new 3,214 SF single family residence in the

Bear Valley subdivision. The project site has an average slope of approximately 18%, becoming steeper at the rear of the property (see attachment 1).

D. Criteria for Decision

Section 18.80.020 of the Alpine County Code includes the following criteria for considering zoning variances:

A. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings, and/or uses in the district.

B. That the granting of the application is necessary for the preservation and enjoyment of the substantial property rights of the petitioner.

C. That the granting of such application will not affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be detrimental to the public welfare or injurious to property or improvements in said neighborhood. (Ord. 453 § 26.01, 1985)

E. Issues & Staff Analysis

The property was established as Lot 237 of the Bear Valley Tract 1 map, recorded in 1965 (see attachment 2), predating the current Alpine County Development Standards which were adopted October 7, 2014. The variance would allow the applicant to construct a paved driveway with a centerline profile grade of 15%.

Hardship:

This lot was created in 1965 before the current county development standards were adopted. The existing site poses limitations due to the 18% slope which makes achieving a driveway with a paved centerline profile grade of 13% difficult. There is a great deal of cut and fill that needs to be done to achieve a 15% centerline profile grade (see attachment 3).

The site plan and variance application have been reviewed by Michelle Gamble with Lumos & Associates who serve as Alpine County's engineering consultant. She feels the 15% paved centerline profile grade is acceptable, her final plan review letter is included as attachment 4. In the attached letter Ms. Gamble has made note of conditions of approval, these are included with the permit for the building plans and do not need to be included as part of the variance.

There are no similar driveway slope variances in the county. Prior to the adoption to the 2014 development standards a steeper centerline profile grade was allowed. Before the most recent development standards a 16% centerline profile grade was permitted, and up to 25% if reviewed and less than 100ft in length. So, while there are no similar variances in the county there are existing driveways with a similar or greater centerline profile grade.

**ENVIRONMENTAL REVIEW**

The project is categorically exempt from CEQA pursuant to Section 15303(a) the CEQA Guidelines - Class 5, Projects consisting of minor alterations in land use. A notice of exemption is included as Attachment 6.

**RECOMMENDED CONDITIONS**

None

**PUBLIC NOTIFICATION**

Notice of the public hearing was posted according to Alpine County Code section 18.50.030. No comments have been received as of the date of this report.

**ALTERNATE ACTIONS**

1. Deny the application with specific findings addressing the criteria for decision listed in this report.
2. Continue the public hearing pending consideration of additional information necessary to make a decision.

**RECOMMENDATION**

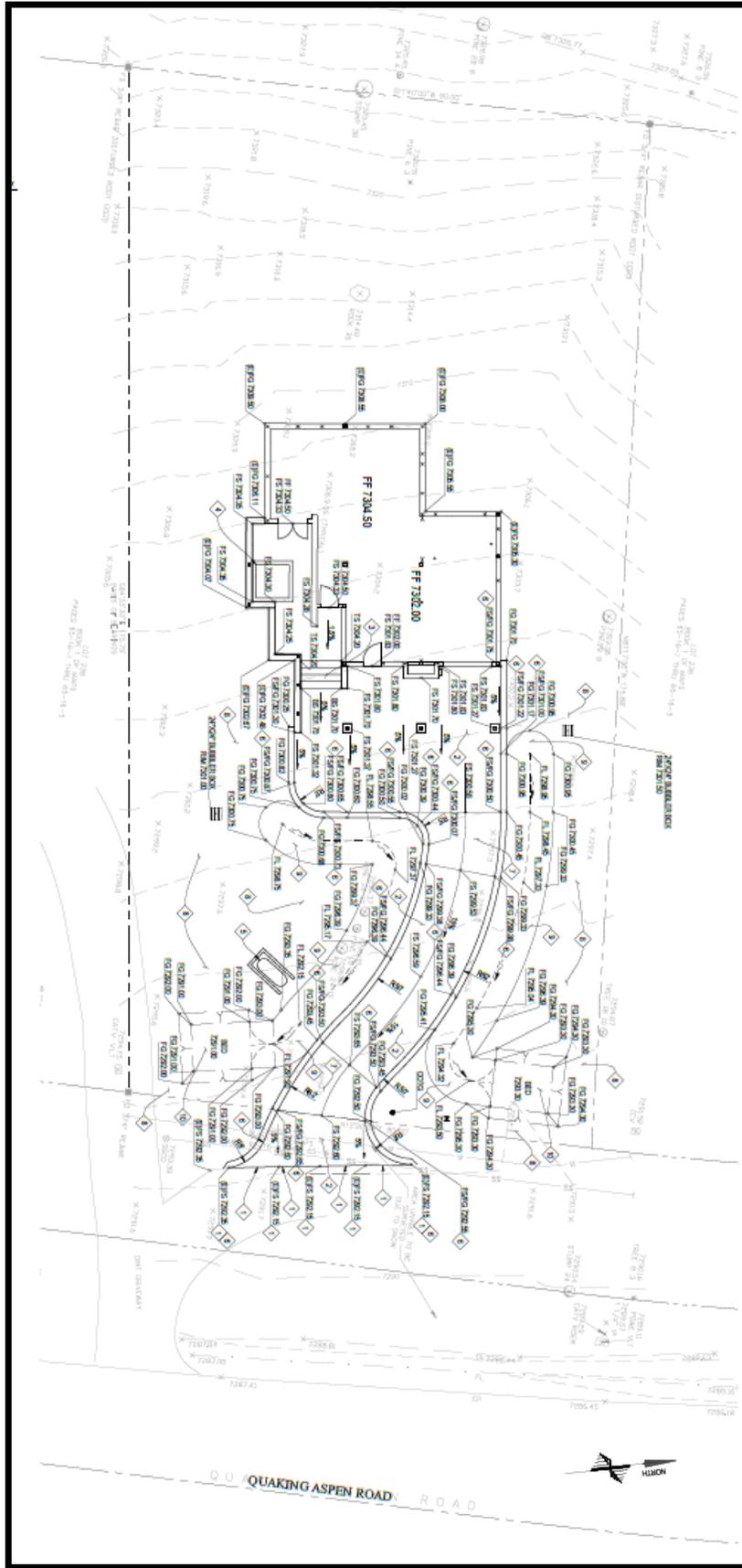
1. Approval of the zoning variance without conditions.
2. Adopt a Notice of Exemption (Attachment 3) for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

Respectfully submitted,

Alexa Burke  
Planner II

- Attachments:
1. Project Site Plan
  2. Bear Valley Tract 1
  3. Driveway Cut and Fill Plan
  4. Lumos & Associates Plan Review
  5. Applicant's Materials
  6. Notice of Exemption

# Attachment 1 Project Site Plan





# Attachment 3 Driveway Cut and Fill Plan



**Attachment 4**  
**Lumos & Associates Plan Review**



**Reno**  
950 Sandhill Road, Suite 100  
Reno, Nevada 89521  
775.827.6111

May 6, 2024

**County of Alpine- Civil and ROW Plan Review**

Permit App: 240013

Sam Booth, Director  
Alpine County Community Development  
50 Diamond Valley Road  
Markleeville, CA 96120

**Plan Review: Petty Cabin SFD, Second Review**  
**Location: 838 Quaking Aspen Road, Bear Valley, CA 95223**

Dear Mr. Booth:

Lumos and Associates has completed a plan review of the following documents on behalf of the County of Alpine:

1. Petty Cabin SFD, prepared by Hohbach-Lewin, Inc. dated 05-01-24

This review is limited to only the plan sheets indicated above. The plans as revised addressed all comments except two related to temporary erosion control measures as listed below:

1. Add delineation of staging/stockpile areas.
2. Provide temporary construction BMP for trenching for offsite utilities.

No resubmittal of plans is required. I recommend a condition be added to the permit that indicates adequate BMPs to protect downgradient facilities and drainages are required during construction. All staging and stockpiling of material shall be allowed on areas disturbed during construction. No staging or stockpiling of materials is allowed within the County right-of-way.

Please feel free to reach out to me if you have questions regarding any of the comments provided.

Sincerely,

Michelle Gamble, P.E.  
Group Manager

Cc: Ethan Gray  
Alexa Burke

**Attachment 5**  
**Applicants Materials**

March 28, 2024

County of Alpine  
Community Development Department  
50 Diamond Valley Road  
Markleeville, Ca 96120

Permit Number: 230143  
Project Name: Petty Cabin  
Project Address: 838 Quaking Aspen Road, Bear Valley, Ca 95223

Request for Variance – Paved driveway maximum slope

We have a current building permit application under review for a new three-story residential dwelling at 838 Quaking Aspen Road (Permit number 230143). The average slope of the property is approximately 18%. The originally submitted plans had proposed a gravel driveway with one section at a 17.6% and an inside curve radius of 10', which we realize does exceed the typical 10% maximum slope for an unpaved driveway, as well as the minimum inside curve radius of 50'. Given the size of the property, the existing topography, and trying to minimize the amount of additional excavation that would be needed to further depress the house lower into grade, this was deemed the best configuration achievable given the site constraints.

We studied two alternatives for considering a paved driveway to see if the code maximum 13% slope could be achieved and also address the inside turning radius. One option does reduce the maximum driveway slope to 11.5%, but did not allow for the 50' minimum turning radius. A second option achieves a maximum 15% slope, but does then allow for the 50' turning radius. Both concepts were shared with the Planning Department for input, and we were advised that the second option would be preferable.

This variance request allows the property owner to work within the constraints of their property configuration and mitigate the need for additional substantial excavation or grading to bring the garage level of the house further into grade and maintain as much of the natural topography and plantings around the house as possible.

This variance request also would not have any adverse affect on the health and safety of the property owner or neighbors. From our observation, the proposed driveway slope appears to be in keeping with those found on adjacent properties, would still be deemed safe for vehicles and persons to navigate, and provide the required turning radius for ease of property owners, visitors and emergency vehicles to maneuver.

Thank you for your consideration of this variance request. If there are any additional questions, I can be reached at 650-965-3500 or by email at Cynthia@stoeckerandnorthway.com.

Sincerely,



Stoecker and Northway Architects, Inc.  
Cynthia Munoz

**Attachment 6**  
**Notice of Exemption**

# Notice of Exemption

# Appendix E

**To:** Office of Planning and Research  
 P.O. Box 3044, Room 113  
 Sacramento, CA 95812-3044  
 County Clerk  
 County of: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

**Exempt Status: (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency  
 Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?    Yes    No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



## COUNTY OF ALPINE Community Development Department

Samuel R. Booth, AICP, Director

### STAFF REPORT

**TO:** Planning Commission

**FROM:** Community Development Department

**DATE:** May 30, 2024

**SUBJECT:** 4.3 Application for a Conditional Use permit for an Expanded Home Occupation for 155 Blue Camas Rd, Markleeville, File # 2024-010.

Review the proposed conditional use permit application for an expanded home occupation. Consider the applicants' responses to the findings for granting use permits 18.76.015 and home occupations 18.70.120 (see attachment 7). Determine whether to grant an exemption to the Home Occupation Standard 18.70.090 (B.) Location which states: "*the home occupation shall be confined completely within the dwelling unit, attached garage, or accessory structures located on the same lot as the dwelling. Use of outdoor space for the home occupation is not allowed.*" (attachment 9)

### RECOMMENDATION

Grant a Conditional Use Permit for an Expanded Home Occupation with mutually agreed upon conditions as informed by the Planning Commissioners and applicants. Include the finding that the permit is Categorically Exempt for California Environmental Policy Act (CEQA) pursuant to Section 15304 (e), Minor Alterations to Land, Temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees etc. (attachment 6).

### SITUATION

#### **A. Applicant**

Jean and Dave Vandenburg  
155 Blue Camas Rd.  
Markleeville, CA 96120

**B. Location and Land Use Designations**

Location: 155 Blue Camas Rd, Markleeville CA 96120  
General Plan Designation: Open Space  
Zoning Designation: Agricultural - AG

**C. Project description**

The property at 155 Blue Camas Road is located East of Highway 88 off Blue Lakes Road (APN: 002-130—001) (see attachment 1). Blue Camas Road is a privately owned and maintained road. Five properties are accessed via Blue Camas Rd. The applicant’s property is the first driveway on right hand side.

The property is approximately 39 acres with the majority of the parcel bordering National Forest Land. There is a mix of open and forested terrain. The home is situated in a large clearing in the southeast portion of the parcel. The nearest home is approximately 750 feet from the applicant’s residence (see attachment 2). The applicants are full time residents at the property.

Currently, the owners offer 4 bedrooms for short-term rent within the home. In the last two years the owners have advertised and offered the property as a venue for events for private parties. Weddings are the most popular event. A business license for “small private events” was issued to the applicants under which they have operated the venue. Neighboring homeowners raised concerns about the increase of activity at the property and brought it to the attention of Community Development Staff. The nature of the complaints in relation to the property included what two neighbors perceived as “use, noise and lighting violations”. The applicants attempted to resolve the issues firsthand by offering solutions to their neighbors concerns.

Receiving these concerns and researching county code, staff determined that in order to operate the business venue in full compliance with county code, the owners would need to be granted an approved Conditional Use Permit for an Expanded Home Occupation. The use permit allows the applicant and staff to create conditions that are specific to the proposed project. Use permits can be revocable if approved conditions are violated and may be issued for a specific term and open to review at any time.

**D. Criteria for Decision**

Section 18.76.015 of the Alpine County Code includes the following criteria for granting of Use Permits:

- A. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety or welfare of persons residing or working in the neighborhood or the general public or be materially injurious to properties or improvements in the vicinity.

*Staff response: Agrees that finding can be made. The proposed wedding/event venue will be operated in an area with significant setbacks from nearby residences. Forested areas on the property create a visual screen and obstruct a clear view of the events held on the premises. The size of the parcel and vegetation will buffer noise emissions. The included conditions will limit noise to a reasonable level that seems unlikely to cause a disturbance to neighbors. There is sufficient parking space available for guests allowing clear access and turnaround space for emergency vehicles.*

- B. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent county ordinances and the purpose of the zone district in which the site is located.

*Staff response: There is no apparent violation of county code requirements associated with the proposed uses. The proposed use of the property does not undermine the Agricultural Zone designation as the activities and accommodation required for the events will be temporary. According to the Permitted Uses for Agriculture Zones 18.16.020 (D) Home occupations are permissible.*

- C. That the proposed use is consistent with all elements of the county General Plan and with any specific plan which has been adopted for the area.

*Staff response: There appear to be no conflicts of interest with the proposed use and the elements of the County General Plan. Conservation Element: The residence and access are located on the southeast portion of the parcel where proposed activity will be focused (see attachment 4). Most of the property is unaltered and characterized by the natural features which exist on surrounding Forest Service Land. Safety Element: Various conditions are proposed and exist that are consistent with safety goals in the General Plan. See applicant responses. Land Use: The property is designated open space according to the General Plan. The open space designation and agricultural zone designation have similar definitions. See response to finding B. Circulation Element: The property is accessed via a private road and will not affect public traffic patterns. Applicants will be onsite to direct traffic during events and place signage as needed. Housing Element: The proposed activity has no impact on Goals and Objectives established by the county general plan. Economic Development: Proposed use of property generates county tax income and would likely be beneficial to economic activity in the county. See applicant response.*

- D. That the proposed use will not overload utilities and will not generate more than an acceptable level of traffic on the streets in the vicinity.

*Staff Response: The applicants do not depend on public utility providers. Temporary restroom facilities will be utilized during events to prevent overwhelming septic system capacity (see attachment 4). While the proposed use will temporarily increase vehicle traffic on Blue Camas Road, it would only be for a short period before and after events occur. The applicant's residence is the first home on Blue Camas Road and the applicants agree to direct traffic during events and schedule as many deliveries as possible during*

*weekdays to mitigate vehicle congestion on the private road (see attachment 5). Temporary barriers and signage will be placed to discourage guests from driving further up the road and disturbing other residents.*

- E. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities and dwelling unit densities of the neighborhood.

*Staff Response: The proposed uses for the property are temporary and generally concentrated on the southeast portion of the parcel. The home itself resembles a log cabin which is consistent with many designs found throughout Alpine County. Most of the parcel resembles the surrounding land which is managed by the Forest Service. The applicant will retain the existing natural characteristics of the land.*

Section 18.70.120 of the Alpine County Code allows for the planning commissioners to make exceptions to the standards (18.70.090 attachment A) for home occupations provided the following criteria are met.

- A. The expanded home occupation is clearly customary, secondary, and incidental to the residential use of the property.

*Staff Response: The home is a primary residence first and foremost. The applicants reside at the location year-round and are present during events. Materials used for events are temporarily placed and do not alter the ability of the applicants to reside on the premises.*

- B. The expanded home occupation is compatible with residential use of property.

*Staff Response: Most of the activity associated with events takes place seasonally and outdoors. The applicants have resided on the premises while renting the space for events comfortably.*

- C. The expanded home occupation will be operated in a manner that does not alter the character of the neighborhood or create adverse impacts to the surrounding area.

*Staff Response: Applicant has proposed multiple operational practices to reduce disturbance to the neighbors. The neighborhood consists of large acreage parcels which helps buffer noise and light disturbances between neighbors.*

## **E. Staff Analysis**

If granted, the conditional use permit for the expanded home occupation will allow Community Development staff to monitor the success of the approved permit conditions and help ensure the applicants adherence to those conditions. Following a visit to the property it seems that the size and location of the property lends itself to the proposed use. Approval of mutually agreed upon conditions for the use permit will improve operational practices.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt from CEQA pursuant to Section 15304(e) the CEQA Guidelines - Class 4, Projects consisting of minor alterations in land use (see attachment 6).

## **RECOMMENDED CONDITIONS**

### **Standard Conditions**

- Lighting: Exterior lighting shall not project into adjoining residential properties. Use of stadium-style or other glaring light is prohibited.
- Noise: levels shall conform with Chapter 18.68.090 of Alpine County Code for Noise Standard (B) Residential Estate between the hours of 9pm & 7am.
- Fire and Emergency Vehicle access must be approved by the Eastern Alpine Fire Chief.
- Operators shall ensure that food suppliers are legally licensed and adhere to the California Retail Food Code.
- The operator shall ensure that all guests are informed of and adhere to ground rules and personal responsibilities.
- Individuals distributing or selling alcohol on the premises are required to obtain a temporary permit from the California Department of Alcoholic Beverage Control.
- Regularly cleaned and maintained temporary restroom facilities and wash stations shall be made available for guests.
- Signage is to be temporary and removed from public locations following an event.

### **Special Conditions (conditional uses)**

- The permittees shall hold no more than 12 events per year total.
- The maximum allowable guests on the premises for one occasion is 125.
- No guest parking is permitted on Blue Camas Road. Parking shall comply with Chapter 18.68.100 of Alpine County Code and ADA (Americans with Disabilities Act) guidelines and standards.
- Temporary signage should be provided on Blue Camas Road to clearly direct guests and service providers to the subject property and discourage vehicles from continuing further up the road.

## **PUBLIC NOTIFICATION**

Notice of the public hearing was posted according to Alpine County Code section 18.76.030. No comments have been received as of the date of this report.

## **ALTERNATE ACTIONS**

1. Deny the application with specific findings addressing the criteria for decision listed in this report.
2. Continue the public hearing pending consideration of additional information necessary to make a decision.

## **RECOMMENDATION**

1. Approval of the conditional use permit application (2024-147) for an expanded home occupation as presented.
2. Adopt a Notice of Exemption (Attachment 6) for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

Respectfully submitted,

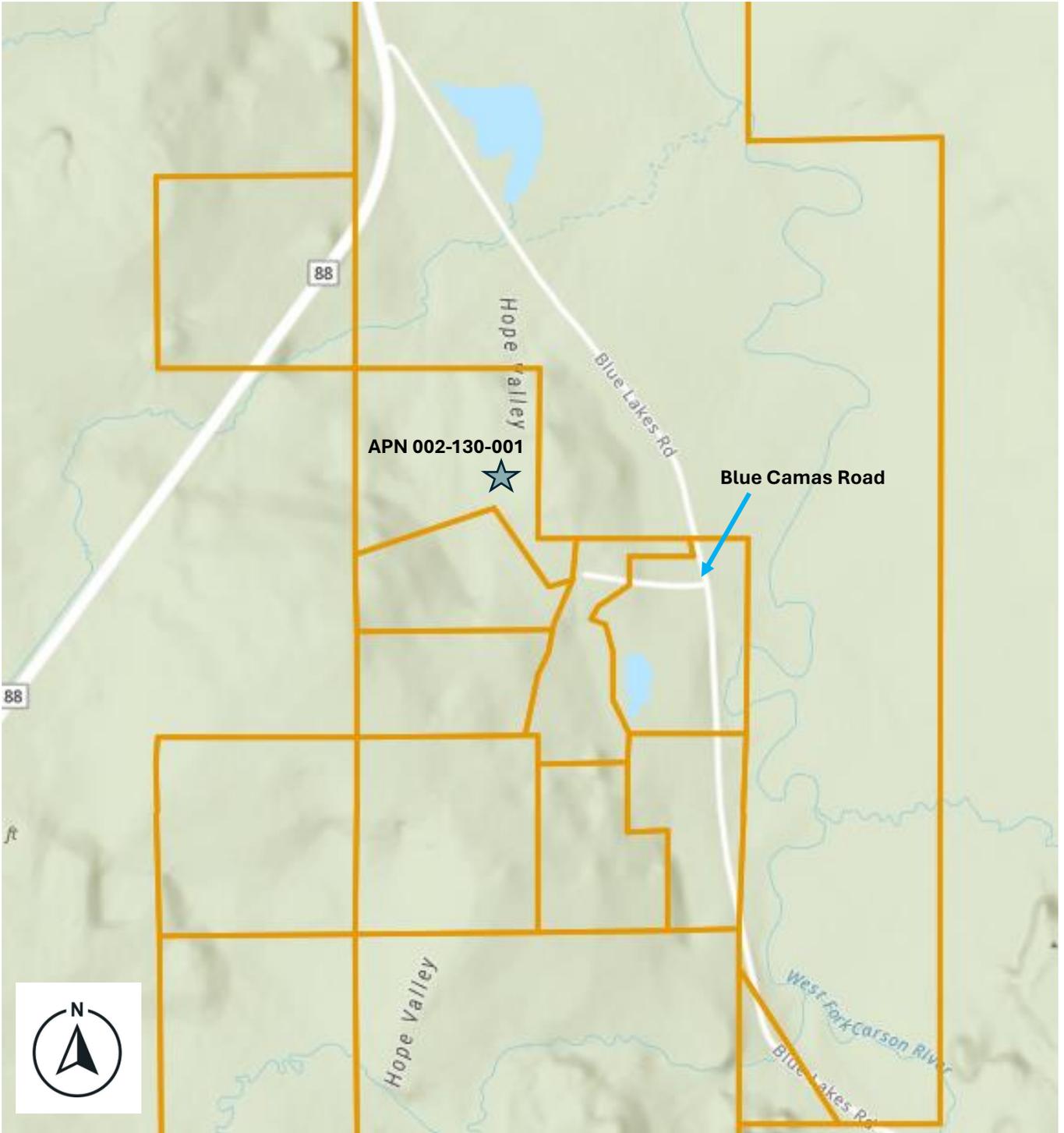
Sarah Traiman  
Planner II

Attachments:

1. Vicinity Map
2. Addresses and Distance Map
3. Typical Venue Layout
4. Proposed Venue Layout
5. Traffic Plan Map
6. CEQA Exception Form
7. Letter to Commissioners and Applicants Response to Findings
8. Chapter 18.76 Use Permits
9. Chapter 18.70 Home Occupations

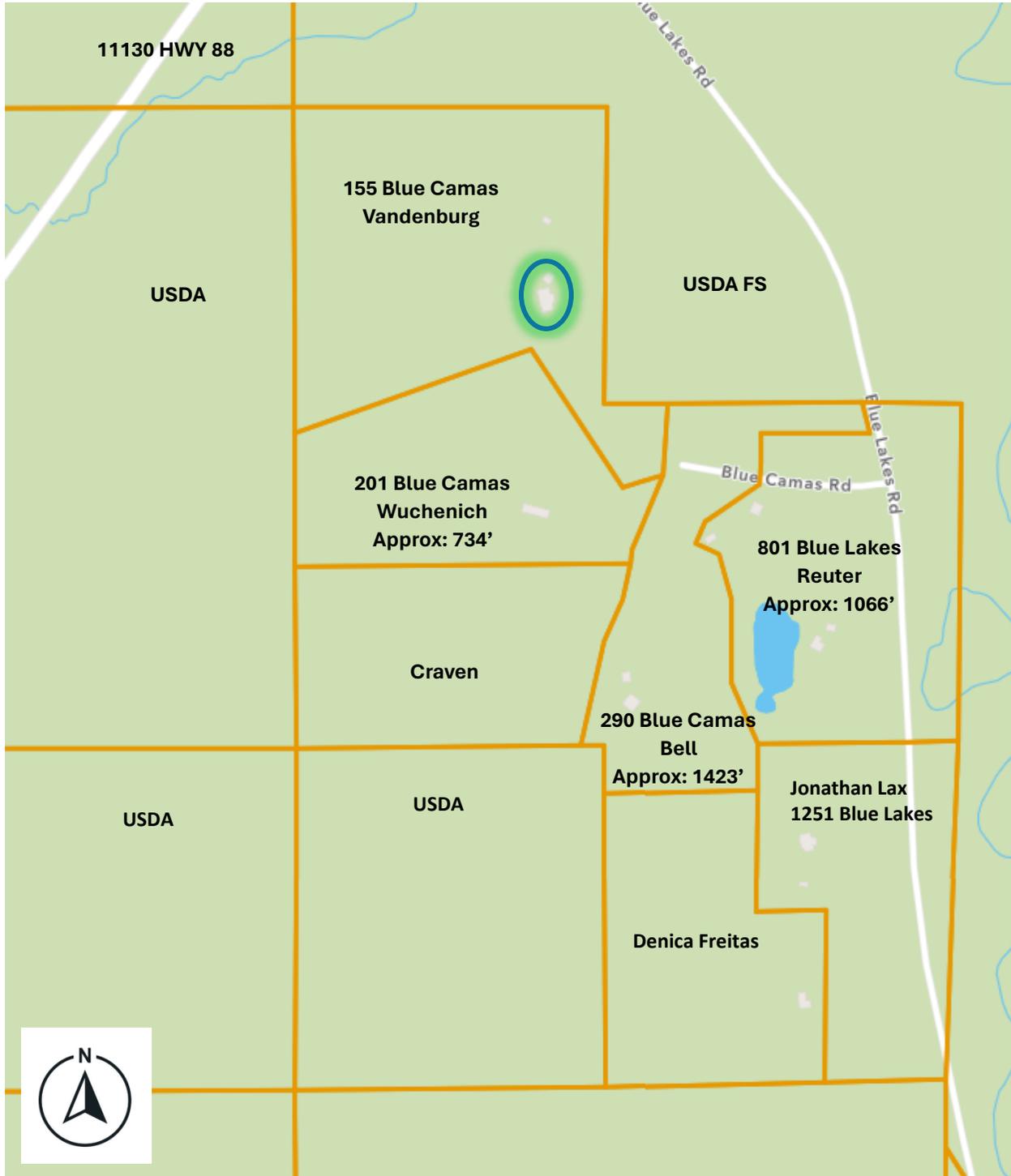
155 Blue Camas Road Vicinity Map

Attachment 1



Address/Distance from subject property to surrounding homes

Attachment 2



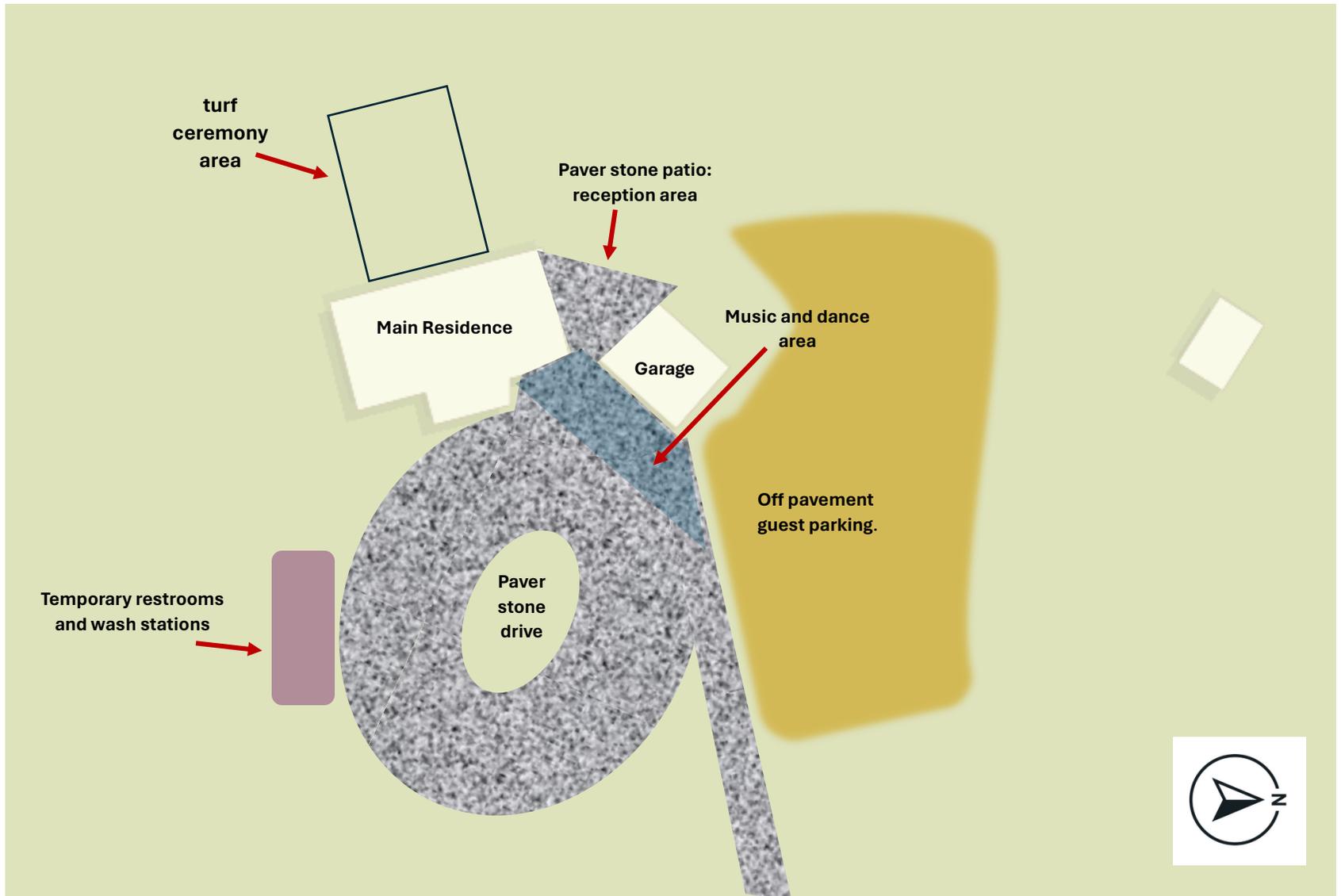
# Aspen Creek Lodge: Typical Layout

## Attachment 3



# Aspen Creek Lodge: Proposed Layout

## Attachment 4





Attachment 6.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Alpine

From: (Public Agency): Alpine County Community Development
50 Diamond Valley Rd
Markleeville CA 96120

(Address)

Project Title: 155 Blue Camas Rd. Conditional Use Permit for an Expanded Home Occupation

Project Applicant: Jean & Dave Vandenburg

Project Location - Specific:

155 Blue Camas Road, Markleeville CA 96120 APNs 002-130-001

Project Location - City: Markleeville Project Location - County: Alpine

Description of Nature, Purpose and Beneficiaries of Project:

Proposed use of private property for hosting temporary outdoor events with the granting of a conditional use permit for an expanded home occupation. Permit#2024-147

Name of Public Agency Approving Project: Alpine County Planning Commission

Name of Person or Agency Carrying Out Project: Alpine County, Sarah Traiman

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15304, section e.
Statutory Exemptions. State code number:

Reasons why project is exempt:

Minor alterations to land, Temporary use of land having negligible or no permanent effects on the environment including carnivals, sales of Christmas trees etc.

Lead Agency Contact Person: Sarah Traiman Area Code/Telephone/Extension: (530) 694-1371

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: Title:

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

## Attachment 7

Dear Commissioners,

After graduating from college, we moved to my husband's family cabin in Markleeville in 1985.

In 2006 we moved into our current Hope Valley home that we had designed and built for our family. As full-time residents of Alpine County for almost 40 years, we have a deep appreciation for its natural beauty.

Seven years ago, we started renting rooms in our home listed through Airbnb. Over the last few years, we had several of our guests inquire about getting married at our place. Two of our three children got married at our property as well as some close friends.

We decided that having weddings on our property was very rewarding in many ways, so we approached the county and acquired a business license to conduct weddings, as well as other private events. This license was granted to us in 2022.

At the end of the 2023 wedding season, we were notified by Walter Bell and John Wuchenich (two of our 6 neighbors, both part time residents) that they had some concerns regarding our wedding venue and wedding activities.

We invited each of the neighbors over separately to hear more about their concerns and brainstorm solutions to mitigate these concerns. We did meet at our house and theirs to discuss at length, but it was clear to us at the end of the discussions that they were not open to compromise solutions at that time. They were only interested in trying to shut down our wedding business that we have invested in and are running legally.

At the end of our meeting with Walter Bell, he said he was going to convince the community development department to require us to apply for a conditional use permit so he could give his input and try to shut us down. We have been trying to work out a solution to mitigate these neighbors' concerns.

Since two of the six neighbors expressed concerns about our wedding business, we approached the other four neighbors to see what their thoughts were regarding our business. They all expressed to us that from their perspective they are personally fine with us continuing to have weddings in the future.

Our experiences from having weddings for the last two years:

- We have had no negative experiences with any of the weddings that we have had to date. Not once was there an accident, injury, insurance claim or law enforcement called during any of our events.

- Our wedding events are definitely a boost to Alpine county businesses.

Many wedding guests typically stay for 2 to 4 nights at Desolation Hotel, Woodfords Inn and Creekside Inn, per our recommendation.

One wedding alone booked 12 cabins at the Desolation Hotel.

The guests also frequent the nearby restaurants, Sorenson's Café, Cutthroat Brewing Company, Stonefly, Caples Lake Resort and Mad Dog Café.

We have discussed our wedding venue business with the owners of these restaurants and lodgings, and they appreciate the economic boost our venue provides to their businesses.

Many of our guests have commented that they will be returning to Alpine County to spend more time hiking, fishing, skiing and frequenting the restaurants and lodgings.

We thank you for your consideration in allowing us to continue our wedding business at Aspen Creek Lodge with the proposed conditions agreed upon between the county and us. Given the fact that our property is on 39 acres surrounded on 3 sides by public land, with part time neighbors bordering only one side of our property, we feel that it is a perfect place to host a few weddings per year, share beautiful Hope Valley, and increase the revenue of Alpine County!

Kind Regards,

Jean and Dave VanDenBerg

**18.76.15 Use Permit Findings**

- A. The proposed location of the project (venue) and the conditions under which it would be operated or maintained will not be detrimental to the health, safety or welfare of persons residing or working in the neighborhood or the general public or be materially injurious to properties or improvements in the vicinity.**

Response to finding A:

Our venue implements stringent safety measures, including maintained clear pathways for emergency vehicles as approved by the local fire department. First aid kits are available at all events, and we are always present to ensure adherence to safety guidelines.

Regarding noise control, we enforce restrictions on the types of sound equipment and emission levels. We prohibit subwoofers, reduce bass levels, and enforce turning off amplified music by 9:30 pm. We also strategically place speakers away from the direction of our neighbors.

Starting in 2025, we are implementing new restrictions on amplified music to further minimize disturbances to our neighbors. From May through August, amplified music will be turned off by 9:30 PM. In September and October, the cutoff will be at 9:00 PM. We will also implement a maximum of 125 guests per wedding.

To minimize traffic impact during events we directly oversee traffic flow and assist with parking. We use clear signage to guide guests to our venue and are personally on hand to ensure our operations integrate seamlessly with existing traffic patterns and do not pose safety hazards. An area on our property, which has been cleared for fire control near our home, serves as designated parking for events.

All event-related waste is promptly removed and disposed of at an appropriate facility; neighborhood dumpsters are not used. We adhere to county health guidelines for sanitation by requiring and maintaining portable toilets and wash stations. To ensure our septic system is not overwhelmed by additional use, temporary restroom and wash facilities are provided for guests. To mitigate traffic, they are typically delivered to our property and remain there for the entire season. They are cleaned and maintained on a weekly basis or as needed. Maintenance is scheduled on weekdays to reduce disturbances to our neighbors.

No waste is left outdoors to prevent attracting animals. The events are held on lawns away from open space areas to protect local wildlife.

Our lighting is environmentally considerate and comparable to outdoor lighting on neighboring properties.

This is not a typical neighborhood. Each property consists of 20 acres or more. Our nearest neighbor's home is more than 1/8 mile from our home. In an effort to comply with local regulations we have proactively engaged with Community Development, Health Department, and the Fire

Department and neighbors. Event liability insurance is required for each event with our property listed as additionally insured. We are committed to addressing any reasonable concerns from our neighbors by taking appropriate mitigative actions if issues were to arise.

Four out of six neighbors have expressed support for our business. As far as we know, only two neighbors who are not permanent residents and are not voting members of Alpine County have expressed concerns to the County. We have operated respectfully with a business license for nearly two years. With 12 weddings during 2023 no local authority resources or emergency services were utilized and no formal complaints were made during any of the events.

**B. The proposed location of the project (venue) and the conditions under which it would be operated or maintained will be consistent with all pertinent county ordinances and the purpose of the zone district in which the site is located.**

Response to finding B:

Our venue fully complies with county ordinances and respects the zoning designation of Agricultural and Open Space. We operate entirely off-grid, utilizing solar panels to meet our energy needs, eliminating any reliance on local utility infrastructures. These operations support the agricultural integrity and conservation goals of our zoning designation, contributing positively to the area's sustainability objectives.

Although there is no noise ordinance in an agriculture zone, we respectively implement strict controls on sound levels at events, including curfews for amplified music as per the new regulations starting in 2025. We strategically place speakers to minimize noise impact towards neighboring properties.

Considering the risk of wildfires, our venue is non-smoking. Emergency vehicle access is available as approved by local fire services.

We ensure all waste generated during events is removed and disposed of at approved facilities, in line with county health ordinances.

**C. The proposed use is consistent with all elements of the county General Plan and with any specific plan which has been adopted for the area.**

Response to finding C:

Our venue aligns with the General Plan by maintaining the land's designated Open Space use, as described in the Conservation Element. Limiting our events to 12 annually ensures these activities do not compromise the land's ecological and scenic values, thereby preserving the natural beauty and enhancing public appreciation and enjoyment consistent with the goals for Open Space areas.

Furthermore, we contribute to the county's economic development by attracting tourism, which is critical given the economic profile of the region. The Economic Development Element of the General Plan emphasizes the necessity of promoting and enhancing tourism as a major economic

driver in an area characterized by a lack of industry and declining retail businesses. Our venue supports this goal by drawing visitors who contribute to the local economy since they require lodging, dining, and the use of vendors.

In alignment with the General Plan's Introduction, which highlights the importance of balanced environmental and social concerns, our operations are designed to coexist harmoniously with Alpine County's unique alpine environment, supporting both conservation and responsible economic growth. By doing so, we reinforce the county's strategic goals to maintain a high quality of life for its residents while supporting economic sustainability.

**D. The proposed use will not overload utilities and will not generate more than an acceptable level of traffic on the streets in the vicinity.**

Response to finding D:

Our venue does not overload local utilities, as it is powered by an off-grid solar energy system. The traffic generated by our limited number of events (12 per year) is minimal compared to the regular traffic flow on nearby Blue Lakes Road, which accommodates a significant volume of recreational traffic. Our effective traffic management strategies as previously described ensure that any increase in traffic on event days is negligible compared to recreational traffic and does not disrupt local traffic conditions.

Wedding guests travel up the first 800 feet of Blue Camas Road, a private road off of Blue Lakes Road, to reach our driveway, which is the first on the right.

It is far more likely to have public snowmobilers' trespass and/or drive through our property and neighboring properties during the 5-6 months of winter than for a wedding guest to wander onto neighboring properties, as guests are instructed to stay in the venue premises. We have not experienced any issues with this.

**E. The proposed project (venue) will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities and dwelling unit densities of the neighborhood.**

Response to finding E:

Hosting weddings is of a temporary nature and does not affect the long-term density or land use patterns of the neighborhood. Our log home architecture harmonizes with the open space aesthetic. Our event space is not typical since we are off the grid and implement strict sound limits. Anyone visiting our home has been attracted to our venue because they appreciate nature and the beauty of Hope Valley.

### **18.70.120 Expanded Home Occupation Findings**

#### **A. The expanded home occupation is clearly customary, secondary, and incidental to the residential use of the property.**

Response to finding A.

Our outdoor events leverage the scenic qualities of our agricultural land without necessitating permanent commercial structures or alterations. This ensures that the venue remains incidental and compatible with our home's residential nature.

The main use of the property is a primary residence. Weddings will only occur 12 days or less throughout the year. Desolation Hotel (Sorensen's) in Hope Valley hosts weddings with residential properties in much closer proximity to their property than our venue. The primary function of the property as our residence remains dominant.

#### **B. The expanded home occupation is compatible with residential use of property.**

Response to finding B.

We live on 39 acres surrounded on three sides by public lands zoned Agriculture. This is not a typical neighborhood for which the home occupancy ordinance was written. With only 12 events per year maximum, it is still predominantly used as our personal residence. We have designed our venue business activities to ensure they remain on a scale appropriate for a residential area. We use no permanent signage, only appropriate wedding, parking and exit signage during the day of the event. Signage is put up the day before the event and removed the day after.

Our property is used as a venue for a limited number of weddings per year and complements its primary residential and agricultural functions. The occasional use is consistent with the area's zoning and is in harmony with similar uses within the community, such as the nearby Desolation Hotel in Hope Valley.

Customary and Incidental to Use: Our outdoor events leverage the scenic qualities of our agricultural land without necessitating permanent commercial structures or alterations, ensuring that the venue remains incidental to and compatible with our home's residential nature.

Preservation of Residential Character: We maintain the residential feel of the property, with all venue-related activities being discreet and infrequent. This preserves the primary essence and use of the property as a private residence.

Our approach ensures that the venue is an unobtrusive, complementary use of our property, respecting the residential and agricultural zoning stipulations.

**C. The expanded home occupation will be operated in a manner that does not alter the character of the neighborhood or create adverse impacts to the surrounding area.**

In adherence to local ordinances and with respect to our community, we ensure that our events are conducted with consideration for our surroundings. Our venue, while primarily a residential and agricultural property, is tailored to blend seamlessly with the natural environment and maintain the rural character of the neighborhood.

Noise Management: We manage sound levels by not allowing subwoofers and limiting base levels. Amplified music must be off by 9:30 and events are shut down completely by 11pm. We utilize sound direction techniques (pointing speakers away from neighboring properties) to minimize noise travel, despite being well distanced (more than 1/8 of a mile from our nearest neighbor).

Lighting Considerations: Not very applicable since we are so far from our nearest neighbor. We are committed to responsible lighting practices. Our event lighting is designed to minimize sky glow, using low-impact lighting.

Traffic Considerations: Traffic for our events is managed to prevent congestion, the flow of traffic is typically in one direction when guests arrive and leave. The number of cars is much less than all the recreational traffic that travels up and down Blue Lakes Road.

Recall that this is not a typical neighborhood for which the home occupancy ordinance was written. We are on 39 acres surrounded on three sides by public lands. We are not proposing to add new buildings to the property for conducting the weddings. Twelve or fewer events per year do not change the character of the neighborhood. The impact on the surrounding areas is minimal and not continuous or frequent.

### **Guidelines in Case of Emergency**

Announcements will be made at the wedding ceremony to enforce these important posted rules at each event.

1. Remain in the assigned event areas.
2. No smoking venue
3. Description of evacuation plan in case of a fire or other reason to evacuate (per Paul Washam's instructions)
  - a) Guests assemble in the front of the lodge, and we will instruct them on what to do.
  - b) If instructed to do so, all guests will return to their vehicles and VDB's and hired parking attendants will orchestrate all vehicles (typically 20-30) in an orderly fashion off the property to Blue Lakes Rd. There will already be Exit signs instructing guests of the way out.

Note. Fire evacuation Plan – Discussed evacuation plan with Fire Chief Terry Hughes (now retired) and Paul Washam (Current). Terry Hughes and Kim have both visited our site and approved our access and accessibility for emergency vehicles.

### **Transportation, Parking and Signage**

- Typically, equipment deliveries are the morning of or the day before each event. Any equipment pickups are typically on the first weekday after the event.
- WEDDING and EXIT Signage is posted one day before the wedding and isn't removed until one day after the wedding. This signage helps direct delivery vehicles for setup and teardown. VDB's are onsite to further assist delivery vehicles. These signs will be posted on:
  - a. Blue Lakes Road at the entrance to Blue Camas Road
  - b. Blue Camas Road at the entrance to VDB's driveway
- Parking signage is posted in front of the VDB residence.
- As guests arrive (typically starting one hour before the wedding ceremony) the VDB's and any hired parking attendants are staged at the front of the residence and parking areas to assist guests with parking.

### **Proposal supports various components of the General Plan for the Economic Development Element**

Our proposal helps diversify the economy and reverse the trend of failing or stagnating businesses and recruit new businesses per the attached applicable General Plan section.

GENERAL PLAN, ELEMENT VI G.P. GOAL NO. 34 OBJECTIVE NO. 34a OBJECTIVE NO. 34b OBJECTIVE NO. 34c

ESTABLISH A BALANCED ECONOMY THAT IS CONSISTENT WITH SUSTAINABLE ENVIRONMENTAL PRESERVATION Identify programs to help diversify the economy. Identify programs to help reverse the trend of failing or stagnating businesses and recruit new businesses. Identify programs to improve services to support economic growth.

IMPLEMENTATION MEASURE: Establish an Economic Development Advisory Committee to identify and recommend appropriate programs to the Board of Supervisors. Members should include a Supervisor, a Planning Commissioner, a Chamber of Commerce representative, the BOS Assistant, the Planning Director and the Public Works Director.

Also stated in General Plan Element 6, Economic Development section: Two economic studies have been completed for the County which are included in the General Plan Data Base 11.4 and 11.5. These studies document a lack of industry and declining retail businesses in the County. Consequently, dependence upon urban centers outside the County for goods and services causes a significant drain of local economy dollars. This leakage hinders attempts to expand local business activity and, as a result, local government revenue is also declining.

**Statements of Support for Proposed Use Permit**

**Email from Eric Reuter, 801 Blue Lakes Road**

On May 10, 2024, at 3:39 PM, wrote:

Hi Dave and Jean,

Just wanted to confirm our conversation that I am supportive of you two continuing your weddings on your property and that I wish you the best of luck with them!

Cheers,  
Eric

**Email from Denica Freitas, 300 Blue Camas Rd**

Wed, May 15,  
9:22 AM (1 day  
ago)

to Jean, me

Hi Jean and Dave

As discussed, we do not have an issue with your commercial wedding business being operated at your Hope Valley residence and support your continued business endeavors at the site. Please feel free to share this email or forward our information to the county if they need additional information. Best of luck.

James and Denica Freitas  
300 Blue Camas Rd  
Markleeville, CA 96120

With Love and Kindness,

Denica Freitas

**Email from Jon Lax, 1251 Blue Lakes Road**

**From:** Jon Lax  
**Date:** May 11, 2024, at 12:01:10 PM PDT  
**To:** Jean VanDenBerg  
**Subject:** County

In the time the Van Den Bergs have been hosting events on their property, we have never been disrupted by the events or event goers. We have no objection to the continued permitting as it does not adversely impact our enjoyment or peace.

Overall, I believe it is positive for Alpine County to have more people visit and experience its special beauty and uniqueness. I hope all parties can find their way to a reasonable agreement under which these events can continue with minimal impact.

Jon Lax  
1251 Blue Lakes Road Markleeville CA 96120

## Email from Faith Saletti

**From:** Jean Van Den Berg <[jean.vandenberg1@gmail.com](mailto:jean.vandenberg1@gmail.com)>

**Date:** May 22, 2024 at 10:43:09 PM HST

**To:** Faith Saletti <[fsaletti@frontier.com](mailto:fsaletti@frontier.com)>

**Subject: Re: Letter of support**

Hi Faith, Thank you very much for your support and for writing a letter for us stating this. We appreciate you both and look forward to seeing you next time we come to Stonefly! Our guests always enjoy the local atmosphere, delicious food, and genuine attentive service that you provide.

Thank you again!

Kind Regards,

Jean

On May 22, 2024, at 8:12 PM, Faith Saletti <[fsaletti@frontier.com](mailto:fsaletti@frontier.com)> wrote:

To whom it may concern,

Jean and Dave VanDenBerg, owners of Aspen Creek Lodge in Hope Valley bring a unique venue and lodge to Alpine County. The beauty of the location is unmatched and offers spectacular views of the Sierra Mountains.

Each guest that has been to our restaurant while staying at the lodge or after attending a wedding or special event cannot say enough about the hospitality and owners.

They look forward to staying at the lodge again in the future!

We are extremely lucky to have Aspen Creek Lodge in our 'own backyard'!

Sincerely,

Faith Saletti

Stonefly Restaurant

Markleeville

**Chapter 18.76  
USE PERMITS**

Sections:

[18.76.010 Issuance authority and requirements.](#)

[18.76.015 Development use permit findings.](#)

[18.76.020 Application and fee.](#)

[18.76.030 Public hearing—Notice.](#)

[18.76.040 Action by planning commission.](#)

[18.76.050 Revocation.](#)

[18.76.060 Appeals.](#)

**18.76.010 Issuance authority and requirements.**

Use permits, which may be revocable, conditional, or valid for a term period, may be issued by the planning commission for any of the uses or purposes for which such permits are required or permitted by the terms of this title. Guarantees to ensure compliance with terms and conditions may be required by the commission. (Ord. 453 § 25.00, 1985)

**18.76.015 Development use permit findings.**

A. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety or welfare of persons residing or working in the neighborhood or the general public or be materially injurious to properties or improvements in the vicinity.

B. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent county ordinances and the purpose of the zone district in which the site is located.

C. That the proposed use is consistent with all elements of the county General Plan and with any specific plan which has been adopted for the area.

D. That the proposed use will not overload utilities and will not generate more than an acceptable level of traffic on the streets in the vicinity.

E. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities and dwelling unit densities of the neighborhood. (Ord. 554 (part), 1993)

**18.76.020 Application and fee.**

A. Application for a use permit shall be made to the county planner in writing on a form prescribed by the county and shall be accompanied by plans and elevations necessary to show details of the proposed use or building. Such application shall be accompanied by a nonrefundable fee as specified in the county Fee Ordinance (see Chapter 3.04 of this code).

B. The county planner shall accept the application as complete and adequate for processing or return it to the applicant with a request for additional information within fifteen days. (Ord. 453 § 25.01, 1985)

#### **18.76.030 Public hearing—Notice.**

The planning commission shall hold a public hearing within forty-five days of the date a use permit application is accepted as complete. Notice of such public hearing shall be given at least ten days in advance by mail or delivery to all persons, including businesses, corporations or other public or private entities, shown on the latest equalized assessment roles as owning real property within three hundred feet of the property which is the subject of the proposed use permit. Notice shall also be given at least ten days in advance of the hearing by one publication in a newspaper of general circulation in the county or by posting notice in at least two conspicuous places close to the property which is the subject of the proposed use permit. Notices shall contain, at minimum, a brief description of the property, the proposed use, and the time and place of the hearing. The failure of any property owner to receive such notice shall not invalidate the proceedings. (Ord. 453 § 25.02, 1985)

#### **18.76.040 Action by planning commission.**

A. The findings of the planning commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be in conformity with the county General Plan or this title or any other county ordinance or be otherwise detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the county.

B. Based on their findings the commission shall approve, conditionally approve or deny a use permit application within sixty days of the date said application is accepted as complete. Extensions to the time limit may be allowed in instances where an environmental impact report is required or by agreement between the applicant and the commission.

C. The use permit and any associated building permit shall not be issued until ten days following the date the planning commission has granted the use permit. If an appeal has been filed within ten days pursuant to Chapter 18.88 of this title, such appeal shall stay the issuance of such permits until the appeal has been acted upon by the board of supervisors. (Ord. 453 § 25.03, 1985)

#### **18.76.050 Revocation.**

A. In any case where the conditions of the granting of a use permit have not been, or are not complied with, the planning commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such a hearing the planning commission may revoke such permit. Public notice requirements of Section [18.76.030](#) are not required.

B. All special use permits granted by the planning commission or board of supervisors, shall expire and become null and void one year following the date of granting such permit, unless expressly extended by a condition attached to the permit or unless the use authorized by the permit is carried

on, or the construction authorized by the permit has been commenced and is being diligently pursued on the premises at the date of expiration. (Ord. 453 § 25.05, 1985)

#### **18.76.060 Appeals.**

Any person not satisfied with the action of the planning commission may within ten days appeal in writing to the board of supervisors. Appeal procedures specified in Chapter 18.88 of this title and fees specified in the county Fee Ordinance shall apply. (Ord. 453 § 25.04, 1985)

**Chapter 18.70  
HOME OCCUPATIONS**

Sections:

- [18.70.010 Purpose.](#)
- [18.70.020 Applicability.](#)
- [18.70.030 Prohibited uses.](#)
- [18.70.040 Home office exemption.](#)
- [18.70.050 Home occupation permit required.](#)
- [18.70.060 Adjacent property owner notification and comment period.](#)
- [18.70.070 Issuance of permit.](#)
- [18.70.080 Suspension of permit.](#)
- [18.70.090 Standards.](#)
- [18.70.100 Cottage food operation.](#)
- [18.70.110 Resource-based uses.](#)
- [18.70.120 Expanded home occupation.](#)

**18.70.010 Purpose.**

The purpose of this chapter is to provide opportunity for home-based businesses that are compatible with residential use of property in a manner that does not alter the character of the neighborhood or create adverse impacts to the surrounding area. (Ord. 723 § 2(1), 2017)

**18.70.020 Applicability.**

A home occupation may be located in any zone that allows residential use; provided, that the home occupation complies with all the requirements of this section. (Ord. 723 § 2(2), 2017)

**18.70.030 Prohibited uses.**

The following uses are not considered consistent with the purpose of this section and are expressly not allowed as home occupations:

- A. The repair and maintenance of automobiles, motorcycles, off-road vehicles, snowmobiles, trucks, trailers, recreational vehicles, or similar vehicles including but not limited to drive train, engine, body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire service and sales, or installation of equipment.
- B. Uses that require use of reportable and regulated quantities of hazardous and/or combustible materials.
- C. Uses that require use of explosives.
- D. Dismantling, junk, scrap, or storage yards.
- E. Adult oriented businesses.

F. Other uses that the community development director determines to be similar in impact to the prohibited uses listed above. (Ord. 723 § 2(3), 2017)

**18.70.040 Home office exemption.**

A home office which meets the requirements described herein is exempt from the requirements for a home occupation permit.

A. A home office shall be limited to the use of a home computer, phone, desk, and related office equipment.

B. A home office shall not involve client/customer visits or employees.

C. Deliveries shall be no more than what is typical of a residential use. (Ord. 723 § 2(4), 2017)

**18.70.050 Home occupation permit required.**

A home occupation permit is required to be obtained from the Alpine County community development department prior to the establishment of such use. An application for a home occupation permit shall be submitted to the community development department together with full payment of the application fee as determined by resolution of the board of supervisors. The home occupation shall comply with all of the standards in this section, except for specific exemptions or exceptions that are described in this section. (Ord. 723 § 2(5), 2017)

**18.70.060 Adjacent property owner notification and comment period.**

Upon a determination by the community development department that the home occupation permit application is in compliance with all of the requirements of this section, the community development department shall provide notice of such by regular mail to the applicant and to all property owners shown on the latest equalized assessment rolls as owning real property within three hundred feet of the property where the home occupation is located. Notices shall contain the applicant's name and mailing address, street address of the home occupation, description of the home occupation use and all of the restrictions and terms of the permit for such use. The notice shall clearly state that written comments are being accepted with regard to whether or not the proposed use is in compliance with all of the requirements of this section and that written comments must be received within ten days of the date of mailing the notice in order to be considered in the decision to issue the permit. (Ord. 723 § 2(6), 2017)

**18.70.070 Issuance of permit.**

Upon completion of the adjacent property owner notification and comment period, the home occupation permit shall be issued by the community development director upon his/her determination that the application complies with all of the requirements of this chapter. The home occupation permit is issued to the applicant as stated on the permit application, is not transferable and does not run with the land. (Ord. 723 § 2(7), 2017)

**18.70.080 Suspension of permit.**

The community development director may suspend the approval of a home occupation permit if any of the following applies:

- A. The home occupation is not operated in compliance with the requirements of this section or any other requirements specified in the home occupation permit issued by the community development department;
- B. The home occupation does not commence within one year of approval; or
- C. The home occupation ceases for a period greater than one year. (Ord. 723 § 2(8), 2017)

#### **18.70.090 Standards.**

A. Relationship to Residential Use. The home occupation shall be clearly secondary and incidental to the residential use of the property.

B. Location. The home occupation shall be confined completely within the dwelling unit, attached garage, detached garage or accessory structures located on the same lot as the dwelling. Use of outdoor space for the home occupation is not allowed.

C. Size. The total area devoted to the home occupation use shall not exceed the lesser of twenty-five percent of the gross floor area of the primary residential dwelling unit located on the property or eight hundred square feet. A single parking space required for any nonresident employee shall not be counted against the size limitation.

D. Employees. Employees of a home occupation shall be limited to the persons permanently residing in the dwelling unit located on the same property as the home occupation plus one additional nonresident employee. Parking area for the nonresident employee shall be located within the property and not on the public street.

E. Traffic Generation and Parking. The home occupation shall not generate pedestrian or vehicular traffic, or parking needs in excess of what is considered reasonable for the neighborhood in which it is located. Customer/client visits and deliveries shall be limited to the hours of eight a.m. to six p.m.

F. Operational Standards. Operation of the home occupation shall not create dust, electrical interference, fumes, gas, glare, light, noise, odor, smoke, toxic/hazardous materials, vibration, or other hazards or nuisances beyond the property border in excess of what is considered reasonable to occur on a residential property.

G. Signs. One single, nonilluminated wall-mounted sign of not more than six square feet in area is permitted.

H. Utilities. Utility services required for the home occupation shall not exceed what is considered reasonable for residential use of property.

I. Compliance with Other Codes, Laws and Regulations. The home occupation use shall be conducted in compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of the Alpine County Code.

J. Multiple Home Occupations. More than one home occupation may be allowed on a single lot, provided the entirety of the home occupation uses comply with this section. More specifically, the total area of the combined home occupations on a single lot shall not exceed the applicable area limit described in this section. (Ord. 723 § 2(9), 2017)

#### **18.70.100 Cottage food operation.**

A cottage food operation pursuant to the California Health and Safety Code is allowed as a home occupation provided the operation complies with all of the requirements of this chapter and the following:

- A. The cottage food operator resides on the property.
- B. The cottage food products include only those products identified on the list of approved cottage food categories established and maintained by the California Department of Public Health.
- C. Cottage food products are registered or permitted by the Alpine County Health Department for sale to a consumer or third-party retailer. (Ord. 723 § 2(10), 2017)

#### **18.70.110 Resource-based uses.**

Home occupations that are related to mineral, agriculture or forestry resources that are located on parcels of five acres or larger are allowed provided the operation complies with all of the requirements of this section, and the following:

- A. Area. Maximum of two thousand square feet within a structure or structures.
- B. Outdoor Garden and Plant Growing Areas. Outdoor garden and plant growing areas that are part of a resource-based home occupation use may occupy up to twenty-five percent of the area of the lot on which they are located. Outdoor garden and plant growing areas are not considered to be outdoor storage and are not required to be screened.
- C. Outdoor Storage. Outdoor storage area not to exceed two thousand square feet provided the entire storage area is completely screened from the public street(s) immediately adjacent to the property and from adjacent properties. Screening may consist of any combination of fencing, natural vegetation, location within the property, natural topography and landscaping.
- D. Setbacks. Any building or outdoor storage area used for the home occupation shall be set back at least fifty feet from all property lines.
- E. Employees. Employees of a resource-based home occupation shall be limited to the persons permanently residing in the dwelling unit located on the same property as the home occupation

plus three additional nonresident employees. Parking area for the nonresident employees shall be located within the property and not on the public street. (Ord. 723 § 2(11), 2017)

### **18.70.120 Expanded home occupation.**

An expanded home occupation requires approval of a conditional use permit by the Planning commission pursuant to Chapter [18.76](#) of this code. An expanded home occupation may allow for exceptions from the standards in this chapter. Prohibited use as described in this section is not allowed under an expanded home occupation. Approval of a conditional use permit for an expanded home occupation may be granted by the planning commission upon the commission making the findings for a conditional use permit listed in Section [18.76.015](#) and the following additional findings:

- A. The expanded home occupation is clearly customary, secondary, and incidental to the residential use of the property.
- B. The expanded home occupation is compatible with residential use of property.
- C. The expanded home occupation will be operated in a manner that does not alter the character of the neighborhood or create adverse impacts to the surrounding area. (Ord. 723 § 2(12), 2017)

# CARSON RIVER WATERSHED 30-YEAR REGIONAL DROUGHT AND WATER SUSTAINABILITY PLAN

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Presented By: Edwin James,  
CWSD

# Background

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## Plan Overview:

To meet the needs of the watershed in the next 30 years, CWSD has partnered with Lumos & Associates and USGS to do a deep dive in to water demand, water rights, and water production - pertaining to the 13 water purveyors in the watershed.

**Goals of the 30-Year Plan:**  
**Evaluate Effects Growth and Climate Change will have on  
Streamflow and Groundwater Trends in the Carson River  
Watershed**

**1**

**Evaluate Future  
Water Demands  
and Water Supplies  
by Area**

**2**

**Utilize the Upper  
and Middle Carson  
River Models  
Developed by the  
USGS**

**3**

**Identify Water  
Supply Sources**

**4**

**Identify Potential  
Water Limitations**

**5**

**Evaluate  
Groundwater/  
Surface Water  
Interaction**

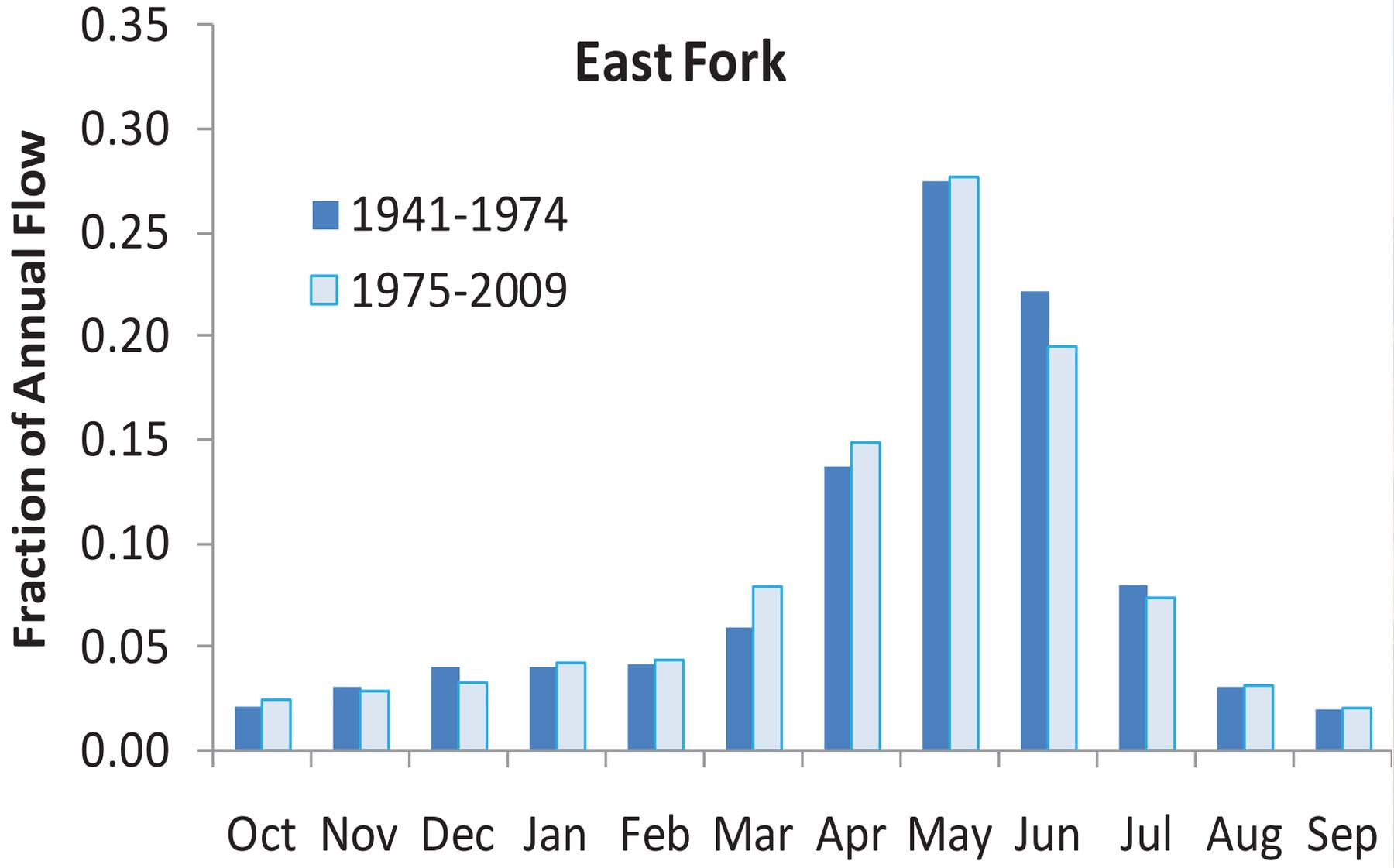
**6**

**Evaluate Potential  
Mitigation  
Strategies**

## What the 30 -Year Regional Water Plan Will Not Do

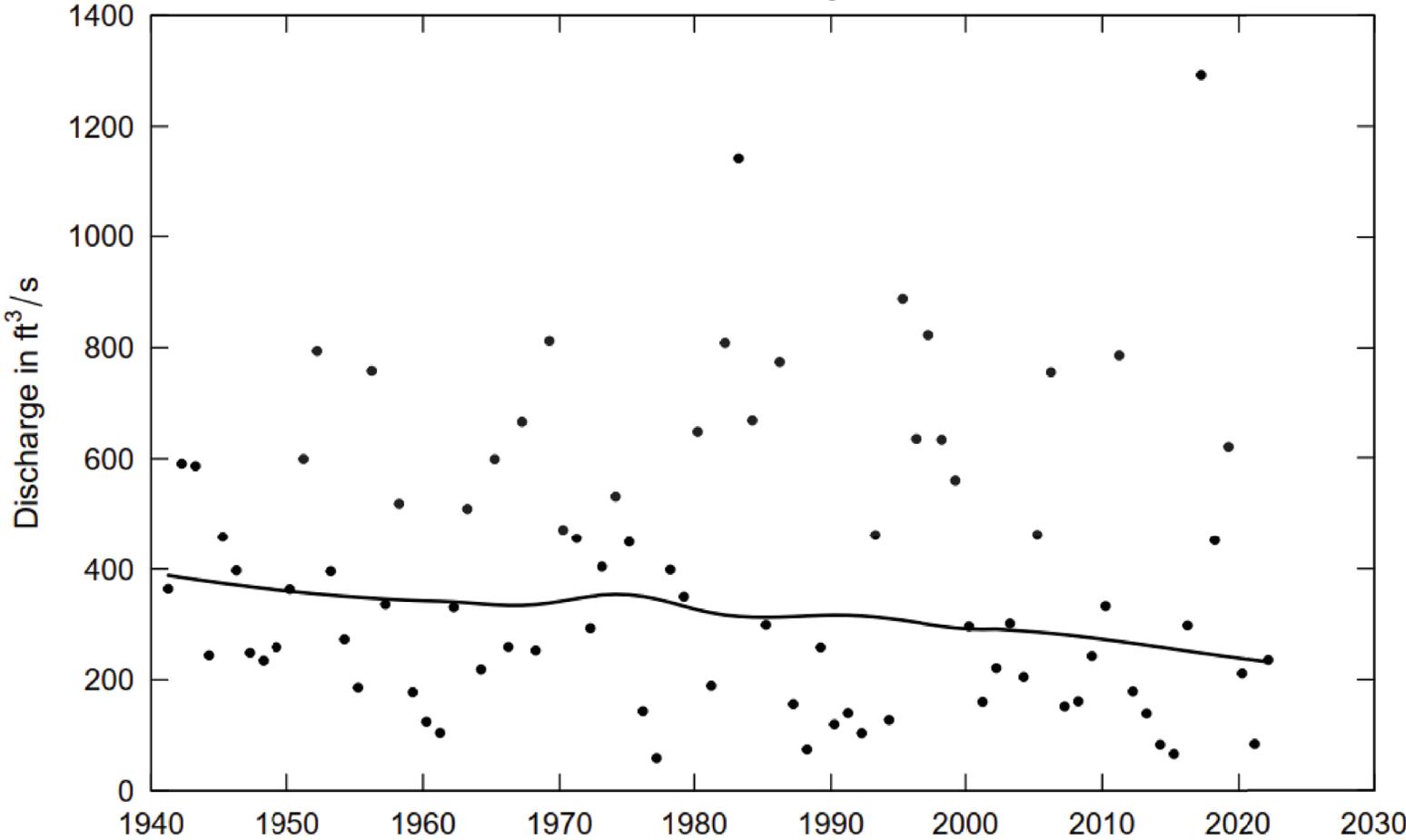
- It Will Not take away anyone's water rights
- It Will Not propose any changes to the Alpine Decree or Nevada Water Law
- It Will Not change any water purveyor's water master plan

# East Fork

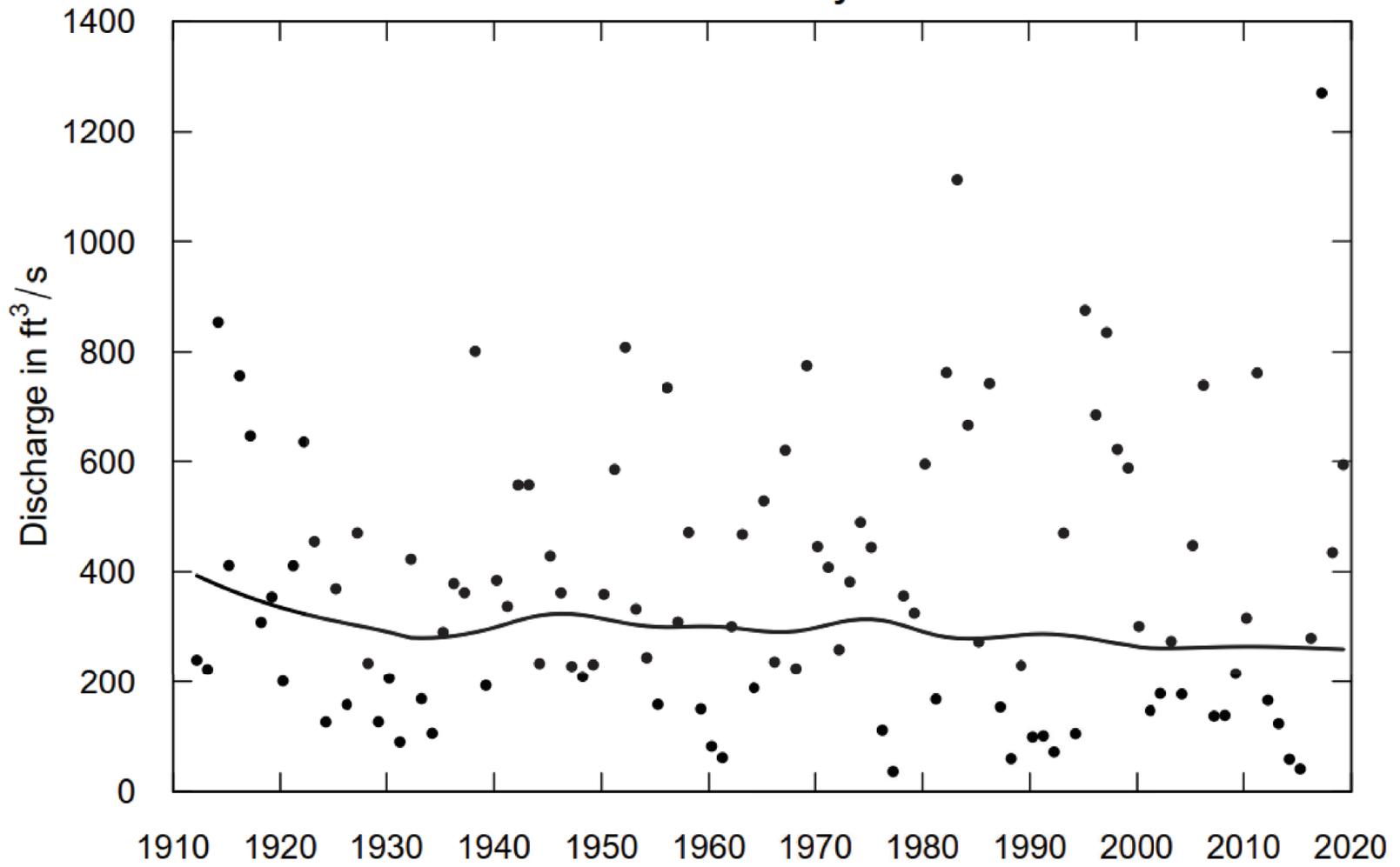


CARSON RV NR CARSON CITY, NV

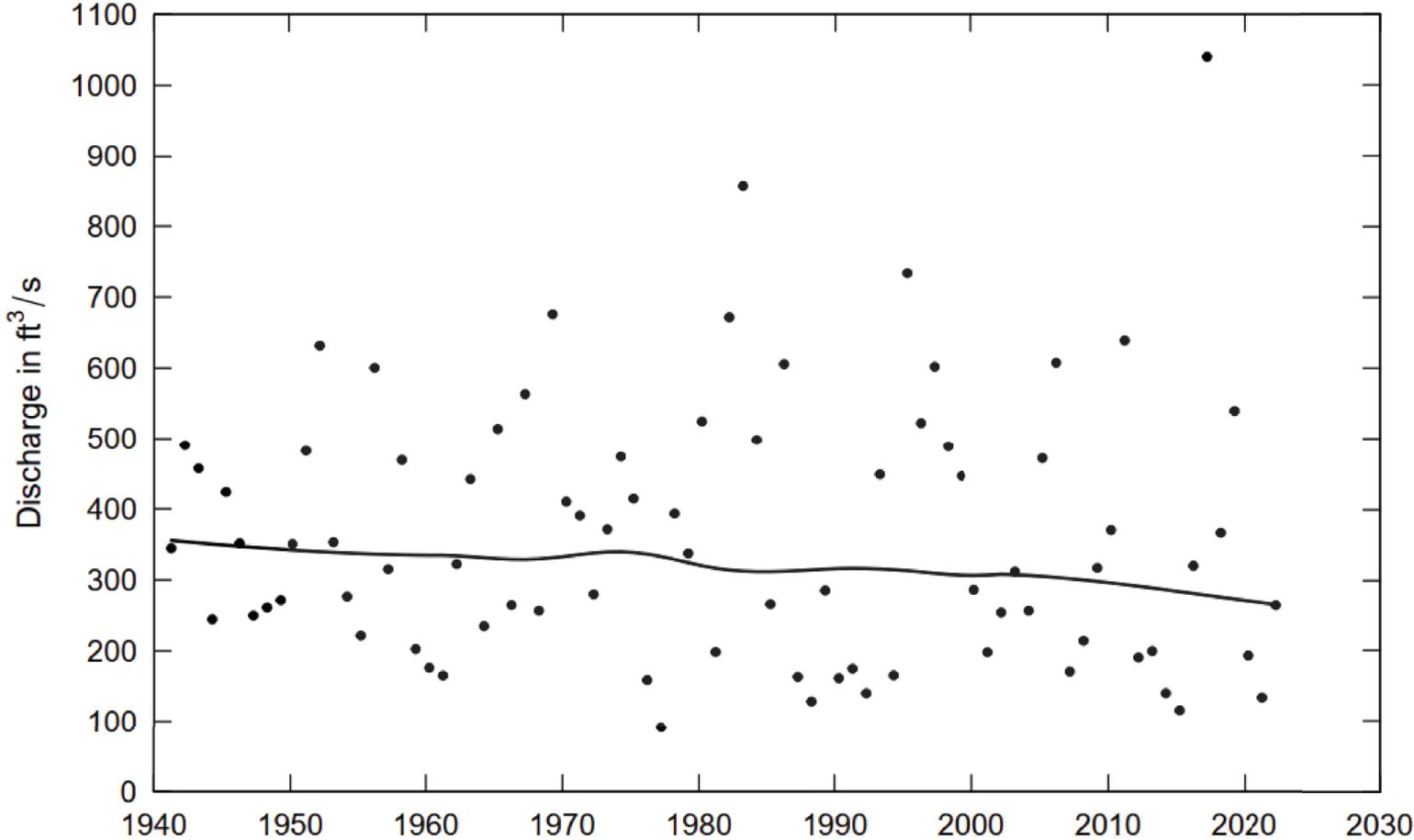
Water Year  
mean daily



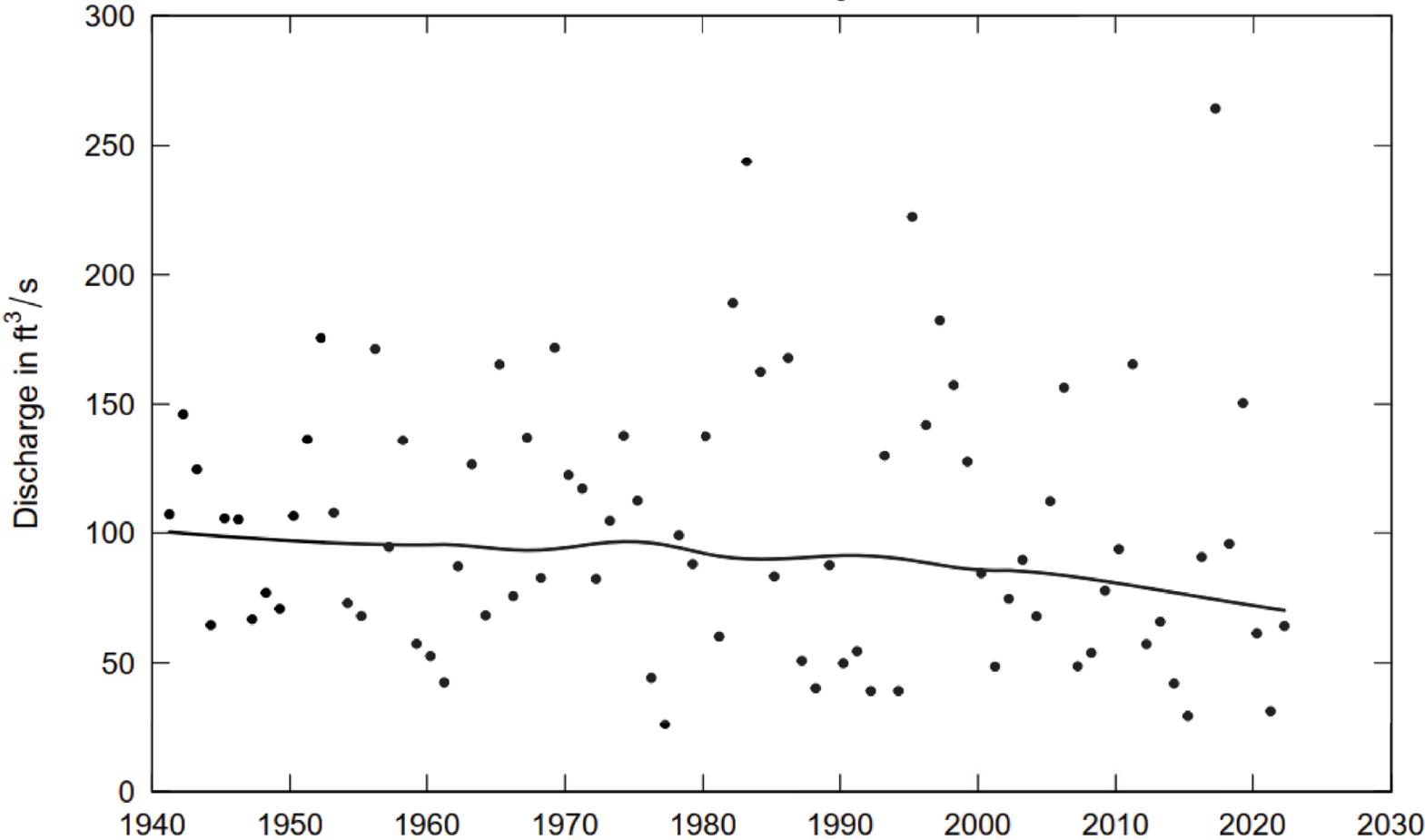
**CARSON RV NR FORT CHURCHILL, NV**  
**Water Year**  
**mean daily**



**E FK CARSON RV NR GARDNERVILLE, NV**  
**Water Year**  
**mean daily**

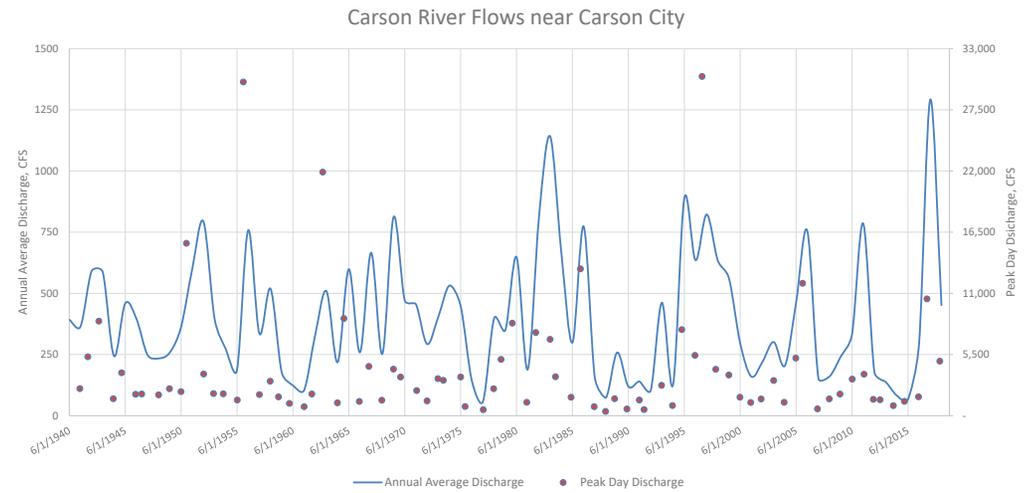


W FK CARSON RV AT WOODFORDS, CA  
Water Year  
mean daily



## Instream Flows - 1940 to 2018

- Flows are highly variable
- On average, flows are slowly decreasing in each river stretch



Location	WF at Woodfords	EF near Gardnerville	EF +WF	CR near Carson City	CR near Fort Churchill*
USGS Station #	10310000	10309000		10311000	10312000
Annual Average Flow, CFS	103.0	365.4	468.3	401.1	377.4
Annual Flow Standard Deviation, CFS	50.2	181.3		256.4	258.4
Average Peak Day Flow, CFS	1,150.7	3,599.5		4,178.8	3,278.8
Peak Day Flow Standard Deviation, CFS	1,253.8	3,579.0		5,544.0	3,700.5
% Average Annual Change in Flow	-0.10%	-0.05%	-0.06%	-0.12%	-0.05%
% Average Change in Flow between 1940 and 2018	<b>-7.91%</b>	<b>-4.03%</b>	<b>-4.88%</b>	<b>-8.99%</b>	<b>-3.74%</b>
*Data trends from Ft Churchill gauge are not statistically significant and should be interpreted as such					

# Process



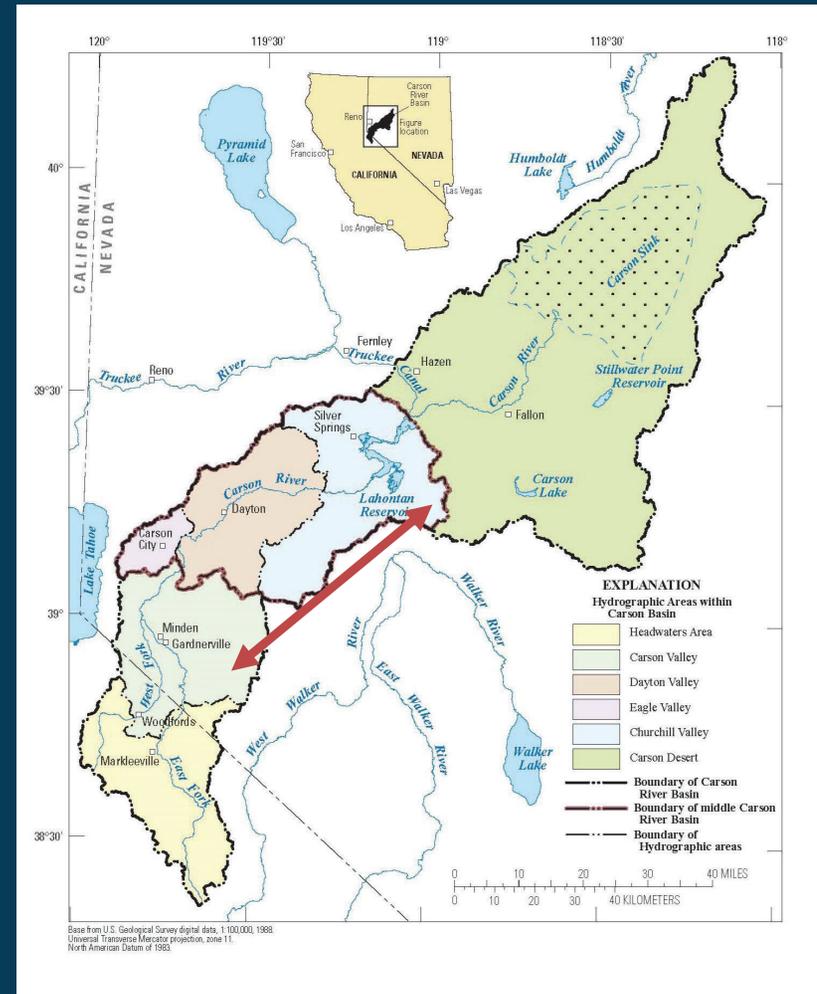
Lumos & Assoc. gathers information and data to estimate M&I demand for each purveyor in the watershed.

Accumulated data will be given to USGS to be inserted into their model. USGS will cultivate model and run a multitude of scenarios.

Results will be assed to provide mitigation plans that can potentially circumvent issues based on the findings of USGS model.

Data Collection

# Upper Watershed & Lower Watershed



## Purveyors

- Markleeville Water Company
- Town of Minden
- Lyon Counties Utility -  
Dayton/Moundhouse
- Indian Hills General Improvement  
District
- Gardnerville Water Company
- Gardnerville Rancheros General  
Improvement District
- City of Fallon
- Douglas County Public Works
- Churchill County Public Works
- Carson City Public Works
- Silver Springs Mutual Water  
Company
- Stagecoach General Improvement  
District
- Storey County Public Works



Range of population  
growth

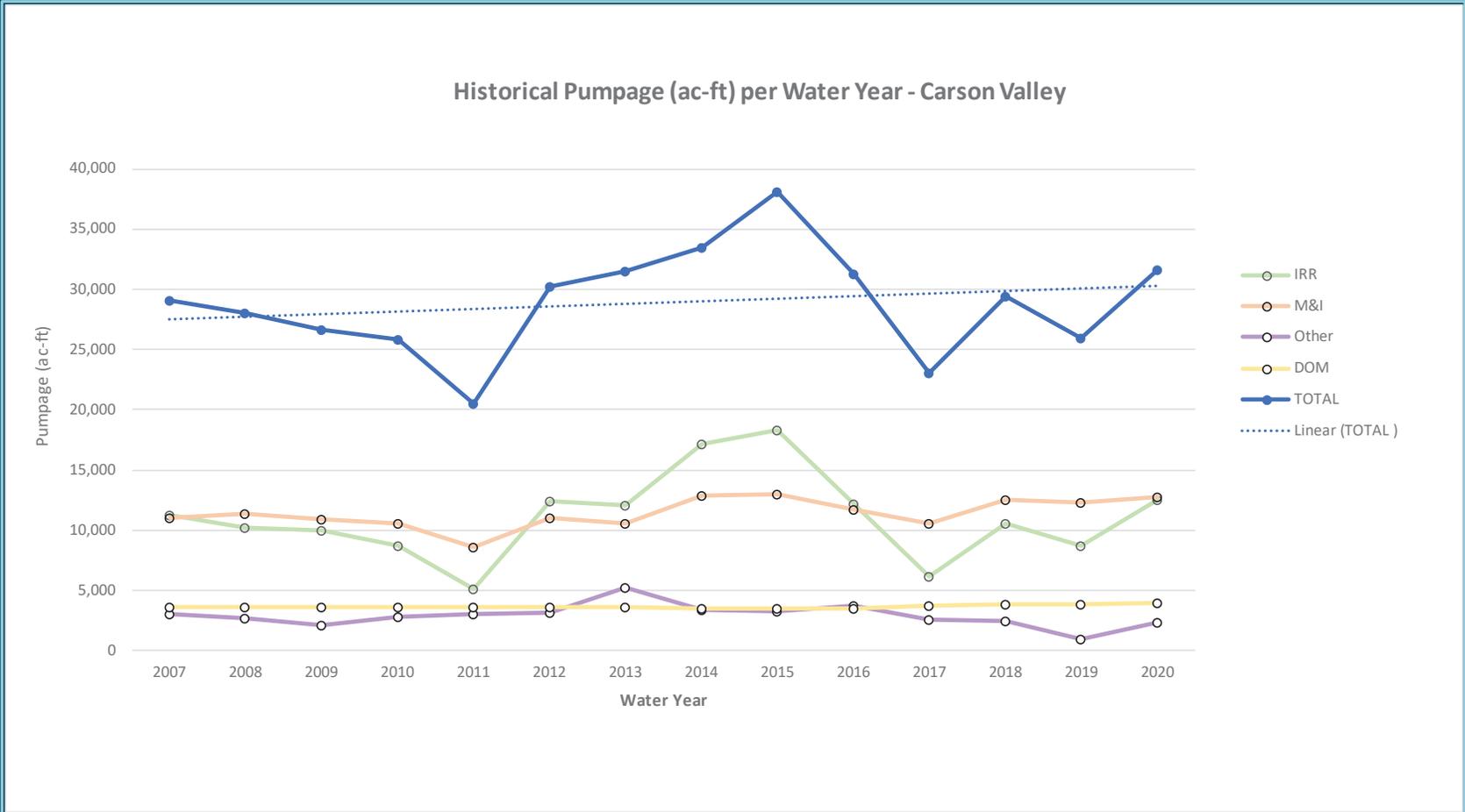
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**Historical Trends In River  
Discharge  
and  
Preliminary Projections**



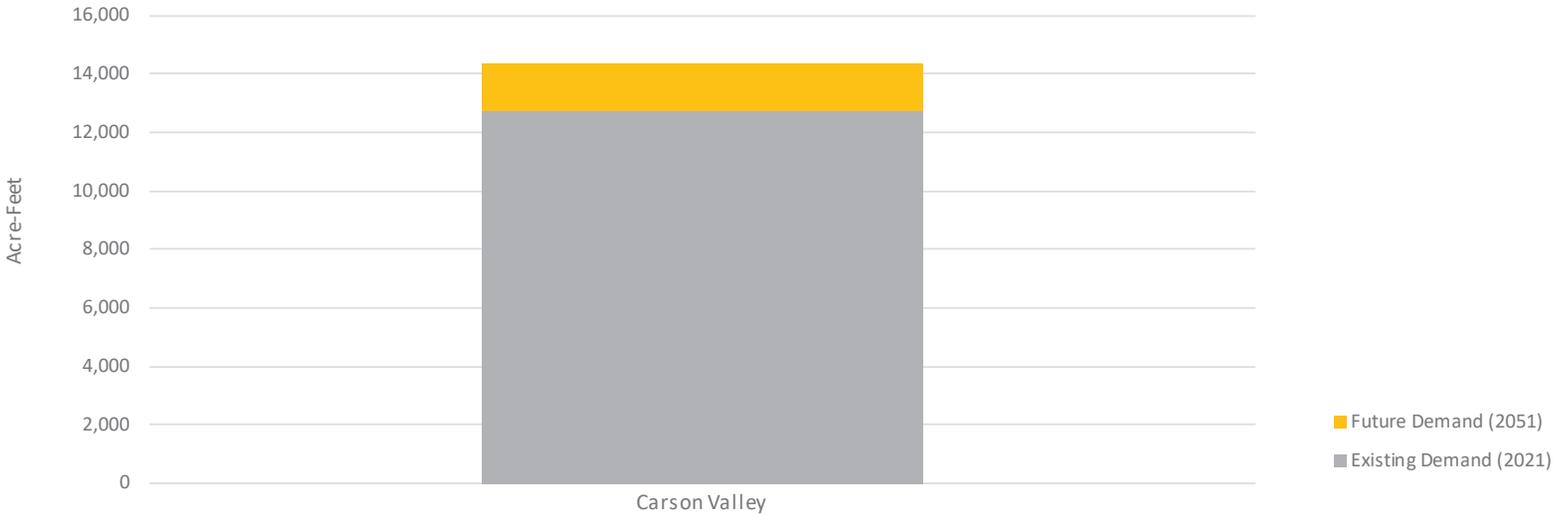
CARSON VALLEY

# Historical Pumping



# Preliminary Projection – Carson Valley

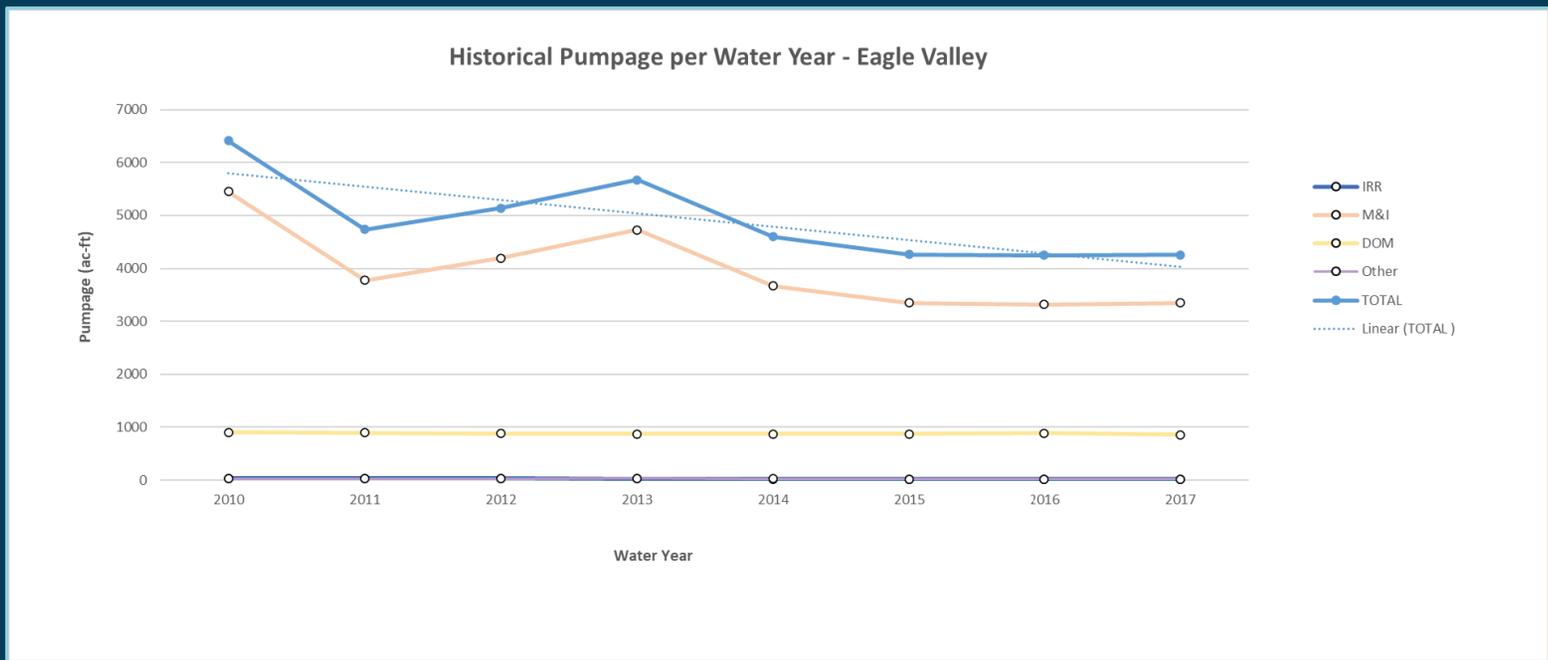
### Existing Vs. Future Demand (Preliminary)



An aerial photograph of a rugged coastline. The left side shows dark blue, turbulent waves crashing against a rocky shore. The right side shows a more detailed view of the rocky terrain, with various shades of brown and grey. A white rectangular box is centered over the image, containing the text 'EAGLE VALLEY'.

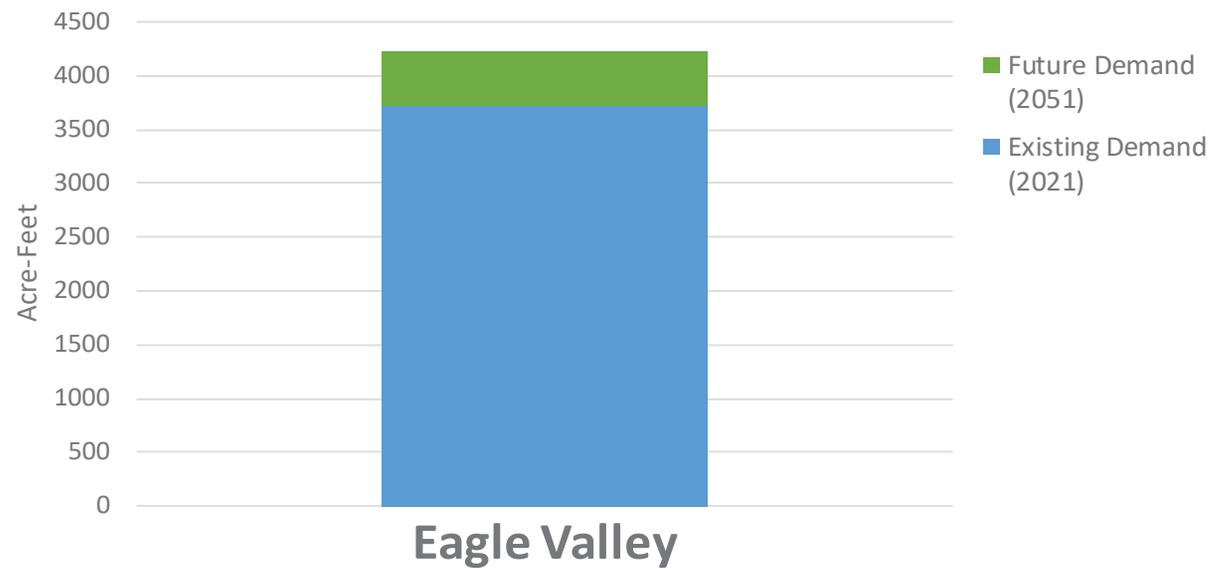
# EAGLE VALLEY

# Historical Pumping



## Preliminary Projection – Eagle Valley

Existing Vs. Future Demand (Preliminary)

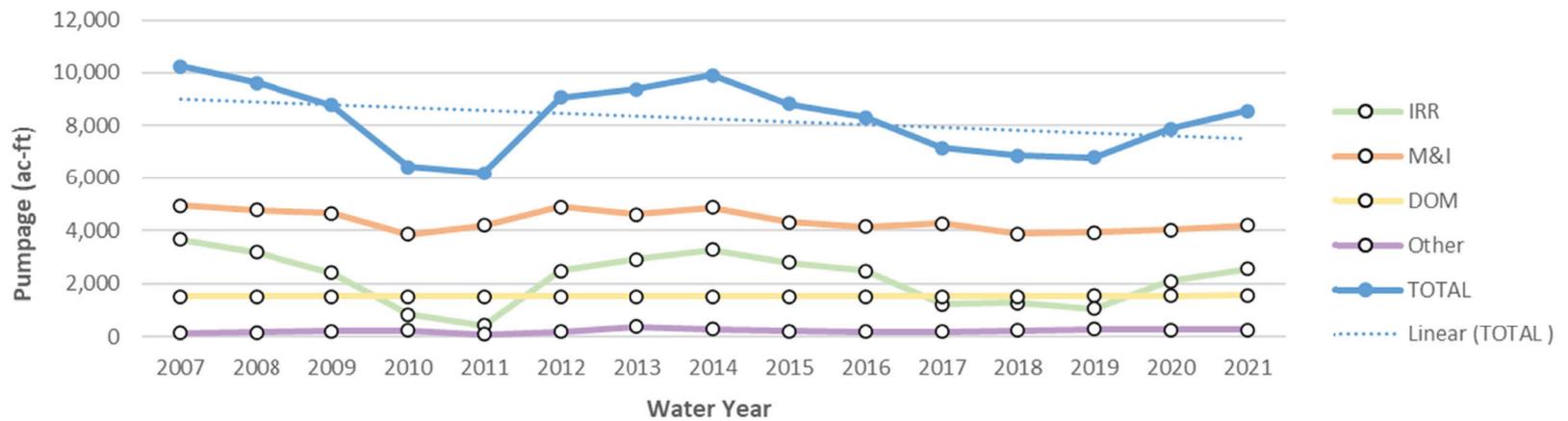


An aerial photograph of a river valley, showing a winding river through a lush, green landscape. The river is the central focus, with its banks covered in dense vegetation. The overall scene is captured from a high angle, providing a clear view of the valley's topography. A white rectangular box is overlaid on the center of the image, containing the text 'DAYTON VALLEY' in a dark blue, serif font. The text is centered within the box and is the primary subject of the image.

# DAYTON VALLEY

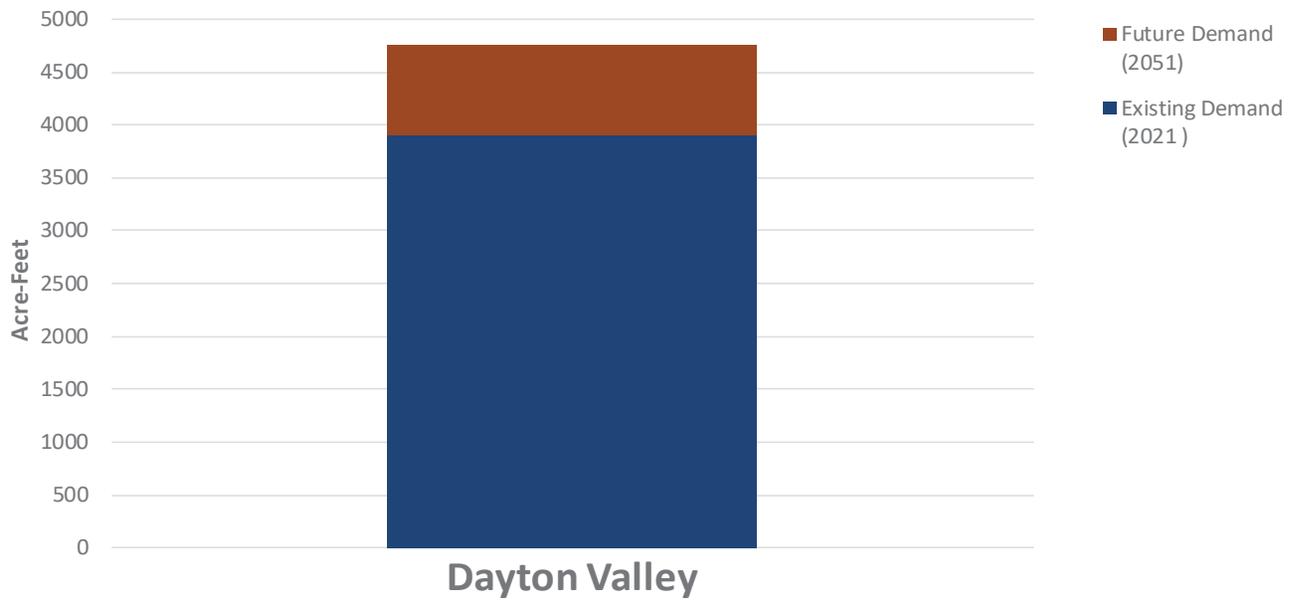
# Historical Pumping

## Historical Pumpage per Water Year - Dayton Valley



# Preliminary Projection – Dayton Valley

Existing Vs. Future Demand (Preliminary)

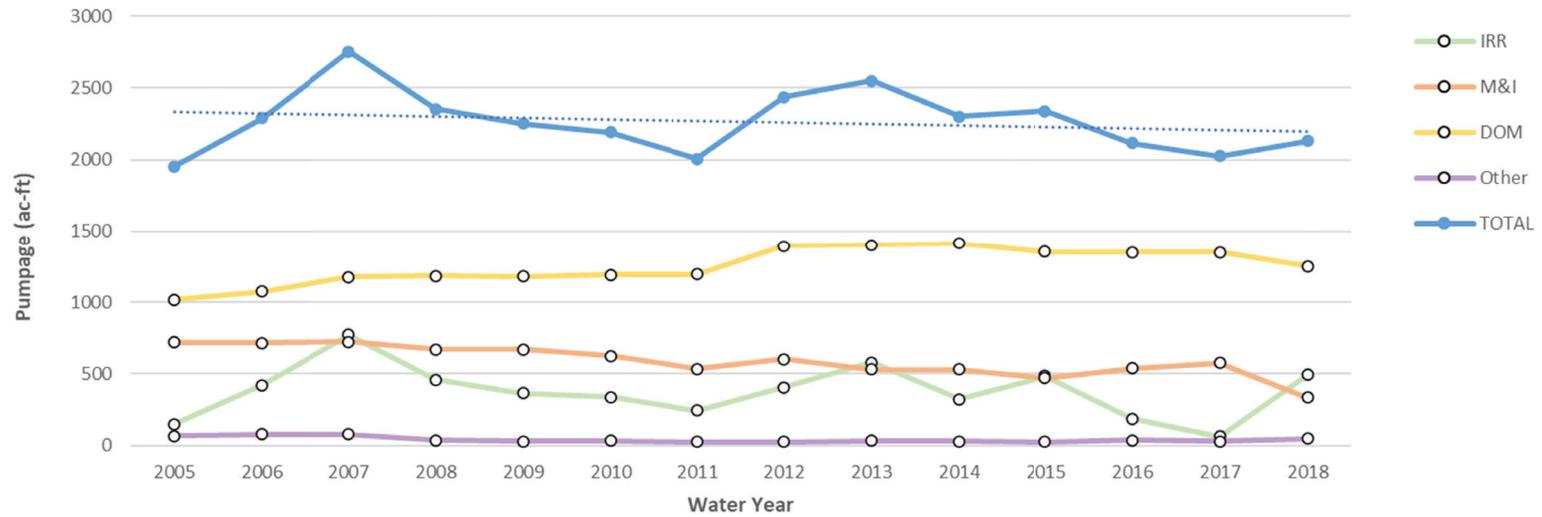




Churchill  
Valley

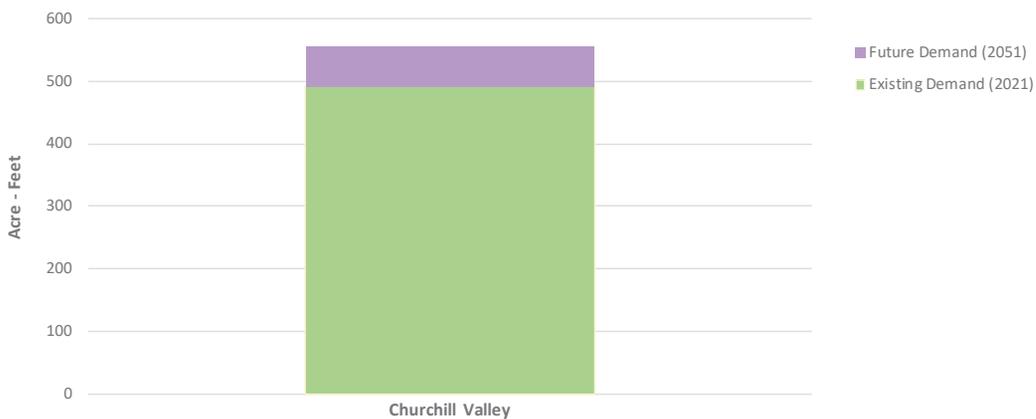
# Historical Pumping

## Historical Pumpage per Water Year - Churchill Valley



## Preliminary Projection – Churchill Valley

Existing Vs. Future Demand (Preliminary)



- There is little (63ac-ft) predicted growth that will come from the service area in Silver Springs.
- Domestic wells are predicted to increase following current trends (undetermined amount)
- A new water source will have to be considered in order to see growth in Churchill Valley

# OTHER CONSIDERATIONS

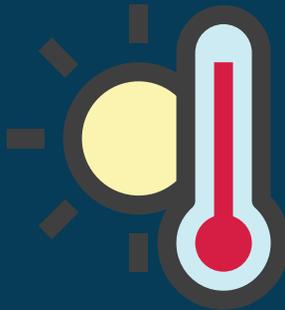
## AGRICULTURE

- Changes in agriculture and agriculture management.



## WEATHER TRENDS

- Consecutive dry years
- Abundant changes in the seasonal mean



## Alpine Decree

- River Regulations and Irrigation Timing

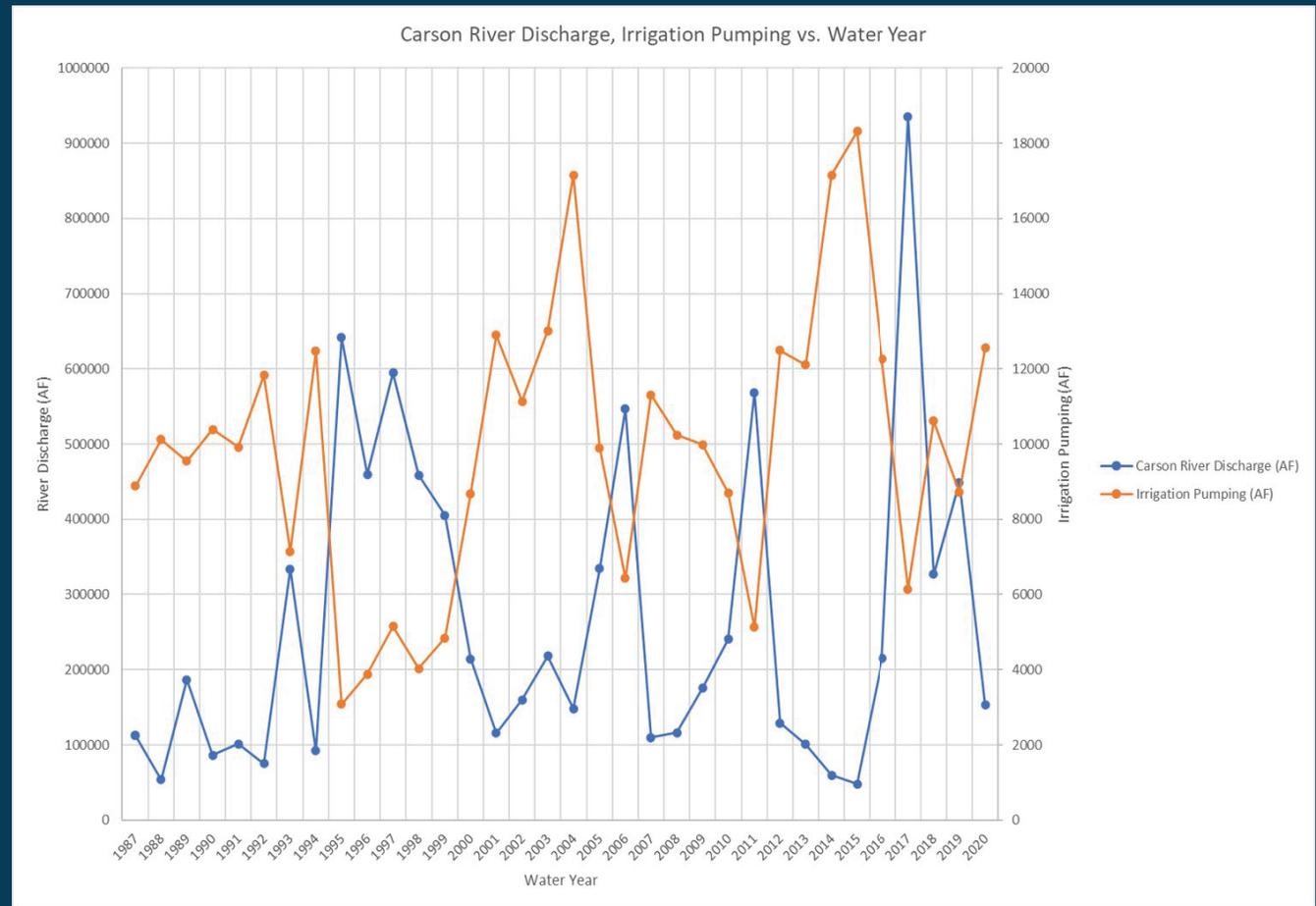


## Model Accuracy

- This is an estimation – needs will have to be revisited frequently and updated

# Irrigation Pumping in Carson Valley

1987-2020



# Plan Goals

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- Determine if there are sufficient water rights and infrastructure in place.
- Understand the effects of future demand and river discharge
- Recommend possible mitigation on related to future water demands



**Questions?**

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**[www.cwsd.org](http://www.cwsd.org)**

