



PLANNING COMMISSION COUNTY OF ALPINE, STATE OF CALIFORNIA

**Meeting Agenda
Thursday, March 28, 2024
1:00 P.M.**

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

**Secondary location:
Commission Chair Bob Broyer will be joining the meeting remotely from an alternate location that is open to the public:**

**Downstairs Conference Room
Center Point Building
18 Crow Canyon Court
San Ramon, CA 94583**

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/89623421216?pwd=NdVC15OudlaF31Mhchw3WVI3K3oFRCV.1>

Meeting ID: 896 2342 1216
Passcode: 360551

Dial by your location:
+1 669 444 9171 US

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. 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 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 February 29, 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 to consider Zoning Code amendments to Alpine County Code Section 18.73 – Residential Short-Term Rentals.

Request to recommend approval to the Board of Supervisors regarding proposed code changes to Chapter 18.73 - Residential Short-Term Rentals, including changes to: standards, enforcement and penalties, waitlist requirements, new standards for events, and licensing requirements. The Planning Commission will also consider approval of the finding that the code amendment is statutorily exempt from CEQA pursuant to Section 15061 (b)(3).

5. Unfinished Business

None

6. New Business

- 6.1 Request to approve the General Plan Annual Report.

Request to recommend approval to the Board of Supervisors on the 2023 Alpine County General Plan Annual Report, including the Housing Element Annual Progress Report and submitting the report to the Board of Supervisors for acceptance and transmission to the Governor's Office of Planning and Research and the California Department of Housing and Community Development.

7. OTHER BUSINESS

- 7.1. Community Development Director Report

- 7.2. Items initiated by Commissioners

8. ADJOURNMENT



UNAPPROVED: SUBJECT TO CORRECTION

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

MINUTES

Thursday, January 25, 2024

1. CALL TO ORDER

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

A quorum was established.

2. MINUTES

2.1. Request approval of regular meeting minutes of Thursday, September 28, 2023

MOTION: Haen/ SECOND: Sweeney approving the regular meeting minutes of September 28, 2023

AYES: Broyer, Haen, Sweeney

ABSTAIN:

MOTION CARRIED 4-0

3. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

None was heard.

4. PUBLIC HEARINGS

4.1 Zone Change Application for 3295 Carson River Road, Markleeville, File # 2023-137

Application submitted by Alling and Jillson Attorneys at Law on behalf of owners Ace Hereford Ranch LLC & Gordon Real Estate LLC to request a zone change pursuant to Chapter 18.16. The proposed change is from Agricultural (AG) to Agricultural Preserve (AP 18.18). If approved, owners wish to establish a Williamson Act land conservation contract agreement with Alpine County. Additionally, requested is the finding that the project is categorically exempt from CEQA pursuant to Section 15317, Class 17: Establishment of agricultural preserves, making and renewal of Williamson Act contracts, and acceptance of open space property.

Staff Planner, Sarah Traiman presented the item, describing the proposal for the zone change, shared map locations of the properties and explained the purpose of the Williamson contract. Community Development Director Sam Booth asked the commissioners to review the Williamson Act attachment, calling attention to the incentive for property owners to enter Williamson Act contracts is to reduce current and future property taxes, and is designed for the property owner who is dedicated to the long-term use of the land for agricultural purposes. He explained that the approval of the zone change would be the first step in the process of creating the contract with the county. Mr. Booth then called attention to County Assessor Donald O'Conner's attendance at the meeting and said that he would be able to explain the effect of the contract on the county's property tax collection. Mr. Booth introduced the applicants and representatives in attendance.

Richard McGuffin Attorney with Alling and Jillson representing the owners of Ace Hereford Ranch introduced himself and stated that the applicants are willing to enter a 20-year Williamson Act contract as a demonstration of their commitment to maintain the property as an agricultural preserve.

Mr. McGuffin said the property is currently used to raise cattle, grow, and cut hay and that the owners have agreements with the California Department of Food and Agriculture for the purpose of improving soil quality. The owners also work with Alpine Watershed Group, the Carson Sub-Conservancy, and the Lahontan Waterboard to support clean water and river health. Mr. McGuffin stated that the size, and riparian characteristics of the property lend it as a useful fuel break, as was seen during the Tamarack Fire.

Bob Broyer asked Mr. McGuffin about the implications on tax collection for the rezoned land and structures upon it.

Mr. McGuffin responded that the contract does take the structures on the land into account.

Bob Broyer requested the tax assessor to step forward to speak about the tax implications of the Williamson Act Contract.

County Assessor/Recorder Donald O'Conner introduced himself and stated that the tax discount applicable to the redesignated land would not impact the taxes that apply to the structures. Mr. O'Conner then spoke about the difference in tax income for the county if the property is rezoned from Agriculture to Agriculture Preserve and entered into the Williamson Act Contract.

The property is currently valued at 4 million dollars and would be reduced to a little over 1 million once under contract. Mr. O'Conner stated that his estimate was only for the value of the land and not the structures. He said that the tax savings under the contract are generally 20%-70% throughout the state of California. The taxes saved from being under contract are greatly influenced by the time when the property is purchased. If the property were passed down to children, they could benefit financially if the property were reassessed.

Bob Broyer asked Donald O'Conner if the State of California reimburses county tax income that is lost from properties contracted under the Williamson Act. Mr. O'Conner responded that the tax is not returned to the county.

Jim Haen asked Mr. O'Conner what the tax liability difference would be in dollar amount. He responded that it is a potential loss of about \$25 - 27,000 annually, about 1% plus the school bond. Two-thirds of the nearly 4 million dollars and proposition 13 will climb, but the Williamson Act does not climb as quickly so the gap will become greater over time. Tax assessments are done annually so the numbers will change.

Bob Broyer opens the topic for public comment, to which there is none.

Vice Chair, Nick Hartzell states that he approves of the preservation of agricultural lands but understands the loss to the county as well. Mr. Hartzell then asked Sam Booth if the land can be removed from the Williamson Act Contract. Mr. Booth responds that he believes the contract can be cancelled if the owners were to violate any of the terms, such as using the property for purposes outside those defined by the contract. Mr. Hartzell further states that he would not want to see the county lose taxes if the property owners were to violate the terms of the contract and the county had no recourse.

Chairman Tom Sweeny asked if the contract transfers with the property if it sells. Richard McGuffin stands to respond to Mr. Sweeny and Mr. Hartzell's questions. He confirms that Sam Booth was correct and that the contract can be broken if there was a breach of contract. He states that there are legal remedies available if a breach were to occur. Legal action would require the property owners to reimburse the county of lost tax income. Further, Mr. McGuffin stated that the contract automatically renews each year until the end of the 20-year term. At the end of the term the owners can elect to opt out. Mr. McGuffin continues to state that the penalties for opting out are quite steep and that while the county loses property tax income, the homeowners are also forfeiting opportunities to use the land in a more profitable manner in order to maintain the rural nature of the community.

Bob Broyer inquires if the 20-year Williamson Act contract is a "rolling 20-years". Mr. McGuffin responded that yes, the contract would be renewed but there are timing provisions placed into the contract to allow the owners to opt out. If the owners fail to notify the county that they are opting out, then they can be legally obligated to remain under contract. Mr. McGuffin explains that the contract "runs with the land" so whoever owns it is bound by the terms of the contract.

Jim Haen stated that he hopes to see more land rezoned for residential use in the future.

Bob Broyer makes a motion for Agenda Item 4.1 and recommends the approval of the code change without conditions, and adoption of the CEQA Notice of Exception to be presented to the Board of Supervisors.

Vice Chair, Nick Hartzell seconds the motion to approve item 4.1.

Sam Booth calls roll. All commissioners state yes.

AYES: 4

NAYES: 0

ABSTAIN: 0

MOTION CARRIED 4-0

5. Unfinished Business

None

6. New Business

6.1 Discussion and presentation from staff regarding current short-term rental code to discuss issues on current code language and potential changes. (Alpine County Code Section 18.73) Report on the outcome of the Community Development Residential Short-Term Rental Workshop held 12/12/2023.

Staff Planner, Alexa Burke introduced the item to the commissioners and provided some background information about how Community Development staff identified issues with the existing county code regarding residential short-term rentals. She explained that through the process of bringing properties into compliance with the code, specific issues became evident. Others were identified by those renting their properties and neighboring property owners in the vicinity of a short-term rental. To address the concerns of the public and gain further insight, Community Development staff hosted a residential short-term rental public workshop in December 2023. Staff presented current code regulations, issues, and potential solutions. A survey was made available for attendees at the workshop and posted to the Community Development website for remote attendees and public participation.

The planning commissioners were provided with a list of the topics for discussion and the survey results from the workshop and online survey. The following list contains each item discussed.

1. Existing Noise Limitations
2. The use of Accessory Dwelling Units (ADUs) as short-term rentals if built prior to 2017.
3. Waitlist (East Slope)
4. Short-term rentals in commercially zoned areas
5. Events Related to and hosted at STR's.
6. Demonstrate property was rented annually.
7. No posting of property without first obtaining a permit
8. Waste disposal.
9. Fines
10. Emergency contact.

Alexa Burke presented the topics stating current code, the issues identified, and potential solutions. The commissioners' responses were documented and are stated here according to the item discussed.

1. Existing Noise Limitations.

Current Code:

No activity at any time shall produce sounds measured in excess of the standards as stated in Section 18.68.090 (B) of this code. Outdoor amplified sound is prohibited.

Occupants and/or guests of the rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise or disorderly conduct, and shall not produce noise such that neighboring properties are disturbed between the hours of nine p.m. and seven a.m.

Problem:

Responding to noise complaints is difficult because we are a small county with no code enforcement. If after hours police can be contacted but cannot always make it there quickly and may not have the equipment to measure the decibel level.

Currently no outdoor amplified sound is allowed at short-term rental at any time. Owners have complained this is too restrictive.

Solutions:

- Stricter requirements – enforcement is still a problem, response, and ability to measure dB(A)
- Noise Monitoring System: Could be required to install in lieu of paying a noise fine, protects homeowner and neighbors – Units run around \$100 with a \$10-\$15 monthly fee.
- Online complaint system to make county aware of ongoing noise violations.
- The current code states, upon first violation of the standards the property receives a written warning, second violation a \$500 fine. If the violations are for noise, we could offer a 50% reduction of fine if a noise monitor is installed on the property.
- Add that outdoor amplified sound is limited to county noise level standards at all times of the day (not exempt for daytime hours).

Commissioner Response:

Restrict to county standards which allows for higher daytime emissions. Remove amplified sound provision. Maybe an example to explain what these decibels resemble, like 2 people standing 5 feet apart talking at average volume. Specify that the sound is measured from property line.

A complaint hotline is favorable but should be somehow allocated to the owners of the rental.

2. The use of Accessory Dwelling Units (ADUs) as short-term rentals if built prior to 2017

Current County Code:

Short-term rentals are prohibited in accessory (secondary) dwelling units or junior accessory dwelling units.

Current State Code:

In 2017 California Legislature passed laws streamline the process for property owners to build ADU's. They did this after ADU's were identified as a valuable form of affordable housing and will be an essential component of helping meet California its housing demands.

Government Code 65852.21, subd.(e)(5) "A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days."

Problem:

Alpine county code is more restrictive than state code, altogether prohibiting use of ADUs for short term rent. There are established short-term rentals in ADUs throughout Alpine County that are in violation of our code but not state code.

Solutions:

Adopt the same language the state has, and only ADU's build after 2017 would be unable to operate as STR's.

Commissioner Response:

Nick Hartzell: Alpine County has a direct role in Kirkwood's affordable housing. If 10 condos are being built, one must be designated for employee housing.

Adopt State code as Alpine County code: ADUs built prior to 2017 are allowed to be used for short term rent.

3. Waitlist (East Slope)

Current Code:

No current language in the code. Staff have recognized the need for an official waitlist for properties on the East Slope.

Problem:

Some properties have already been blocked from receiving permits because of the 100ft buffer. In the future this list can be used if we reach the 35-property limit on the East Slope.

Solution:

Establish an official waitlist for properties that are blocked by east slope restrictions. This list would allow staff to track these properties that have been blocked from receiving a permit and allow those properties to be notified first if a permit becomes available.

Commissioner Response

Bob Broyer: Concerned about cost in staff time of maintenance of waitlist. He suggests allocating costs to waitlisted property owners on an annual basis.

Jim Haen: Concerned that people will request to be on the waitlist without the intention of ever operating an STR and prevent others from obtaining a STR license. He suggests adding language to the code to prevent this.

4. Short-term rentals in commercially zoned areas

Current Code:

18.73.020 Residential short-term rentals may be located in any zone that allows residential use, provided that the residential short-term rental complies with all the requirements of this chapter.

Problem:

Some properties on the East Slope that operate as short-term rentals are located in commercial zones. Do these properties count toward the 35-permit max and follow the 100ft buffer rule.

Solution:

Clearly state that properties in the East Slope in commercial zoning do not fall under the 100ft buffer or 35 max requirements.

Commissioner Response

Buffer restrictions pertaining to East Slope properties should not affect short term rental properties in Commercial Zones, but they should have to register with the county.

5. Special Events Related to and hosted at STR's

Current Code:

No current language in the code.

Problem:

There are no restrictions on holding special events at short-term rentals, or on the number of guests allowed at short-term rentals.

Solution:

- Decide if the county wants events to be allowed at short-term rentals.
 - If allowed determine how to regulate size. Eg Maximum Occupancy only? Maximum Occupancy plus 50% (if max occupancy is 10, occupancy for an event would be limited to 15)
 - If a property owner is allowing their short-term rental to be used for special events, this would be considered a separate business, and the property owner would be required to obtain an expanded home occupation permit from the county. This type of permit requires neighbors to be notified and planning commission approval.
- Collect the number of bedrooms, bathrooms, and maximum occupancy on the short-term rental application.
- The owner stipulates to the renter if events are allowed to be held on the property.

Commissioner Response

Commissioner Haen suggested enhancing current noise and parking standards to limit events.

Commissioner Hartzell is in favor of a home occupation permit for reoccurring event hosting at STRs.

Bob is in favor of strictly prohibiting events at STRs unless a home occupation permit with conditional uses is granted by the Planning Commission.

Commissioner Haen agrees with Bob and adds that determining septic capacity and water availability on properties is too onerous unless it is a property with a Home Occupancy Permit.

6. Demonstrate that Property was Rented

Current County Code:

18.73.090 Transient lodging tax proof of payment

On or before April 1st of each year, payment in full of all transient lodging taxes due for the preceding calendar year shall be confirmed by the community development department.

18.73.180 License renewal: The short-term rental license shall automatically renew upon payment of the short-term rental license renewal fee and all required transient occupancy tax remittance documents associated with the short-term rental license.

Problem:

Some properties remit \$0 on the TOT documents. While this does meet the letter of the code, this can create a situation on the East Slope where a property is holding a STR license, not using it and blocking another property from obtaining an STR license.

Solution:

Add language to code that requires properties show proof of being rented for license renewal.

Commissioner Response

Specify that owners are prohibited from maintaining STR registration with the purpose of preventing neighboring property owners from obtaining permission to rent their property.

Commissioner Haen suggested that property owners be charged a fee if they cannot demonstrate that the property has been rented in the past year. Maybe \$500 or \$1000 dollars.

7. No Posting of Property Without a Permit

Current County Code:

STR 18.73.120 License required.

No person shall rent, offer to rent, or advertise for rent a residential unit to another person or persons for a short-term rental without a license approved and issued in a manner provided for by this chapter. Only owners of a residential unit are eligible to apply for and receive a short-term rental license. Licenses for operation of a short-term rental shall be issued pursuant to an administrative policy developed by the county planner and/or his designee. (Ord. 740-21 § 1, 2021)

Problem:

Some properties are listed on rental sites with all their dates marked as unavailable, so they are not technically available to rent.

Solution:

Add language to code that properties cannot be listed on rental sites without an STR license.

Commissioner Response

It is not permissible to advertise a property for rent on any vacation rental website, even if the minimum night stay is 30 days plus.

8. Waste disposal

Current County Code:

18.73.070 Standards

J.3. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from six p.m. of the day prior to trash pickup to six p.m. on the day designated for trash pickup and that failure to utilize the provided garbage can enclosure, unless otherwise exempted, is a violation of this chapter.

Problem:

Allows trash to be placed outside 6pm the day prior to pick up. Leaving trash overnight with bears in the area attracts them to these houses and they can become a nuisance.

Solution:

Change language for trash to be put out morning of pick up, exceptions for properties with bear boxes.

Commissioner Response

Waste removal standard allows trash to be placed out for pick up 6pm prior to scheduled pickup. Encourage bear boxes at STRs, otherwise trash can be placed out at 6am the morning of the scheduled pickup.

9. Fines

Do we want to adjust the fines?

Current:

1st violation – notification

2nd violation - \$500

3rd violation - \$750

4th violation - \$1000 and license revoked.

Operation without a license - \$1000

Commissioner Response

Commissioner Sweeny is in favor of having the property owner be financially liable should county staff need to spend time investigating violations.

Commissioner Haen stated violation fines are too low.

Bob Broyer: Perhaps the application fee can be adjusted to account for staff time spent investigating complaints.

Bob Broyer: There could be a standard violation fine, plus an hourly charge for time spent investigating the complaint or violation. A way to track the hours spent. Maybe a minimum of \$500 which increases with the time spent on resolving the matter.

Commissioner Haen is concerned that not having a fixed fine amount will result in a lot of disputes. A set fine is cleaner.

Sam suggested more research is needed and perhaps adjusting both the registration fee and violation fines to offset the amount of staff time spent on complaints and violations.

10. Emergency Contact

Current County Code:

18.73.070 Standards

N. Local Contact. The property owner shall designate a local contact. The local contact may be a professional property manager, realtor, property owner, or other designated person who is available twenty-four hours per day, seven days per week during all times that the property is rented and has access and authority to assume management of the unit and take remedial measures. The local contact shall be required to abate a nuisance

relating to noise, trash, or parking within one hour after being notified of the existence of a potential violation of this chapter. The local contact shall be located within one hour driving distance of the short-term rental.

Problem:

Some property owners prefer to be notified of the problem, so they can then contact the appropriate person to resolve the issue.

Solution:

Allow property owner to be emergency contact but give proof of a local contact they can call on.

If there is a violation and it is not resolved within 60 min, a local contact is required to physically be present within 60 minutes of complaint for a period of 1 year after the violation takes place.

Commissioner Response

Property owners can be an emergency contact. They will be responsible for contacting their property manager to resolve the issue or will make arrangements, so the complaint or issue is resolved within one hour.

Bob is in favor of the property owner listing the individual that they will contact that can respond within 60 minutes on the application.

Ideally the neighboring property owners would contact the emergency person rather than local county authorities.

Commissioner Haen would like to see language about being “available 24hrs a day, 7 days a week, removed from the code and just specify the issue must be resolved within 60 minutes.

RECOMMENDATION

Review topics discussed today. Staff would like commissioners’ direction on proposed solutions to each of the topics listed or other topics within the short-term rental code that need modification.

Staff will then prepare formal code amendments to bring back at a subsequent Planning Commission meeting for consideration.

Any code amendments require recommendation for the Planning Commission and approval from the Board of Supervisors.

7. OTHER BUSINESS

7.1. Community Development Director Report - None

7.2. Items initiated by Commissioners - None

8. ADJOURNMENT

The meeting was adjourned.

STAFF REPORT

TO: Planning Commission

FROM: Community Development Department

DATE: March 28, 2023

SUBJECT: **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)

BACKGROUND:

In December of 2023, staff held a Residential Short-Term Rental Public Workshop and presented current code regulations, issues, and solutions. A survey was made available for attendees at the workshop and posted on the Community Development website for remote attendees and public participation.

On January 25, 2024, Alpine County Community Development Staff met and presented the Planning Commissioners with existing issues pertaining to current code language and potential solutions. Each code item was discussed, and the commissioners provided staff with direction and feedback on the various sections of the code. Today, Community Development Staff will present the updated code which incorporates the Planning Commission's recommendations.

SITUATION:

A. Applicant

Alpine County Community Development staff
50 Diamond Valley Rd
Markleeville CA 96120

B. Project Description

Through the process of bringing properties into compliance with residential short-term rental county code, Community Development planning staff recognized various issues with existing code language. Other issues were brought to our attention by those renting their properties and neighboring owners. Staff discussed the problematic components of the code and researched potential solutions.

After a previous meeting with the Planning Commission, the code sections have been modified and edited to reflect the changes recommended by staff, the public and the planning commissioners. The following is a summary of the proposed changes:

- **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.**
Added language to clarify that the East Slope 100 ft buffer zone requirement and 35 license restriction 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.

C. Criteria for Decision

The planning commission shall make findings of fact whether the proposed amendment or code change is in conformance with the county General Plan and in harmony with this title and other county ordinances and whether it might otherwise be detrimental to the health, safety, peace, morals and general welfare of the county or its people.

D. Issues & Staff Analysis

Conformance with General Plan

The Alpine County General Plan does not contain any goals, policies or implementation measures that directly address any of the content of the proposed amendments. The proposed revisions will not change any of the land use designations in the General Plan nor introduce any new categories of land use that would conflict with the land use designations.

Harmony with the zoning ordinance and other applicable County ordinances.

The zoning ordinance currently allows short-term rentals in all zones where residential use is permitted. The proposed code changes will clarify existing vague language, improving general comprehension of code requirements. The proposed code change requires the rental of residential properties for short-term use to be conducted in compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of the Alpine County Code.

Detrimental to the health, safety, peace, morals, and general welfare of the county or its people.

The clarification of noise and waste regulations in the amended code is designed to improve general comprehension of what is considered a nuisance at short-term rental properties. The addition of section 18.73.150 Events at residential short-term rentals provides framework for managing property use that undermines the intention of the Residential Short-Term Rental code. The proposed changes require compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of the Alpine County Code. This will provide adequate protection of health, safety, peace, morals and the general welfare of the county and its people.

ENVIRONMENTAL REVIEW

The CEQA Guidelines Section 15061 describes projects that are exempt from further review. Part b (3) of this section states:

(b)A project is exempt from CEQA if:

(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. Where it can be

seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

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.

RECOMMENDATIONS

1. Approve all code changes as presented or with suggestions for minor alterations which can be implemented prior to meeting with the Board of Supervisors
2. Adopt a Notice of Statutory Exemption 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)

ALTERNATE ACTIONS

1. Deny the proposed code amendments 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.

STAFF REPORT

TO: Planning Commission

FROM: Community Development Department

DATE: March 28, 2023

SUBJECT: 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)

BACKGROUND:

In December of 2023, staff held a Residential Short-Term Rental Public Workshop and presented current code regulations, issues, and solutions. A survey was made available for attendees at the workshop and posted on the Community Development website for remote attendees and public participation.

On January 25, 2024, Alpine County Community Development Staff met and presented the Planning Commissioners with existing issues pertaining to current code language and potential solutions. Each code item was discussed, and the commissioners provided staff with direction and feedback on the various sections of the code. Today, Community Development Staff will present the updated code which incorporates the Planning Commission's recommendations.

SITUATION:

A. Applicant

Alpine County Community Development staff
50 Diamond Valley Rd
Markleeville CA 96120

B. Project Description

Through the process of bringing properties into compliance with residential short-term rental county code, Community Development planning staff recognized various issues with existing code language. Other issues were brought to our attention by those renting their properties and neighboring owners. Staff discussed the problematic components of the code and researched potential solutions.

After a previous meeting with the Planning Commission, the code sections have been modified and edited to reflect the changes recommended by staff, the public and the planning commissioners. The following is a summary of the proposed changes:

- **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.**
Added language to clarify that the East Slope 100 ft buffer zone requirement and 35 license restriction 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.

C. Criteria for Decision

The planning commission shall make findings of fact whether the proposed amendment or code change is in conformance with the county General Plan and in harmony with this title and other county ordinances and whether it might otherwise be detrimental to the health, safety, peace, morals and general welfare of the county or its people.

D. Issues & Staff Analysis

Conformance with General Plan

The Alpine County General Plan does not contain any goals, policies or implementation measures that directly address any of the content of the proposed amendments. The proposed revisions will not change any of the land use designations in the General Plan nor introduce any new categories of land use that would conflict with the land use designations.

Harmony with the zoning ordinance and other applicable County ordinances.

The zoning ordinance currently allows short-term rentals in all zones where residential use is permitted. The proposed code changes will clarify existing vague language, improving general comprehension of code requirements. The proposed code change requires the rental of residential properties for short-term use to be conducted in compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of the Alpine County Code.

Detrimental to the health, safety, peace, morals, and general welfare of the county or its people.

The clarification of noise and waste regulations in the amended code is designed to improve general comprehension of what is considered a nuisance at short-term rental properties. The addition of section 18.73.150 Events at residential short-term rentals provides framework for managing property use that undermines the intention of the Residential Short-Term Rental code. The proposed changes require compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of the Alpine County Code. This will provide adequate protection of health, safety, peace, morals and the general welfare of the county and its people.

ENVIRONMENTAL REVIEW

The CEQA Guidelines Section 15061 describes projects that are exempt from further review. Part b (3) of this section states:

(b)A project is exempt from CEQA if:

(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. Where it can be

seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

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.

RECOMMENDATIONS

1. Approve all code changes as presented or with suggestions for minor alterations which can be implemented prior to meeting with the Board of Supervisors
2. Adopt a Notice of Statutory Exemption 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)

ALTERNATE ACTIONS

1. Deny the proposed code amendments 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.

Strike through indicates language removed. **Bold lettering indicates added language.**

Chapter 18.73

RESIDENTIAL SHORT-TERM RENTALS

Sections:

18.73.020 Applicability.
18.73.030 Exemptions.
18.73.060 Notification of residential short-term rental.
18.73.070 Standards.
18.73.080 Enforcement and penalties.
18.73.090 Transient lodging tax proof of payment.
~~**18.73.100 Preexisting short-term rental uses.**~~
18.73.100 No property rights conferred.
18.73.110 License required.
18.73.120 Application requirements.
18.73.130 Requirements for license issuance.
18.73.140 East slope waitlist
18.73.150 Events at residential short-term rentals
18.73.160 License form and period of validity.
18.73.170 License issuance and non-transferability.
18.73.180 Term of license—Expiration.
8.73.190 License renewal.
18.73.200 Cessation of use of a residential unit as a short-term rental.
18.73.210 License revocation.
18.73.220 License revocation notice.
18.73.230 Appeal from denial or revocation of license.
18.73.140 Fee.

18.73.010 Purpose.

The purpose of this chapter is to provide a fair, equitable and streamlined means of allowing residential short-term rentals throughout Alpine County in a manner that provides for the health and safety of the occupants and does not create a public nuisance. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(1), 2017)

18.73.020 Applicability.

Residential short-term rentals may be located in any zone that allows residential use, provided that the residential short-term rental complies with all the requirements of this chapter. Residential short-term rental means the use of a dwelling unit by any person or persons for the purpose of providing overnight lodging in exchange for payment for

a period of less than thirty consecutive days. Short-term rentals also include owner-occupied short-term rentals, but do not include bed and breakfasts, inns, hotels, and motels. Short-term rentals are prohibited in accessory (secondary) dwelling units or junior accessory dwelling units **unless built prior to 2017** (Government Code [65852.2](#)). (Ord. 740-21 § 1, 2021; Ord. 723 § 1(2), 2017)

18.73.030 Exemptions.

A. Five Nights/Year. Residential short-term rentals offered or used up to a maximum of five nights per calendar year are exempt from the requirements of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as required by county code.

B. One Bedroom in an Owner-Occupied Residence. One bedroom in an owner-occupied residence accommodating no more than three overnight guests is exempt from the requirements of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as required by county code. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(3), 2017)

18.73.060 Notification of residential short-term rental.

Upon approval of a license and prior to offering the residential short-term rental, the ~~property owner or their agent~~ **Alpine County Community Development staff** shall send a notification to all property owners shown on the latest equalized assessment roles as owning real property within three hundred feet of the property where the residential short-term rental is located. Notices shall contain the property owner's and, if applicable, the rental agent's name, telephone number and mailing address; street address of the residential short-term rental unit, description of the residential short-term rental use, name and phone number for a local twenty-four/seven emergency contact and **maximum occupancy of the dwelling**.

This notification requirement does not apply to residential short-term rentals located within the Kirkwood Specific Plan and Bear Valley Master Plan areas. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(6), 2017)

18.73.070 Standards.

A. Limitation on Structures. A residential short-term rental may be conducted only within a legally established residential unit or portion thereof.

B. Noise Limitations. No activity at any time shall produce sounds measured in excess of the standards as stated in Section [18.68.090](#) (B) of this code. **Exceptions are made for sources and activities listed in 18.68.090 (F)(3).**

C. Outdoor Fires. Outdoor fires are limited pursuant to Chapter [8.16](#) regarding outdoor burning and fire control.

1. ~~East Slope p~~ Properties which violate the standards of Chapter [8.16](#) for outdoor fire will be prohibited from all future outdoor burning with the exception of propane fuel barbeques and appliances.

D. Solid Waste. Solid waste storage and disposal shall not become a nuisance. The property owner shall not fail to adequately provide appropriate refuse collection and/or storage. Solid waste violations include failure to secure waste from wildlife, leaving waste out **prior to the day designated for trash collection**, and failure to secure waste from weather.

1. East Slope properties are required to install a wildlife-proof solid waste receptacle or bear box.

E. Parking. No additional parking in excess of what is required for the residential use of the property shall be required.

F. Signs. One single, non-illuminated sign of not more than six square feet in area is permitted. In addition, each residential short-term rental shall have an address placard displayed on the building or land in such manner as to be clearly visible from the street or road on which the residential short-term rental is located. The address placard shall comply with the requirements of [Chapter 12.04](#) and the California Fire Code.

G. Life Safety Measures. The following life safety measures are required to be in place within the area to be used for the residential short-term rental:

1. Operating smoke detector(s) and carbon monoxide detector(s) installed in accordance with state law.
2. At least one functioning fire extinguisher in an easily accessed location inside the space.
3. Written information available to the occupant in a conspicuous location inside the space containing twenty-four/seven emergency contact information for a representative of the property owner or rental agent, law enforcement, fire department, and ambulance services.

H. Confinement of Pets. Guests of residential short-term rentals shall confine pets per the requirements of Section [6.04.160](#).

I. Outdoor Lighting. For all exterior lighting the light source shall be fully shielded from neighboring properties and directed downward. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Motion-sensing light fixtures shall be fully shielded from neighboring properties and properly adjusted to turn off when detected motion ceases.

J. Interior Notice Requirements. Each rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

1. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and the telephone number at which that party may be reached on a twenty-four-hour basis.

2. The maximum occupancy permitted for the dwelling

3. The number and location of on-site parking spaces and the parking rules for seasonal snow removal.
4. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property **prior to the day designated for trash collection, unless it is stored within a designated bear box** ~~except from six p.m. of the day prior to trash pickup to six p.m.~~ Failure to utilize the provided garbage can enclosure **or bear box**, unless otherwise exempted, is a violation of this chapter.
5. Occupants and/or guests of the rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise or disorderly

conduct, **voices shall be kept to average conversation levels.** Occupants shall not produce noise such that neighboring properties are disturbed between the hours of nine p.m. and seven a.m.

6. Occupants may be cited and fined for violating any provisions of the Alpine County Code.

L. Compliance with Other Codes, Laws and Regulations. The residential short-term rental 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.

M. Public Nuisance. The residential short-term rental shall not be operated in a manner that creates a public nuisance.

N. ~~Local~~**Emergency** Contact. The property owner shall designate an ~~local~~**emergency** contact. The ~~local~~contact may be a professional property manager, realtor, property owner, or other designated person who is available twenty-four hours per day, seven days per week during all times that the property is **when the dwelling is rented** and has access and authority to assume management of the unit and take remedial measures. The ~~local~~**emergency** contact shall be required to abate a nuisance relating to noise, trash, or parking within one hour after being notified of the existence of a potential violation of this chapter. ~~The local contact shall be located within one hour driving distance of the short-term rental.~~

O. Advertisement. The residential short-term rental shall post the license identification number issued by the county within all online listings or other advertisements of the property for rent. (Ord. 740-1 § 1, 2021; Ord. 723 § 1(7), 2017)

18.73.080 Enforcement and penalties.

A. ~~Upon~~ **The first** violation of the standards **will cause an administrative fine not to exceed five hundred dollars** ~~the responsible party and property owner will receive a written warning that additional violations of the standards will result in an administrative fine.~~

B. The second successive violation of the standards will cause an administrative fine not to exceed ~~five hundred~~ **seven hundred and fifty** dollars. The third successive violation of the standards will cause an administrative fine not to exceed ~~seven hundred fifty~~ **one thousand** dollars. The fourth violation will cause an administrative fine not to exceed ~~one~~ **two** thousand dollars and the license to conduct short-term rental use shall be revoked and the property shall be prohibited from future short-term rental use. Successive violation means there have been ~~three~~ upheld fines for violations which fines were issued during ~~three~~ separate events and/or calls at the property within any twenty-four-month period.

C. Operation of a residential short-term rental without a valid license will result in an immediate administrative fine not to exceed ~~one~~ **two** thousand dollars. (Ord. 740-21 § 1, 2021) **Administrative fines will continue to accrue each day, as long as the property owner operates without a valid license.**

18.73.090 Transient lodging tax proof of payment.

On or before April 1st of each year, payment in full of all transient lodging taxes due for the preceding calendar year shall be confirmed by the community development department. Nonpayment of transient lodging taxes is a violation of this chapter, and the county may take action against the property owner and/or operator of the

residential short-term rental pursuant to the applicable sections of the Alpine County Code. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(8), 2017. Formerly 17.83.080)

18.73.100 Preexisting short-term rental uses.

~~A. Effective July 1, 2021, all short-term rentals in residential dwellings in existence shall obtain a license and comply with all of the requirements for residential short-term rentals as described in this chapter.~~

~~B. Effective July 1, 2021, East Slope residential short-term rentals are required to meet the operational standards of this section and are subject to enforcement provisions including immediate administrative citations for violation of operational standards. (Ord. 740-21 § 1, 2021)~~

18.73.100 No property rights conferred.

Residential short-term rental licenses shall not be construed as providing property rights or vested interests and entitlements in continued operation of a short-term rental. Residential short-term rental licenses are revocable. Residential short-term rental licenses shall not run with the land. (Ord. 740-21 § 1, 2021)

18.73.110 License required.

No person shall rent, offer to rent, or advertise for rent a residential unit to another person or persons for a short-term rental without a license approved and issued in a manner provided for by this chapter. Only owners of a residential unit are eligible to apply for and receive a short-term rental license. **Separate licenses are required for each individual property.** Licenses for operation of a short-term rental shall be issued pursuant to an administrative policy developed by the ~~county planner~~ **Community Development Director** and/or his designee. (Ord. 740-21 § 1, 2021)

18.73.120 Application requirements.

Prior to renting, offering to rent or advertising the rental of a residential unit for a short-term rental, the property owner shall make an application to the county on a form provided by the county. The application shall be filed by the owner and include, **as a minimum** the following information:

A. The full true name under which the business will be conducted.

B. The maximum occupancy permitted for the dwelling.

C. The address and assessor parcel number where the short-term rental is to be conducted. Where multiple units are located on the same parcel, each unit's address shall be provided on a separate application.

D. The owner's full name, mailing address, email address and telephone number.

E. In the case that a separate management company or person shall assume responsibility of the short-term rental for the owner, the management company or contact person's name, phone number, mailing address and email address shall be provided in addition to the owner. (Ord. 740-21 § 1, 2021)

18.73.130 Requirements for license issuance.

The county shall consider the information included in an application in order to determine whether the issuance of the license for the short-term rental is consistent with the provisions of this chapter. Upon determination by the county that the following criteria have been met, the county shall approve the license:

- A. The number of licensed short-term rentals within the East Slope short-term rental overlay district does not exceed thirty-five.
- B. The property is not within one hundred feet distance as measured from the property boundary to a licensed short-term rental property in the residential neighborhood or residential estate zoning district or within one hundred feet of a dwelling unit for a licensed property in the agriculture zoning district. For property in the agriculture zoning district the dwelling unit shall not be within one hundred feet of a licensed short-term rental property. Properties with a valid registration or transient lodging home occupancy permit approved prior to March 17, 2020, are not required to meet the one-hundred-foot distance requirement if the owner applies for license prior to July 1, 2021. Legal nonconforming uses which do not meet the one-hundred-foot distance requirement are allowed to continue short-term rental use by maintaining an annual license. Legal nonconforming status with the one-hundred-foot distance requirement shall be rescinded if a legal nonconforming use changes ownership, fails to renew the annual license, the license is revoked by the county, or upon cessation of use. The limits of this section apply only to properties within East Slope **communities that are not within commercial zoning districts.**
- C. A license for short-term rental use for the residential unit has not been revoked in the prior twenty-four-month period.
- D. The premises or residential unit is not currently the subject of an active compliance order or administrative citation for violation of this code.
- E. An administrative citation has not been issued, regarding a violation on the site, in the past twelve months.
- F. The property owner has demonstrated, through an application filed to the county, the ability to meet the requirements outlined in this chapter. (Ord. 740-21 § 1, 2021)

18.73.140 East slope waitlist

Property owners that are denied from obtaining a license due to East Slope limit restrictions or the one-hundred-foot buffer, can request to be placed on a county-maintained waitlist with the submittal of a waitlist application and payment of an application fee.

Waitlisted individuals will be contacted when the opportunity to apply for a short-term rental license arises. The individual will be given 30 days to complete the application process. If all application items are not received within 30 days of notification, the position shall be forfeited to the next applicant on the waitlist.

- A. Waitlist applications are voided upon change in ownership.**
- B. Property owners found to be renting without a valid rental license will forfeit their position on the waitlist for a 12-month period.**
- C. A nonrefundable waitlist application fee of an amount established by the Board of Supervisors shall be remitted with the application.**

18.73.150 Events at residential short-term rentals

Advertising a residential short-term rental as a venue for events is prohibited. Homeowners wishing to offer their property for event usage must first obtain a conditional use permit for a home occupation in accordance with county code 18.70.

Noncommercial weddings and other private single day life events such as birthday parties, holiday parties etc. are exempt from requiring a home occupation permit.

18.73.160 License form and period of validity.

All licenses for short-term rental uses shall be made on forms furnished by the community development department and shall be issued for a period of one year. Licenses shall be issued for the period of time beginning on July 1st of each year and shall conclude on June 30th of the following year. Applications made during the year shall be issued for a prorated period to conclude on June 30th. (Ord. 740-21 § 1, 2021)

18.73.170 License issuance and non-transferability.

The short-term rental license issued under this chapter shall be issued to the owner of record of the residential unit and no license may be assigned, transferred, or loaned to any other person, entity, location or establishment. (Ord. 740-21 § 1, 2021)

18.73.180 Term of license—Expiration.

The short-term rental license shall be personal to the applicant/owner and shall automatically expire upon sale or transfer of the premises or residential unit, or if not renewed pursuant to Section [18.73.180](#). The license may be revoked for failure to comply with the requirements of the Alpine County Code, subject to the administrative and revocation procedures outlined in Section [18.73.200](#), unless otherwise specified by this chapter. (Ord. 740-21 § 1, 2021)

18.73.190 License renewal.

The short-term rental license shall automatically be renewed upon payment of the short-term rental license renewal fee, and all required transient occupancy tax remittance documents associated with the short-term rental license. Nonrenewal prior to the expiration date will result in expiration of the short-term rental license and will require that a new application be made subject to Sections [18.73.130](#) and [18.73.140](#) and all other requirements of this code. (Ord. 740-21 § 1, 2021)

- A. Nonrenewal prior to the expiration date will result in expiration of the short-term rental license and will require that a new application be made subject to sections 18.73.130 and 18.73.140 and all other**

requirements of this code. Renewal applications must be submitted by July 1st annually and completed within 30 days to prevent license expiration.

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

A. **Holding a short-term rental license without the intent to rent the unit shall not be permitted.** Where the owner of a premises or residential unit used and occupied as a short-term rental pursuant to a short-term rental license approved and issued in the manner provided by this chapter fails to remit transient occupancy tax for a period of twelve consecutive months as determined by the county, the short-term rental license shall be deemed to have automatically expired and shall be forfeited.

B. Where the owner of a premises or residential unit used and occupied as a short-term rental pursuant to a short-term rental license approved and issued in the manner provided by this chapter intends to cease such use and abandon the short-term rental license for the residential unit, the owner shall promptly cause a notice of cessation to be filed with the county. The short-term rental license for the unit shall expire immediately upon receipt by the county of the notice of cessation. (Ord. 740-21 § 1, 2021)

18.73.210 License revocation.

A short-term rental license issued under the provisions of this chapter may be revoked by **Community Development Director** or his/her designee after notice and hearing, as provided in Section [18.73.210](#), for any of the following reasons:

A. Fraud, misrepresentation or false statement contained in the application.

B. Fraud, misrepresentation or false statement made while carrying on a short-term rental as regulated by this chapter.

C. Any violation of any of the provisions of this chapter or of any other provision of this code.

D. Any violation of any provision of federal, state, or local laws; or

E. Cessation of use. (Ord. 740-21 § 1, 2021)

18.73.220 License revocation notice.

Before revoking a short-term rental license, the **Community Development Director** or his/her designee shall give the owner notice in writing ten days prior to the revocation action. (Ord. 740-21 § 1, 2021)

18.73.230 Appeal from denial or revocation of license.

Any person whose application has been denied by the **Community Development Director** or his/her designee or any person who has had a short-term rental license revoked by the **Community Development Director** or his/her designee shall have the right to appeal per Chapter [18.88](#). (Ord. 740-21 § 1, 2021)

18.73.240 Fee.

A. The county shall collect an annual ~~fee of one hundred dollars~~ **non-refundable fee established by the Board of Supervisors** for every application.

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 Department
50 Diamond Valley Rd Markleeville CA 96120

(Address)

Project Title: Residential Short-Term Rental Code 18.73 amendment

Project Applicant: Community Development Department

Project Location - Specific:

Residential properties, county wide

Project Location - City: N/A Project Location - County: Alpine

Description of Nature, Purpose and Beneficiaries of Project:

Clarify code language regarding residential short-term rentals to improve general comprehension and public compliance of and with the code.

Name of Public Agency Approving Project: Alpine County Board of Supervisors

Name of Person or Agency Carrying Out Project: Alpine County Community Development

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: 15061 (b)(3)

Reasons why project is exempt:

The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Lead Agency
Contact Person: Sam Booth Area Code/Telephone/Extension: (530)694-2140

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: Sarah Traiman 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: _____

STAFF REPORT

TO: Planning Commission

FROM: Community Development Department

DATE: March 28, 2024

SUBJECT: General Plan Annual Progress Report Staff has drafted the 2023 General Plan Annual Progress Report for Planning Commission consideration.

SITUATION

A. Applicant

Alpine County Community Development staff
50 Diamond Valley Rd
Markleeville CA 96120

B. Background

Government Code Section 65400 and 65700 mandates that all cities and counties shall submit an annual report on the status of the General Plan to the legislative body, the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD). The General Plan Annual Report includes the Housing Element Annual Progress Report using specific tables prepared by HCD.

The purpose of the General Plan Annual Report is to provide the Planning Commission and the Board of Supervisors with a global view of the General Plan in its entirety. The report summarizes the status of each of the General Plan Element, progress during 2023 in General Plan implementation, and recommended priorities for 2024.

ENVIRONMENTAL REVIEW

The proposed General Plan Annual Report is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060 (c) (2) because there is no potential that the report will result in a direct or reasonably foreseeable indirect physical change in the environment and CEQA Guidelines Section 15378 because they have no potential for either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment.

RECOMMENDATIONS

Staff is requesting the Planning Commission make a recommendation to the Board of Supervisors on acceptance of the Annual Progress Report. The Board of Supervisors will then provide direction to staff for submittal to state agencies.

2023 General Plan Annual Progress Report

ALPINE COUNTY



Alpine County Community Development
50 Diamond Valley Rd
Markleeville, CA 96120

Table of Contents

Section 1 Introduction.....	3
General Plan Overview	3
Vision Statement	4
Section 2 Plans, Projects and Permits.....	5
Planning Department.....	5
Building Department.....	6
Section 3 General Plan Elements.....	6
Conservation Element.....	6
Safety Element.....	7
Land Use Element	8
Circulation Element	8
Housing Element.....	8
Economic Development Element.....	9
Section 5 General Plan Priorities for 2024.....	10

Section 1 Introduction

The Community Development Department is pleased to present the 2023 General Plan Annual Progress Report. The purpose of this report is to comply with California Government Code Section 65400, which requires all cities and counties to submit an annual report to their legislative body on the status of their General Plan and its implantation. It is required that a copy of this report be provided to the Governor’s Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) on the status of the General Plan and progress in its implementation. The basic purpose of the report is as follows:

- To provide enough information to assess progress on the implementation of the general plan in accordance with adopted goals, policies, and implementation measures.
- To provide enough information to identify necessary course adjustments or modifications to the general plan as a means to improve local implementation.
- To provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies, and implementation measures contained in the general plan.
- To provide enough information regarding local agency progress in meetings its share of regional housing needs and removing governmental constraints to the development of housing pursuant to Government Code 65583(c)(3).

There is no specific format or form for the General Plan Annual Report, but OPR has provided recommendations on the content for local jurisdictions. By contrast, the Annual Report for the Housing Element must be submitted using specific tables provided by HCD.

This General Plan Annual Report was presented to the Alpine County Planning Commission for review and forwarded to the Alpine County Board of Supervisors on April 2, 2024 for acceptance and submittal to OPR and HCD.

General Plan Overview

Government Code 65300 requires every city and county in California to adopt a comprehensive long-term general plan following the guidelines provided by the OPR. The General Plan is a long-range policy document intended to guide physical development, economic growth, provide protection of natural resources, give an assessment of current and future needs, and identify the resources required to implement the established goals and policies. Most General Plans have a planning horizon of 15 to 25 years. The current Alpine County General Plan was adopted in 1999 and has been updated several times over the last 22 years, most recently in 2021. Table 1 provides information on when each element was updated.

Vision Statement

The General Plan sets out a vision reflected in goals, policies, programs, and diagrams for Alpine County. In developing the General Plan the County stressed the importance of developing a plan which would “balance” environmental and social concerns. The General Plan is built on the following 4 principles:

- Environmental Constraints
- Economic Growth
- Orderly development in specified areas, and
- Public service costs.

Table 1. General Plan Amendments

Element	BOS Resolution	Date
Entire Document	R99-29	05/18/1999
Circulation	R2012-26	06/19/2012
Conservation	2003-38	06/17/2003
Housing	R2017-07	03/07/2017
Land Use	R2009-06	02/03/2009
Land Use (Map Amendment)	R2012-52	12/18/2012
Safety	R2021-49	8/17/2021

Section 2 Plans, Projects and Permits

Planning Department

Planning is charged with enforcing land use policies of the County Code and General Plan by evaluating projects based on consistency with zoning and General Plan Designations and impacts to the environment. The Planning Department also reviews submissions to other departments in the County for compliance with the County Code. In addition to the short-range planning activities, the Planning Department is responsible for long range planning activities including but not limited to monitoring the General Plan, tracking general trends within the County and reporting housing data to the State.

Table 2 below provides a summary of discretionary development applications received by the Planning Department during the 2023 calendar year.

Table 2: Summary of Planning and Public Works Applications in 2023

Application Type	Total Submitted	Approved	Denied/ Withdrawn	Still in Process
Building Plan Review	9	7	0	2
Certificate of Compliance	1	0	0	1?
Code Amendment	1	1	0	0
Conditional Use	2	1	0	1
Lot Line Adjustment	1	1	0	0
Encroachment Permit	19	13	5	1
Encroachment Permit for Underground Utility Access	4	3	0	1
Oversized Loads	2	2	0	0
Record of Survey	5	3	0	2
Short Term Rental	208	203	1	4
Sign	1	1	0	0
Special Event	23	17	6	0
Tentative Parcel Map	2	2	0	0
Tri-County Technical Advisory Committee	2	1	0	1
Variance	5	5	0	0
Zone Change	1	0	0	1

Building Department

The Building Department works closely with the Planning Department and issues permits for new structures, additions, grading, electrical, plumbing, and other items related to construction. New construction reflects the growth trends within Alpine County. The Planning Department reviews plans submitted to the Building Department for compatibility with the General Plan and Zoning Code as well ensuring that projects meet the County's development standards.

Table 3. Summary of Building Applications in 2023

Application Type	Total Submitted
Building	86
Demolition	2
Electrical	19
Grading	1
Mechanical	10
Plumbing	6
Special Event Structures	2

Section 3 General Plan Elements

The General Plan details the County's guiding principles for a variety of planning topics and helps guide future development. The Alpine County General Plan consist of the following Elements:

- Conservation
- Safety
- Land Use
- Circulation
- Housing
- Economic Development

The following sections give a summary of the goals of each Element of the General Plan as well as projects that the County worked on in 2023 that support the implementation of each Element.

Conservation Element

The Conservation Element meets State requirements for Open Space, Conservation, and Scenic Highways Elements. The policies and objectives in this element are used to support the retention, enhancement and development of the following categories: earth (soils and minerals), air, water, wetlands, plant life, agriculture, forests, animal life, energy, culture, and aesthetics.

Senate Bill 552

Alpine County is implementing a standing drought task force to facilitate drought and water shortage preparedness for state small water systems, domestic wells, and other privately supplied homes within the county's jurisdiction. We are also in the process of developing a plan demonstrating the potential drought and water shortage risk and proposed interim and long-term solutions for small water systems and domestic wells within our county. These new requirements are expected to improve the ability of Californians to manage future droughts and help prevent catastrophic impacts on drinking water for communities vulnerable to impacts of climate change.

Local Area Management Plan (LAMP)

The Local Area Management Program (LAMP) is the required result of California Assembly Bill 885, which directed the State Water Resources Control Board (State Water Board) to develop uniform, statewide standards for onsite wastewater treatment systems (OWTS). The State Water Board adopted the Water Quality Control Policy for Siting, Design, Operation and Maintenance on Onsite Wastewater Treatment Systems (OWTS Policy) on June 19, 2012 and it became effective on May 13, 2013. The OWTS Policy allows local agencies to approve OWTS, based on a local ordinance and upon approval of the LAMP by their respective Regional Water Quality Control Boards (Regional Water Board). For Alpine County, their respective Regional Water Board is the Lahontan Regional Water Quality Control Board (Lahontan Water Board).

In 2023, Alpine County Environmental Health Department staff worked in conjunction with Lahontan Regional Water Quality Control Board to monitor Sierra Pines onsite disposal system and are working with Desolation Hotel to connect with the South Lake Tahoe Public Utility District C-Line.

Safety Element

The Safety Element ensures the maintenance of a healthy and safe physical environment. It establishes policies and objectives to address the following hazards that are known to have potential for causing injury to people or damage to property in the County: wildland fire, geologic hazards, floods, noise, and hazardous materials.

Community Wildfire Protection Plan

This document was first drafted in 2005 and updated in 2018 and outlines risks and projects that can help the community mitigate the hazards of wildfire. This document is used for many grant project applications for the County. In 2023 the County, together with the Firesafe Council, held a community meeting discussing this plan and the options community members have for fire insurance.

Defensible Space Inspections

Homeowners are the first line of defense in protecting a structure from wildfire. The County worked with Cal Fire to inspect properties and give suggestions and information on improving and creating effective defensible space for property owners.

Fuel Reduction Grants

The County and Firesafe Council pursued and obtained a number of fuel reduction grants.

The Community Biomass Pile

Twice a year in the fall and spring Alpine County opens a collection location for biomass material cleared from lots in the community. This helps landowners improve defensible space and reduces the amount

of fuel in the community. The amount of vegetation collected is significant and is removed through chipping, hauling or consumed in the biomass disposal unit.

Forest Health Community Working Group

This group is an interagency group comprised of Alpine County, US Forest Service, Alpine Fire Safe Council, Alpine Watershed Group, and Cal Fire that works together to create a fire-safe community and restore our forest and watersheds to a healthy and resilient state. In 2023 the group worked together to do controlled burns.

Flood Insurance Rate Maps

Alpine County adopted new FEMA Flood Insurance Rate Maps (FIRMs) for Bear Valley and South Carson Valley. New floodplain management standards have also been adopted in conformance with FEMA and California Division of Water Resources requirements.

Land Use Element

The Land Use Element guides County land use policy and ensures that appropriate development takes place, by establishing policies and objectives that respond to local needs. The element identifies a "balanced" plan that shows where and how the County can grow and prosper, but still conserves its varied resources and amenities. Within this element land use designations are defined and mapped on the County's Land Use Map. The land use designations roughly correspond to the County's zoning districts. The Land Use Element contains the following sections: community character, growth management, land use map designations, public services and facilities, public finance, and planning.

More detailed information about the implementation on this element can be found in Section 2 Plans, Projects and Permits.

Short Term Rental Zoning Code Update

Planning staff held a community workshop discussing the current short term rental code and listened to comments and concerns that residents have with Short Term Rentals in the community. Staff then presented potential changes of the code to Planning Commission and took the feedback received from them to begin making changes to the code language. The updated Short Term Rental Code should be finalized in 2024.

Circulation Element

This General Plan Element identifies goal and policies related to circulation and infrastructure needs in Alpine County. The Circulation Element focuses on transportation issues related to roadways, bicycle/pedestrian facilities, transit, goods movement, and airports.

Hot Springs Bridge Replacement Project

The County completed the reconstruction of the Hot Springs Road Bridge near Grover Hot Springs State Park. This project improved pavement conditions, added paved shoulders to allow for connection to future bike lanes to increase safety for drivers and bicyclists.

Housing Element

The Housing Element is a State mandated component of the Alpine County General Plan, intended to guide development of housing in the county. There are five main components to the Housing Element. They are: an assessment of housing needs in the county; an inventory of housing resources and

constraints relevant to meeting those needs; a review of progress; and housing program which provides a statement of goals, quantified objectives and policies. The Annual Housing Element Progress Report is included as Appendix A in this document.

Economic Development Element

The Economic Development Element works to establish a balanced economy that recognize the unique local factors within the county. Alpine County needs to both promote economic development and preserve its environment. The alpine environment of the County is not only a primary reason for the high quality of life enjoyed by residents, but also the most important economic resource of the County due to its attraction of tourism and recreation which are the strongest components of the economy.

Tourism Promotion

Alpine County boasts stunning natural landscapes, including parts of the Sierra Nevada, which has been a focal point for tourism development. Efforts to promote the county as a year-round destination have intensified, with targeted marketing campaigns highlighting outdoor activities such as hiking, fishing, skiing, and eco-tourism. Collaborations with neighboring counties and regional tourism boards have expanded the reach of these campaigns, attracting visitors from across the state and beyond. The County created the Are You Alpine? Video campaign to highlight Alpine County as a destination.

Small Business Support & Disaster Recovery

Recognizing the potential of small businesses to drive economic diversification, Alpine County has implemented various programs to support local businesses including a shop local campaign. This includes providing access to funding through grants and low-interest loans through the EDA including Economic Disaster Assistance Loans, offering business development workshops and training programs, and facilitating networking opportunities in partnership with the Alpine County Chamber of Commerce and Bear Valley Business Association.

Agricultural Innovation

Agriculture has emerged as a promising sector for economic diversification in Alpine County. The region's fertile valleys and favorable climate present opportunities for sustainable farming and agribusiness ventures. Initiatives focusing on agricultural innovation, such as crop diversification, organic farming practices, and farm-to-table partnerships with local restaurants, have gained traction. Moreover, the establishment of farmers' markets and agricultural cooperatives has enhanced market access for local producers, contributing to the growth of the sector.

Technology and Remote Work

With advancements in technology enabling remote work opportunities, Alpine County has positioned itself as an attractive destination for telecommuters and remote workers seeking a better quality of life. Efforts to improve broadband infrastructure and access to high-speed internet have been prioritized, making it easier for residents to work remotely or start location-independent businesses. Additionally, initiatives to attract tech companies and promote coworking spaces have laid the groundwork for a burgeoning digital economy in the region.

Broadband

In alignment with trends across the state, Alpine County has embarked on a Broadband deployment program to create increased connectivity throughout the County. This includes looking at infrastructure funding through state and federal grants, collaboration between the public sector and private internet

service providers, community broadband initiatives, last mile solution by creating strategies for connecting individual homes and businesses to the broader broadband network, and digital inclusion programs to ensure all residents have the skills and resources to participate in the digital economy.

Section 5 General Plan Priorities for 2024

1. Adoption of 6th Cycle Housing Element. The 6th Cycle Housing Element is tentatively scheduled to be approved in 2024. Comments have been received by HCD and changes made to the document to accommodate those comments. The document will be sent back to HCD for final approval before the adoption process before the Planning Commission and Board of Supervisors is finalized.
2. Obtain direction from Planning Commission and Board of Supervisors on an update of the Alpine County General Plan (excluding Housing Element). The current General Plan is more than 20 years old and to better reflect the current needs and priorities of the County, it would be appropriate to develop an updated General Plan that is coordinated with the new County Strategic Plan.
3. Adopt amendments to Title 18 of County Code (Zoning) to conform with state housing laws. The existing zoning regulations contain several sections that are out of compliance with state law. As part of the Housing Element Update, the proposed amendments will be brought to the Planning Commission and Board of Supervisors during 2024.
4. Finalize and adopt new Short Term Rental Code.
5. Implementation of Tamarack Fire Recovery Efforts. The Tamarack Fire Recovery Efforts include many federal, state, and regional partners and will involve provision of recovery resources for private property owners, utilities, as well as County facilities, such as Turtle Rock Park.
6. Reconstruct Phase I of Hot Springs Road from Laramie Street to Pleasant Valley Road to reconstruct deteriorating pavement and widen shoulders to accommodate bike lanes.
7. Implementation of a Bear Box grant program with the California Department of Fish and Wildlife to provide funding to county residents for Bear Boxes.

Appendix A: General Plan Housing Element Progress Report for the 2023 Calendar Year

Jurisdiction	Alpine County - Unincorporated	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle	08/31/2019 - 08/31/2024

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		10
Total Units		10

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	0	10	5
2 to 4 units per structure	0	0	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	0	0	0
Mobile/Manufactured Home	0	0	0
Total	0	10	5

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	0	0
Not Indicated as Infill	9	10

Housing Applications Summary	
Total Housing Applications Submitted:	8
Number of Proposed Units in All Applications Received:	8
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions - Applications	
Number of SB 35 Streamlining Applications	0
Number of SB 35 Streamlining Applications Approved	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0

Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 35 (2017)	0	0

Ministerial and Discretionary Applications	# of Applications	Units
Ministerial	0	0
Discretionary	8	8

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	12
Sites Rezoned to Accommodate the RHNA	0

47

Jurisdiction	Alpine County - Unincorporated	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1		2								3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 01/01/2019 - 08/30/2019	2019	2020	2021	2022	2023	2024			Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	1	-	-	-	-	-	-	-	-	-	-	1
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	
Low	Deed Restricted	1	-	-	-	-	-	-	-	-	-	2	-
	Non-Deed Restricted		2	-	-	-	-	-	-	-	-	-	
Moderate	Deed Restricted	-	-	-	-	-	-	-	-	-	-	2	-
	Non-Deed Restricted		-	-	2	-	-	-	-	-	-	-	
Above Moderate		-	-	-	5	14	-	10	-	-	-	29	-
Total RHNA		2											
Total Units			2	-	7	14	-	10	-	-	-	33	1
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).													
		5										6	7
		Extremely low-income Need		2019	2020	2021	2022	2023	2024			Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		1		-	-	-	-	-	-	-	-	-	1

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact

HCD staff at apr@hcd.ca.gov.

VLI Deed Restricted

VLI Non Deed Restricted

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction		Alpine County - Unincorporated	
Reporting Year		2023	(Jan. 1 - Dec. 31)
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
#1 - Employee Housing Requirements	The County will continue to require employee housing development at Kirkwood in accordance with the Kirkwood Housing Ordinance. As new development occurs in Bear Valley, the County will require employee housing patterned after the requirements at Kirkwood and in stride with specific needs in Bear Valley.	12/31/2023	Ongoing. Empoyee housing continues to be required for any new development in Kirkwood.

#2 Zoning Ordinance Review and amendment	Manufactured homes on permanent foundations permitted by-right in single family zoning districts. The County will amend its zoning ordinance to: - manufactured housing in residential zones; - density bonus provisions ; Allow for emergency shelters as a permitted use without requiring a conditional use permit or other discretionary review in the Commercial (C), and Neighborhood Commercial (NC) zones; ; Assure that transitional and supportive housing is treated in the same manner as the same housing type in the same zones; □ - Implement Health and Safety Code § 17021.5 and § 17021.6 which generally require employee housing to be permitted by-right without a conditional use permit in single-family zones for six or fewer persons and in zones permitting agricultural uses for up to 12 units or 36 beds. Allow employee housing as a permitted use in all zoning districts that permit agricultural uses	12/31/2023	Ongoing. Alpine County Planning Commission on June 27, 2019 recommended revisions to the zoning ordinance to incorporate junior accessory dwelling unit regulations and to reduce the minimum dwelling unit size from 600 sq feet to 400 sq ft. and has been working on ordinance changes as well as JADU implementations and parking requirement reductions. Building Code revisions were adopted in 2023 with incorporated new state requirements for ADU's and JADU's.
#3 Mixed use development	Allow residential uses in commercial zones as a permitted use not requiring a conditional use permit	12/31/2023	The Planning Commission on March 28, 2019 reviewed possible ordinance revisions to allow 50/50 residential commercial projects as by right use in the commercial zone.

#4 Assist in development of low and moderate income housing	The County will explore opportunities to build partnerships to expand infrastructure and obtain funding to develop a variety of housing types affordable to low and moderate income households. The County will meet with stakeholders, including community representatives, interested landowners, developers and infrastructure providers annually to discuss and identify opportunities, including funds to expand infrastructure and develop affordable housing.	12/31/2023	Ongoing. The county has partnered with Eastern Sierra Community Housing to explore opportunities for low and moderate income housing. Staff from both groups continue to meet monthly.
#5 Direct assistance to residents and homebuyers	The County will explore opportunities to provide direct assistance to potential residents and homebuyers through Federal, State and non-governmental programs that provide down payment assistance, favorable financing, sweat equity projects and other methods of making housing more affordable.	12/31/2023	Ongoing. The Board of Supervisors discussed pursuing funding through RCRC and directed staff to continue investigating opportunities.
#6 Affordable housing requirements	The County will continue to explore the variety of opportunities to require housing affordable to low and moderate income households to be provided in conjunction with major new development.	12/31/2023	Ongoing. No major development proposed or projected for 2020.
#7 Persons with disabilities	Adopt a formal reasonable accommodation procedure and investigate and implement parking reductions for residential care facilities.	12/31/2023	Ongoing. ADA and Title VI standards and complaint procedures have been adopted by the Board of Supervisors.
#8 Fair Housing Information and Referral	The County will direct persons with complaints of housing discrimination to the appropriate state and federal agencies that handle complaints.	12/31/2023	Ongoing

#9 Conservation and Rehabilitation	The County will continue its code enforcement activity and encourage private activities to conserve housing stock, including remodeling and weatherization efforts through technical assistance and educational efforts.	12/31/2023	Ongoing
#10 - General Plan progress report	The County will annually review the General Plan's implementation programs and prepare a report on their progress. This annual report will also include the housing element and summarize the County's progress toward its share of the regional housing need.	12/31/2023	Ongoing. General Plan reports continue to be developed each year.
#11 Sites inventory	The County will update its Available Sites Inventory as necessary to reflect changes in available sites. The inventory will be made available to the development community as a resource, including possible posting to the County Web site.	12/31/2023	Ongoing. No changes to the availability of sites or development potential per the zoning.

Jurisdiction	Alpine County Unincorporated	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺ . For detailed reporting requirements, see the chcklist here :
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Alpine County Unincorporated	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code 65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Not
Cells in g

Table J												
Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915												
Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved						
1				2	3	4						
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SH - Student Housing)	Date	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income
Summary Row: Start Data Entry Below												

Jurisdiction	Alpine County - Unincorporated	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

ANNUAL ELEMENT PROGRESS REPORT

Table K
Tenant Preference Policy

Local governments are required to inform HCD about any local tenant preference ordinance the local government maintains when the jurisdiction submits their annual progress report on housing approvals and production, per Government Code 7061 (SB 649, 2022, Cortese). Effective January 1, 2023, local governments adopting a tenant preference are required to create a webpage on their internet website containing authorizing local ordinance and supporting materials, no more than 90 days after the ordinance becomes operational.

Does the Jurisdiction have a local tenant preference policy?	
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage on their internet website containing authorizing local ordinance and supporting materials.	
Notes	