



**MARKLEEVILLE DESIGN REVIEW HISTORIC  
COMMITTEE  
COUNTY OF ALPINE, STATE OF CALIFORNIA  
Administration Building, Board Chambers  
99 Water Street, Markleeville, CA 96120**

**REVISED AGENDA**

Wednesday, February 7, 2018  
3:30 P.M.

A regular meeting of the Markleeville Design Review Historic Committee will be held on Wednesday, February 7 at 3:30 p.m. in the Alpine County Administration Building, Board Chambers, 99 Water Street, Markleeville, California. The public is encouraged to attend committee meetings.

**Public comment periods:** Matters under the jurisdiction of the Committee, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda under Oral Communication – General Public Comment. However, California law prohibits the Committee from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Committee.

**Any member of the audience desiring to address the Committee on a matter on the agenda:** Please request to speak at the time the item is announced by the Committee Chair.

**1. CALL TO ORDER**

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

**3. MINUTES**

3.1. Request approval of regular meeting minutes of January 3, 2017

**4. UNFINISHED BUSINESS**

4.1. **Possible revision of County Code 18.56 and the Markleeville Design Guidelines** - Discussion and possible direction to staff to prepare revisions to the ordinance and design guidelines. Possible recommendation to the Planning Commission of revisions to County Code 18.56 and the Markleeville Design Guidelines.

Applicant: Community Development Department.

**5. NEW BUSINESS**

None

## **6. OTHER BUSINESS**

## **7. ADJOURNMENT**

The Committee will adjourn to the next regular meeting with the meeting date, time and location to be determined.

All decisions made by the Markleeville Design Review Historic Committee may be appealed to the Alpine County Planning Commission in accordance with Alpine County Code Sections 18.56 and 18.88.



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**MINUTES**

Wednesday, January 3, 2018

**1. CALL TO ORDER**

Chair Tom Sweeney called the meeting to order at 4:30 p.m. with Members Richard Harvey, and John Cressaty present.

A quorum was established.

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

None

**3. MINUTES**

**3.1. Request approval of regular meeting minutes of August 14, 2017.**

MOTION: Harvey / SECOND: Cressaty approving the regular meeting minutes of August 14, 2017 as presented.

AYES: Sweeney, Harvey, Cressaty

MOTION CARRIED

**4. UNFINISHED BUSINESS**

None

**5. NEW BUSINESS**

**5.1.222 Montgomery St siding and windows** - Discussion and possible determination of consistency with County Code 18.56 for installation of new siding materials and windows for a residence located at 222 Montgomery St. Case # 2017-45

Applicant: Aaron Schumacher. APN: 002-300-002. Zoning: Residential Neighborhood – Design Historic (RN-DH). Request: Building Permit

Zach Wood introduced the item and noted that the applicant was proposing a range of colors and materials. The staff recommends determination of the range of color and material choice to allow the applicant flexibility.

Tom Sweeney noted that white trim was less desirable. The Committee noted that sand and gray windows are preferable to white.

MOTION: Cressaty / SECOND: Sweeney determining that the new siding and window project meets County Code 18.56 and is consistent with the Markleeville Design Guidelines. The following determinations and recommendations of design elements apply to the finding of consistency:

New fiber cement siding in Olive, Forest, Cypress, Flagstone, and Granite Gray

New trim colors of : Almond or Off-white , No bright white

Window color: Recommend sand color

Garage door: Color to match siding or wood appearance

Front door: Wood finish appearance

AYES: Sweeney, Harvey, Cressaty

MOTION CARRIED

#### **5.2 Possible revision of County Code 18.56 and the Markleeville Design Guidelines -**

Discussion and possible direction to staff to prepare revisions to the ordinance and design guidelines. Discussion of a possible joint meeting with the Alpine County Planning Commission to consider revision to County Code 18.56 and the Markleeville Design Guidelines.

Applicant: Community Development Department.

Zach Wood described the ongoing process to comprehensively revise the County zoning ordinance. Wood noted that there are two tiers of projects which require the same the process. Minor projects like signs, lighting, colors have a higher instance of non-compliance. Staff recommends changes to reduce the amount of time required to process a review.

The Committee discussed:

- Administrative determinations vs Design Review Committee determinations
- Process streamlining
- Increasing the detail of the guidelines
- Using photo examples in the guidelines

The Committee directed staff to prepare draft ordinance revisions and photo examples of guideline elements.

**6. OTHER BUSINESS**

**7. ADJOURNMENT**

The Commission adjourned at 5:55 pm to the next regular meeting with the meeting date, time and location to be determined.

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Tom Sweeney, Chair

Attest:

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Zach Wood, Planner III  
Alpine County Community Development



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

**Brian Peters, Director**

# Memo

**To:** Markleeville Design Review Committee

**From:** Zach Wood, Planner III

**Date:** 2/2/2018

**Re:** Revision to Markleeville Historic Design Ordinance and Guidelines

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The Committee gave direction to the staff at the meeting of January 3, 2018 which include producing a staff recommended draft ordinance and augmentations to the guidelines.

Attached to the memo are the following for the Committee's discussion, direction to staff, or possible recommendation to the Planning Commission

Ordinance Outline - Describes staff recommended  
Draft Ordinance – Staff recommended improvements  
Draft Ordinance – Reduced process version  
Draft Ordinance – Fewer Projects version

Staff has prepared a group of appendices for possible inclusion with the guidelines. The appendices can also be used for discussion of treatments and possible guideline language revisions.

Guidelines Draft Appendices  
Appendix A – Example Architecture  
Appendix B – Example Materials  
Appendix C - Example Colors  
Appendix D – Miscellaneous Treatments

## Fewer projects subject to review

### Keep

New building construction, additions, and major alterations requiring a building permit are subject to a review by the DRC prior to permit issuance.

### Change

Allow for design review application without building permit application  
Reduce notice requirement from 15 business days to 10 calendar days  
Require application processing fee between \$100 and Hourly Cost  
  
Guidelines have minor modification to include more detail for major projects on colors, design examples. Examples of minor projects for information only.

### Eliminate

Minor projects including signs, lighting, fencing, painting are not subject the ordinance.

## Reduced Ordinance process

### Keep

New building construction, additions, and major alterations require 10 calendar day property owner notice and DRC review of consistency

### Change

OR



Department determines consistency through over the counter permit.  
Major project property owner notice of pending determination by Department. Objection to determination would cause hearing and decision by DRC. \*

Minor project reviewed for consistency by DRC without property owner notice minimum agenda posting requirement (72 hours).

OR



Minor projects are reviewed for consistency by Department as an over the counter permit. \*

## Eliminate

Building official determination of application completeness

\* Design Review Committee would no longer review projects if major and minor project determinations are made by staff.

## Expand scope of projects subject to review

### Keep

Existing ordinance provisions: Project subject to review, committee determination of consistency, 15 business day requirement,

### Change

Include change of color for entire townsite as project (painting a residence)  
Include sheds of less than 120 sq ft as a project  
Include landscaping as a project

Require MDR action\recommendation on land use applications (variance, use permit)

Guidelines are modified to include more detail for major and minor projects on colors, design examples. Guidelines would be stricter in requirements, less "should" and more "shall".

## **STAFF RECOMMENDED BASIC REVISIONS**

The revisions are: to create an application process separate from a building permit application, reduce the property owner notice requirement from 15 to 10 days, and replace the enforcement penalties with a reference to the new zoning enforcement provision in 18.92 revised in 2017.

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### **Chapter 18.56 MHD MARKLEEVILLE HISTORIC DISTRICT COMBINED ZONE**

#### Sections:

- [18.56.010](#) Purpose.
- [18.56.020](#) Applicability.
- [18.56.030](#) Exceptions.
- [18.56.040](#) Permitted uses.
- [18.56.050](#) Dimensional requirements—Building height, lot area, setbacks.
- [18.56.060](#) Historic period of architecture defined.
- [18.56.070](#) Markleeville design guidelines established.
- [18.56.080](#) Markleeville design review committee.
- [18.56.090](#) Design review procedures.
- [18.56.100](#) Special requirements for removal or demolition of structures.
- [18.56.110](#) Appeal.
- [18.56.120](#) Enforcement and penalties.

#### **18.56.010 Purpose.**

The purpose of the MHD Markleeville historic design combined zone is to protect and enhance the historic character of Markleeville, which is economically important to the tourist industry and culturally important to the people of Markleeville and Alpine County. More specifically, these regulations and associated guidelines are intended to:

- A. Promote preservation of historic buildings.
- B. Promote the harmonious appearance of nonhistoric buildings and new development within the Markleeville townsite area.
- C. Ensure that new construction and new development within the Markleeville townsite area is compatible with the area's historic period of architecture. (Ord. 687 § 2 (part), 2008)

#### **18.56.020 Applicability.**

A. Historic Area Designated. This chapter applies to the entire townsite of Markleeville containing approximately one hundred sixty acres as depicted on that map entitled "Map Showing Markleeville Townsite, Alpine County, California, SE 1/4 of Section 21, T10N, R20E" dated May 6, 1910.

B. Projects. This chapter applies to the following projects located within the historic area:

1. Exterior modification of any structure that requires a building permit.

2. Removal or demolition of any structure (or portion thereof) built or put in place prior to 1940.
3. Construction of any new structure, including additions to existing structures.
4. Placement of any sign that requires a permit pursuant to Chapter 18.74 (Sign Regulations).
5. Installation of any outdoor lighting fixture.
6. Change in exterior colors of any building or structure located within the commercial core area as defined in the Markleeville historic design guidelines adopted by the board of supervisors.
7. Any site work that involves grading or terracing of land.
8. Installation of any fence or wall, including modification of an existing fence or wall.
9. Creation of any vehicle parking area and/or driveway.
10. The construction, erection or installation of any structure or storage shed containing more than thirty square feet of floor area within the commercial core area.

C. Design Review Required. Except as provided in Section [18.56.030](#), all the activities described in subsection B of this section are subject to the design review process as described in this chapter. The design review process shall be completed and the activity shall be approved by the committee prior to issuance of a building permit if such permit is required, or, if no building permit is required, prior to commencement of the activity. (Ord. 687 § 2 (part), 2008)

**18.56.030 Exceptions.**

A. Maintenance and Repair. Routine maintenance and repair that does not change the exterior physical appearance of the structure and does not involve any of the actions in Section [18.56.020](#) is not subject to the requirements of this chapter.

B. Natural Acts and Disasters. Any structure that is damaged by fire, flood, windstorm or any other act of nature such that it is determined by the building official to be unsafe for human occupancy and cannot with reasonable diligence be repaired and restored is not subject to the requirements of this chapter and may be removed upon issuance of a permit for removal by the Alpine County building department.

C. Dilapidated and Damaged Structures. Any structure that becomes dilapidated and/or damaged to the extent that it is determined by the building official to be unsafe for human occupancy and cannot with reasonable diligence be repaired and restored is not subject to the requirements of this chapter and may be removed upon issuance of a permit for removal by the Alpine County building department. (Ord. 687 § 2 (part), 2008)

**18.56.040 Permitted uses.**

Permitted uses in the Markleeville historic design (MHD) combined zone are all of the uses allowed in the underlying zone with which the Markleeville historic design zone is combined. (Ord. 687 § 2 (part), 2008)

**18.56.050 Dimensional requirements—Building height, lot area, setbacks.**

The building height, lot area and setback requirements in the MHD combined zone shall be as stated in the underlying zone with which the Markleeville historic design zone is combined, except where the Markleeville design guidelines adopted pursuant to Section [18.56.070](#) specifically state a more restrictive requirement. (Ord. 687 § 2 (part), 2008)

**18.56.060 Historic period of architecture defined.**

The term “historic period of architecture” as used in this chapter refers to that style of architecture generally used in the Sierra Nevada region in the period of 1850 to 1940. (Ord. 687 § 2 (part), 2008)

**18.56.070 Markleeville design guidelines established.**

The board of supervisors shall, by resolution separate from this chapter, adopt the Markleeville historic design guidelines. Such guidelines shall be consistent with this chapter and may be amended from time to time by resolution of the board of supervisors. (Ord. 687 § 2 (part), 2008)

**18.56.080 Markleeville design review committee.**

A. Committee Established. The Markleeville design review committee (“committee”) shall consist of five regular members appointed by the board of supervisors and one ex officio member who shall be the director of the Alpine County Museum or his or her designee.

B. Appointments. The board of supervisors shall strive to appoint regular members representing a broad range of interests. Preference shall be given to appointing residents, owners of businesses and owners of property all located within the Markleeville townsite area.

Members may also be chosen from the following categories, in no particular order of preference:

1. Design or historic preservation professional familiar with the Markleeville area or other similar communities within the Sierra Nevada region.
2. Residents of Alpine County.
3. Owners of property located within Alpine County.
4. Persons with a demonstrated interest in, or special knowledge of, the history of Markleeville.

C. Ex Officio Member. The ex officio member is a nonvoting member and shall not be counted for purposes of determining a quorum of the committee. The ex officio member’s purpose is to provide historical information and data that is relevant to the design review process.

D. Terms. The five regular members shall be appointed to four-year terms, staggered so that no more than two members’ terms expire in a single calendar year. Upon expiration of a term, the member may continue to serve on the committee until such time that the board of supervisors renews the term of the existing member or appoints a new member. (Ord. 687 § 2 (part), 2008)

**18.56.090 Design review procedures.**

A. Commencement of Review. The design review process is initiated when the planning department receives [a complete design review application](#). [The](#)

application shall describe the project in sufficient detail to allow the committee to complete its review and a make a determination as to whether or not the project complies with the Markleeville design guidelines. The application shall include the following information:

1. Site Plan
2. Building Elevations
3. Color and material samples or photographs
4. Written project description any of the following:

~~1. Notification from the building official that a complete building permit application for an activity subject to this chapter has been submitted to the building department.~~

~~2. Notification from a project proponent that he or she intends to commence an activity subject to this chapter that does not require a building permit. Such notification shall describe the activity in sufficient detail to allow the committee to complete its review and make a determination as to whether or not the project complies with the Markleeville design guidelines.~~

B. Review Fee. The board of supervisors may, by separate resolution, establish review fees that must be paid by a project proponent in order to initiate the review process.

C. Committee Review. The committee shall conduct its review in a public meeting with public notice as required by law and as specifically required in this chapter. A quorum of the committee is required and must be physically present at the meeting in order to conduct the review. The committee shall review the proposed activity in accordance with the requirements of this chapter and the Markleeville design guidelines adopted by the board of supervisors.

D. Notification of Review. Notification of a review to be conducted by the committee shall be provided as follows:

1. Posting of Agenda. An agenda shall be posted in two or more public locations in Markleeville. Posting shall be in advance of the meeting as provided by law.

2. Notification of Adjacent Property Owners. Notification shall be mailed to owners of properties located within three hundred feet of the property in which the proposed activity is located. At least ~~fifteen business~~ **ten (10) calendar** days prior to the day of the scheduled meeting, such notices shall be mailed to the addresses as shown on the most current database of property addresses maintained by the Alpine County assessor's office.

E. Committee Determination. Upon the completion of its review, the committee shall determine whether or not the proposed activity complies with the requirements of this chapter and is consistent with the Markleeville design guidelines approved by the board of supervisors. The determination may include conditions of approval necessary to make the activity comply with the requirements of this chapter and the Markleeville design guidelines. If the determination is that the activity does not comply with the requirements of this chapter and/or the Markleeville design guidelines, the committee shall state the specific reasons and provide the same in writing to the applicant within three working days of the determination.

**Comment [ZW1]:** Allows for an application specific to Design Review to be submitted. Department staff determines application completeness.

**Comment [ZW2]:** Eliminate requirement for a complete building permit application.

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**Comment [ZW3]:** Reduce 15 business days to 10 calendar days consistent with other land use applications (variance, use permit). Will speed processing times by approximately 10 days.

The committee's determination shall be made within thirty days of the date of the initial committee meeting at which the activity was first reviewed. The permit or activity authorized by the determination shall not commence during the appeal period as provided in Section [18.56.110](#) of this chapter.

The committee's determination shall be delivered in writing to the building official within three business days of the determination, or any decision on an appeal pursuant to Section [18.56.110](#). The building official shall also be notified in writing within three business days of any appeal that is filed. (Ord. 687 § 2 (part), 2008)

#### **18.56.100 Special requirements for removal or demolition of structures.**

Except as provided in Section [18.56.030](#)(B) and (C), the removal or demolition of any structure put in place prior to 1940 shall not be authorized unless and until a plan for a replacement use or new building for the property has been approved by the county. Approval of such plan by the county shall be evidenced by at least one of the following:

A. Issuance of a building permit for a new structure.

B. Approval of a conditional use permit if the replacement use does not include any structures.

C. Approval of a development plan for a planned development pursuant to Section [18.28.010](#)(B) of this title. (Ord. 687 § 2 (part), 2008)

#### **18.56.110 Appeal.**

In the event the applicant, or any interested party, is not satisfied with the action of the committee, he/she may appeal in writing to the planning commission within ten days upon payment of the appropriate fee. The term "interested party," as used herein, shall include any resident, property owner or other person lawfully in possession of any premises within the area described in Section [18.56.020](#). After the committee's decision, appeal procedures specified in Chapter 18.88 of this title and fees set forth in the county fee ordinance, set out at Chapter 3.04 of this code, shall apply. (Ord. 687 § 2 (part), 2008)

#### **18.56.120 Enforcement and penalties.**

No building permit shall be issued nor shall any activity be commenced that is subject to the provisions of this chapter unless such permit or activity complies with the requirements of this chapter and is consistent with the Markleeville design guidelines, and such determination has been made in accordance with the requirements of this chapter. Nothing in this section shall affect requirements to comply with other regulations or receive other permits that are applicable to the proposed activity. ~~The code enforcement process and penalties of Chapter 18.92 shall apply to violations of this chapter. In addition to the penalties provided in Chapter 18.92 of this code, failure to comply with the requirements of this chapter may be punishable by a fine of up to ten thousand dollars per occurrence. Such fine may be imposed upon an order of the board of supervisors which shall be accompanied by written findings regarding failure to comply. Failure to pay the fine in full in a timely manner as specified in the board of~~

**Comment [ZW4]:** Replace with reference to new zoning enforcement code of 18.92. The newer code has a better process for complaint and violation resolution which preserves due process rights for violations.

~~supervisors' order may result in a lien being filed against the property. (Ord. 687-  
§ 2 (part), 2008)~~

# **FEWER PROJECTS SUBJECT TO REVIEW**

## **Chapter 18.56 MHD MARKLEEVILLE HISTORIC DISTRICT COMBINED ZONE**

### Sections:

<a href="#">18.56.010</a>	Purpose.
<a href="#">18.56.020</a>	Applicability.
<a href="#">18.56.030</a>	Exceptions.
<a href="#">18.56.040</a>	Permitted uses.
<a href="#">18.56.050</a>	Dimensional requirements—Building height, lot area, setbacks.
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3. Construction of any new structure, including additions to existing structures.

~~4. [ZW1]. Placement of any sign that requires a permit pursuant to Chapter 18.74 (Sign Regulations).~~

- ~~5. Installation of any outdoor lighting fixture.~~
- ~~6. Change in exterior colors of any building or structure located within the commercial core area as defined in the Markleeville historic design guidelines adopted by the board of supervisors.~~
- ~~7. Any site work that involves grading or terracing of land.~~
- ~~8. Installation of any fence or wall, including modification of an existing fence or wall.~~
- ~~9. Creation of any vehicle parking area and/or driveway.~~
- ~~10. The construction, erection or installation of any structure or storage shed containing more than thirty square feet of floor area within the commercial core area.~~

C. Design Review Required. Except as provided in Section [18.56.030](#), all the activities described in subsection B of this section are subject to the design review process as described in this chapter. The design review process shall be completed and the activity shall be approved by the committee prior to issuance of a building permit if such permit is required, or, if no building permit is required, prior to commencement of the activity. (Ord. 687 § 2 (part), 2008)

#### **18.56.030 Exceptions.**

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B. Natural Acts and Disasters. Any structure that is damaged by fire, flood, windstorm or any other act of nature such that it is determined by the building official to be unsafe for human occupancy and cannot with reasonable diligence be repaired and restored is not subject to the requirements of this chapter and may be removed upon issuance of a permit for removal by the Alpine County building department.

C. Dilapidated and Damaged Structures. Any structure that becomes dilapidated and/or damaged to the extent that it is determined by the building official to be unsafe for human occupancy and cannot with reasonable diligence be repaired and restored is not subject to the requirements of this chapter and may be removed upon issuance of a permit for removal by the Alpine County building department. (Ord. 687 § 2 (part), 2008)

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**18.56.060 Historic period of architecture defined.**

The term “historic period of architecture” as used in this chapter refers to that style of architecture generally used in the Sierra Nevada region in the period of 1850 to 1940. (Ord. 687 § 2 (part), 2008)

**18.56.070 Markleeville design guidelines established.**

The board of supervisors shall, by resolution separate from this chapter, adopt the Markleeville historic design guidelines. Such guidelines shall be consistent with this chapter and may be amended from time to time by resolution of the board of supervisors. (Ord. 687 § 2 (part), 2008)

**18.56.080 Markleeville design review committee.**

A. Committee Established. The Markleeville design review committee (“committee”) shall consist of five regular members appointed by the board of supervisors and one ex officio member who shall be the director of the Alpine County Museum or his or her designee.

B. Appointments. The board of supervisors shall strive to appoint regular members representing a broad range of interests. Preference shall be given to appointing residents, owners of businesses and owners of property all located within the Markleeville townsite area.

Members may also be chosen from the following categories, in no particular order of preference:

1. Design or historic preservation professional familiar with the Markleeville area or other similar communities within the Sierra Nevada region.
2. Residents of Alpine County.
3. Owners of property located within Alpine County.
4. Persons with a demonstrated interest in, or special knowledge of, the history of Markleeville.

C. Ex Officio Member. The ex officio member is a nonvoting member and shall not be counted for purposes of determining a quorum of the committee. The ex officio member’s purpose is to provide historical information and data that is relevant to the design review process.

D. Terms. The five regular members shall be appointed to four-year terms, staggered so that no more than two members’ terms expire in a single calendar year. Upon expiration of a term, the member may continue to serve on the committee until such time that the board of supervisors renews the term of the existing member or appoints a new member. (Ord. 687 § 2 (part), 2008)

**18.56.090 Design review procedures.**

A. Commencement of Review. The design review process is initiated when the planning department receives any of the following:

1. Notification from the building official that a complete building permit application for an activity subject to this chapter has been submitted to the building department.
2. Notification from a project proponent that he or she intends to commence an activity subject to this chapter that does not require a building permit. Such notification shall describe the activity in sufficient detail to allow the committee to

complete its review and make a determination as to whether or not the project complies with the Markleeville design guidelines.

B. Review Fee. The board of supervisors may, by separate resolution, establish review fees that must be paid by a project proponent in order to initiate the review process.

C. Committee Review. The committee shall conduct its review in a public meeting with public notice as required by law and as specifically required in this chapter. A quorum of the committee is required and must be physically present at the meeting in order to conduct the review. The committee shall review the proposed activity in accordance with the requirements of this chapter and the Markleeville design guidelines adopted by the board of supervisors.

D. Notification of Review. Notification of a review to be conducted by the committee shall be provided as follows:

1. Posting of Agenda. An agenda shall be posted in two or more public locations in Markleeville. Posting shall be in advance of the meeting as provided by law.

2. Notification of Adjacent Property Owners. Notification shall be mailed to owners of properties located within three hundred feet of the property in which the proposed activity is located. At least fifteen business days prior to the day of the scheduled meeting, such notices shall be mailed to the addresses as shown on the most current database of property addresses maintained by the Alpine County assessor's office.

E. Committee Determination. Upon the completion of its review, the committee shall determine whether or not the proposed activity complies with the requirements of this chapter and is consistent with the Markleeville design guidelines approved by the board of supervisors. The determination may include conditions of approval necessary to make the activity comply with the requirements of this chapter and the Markleeville design guidelines. If the determination is that the activity does not comply with the requirements of this chapter and/or the Markleeville design guidelines, the committee shall state the specific reasons and provide the same in writing to the applicant within three working days of the determination.

The committee's determination shall be made within thirty days of the date of the initial committee meeting at which the activity was first reviewed. The permit or activity authorized by the determination shall not commence during the appeal period as provided in Section [18.56.110](#) of this chapter.

The committee's determination shall be delivered in writing to the building official within three business days of the determination, or any decision on an appeal pursuant to Section [18.56.110](#). The building official shall also be notified in writing within three business days of any appeal that is filed. (Ord. 687 § 2 (part), 2008)

#### **18.56.100 Special requirements for removal or demolition of structures.**

Except as provided in Section [18.56.030](#)(B) and (C), the removal or demolition of any structure put in place prior to 1940 shall not be authorized unless and until a plan for a replacement use or new building for the property has been approved

by the county. Approval of such plan by the county shall be evidenced by at least one of the following:

- A. Issuance of a building permit for a new structure.
- B. Approval of a conditional use permit if the replacement use does not include any structures.
- C. Approval of a development plan for a planned development pursuant to Section [18.28.010](#)(B) of this title. (Ord. 687 § 2 (part), 2008)

**18.56.110 Appeal.**

In the event the applicant, or any interested party, is not satisfied with the action of the committee, he/she may appeal in writing to the planning commission within ten days upon payment of the appropriate fee. The term “interested party,” as used herein, shall include any resident, property owner or other person lawfully in possession of any premises within the area described in Section [18.56.020](#). After the committee’s decision, appeal procedures specified in Chapter 18.88 of this title and fees set forth in the county fee ordinance, set out at Chapter 3.04 of this code, shall apply. (Ord. 687 § 2 (part), 2008)

**18.56.120 Enforcement and penalties.**

No building permit shall be issued nor shall any activity be commenced that is subject to the provisions of this chapter unless such permit or activity complies with the requirements of this chapter and is consistent with the Markleeville design guidelines, and such determination has been made in accordance with the requirements of this chapter. Nothing in this section shall affect requirements to comply with other regulations or receive other permits that are applicable to the proposed activity. In addition to the penalties provided in Chapter 18.92 of this code, failure to comply with the requirements of this chapter may be punishable by a fine of up to ten thousand dollars per occurrence. Such fine may be imposed upon an order of the board of supervisors which shall be accompanied by written findings regarding failure to comply. Failure to pay the fine in full in a timely manner as specified in the board of supervisors’ order may result in a lien being filed against the property. (Ord. 687 § 2 (part), 2008)

## **REDUCED PROCESS**

### **Chapter 18.56 MHD MARKLEEVILLE HISTORIC DISTRICT COMBINED ZONE**

#### Sections:

<a href="#">18.56.010</a>	Purpose.
<a href="#">18.56.020</a>	Applicability.
<a href="#">18.56.030</a>	Exceptions.
<a href="#">18.56.040</a>	Permitted uses.
<a href="#">18.56.050</a>	Dimensional requirements—Building height, lot area, setbacks.
<a href="#">18.56.060</a>	Historic period of architecture defined.
<a href="#">18.56.070</a>	Markleeville design guidelines established.
<a href="#">18.56.080</a>	Markleeville design review committee.
<a href="#">18.56.090</a>	Design review procedures.
<a href="#">18.56.100</a>	Special requirements for removal or demolition of structures.
<a href="#">18.56.110</a>	Appeal.
<a href="#">18.56.120</a>	Enforcement and penalties.

#### **18.56.010 Purpose.**

The purpose of the MHD Markleeville historic design combined zone is to protect and enhance the historic character of Markleeville, which is economically important to the tourist industry and culturally important to the people of Markleeville and Alpine County. More specifically, these regulations and associated guidelines are intended to:

- A. Promote preservation of historic buildings.
- B. Promote the harmonious appearance of nonhistoric buildings and new development within the Markleeville townsite area.
- C. Ensure that new construction and new development within the Markleeville townsite area is compatible with the area's historic period of architecture. (Ord. 687 § 2 (part), 2008)

#### **18.56.020 Applicability.**

A. Historic Area Designated. This chapter applies to the entire townsite of Markleeville containing approximately one hundred sixty acres as depicted on that map entitled "Map Showing Markleeville Townsite, Alpine County, California, SE 1/4 of Section 21, T10N, R20E" dated May 6, 1910.

B. Projects. This chapter applies to the following projects located within the historic area:

#### **Major Projects**

1. Exterior modification of any structure that requires a building permit.
2. Removal or demolition of any structure (or portion thereof) built or put in place prior to 1940.
3. Construction of any new structure, including additions to existing structures.

### **Minor projects**

4. Placement of any sign that requires a permit pursuant to Chapter 18.74 (Sign Regulations).
5. Installation of any outdoor lighting fixture.
6. Change in exterior colors of any building or structure located within the commercial core area as defined in the Markleeville historic design guidelines adopted by the board of supervisors.
7. Any site work that involves grading or terracing of land.
8. Installation of any fence or wall, including modification of an existing fence or wall.
9. Creation of any vehicle parking area and/or driveway.
10. The construction, erection or installation of any structure or storage shed containing more than thirty square feet of floor area within the commercial core area.

C. Design Review Required. Except as provided in Section [18.56.030](#), all the activities described in subsection B of this section are subject to the design review process as described in this chapter. The design review process shall be completed and the activity shall be approved by the committee prior to issuance of a building permit if such permit is required, or, if no building permit is required, prior to commencement of the activity. (Ord. 687 § 2 (part), 2008)

### **18.56.030 Exceptions.**

A. Maintenance and Repair. Routine maintenance and repair that does not change the exterior physical appearance of the structure and does not involve any of the actions in Section [18.56.020](#) is not subject to the requirements of this chapter.

B. Natural Acts and Disasters. Any structure that is damaged by fire, flood, windstorm or any other act of nature such that it is determined by the building official to be unsafe for human occupancy and cannot with reasonable diligence be repaired and restored is not subject to the requirements of this chapter and may be removed upon issuance of a permit for removal by the Alpine County building department.

C. Dilapidated and Damaged Structures. Any structure that becomes dilapidated and/or damaged to the extent that it is determined by the building official to be unsafe for human occupancy and cannot with reasonable diligence be repaired and restored is not subject to the requirements of this chapter and may be removed upon issuance of a permit for removal by the Alpine County building department. (Ord. 687 § 2 (part), 2008)

### **18.56.040 Permitted uses.**

Permitted uses in the Markleeville historic design (MHD) combined zone are all of the uses allowed in the underlying zone with which the Markleeville historic design zone is combined. (Ord. 687 § 2 (part), 2008)

### **18.56.050 Dimensional requirements—Building height, lot area, setbacks.**

The building height, lot area and setback requirements in the MHD combined zone shall be as stated in the underlying zone with which the Markleeville historic design zone is combined, except where the Markleeville design guidelines adopted pursuant to Section [18.56.070](#) specifically state a more restrictive requirement. (Ord. 687 § 2 (part), 2008)

**18.56.060 Historic period of architecture defined.**

The term “historic period of architecture” as used in this chapter refers to that style of architecture generally used in the Sierra Nevada region in the period of 1850 to 1940. (Ord. 687 § 2 (part), 2008)

**18.56.070 Markleeville design guidelines established.**

The board of supervisors shall, by resolution separate from this chapter, adopt the Markleeville historic design guidelines. Such guidelines shall be consistent with this chapter and may be amended from time to time by resolution of the board of supervisors. (Ord. 687 § 2 (part), 2008)

**18.56.080 Markleeville design review committee.**

A. Committee Established. The Markleeville design review committee (“committee”) shall consist of five regular members appointed by the board of supervisors and one ex officio member who shall be the director of the Alpine County Museum or his or her designee.

B. Appointments. The board of supervisors shall strive to appoint regular members representing a broad range of interests. Preference shall be given to appointing residents, owners of businesses and owners of property all located within the Markleeville townsite area.

Members may also be chosen from the following categories, in no particular order of preference:

1. Design or historic preservation professional familiar with the Markleeville area or other similar communities within the Sierra Nevada region.
2. Residents of Alpine County.
3. Owners of property located within Alpine County.
4. Persons with a demonstrated interest in, or special knowledge of, the history of Markleeville.

C. Ex Officio Member. The ex officio member is a nonvoting member and shall not be counted for purposes of determining a quorum of the committee. The ex officio member’s purpose is to provide historical information and data that is relevant to the design review process.

D. Terms. The five regular members shall be appointed to four-year terms, staggered so that no more than two members’ terms expire in a single calendar year. Upon expiration of a term, the member may continue to serve on the committee until such time that the board of supervisors renews the term of the existing member or appoints a new member. (Ord. 687 § 2 (part), 2008)

**18.56.090 Design review procedures.**

A. Commencement of Review. The design review process is initiated when the planning department receives [a complete design review application. The](#)

application shall describe the project in sufficient detail to allow the committee to complete its review and a make a determination as to whether or not the project complies with the Markleeville design guidelines. The application shall include the following information:

1. ~~zwj~~. Site Plan

2. Building Elevations

3. Color and material samples or photographs

4. Written project description any of the following:

~~1. Notification from the building official that a complete building permit application for an activity subject to this chapter has been submitted to the building department.~~

~~2. Notification from a project proponent that he or she intends to commence an activity subject to this chapter that does not require a building permit. Such notification shall describe the activity in sufficient detail to allow the committee to complete its review and make a determination as to whether or not the project complies with the Markleeville design guidelines.~~

B. Review Fee. The board of supervisors may, by separate resolution, establish review fees that must be paid by a project proponent in order to initiate the review process.

C. Committee Review. The committee shall conduct its review in a public meeting with public notice as required by law and as specifically required in this chapter. A quorum of the committee is required and must be physically present at the meeting in order to conduct the review. The committee shall review the proposed activity in accordance with the requirements of this chapter and the Markleeville design guidelines adopted by the board of supervisors.

D. Notification of Review – Major Projects. Notification of a review to be conducted by the committee shall be provided as follows:

1. Posting of Agenda. An agenda shall be posted in two or more public locations in Markleeville. Posting shall be in advance of the meeting as provided by law.

2. Notification of Adjacent Property Owners. Notification shall be mailed to owners of properties located within three hundred feet of the property in which the proposed activity is located. At least ~~fifteen business~~ ten (10) calendar days prior to the day of the scheduled meeting, such notices shall be mailed to the addresses as shown on the most current database of property addresses maintained by the Alpine County assessor's office.

Notification of Review - Minor Projects. The committee shall conduct its review as a regular agenda item. Notice of project review is subject to posting of agenda notification requirement only.

OR

## **Administrative Determination**

### Major Projects

#### **Property owner notification, comment period, issuance of determination**

Upon a determination by the community development department that the design review application is in compliance with all of the requirements of this section, the community development department shall provide notice of such by regular mail to the applicant and to all property owners shown on the latest equalized assessment rolls as owning real property within three hundred feet of the property where the home occupation is located. Notices shall contain the street address of the project and a project description.

The notice shall clearly state that written comments are being accepted with regard to whether or not the proposed project is in compliance with all of the requirements of this section and that written comments must be received within ten days of the date of mailing the notice in order to be considered in the decision to issue the permit.

Upon completion of the adjacent property owner notification and comment period, the determination of consistency shall be issued by the community development director upon his/her determination that the application complies with all of the requirements of this chapter

### Minor projects

The County planner shall have the authority to determine if a minor project complies with the requirements of this chapter and is consistent with the Markleeville design guidelines approved by the board of supervisors. The determination may include conditions of approval necessary to make the activity comply with the requirements of this chapter and the Markleeville design guidelines. If the determination is that the activity does not comply with the requirements of this chapter and/or the Markleeville design guidelines, the department shall state the specific reasons and provide the same in writing to the applicant within three working days of the determination.

All determinations made by the department may be appealed pursuant to Chapter 18.88 of this title.

E. Committee Determination. Upon the completion of its review, the committee shall determine whether or not the proposed activity complies with the requirements of this chapter and is consistent with the Markleeville design guidelines approved by the board of supervisors. The determination may include conditions of approval necessary to make the activity comply with the

requirements of this chapter and the Markleeville design guidelines. If the determination is that the activity does not comply with the requirements of this chapter and/or the Markleeville design guidelines, the committee shall state the specific reasons and provide the same in writing to the applicant within three working days of the determination.

The committee's determination shall be made within thirty days of the date of the initial committee meeting at which the activity was first reviewed. The permit or activity authorized by the determination shall not commence during the appeal period as provided in Section [18.56.110](#) of this chapter.

The committee's determination shall be delivered in writing to the building official within three business days of the determination, or any decision on an appeal pursuant to Section [18.56.110](#). The building official shall also be notified in writing within three business days of any appeal that is filed. (Ord. 687 § 2 (part), 2008)

#### **18.56.100 Special requirements for removal or demolition of structures.**

Except as provided in Section [18.56.030](#)(B) and (C), the removal or demolition of any structure put in place prior to 1940 shall not be authorized unless and until a plan for a replacement use or new building for the property has been approved by the county. Approval of such plan by the county shall be evidenced by at least one of the following:

- A. Issuance of a building permit for a new structure.
- B. Approval of a conditional use permit if the replacement use does not include any structures.
- C. Approval of a development plan for a planned development pursuant to Section [18.28.010](#)(B) of this title. (Ord. 687 § 2 (part), 2008)

#### **18.56.110 Appeal.**

In the event the applicant, or any interested party, is not satisfied with the action of the committee, he/she may appeal in writing to the planning commission within ten days upon payment of the appropriate fee. The term "interested party," as used herein, shall include any resident, property owner or other person lawfully in possession of any premises within the area described in Section [18.56.020](#). After the committee's decision, appeal procedures specified in Chapter 18.88 of this title and fees set forth in the county fee ordinance, set out at Chapter 3.04 of this code, shall apply. (Ord. 687 § 2 (part), 2008)

#### **18.56.120 Enforcement and penalties.**

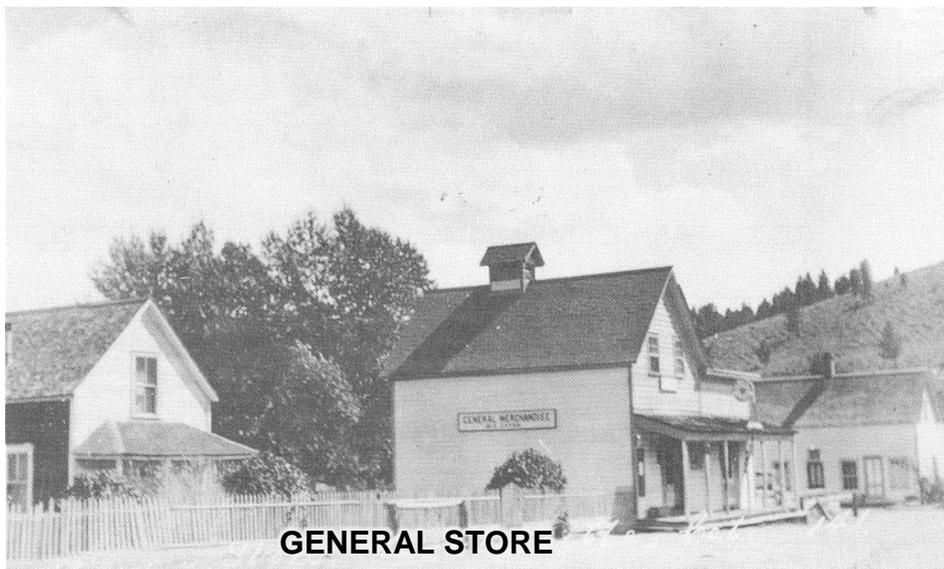
No building permit shall be issued nor shall any activity be commenced that is subject to the provisions of this chapter unless such permit or activity complies with the requirements of this chapter and is consistent with the Markleeville design guidelines, and such determination has been made in accordance with the requirements of this chapter. Nothing in this section shall affect requirements to comply with other regulations or receive other permits that are applicable to the proposed activity. In addition to the penalties provided in Chapter 18.92 of this code, failure to comply with the requirements of this chapter may be punishable by a fine of up to ten thousand dollars per occurrence. Such fine may

be imposed upon an order of the board of supervisors which shall be accompanied by written findings regarding failure to comply. Failure to pay the fine in full in a timely manner as specified in the board of supervisors' order may result in a lien being filed against the property. (Ord. 687 § 2 (part), 2008)



### Historic period example architecture

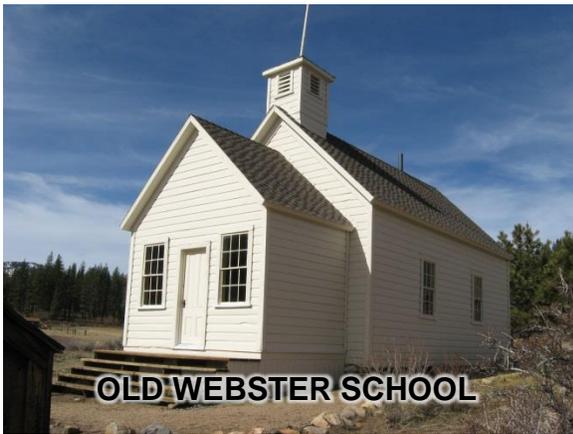
The buildings of this section are recognized to be representative of the historic mining period architecture or construction which is consistent with the Markleeville Historic Design Guidelines.







**BASQUE OVEN**



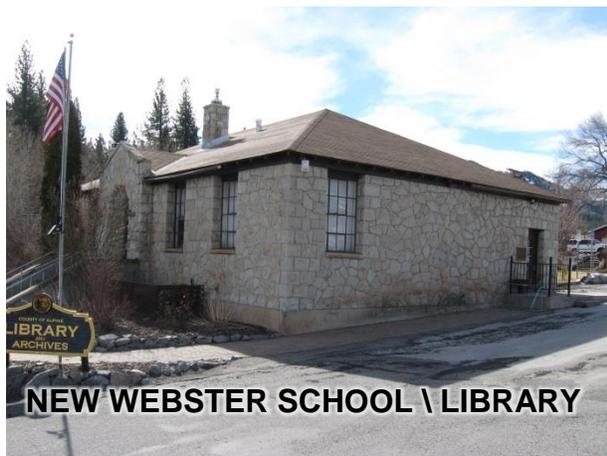
**OLD WEBSTER SCHOOL**



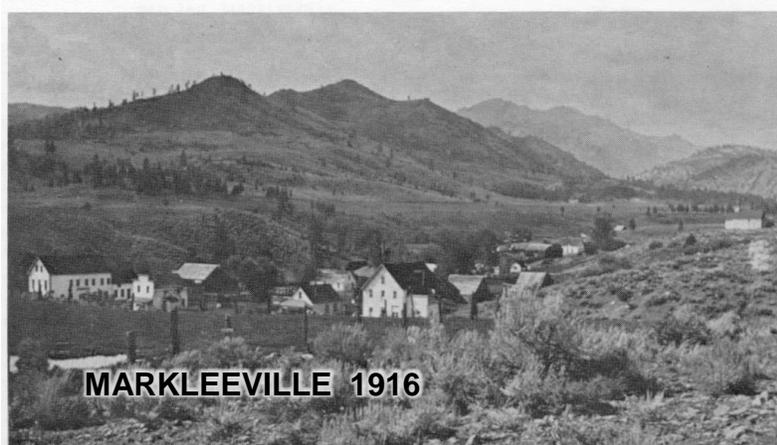
**14831 STATE ROUTE 89**



**ALPINE COUNTY COURTHOUSE**



**NEW WEBSTER SCHOOL \ LIBRARY**



**MARKLEEVILLE 1916**

MARKLEEVILLE 1916

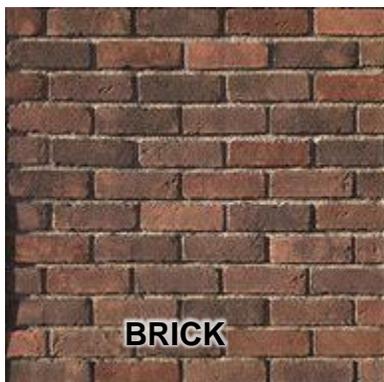
L. T. Price Collection



## Materials

The following materials are described in the Markleeville Historic Design Guidelines.

### Siding





**Roofing**





## Colors

Color selections which are subtle and compatible with the existing visual character of Markleeville are most consistent with these Guidelines. Bolder colors should be used with discretion and should be limited to one or two accent shades at doors, windows, and cornices.

Bare wood and white wash were the most common colors of the historic period due to scarcity of paint selection.



A wider range of colors were introduced later in the historic period. Modern color selections allow for compatibility with a variety of hues which are consistent with the natural landscape and the historic period.



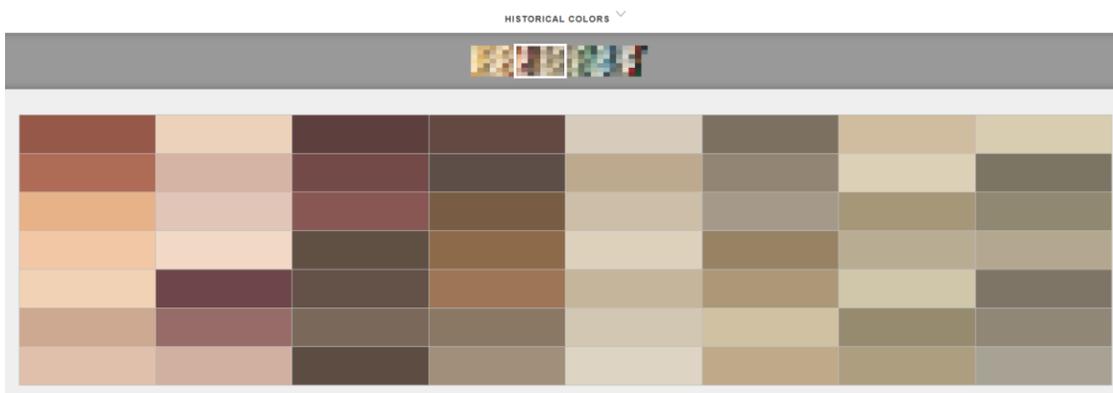


Natural colors





## Sample Colors - For Reference Only





## Miscellaneous treatment examples

### Walls



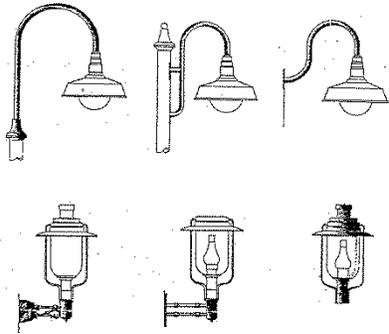


## Fencing





# Lighting





## Parking



## Sheds

