



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

AGENDA

Thursday, June 25, 2020

5:00 P.M.

Nick Hartzell, Chair
Jim Holdridge, Vice-Chair
Tom Sweeney
Erin Kelly
Bob Broyer

Meeting Location:
VIRTUAL MEETING ONLY

VIRTUAL MEETING NOTICE

The Planning Commission meeting of June 25, 2020 will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). The meeting will be an internet based video and phone conference. Public participation is available at the following:

Website link: <https://zoom.us/j/96568989594>
Phone number: 669-900-9128
Zoom meeting ID: 965 6898 9594

IMPORTANT NOTICE REGARDING COVID-19 AND PARTICIPATION IN THE PLANNING COMMISSION MEETING

To participate in this Alpine County Planning Commission meeting, the public are invited to observe and address the Commission telephonically or electronically. Instructions for public participation are below:

Public Participation Instructions: The meeting will be conducted via teleconference using the Microsoft Zoom program, and Commissioners will attend electronically or telephonically. The meeting will have no physical location to physically attend. The public may observe the Zoom meeting via computer by clicking on the following link: <https://zoom.us/j/96568989594> or the public may listen via phone by dialing 1-669-900-9128 and then when prompted, entering the Meeting ID Access Code 965 6898 9594

You will be asked for a "Participant ID". You do not need a Participant ID to join the meeting, press the pound key (#) again and you will be automatically connected.

1. If a member of the public wishes to comment on a particular agenda item, the public is strongly encouraged to submit their comments in writing via email to the Community Development Department at cacuna@alpinecountyca.gov by 2:00 p.m. on the day of the Commission meeting.
2. Applicants and members of the public wishing to comment on a specific agenda item while the matter is being heard during the meeting may participate by any of the following means:
 - a. When the Chair calls for public comment on an agenda item, the Secretary of the Commission or his or her designee will first ascertain who wants to testify (among those who are in the meeting electronically or telephonically) and will then call on speakers and unmute their device one at a time. Public speakers including the applicant may be broadcast in audio form only.

b. If speakers or other members of the public have documents they wish to distribute to the Commission for an agenda item, they are encouraged to submit such documents by 2:00 p.m. the date of the meeting to: cacuna@alpinecountyca.gov. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line.

c. While the matter is being heard, a member of the public may submit a comment via email, preferably limited to 250 words or less, to the Secretary of the Commission at cacuna@alpinecountyca.gov. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line. If the comment is received prior to close of public comment on an agenda item, every effort will be made to read the comment into the record, but some comments may not be read out loud due to time limitations or length of the comment (if the comment exceeds 250 words). Comments received prior to the close of the public comment period on an agenda item will be made part of the record for that item.

3. 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 cacuna@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.

4. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to cacuna@alpinecountyca.gov. The request should be made no later than noon the day of the meeting in order to provide time for County to address the request.

4. The Chair may set reasonable rules as needed to conduct the meeting in an orderly manner.

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

All proceedings are conducted on English. The Commission is committed to making its proceedings accessible to all citizens. Individuals with special needs may call 530-694-2140. All inquiries must be made at least 48 hours prior to the meeting.

So far as practical, unless otherwise altered by the Chair of the Commission, the order of business for the Commission meeting is as follows. Please note that designated times are for that particular item only.

1. CALL TO ORDER

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

Any person may make comments during the Oral Communication – General Public Comment period on items of interest, within the subject matter jurisdiction of the

Commission, that are not listed on the posted agenda. No action will be taken on any oral communication item. All oral communications must be directed to the Commission as a whole, not to individual Commission members and not to the audience.

3. MINUTES

3.1. Request approval of regular meeting minutes of May 28, 2020

4. UNFINISHED BUSINESS

4.1. **Revision to the Safety Element of the Alpine County General** – Review and possible recommendation to the Board of Supervisors of the Safety Element, a mandatory element of the Alpine County General Plan. It establishes goals, policies and implementation measures intended to avoid or minimize injury and protect property by reducing the exposure of the community to the following hazards: wildland fire; geologic hazards; floods; noise, and; hazardous materials. Applicant: Alpine County Community Development Department

4.2. **Short term rental regulations of County Code 18.73** – Discussion and possible direction to staff

5. NEW BUSINESS

5.1. Discussion and possible adoption of a resolution recognizing Brian Peters, Community Development Director for service to the Planning Commission and Alpine County

6. PUBLIC HEARINGS

None

7. OTHER BUSINESS

7.1. **Director's Report** – Brian Peters

7.2. **Items initiated by Commissioners**

8. ADJOURNMENT

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



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

MINUTES
Thursday May 28, 2020

1. CALL TO ORDER

Chair Nick Hartzell called the meeting to order at 5:02 p.m. with Commissioners Nick Hartzell, Erin Kelly, Jim Holdridge and Tom Sweeney. Bob Broyer joined the meeting at 5:30 p.m.

A quorum was established.

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

3. MINUTES

3.1. Request approval of regular meeting minutes of April 23, 2020 meeting.

MOTION: Sweeney/Second: Broyer approving the regular meeting minutes of April 23, 2020 meeting minutes

Roll Call Votes were as follows:

Commissioner Hartzell; AYE

Commissioner Kelly; AYE

Commissioner Holdridge; AYE

Commissioner Sweeney; AYE

Commissioner Broyer; AYE

MOTION CARRIED

4. UNFINISHED BUSINESS

4.1. Revision to the Safety Element of the Alpine County General

Review and possible recommendation to the Board of Supervisors of the Safety Element, a mandatory element of the Alpine County General Plan. It establishes goals, policies and implementation measures intended to avoid or minimize injury and protect property by reducing the exposure of the community to the following

hazards: wildland fire; geologic hazards; floods; noise, and; hazardous materials.
Applicant: Alpine County Community Development Department

Brian Peters introduced the memo and stated there was direction for more information about the new policy regarding requirement for secondary access in new development.

Since the February meeting staff was able to complete the CEQA document for the environment review circulate it to various agency for comment. One comment letter was received from Cal Trans addressing the need for any environment documentation for work that would take place in their jurisdiction.

Commissioner Holdridge asked about the number of 5 or greater new structures that require a second egress and why not lowering it to 3 new structures? Peters responded that the 5 was in existing county standards where you can serve up to 5 dwelling units on a lane.

Commissioner Broyer asked on item 20D-1 adding the word “also” and removing “and/or” for a clarification that you have to meet both standards in the last highlighted sentence ,*and/or SRA Fire Safe Regulations for access.*

Holdridge asked what prevents someone coming in and piecemeal their subdivision plans? Example would be their 20 home subdivisions and only show 4 homes on their plans and then coming back once the first 4 are completed and starting another 4 homes etc.

Peters responded staff can craft a policy in the County’s development standards a way to preclude that from happening but would have a hard time being successful without putting a burden the 5th lot.

Commissioner Hartzell said it’s a hardship to some development with a low number of 5 new dwellings, causing some parcels to never be developed. Hartzell suggested coming up with some lesser standard and higher numbers of dwellings.

Public Hearing was open at 6:15 p.m.
Public Hearing was closed at 6:15 p.m.

Commissioners gave direction to staff to clarify the 20-CF with regard introducing prescribed fires and incorporate the information that Commissioner Holdridge has about hazardous material, Leviathan mine.

5. NEW BUSINESS

None

6. PUBLIC HEARINGS

6.1. Bear Valley Adventure Company cross country ski and tubing area use permit amendment (5:15 pm)

Requested use permit amendment to allow replacement of an existing café structure and use (540 square feet), installation of a new portable structure for seasonal rental center use of approximately 540 square feet, and installation of a new permanent sled storage structure. The approved use permit (#93-05) allows winter outdoor recreation as well as food and beverage services. The project is located immediately south of the intersection of Bear Valley Rd and State Route 4 in Bear Valley, CA. APN(s): 005-010-019, 005-010-019 Planning Case #2020-06 Applicant: Bear Valley Adventure Company

Zach Wood introduced the staff report

Public Hearing open at 5:45 p.m.

Steve Schwabauer identified that the Bear Valley Adventure Company (BVAC) is a long standing cross county center that has grown with demand first with adding ice skating, when the snow conditions were not good but the water conditions were, an tube hill, a mini market and a gas station. BVAC is looking to make some investment in the operations and are dedicated in growing the company.

Broyer asked what happens to the portable structure at the end of the season? Schwabauer replied that the storage will be replacing the storage shed at the western side of the existing gas station.

Public Hearing was closed at 5:50 p.m.

Broyer stated that his biggest concern with the Cross County program is the traffic on Bear Valley road between Hwy 4 intersection, Bear Valley Road and the south parking lot. Broyer wants to emphasize that the County really needs to be on top of monitoring that crossing and preventing any issues.

MOTION: Holdridge /Second: Kelly approving of the BVAC cross country ski area use permit amendment application with conditions listed in the proceeding section and with findings;

Findings;

A. The location, operation, and maintenance of the cross country ski area will not be detrimental to the health, safety or welfare of the public or

injurious to properties or improvements in the vicinity. The ski area is an existing permitted use. The proposed improvements of the additional portable rental center, sled storage structure, and café reconstruction do not significantly increase the impacts to the health, safety, and welfare of the public compared to existing use

B. The proposed location of the ski area use and the conditions under which it would be operated or maintained will be consistent with all pertinent county ordinances and the purpose of the zone district in which the site is located. The ski area is an existing permitted use which currently conforms to all County ordinances. Conditions of Approval 1 and 2 require the issuance of Building and Public Health permits prior to operation.

C. The adventure park use is consistent with all elements of the Alpine County General Plan. The General Plan recognizes Bear Valley as a year round destination resort. The cross country ski area use is consistent with a year round destination resort. The 1978 Bear Valley Master Plan allows for recreation uses and resort development in the project area. The ski area use is consistent with the Master Plan

D. The use will not overload utilities which are currently provided on-site. There is adequate capacity of utilities to serve the existing and proposed new ski area uses. The new uses will not generate significant vehicle traffic impacts compared to the existing permitted use. The use permit amendment will not generate a significant increase of pedestrian traffic compared to the existing allowed use. Condition of Approval 4 addresses pedestrian access safety.

E. The use will complement and harmonize with existing and proposed land uses in the area. The ski area use is winter season only with minimal ground disturbance. The use is compatible with physical design aspects, land use intensities, and dwelling unit densities of the General Plan and zoning designations.

2. Adoption of the Categorical Exemption in fulfillment of the requirements of the California Environmental Quality Act (CEQA)

CONDITIONS OF APPROVAL

1. The existing Meadow Café proposed for renovation and the possible reconstructed café shall have a valid Public Health Permit prior to operating.
2. The applicant shall submit Building Permit applications for all new permanent structures and for the portable rental center prior to construction, placement, or occupancy.
3. Prior to the issuance of building permits for possible demolition and reconstruction of the Meadow Café structure the applicant shall submit site plans and floor plans to the Community Development Department. The Department shall review the plans and determine if they are substantially conforming to the existing building footprint and the concept plan of the use permit application.

4. The applicant shall notify all guests of the requirement to access the ski area on foot and of the required crossing of State Route 4. Prior to the next season of operation the applicant shall submit the following information for review and acceptance by the Community Development Department prior to operation of the ski area.

a. Materials including maps, handouts, and web based information describing best practices for pedestrian and over the snow access to the ski area.

b. During peak capacity weekends and holidays the applicant may install temporary portable signage to direct pedestrian traffic. Prior to installation of signage the applicant shall submit encroachment permits for installation of any signage with the Bear Valley Rd right of way.

5. The applicant shall submit building elevations, paint colors, and material samples for proposed new structures visible from State Route 4. The Community Development Department will review and determine if the colors and materials are consistent with the Scenic Highway Corridor Development design guidelines of County Code 18.60.040 prior to the issuance of a building permit for any new use.

Roll Call Votes were as follows:

Commissioner Hartzell; AYE

Commissioner Kelly; AYE

Commissioner Holdridge; AYE

Commissioner Sweeney; AYE

Commissioner Broyer; AYE

Motion Carries

7. OTHER BUSINESS

7.1. Director's Report- Brian Peters

The Wildfire Risk Mitigation plan has three project areas that are going forward for environmental review to bring these project areas to a point where they are ready to seek funding and begin fuel reduction work on the ground. Those three areas include Bear Valley, Markleevillage subdivision and Upper Manzanita.

Community Development is reviewing consultant proposals to update our housing element and update our zoning.

Economic Development Advisory Committee is working on a grant application to the Federal Economic Development Administration to do a focus economic strategy for Alpine County.

Brian Peters, will retire the end of June and there is an item on the next agenda for the Board of Supervisors to appoint Debbie Burkett, Community Development Manager, as Director.

7.2. Items initiated by Commissioners

Jim Holdridge thanks Supervisor Woodrow for joining this Planning Commission meeting and Congratulated Brian Peters on his retirement.

8. ADJOURNMENT

At 7:12 p.m. the Commission adjourned to the next regular meeting on June 25, 2020 at 5:00 p.m. at the Board of Supervisors Meeting Room 99 Water Street Markleeville, CA 96120

Nick Hartzell, Chair

Attest:

Carey Umbdenstock, Administrative Assistant II
Alpine County Community Development



COUNTY OF ALPINE
Community Development

Brian Peters, Director

Memo

To: Alpine County Planning Commission
From: Brian Peters
Date: 6/18/2020
Re: Revision to the Safety Element of the Alpine County General Plan

Background

The Commission held a public hearing on the revised Safety Element on February 27, 2020 and on May 28, 2020 further discussion of the item occurred, with the Commission directing staff to make additional revisions to the following:

Wildland Fire Fuel Modifications - Implementation Measure 20C-5 Public Lands (p. 9 of the revised draft)

Wildland Fire Access - Implementation Measure 20D-1 Secondary Access (p. 10 of the draft revision)

Hazardous Materials – Description of Leviathan Mine (p. 18 of the draft revision)

The State of California 2017 General Plan Guidelines published by the Governor's Office of Planning and Research describes the Safety Element as follows:

“The goal of the safety element is to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, droughts, earthquakes, landslides, climate change, and other hazards. Other locally relevant safety issues, such as airport land use, emergency response, hazardous materials spills, and crime reduction, may also be included. Some local jurisdictions have chosen to incorporate their hazardous waste management plans into their safety elements.”

“The safety element must identify hazards and hazard abatement provisions to guide local decisions related to zoning, subdivisions, and entitlement permits.”

As one of the mandatory elements of a General Plan, the Safety Element establishes broad policies intended to minimize potential property damage and human injury by reducing the exposure of persons and property to the above hazards and to hazardous materials. It identifies actions intended to achieve policy goals, but stops short of describing the details of those actions or prescribing the steps necessary to complete the actions.

Required Findings

General Plan: An amendment to the General Plan must:

1. Be in conformance with the General Plan Requirements of State Code Section 65300 in that it contains all of the required elements and is internally consistent.
2. Be consistent with all other elements of the Alpine County General Plan and any applicable specific plan (or master plan) adopted for the area.
3. Be in harmony with the County Zoning Ordinance and all other applicable County ordinances.
4. Promote the health, safety, peace, morals and general welfare of the County and its people.

Environmental Review

Since the February 2020 Commission meeting an initial study and proposed negative declaration was completed and submitted to the State Clearinghouse for State agency review as required by CEQA. The initial study found find that the revised Safety Element could not have a significant effect on the environment, and a negative declaration will be prepared. This finding is primarily based on a determination that the revised Safety Element is a policy document and, by itself, will not cause any adverse physical impacts to the environment. One comment letter from Caltrans was received. The comments addressed future revisions to the Safety Element and additional environmental documentation that could be required for projects that include work within any Caltrans right of way. The initial study and proposed negative declaration document will made available for public comment prior to consideration of the Safety Element revision by the Board of Supervisors.

Additional Review Requirements

Native American tribes: California law requires that Native American tribes with ancestral territory within a given jurisdiction be given an opportunity to request consultation on any proposed revision to that jurisdiction’s General Plan. Staff has sent notices to the three Native American tribes that meet this qualification - Washoe Tribe of Nevada and California, Calaveras Band of Mi-Wuk and the Lone Band of Miwok. To date, there has been no request for consultation.

California Board of Forestry: California law requires that a local jurisdiction submit a draft safety element to the California Board of Forestry for review. This review must be completed before the revision can be adopted. Once the Planning Commission recommends the draft element, staff will transmit the document to the Board of Forestry for this review. The review will be completed prior to consideration of the revision by the Board of Supervisors.

Other Required Notifications: State law requires adjacent counties and other certain agencies to receive notice of a proposed revision to a General Plan. These notices will be done in advance of consideration of the revision by the Board of Supervisors.

Discussion

Wildland Fire Fuel Modifications - Implementation Measure 20C-5 Public Lands (p. 9 of the revised draft)

The following sentence was added:

Use of prescribed fire and pile burning shall be considered as well as hand and mechanical means.

Wildland Fire Access - Implementation Measure 20D-1 Secondary Access (p. 10 of the draft revision)

The Commission reviewed a revised measure on this topic at your meeting on May 28, 2020. Direction was given to staff to further revise the measure to require secondary access roads to meet the emergency access road standard contained in the County's Development Standards. A majority of the Commission members in attendance on May 28 felt that the threshold for application of this policy should be development of 5 or more new residential units. Direction was also given to clarify the language in the policy regarding location within a high very high fire hazard severity zone. On further review, staff also added language recognizing situations where existing constructed roads would meet the secondary access requirement.

20D-1: Secondary Access. Any area of new development with potential for five or more residential units and also located within a high or very high fire hazard severity zone shall have a second means of vehicular ingress and egress connecting to a county collector road or state highway functional classification as listed in the most current version of the Circulation Element of the Alpine County General Plan (currently Figure 1 - Alpine County Functional Classification). The second means of access shall be constructed to the emergency access road standard as described in Section 9.03-6 and Table 9-3 of the Alpine County Development Standards adopted by the Board of Supervisors on September 7, 2014 and as may be amended going forward. Existing roads that are constructed to an equal or higher standard may be utilized to meet the second access requirement where such roads provide a completely separate route connecting to a county collector road or state highway compared to the primary access route. This requirement for second access shall override any lesser applicable requirement that may exist in County development standards and/or SRA Fire Safe Regulations for access.

The collector roads are: Airport Road, Bear Valley Road, Blue Lakes Road, Carson River Road, Creekside Drive, Diamond Valley Road, Emigrant Trail, Foothill Road, Hot Springs Road, Long Valley Road, Montgomery Street from SR 89 to Laramie St., Schneider Cow Camp Road, Sunset Lakes Road, and Woods Lake Road.

State Highways include SR 4, SR 88, SR 89 and SR 207 (Mt. Reba Road).

Development Standards 9.03-6 Emergency Access Roads:

Emergency access roads shall comply with the standards presented in Table 9-3 and the drawings, provisions, and specifications included in these Development Standards. Emergency access roads shall be gated and may include controlled access in accordance with SRA Fire Safe Regulations Section 1273.11(c). They shall be used for emergency access only. Signs shall be installed at either end of such roads saying, "For Emergency Access Only".

The minimum width of travel way for an emergency access road is 10-14 feet which only accommodates one-way travel. This compares to the County standards for a two to five parcel lane and residential street where the minimum travel way width ranges from 20 to 22 feet, which accommodates two-way travel.

Hazardous Materials – Description of Leviathan Mine (p. 18 of the draft revision)

Content provided by Commissioner Holdridge has been incorporated.

Staff Recommendation

Staff recommends that the Planning Commission recommend that the Board of Supervisors adopt the revised Safety Element with the following findings listed below. The Commission should clearly state its specific recommendation for Implementation Measure 20D-1.

Findings:

1. The proposed amendments are in conformance with the General Plan Requirements of State Code Section 65300 in that the General Plan will continue to contain all of the required elements and is internally consistent.
2. The proposed amendments are consistent with all other elements of the Alpine County General Plan and any applicable specific plans (master plans) adopted within the County.
3. The proposed amendments will be in harmony with the County Zoning Ordinance and all other applicable County ordinances.
4. The proposed amendments will promote the health, safety, peace, morals and general welfare of the County and its people.

1
2 **INTRODUCTION**

3
4 Section 65302(g) of the California Government Code requires that the General Plan include a Safety
5 Element for the protection of the community from any unreasonable risks associated with the effects
6 of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam
7 failure; slope instability leading to mudslides and landslides; subsidence and other geologic hazards
8 known to the legislative body; flooding, and wildland and urban fire.

9
10 The Safety Element establishes goals, policies and implementation measures intended to avoid or
11 minimize human injury and protect property by reducing the exposure of the community to hazards. It
12 is also intended that an undue financial burden not be placed on the community by allowing
13 development which may have unusually high costs for public services and disaster relief due to the
14 risk from hazards.

15
16 The Alpine County Safety Element addresses the following hazards that are known to have potential
17 for causing injury to people or damage to property in the County:

- 18
19 A. Wildland Fire
20 B. Geologic Hazards
21 D. Flood
22 E. Noise
23 F. Hazardous Materials
24
25

26 **RELATIONSHIP TO OTHER PLANS**

27
28 Natural Hazard Mitigation Plan: The Federal Emergency Management Agency (FEMA) now requires
29 local agencies to adopt a Local Hazard Mitigation Plan (LHMP) in order to be eligible for pre-disaster
30 mitigation funds. The Alpine County Multi-Jurisdictional Hazard Mitigation Plan was adopted by the
31 Board of Supervisors on August 4, 2018 (Board of Supervisors Resolution No. R2018-24).

32
33 SB 2140 (Gov. Code § 65302.6), authorizes local governments to adopt their local hazard mitigation
34 plan with the safety elements of their general plans. The Hazard Mitigation Plan includes
35 characterization and evaluation of the potential natural hazards that are included in the Safety
36 Element: Wildland Fire, Geologic Hazards and Flood. **Accordingly, the Alpine County Multi-**
37 **Jurisdictional Hazard Mitigation Plan (“Hazard Mitigation Plan”) in its current form and as may**
38 **be revised or updated in the future is hereby incorporated into the Safety Element of the**
39 **Alpine County General Plan.**
40

41 Carson River Watershed Floodplain Management Plan: The purpose of this plan is to create a long-
42 term vision and develop strategies which utilize a “Living River Approach” for meeting floodplain
43 management objectives to reduce flood damage impacts in the Carson River Watershed. The plan
44 reviews regional flood risks and suggests watershed-wide strategies and actions to mitigate and
45 reduce these hazards and risks while maintaining objectives. It also documents regional and local
46 progress on meeting plan objectives
47

48 Alpine County Community Wildfire Protection Plan: The Community Wildfire Protection Plan (CWPP)
49 provides a roadmap for the community to mitigate the hazards of wildfire. It outlines the risks and

1 hazards and provides specific recommendations for projects to address those risks. It includes
2 recommended projects to reduce the risk of wildland fire to people and property. It includes the
3 recommendations from the Calaveras County Community Wildfire Protection Plan that are specific to
4 the Bear Valley region of Alpine County.

5
6 Alpine County Emergency Operations Plan: The County of Alpine Emergency Operations Plan
7 establishes an Emergency Management Organization and assigns functions and tasks consistent
8 with California's Standardized Emergency Management System and the National Incident
9 Management System. It provides for the integration and coordination of planning efforts of multiple
10 jurisdictions within Alpine County.

11
12 CALFIRE Amador-Eldorado Unit Strategic Fire Plan: The CALFIRE Amador Eldorado Unit
13 encompasses all of Amador, Alpine and El Dorado counties; and portions of Sacramento and San
14 Joaquin counties. The goal of the Amador-El Dorado unit is to reduce the loss of life, property,
15 watershed values and other assets at risk from wildfire through a focused pre-fire management
16 program and increased initial attack success. The Strategic Fire Plan provides direction to CALFIRE
17 staff and communities within the Amador-El Dorado unit to direct resources and commitments toward
18 implementation of the Strategic Fire Plan. It should be noted that although the Amador-Eldorado Unit
19 has administrative responsibility for the entire county, the Tuolumne-Calaveras Unit provides
20 response and program support to the southwest portion of the County which includes Bear Valley and
21 surrounding areas.

22
23 Markleeville Structure Defense and Pre-Attack Plan: This plan was created by the CALFIRE Amador
24 Eldorado Unit. It addresses the area from Markleeville west to Grover Hot Springs, including
25 residential areas in the Hot Springs Road corridor area. Calfire staff has indicated a desire to update
26 this plan and to create these plans for the Woodfords and Mesa Vista areas.

27 28 29 **WILDLAND FIRE**

30
31 The wildland fire section is organized into the following sections:

- 32
- 33 • Goal 20
- 34 • General Background & History
- 35 • Categories
 - 36 ○ Planning and Capacity Building
 - 37 ○ Land Use
 - 38 ○ Fuel Modification
 - 39 ○ Access
 - 40 ○ Water Supply
- 41
- 42

43 **GOAL 20: PROTECT THE COMMUNITY FROM UNREASONABLE RISKS ASSOCIATED WITH**
44 **WILDLAND AND STRUCTURAL FIRES WITHIN THE WILDLAND URBAN INTERFACE IN THE**
45 **COUNTY.**

46
47

1 **WILDLAND FIRE - GENERAL BACKGROUND & HISTORY**

2
3 Response and Mutual Aid: Primary responsibility for wildland fire protection (prevention and
4 suppression) in the County is divided in to State Responsibility Area (SRA) and Federal
5 Responsibility Area (FRA). The SRA encompasses all of the private and state-owned land within the
6 County and the FRA encompasses all of the federal land. Calfire has primary responsibility for
7 wildland fire protection within the SRA and the federal land management agencies (U.S. Forest
8 Service and Bureau of Land Management) have primary responsibility for wildland fire protection
9 within the FRA.

10
11 Through the CALIFORNIA MASTER COOPERATIVE WILDLAND FIRE MANAGEMENT AND
12 STAFFORD ACT RESPONSE AGREEMENT, federal and state agencies improve efficiency by
13 facilitating the coordination and exchange of personnel, equipment, supplies, services, information
14 and funds for wildland fire protection. All of Alpine County is within the federal Direct Protection Area
15 (DPA). Consequently, the USFS and BLM have assumed operational responsibility for response to
16 wildland fire within SRA lands in Alpine County. Through this agreement and other mutual aid
17 agreements with fire departments adjoining Alpine County, there is a cooperative multi-jurisdictional
18 response to wildland fire located anywhere in Alpine County.

19
20 In many cases the local fire departments are first on the scene and may make an initial attack on a
21 wildland fire. There are three local fire departments in Alpine County. The Bear Valley Public Safety
22 Department covers Bear Valley and the surrounding areas on the west side of Ebbetts Pass. The
23 Eastern Alpine Fire and Rescue covers the portion of Alpine County that is east of the Sierra crest,
24 including the communities of Hung-A-Lel-Ti, Markleeville and Woodfords. The Kirkwood Volunteer
25 Fire Department covers Kirkwood and the surrounding areas west of Carson Pass.

26
27 Response to structural fires and other non-wildland fires (vehicle fires, etc.) is the primary
28 responsibility of local fire departments. All the departments rely heavily on volunteer fire fighters.
29 Additionally, response may also be provided through mutual aid by fire departments in adjoining
30 communities outside of Alpine County. These include the East Fork Fire Protection District located in
31 Douglas County Nevada, the Lake Valley Fire Protection District located in the Meyers area in El
32 Dorado County and the Ebbetts Pass Fire Protection District located west of Bear Valley in Calaveras
33 County.

34
35 Fire History & Risk Characterization: Wildland fires within the wildland urban interface (“WUI”) where
36 development is interspersed with wild lands pose the greatest threat to lives and property in the
37 County. Sources of data for wildland fire history include the CALFIRE Fire Perimeters Map for 1950-
38 2018 and the USFS Fire Occurrence Location data base and mapping. These two sources were
39 reviewed in preparation of this revision to the Safety Element.

40
41 Fire behavior east of the Sierra crest in Alpine County is largely affected by wind patterns and high
42 wind events. The largest and most destructive fires in this part of the County have run from the
43 southwest to the northeast, following the prevailing winds. Two of the largest fires in this area –
44 Acorn (6500 acres in 1987) and Washington (17,000 acres in 2015) followed this pattern. Both of
45 these fires grew quickly due to extremely high winds. West of the Sierra crest slopes and fuel type
46 are more controlling factors for wildland fire in comparison to the east side of the County. Most of the
47 Sierra crest in Alpine County is characterized by relatively sparse vegetation interspersed with
48 extensive areas of exposed granite. Consequently, there is low likelihood of fires crossing the crest.
49 The characterization of wildland fire hazard and the associated risks in Alpine County are more
50 thoroughly described in Section 5.2.10 of the County’s Hazard Mitigation Plan.

1
2 Recent fires in Alpine County including the Washington Fire in 2015 south of Markleeville and the
3 Donnell Fire in 2017 south and west of Bear Valley have served to remind the community about the
4 danger of wildland fire. Other large fires in the surrounding region and throughout California
5 demonstrate the catastrophic results that can occur when wildland fire burns a community.
6

7 All of Alpine County is located within the wildland urban interface or WUI. With the exception of the
8 Kirkwood area, almost all of the private land in Alpine County with existing development or potential
9 for future development is located in high or very high fire hazard severity zones. The Hazard
10 Mitigation Plan estimated the risk exposure of existing development within the high and very high
11 wildland fire hazard areas in the County. Eleven hundred residential units are within this area,
12 representing approximately 60% of the housing stock in the County. The situation is similar for non-
13 residential structures, roads, utilities, and essential public facilities. The estimated value in 2016 of all
14 structures within the high and very hazard areas is \$295 million.
15

16 SB 1241 mandates that Safety Elements, upon the next revision of the Housing Element on or after
17 January 1, 2014, be reviewed as necessary to address the risk of fire for State Responsibility Areas
18 (SRAs) and very high fire hazard severity zones including review of fire hazard severity zone maps
19 (Government Code § 65302(g)(3)(A)). The most recent revision of the Housing Element was
20 completed in March 2017. The Hazard Mitigation Plan includes a review of the risks with the SRA
21 and the fire hazard severity zones. By incorporation of the Hazard Mitigation Plan into this Safety
22 Element, the requirements of SB1241 (Government Code § 65302(g)(3)(A)) with regard to wildland
23 fire are satisfied.
24

25 Fire Insurance: The Insurance Services Office of California provides ratings of the capabilities of
26 local fire departments to respond and fight fires. These "ISO" ratings are reviewed periodically. The
27 ratings are used by insurance companies to help determine rates for the fire protection component of
28 homeowner's insurance premiums. A lower ISO rating means a greater capability and thus,
29 potentially lower insurance premiums. The rating scale is 1-10 and may vary within a fire
30 department's response area. Areas within Alpine County have ratings between 4 and 9. Lower rated
31 areas have good resources including a readily available water supply and relatively short response
32 times.
33

34 In recent years a number of homeowners in the county have reported cancellation of homeowner's
35 insurance due to fire risk, and increased premiums to retain their insurance. Options for obtaining
36 homeowner insurance may be limited or expensive.
37
38

39 **WILDLAND FIRE - PLANNING AND CAPACITY BUILDING**

40 **20A Policy**

41
42
43 Commit adequate resources to continued planning, capacity building and collaboration with other
44 agencies in order to reduce the risks associated with wildland fire and obtain the best possible level of
45 fire protection and emergency response services for all communities in Alpine County.
46

47 **20A Implementation Measures**

48
49 20A-1: Essential Public Facilities. Locate new essential public facilities outside of high and very high
50 fire hazard severity zones if feasible. This includes, but is not limited to, schools, fire stations, health

1 services, emergency shelters, emergency operations centers and emergency communications
2 facilities. If essential public facilities must be located in high or very high fire hazard severity zones,
3 incorporate design, construction or other measures to maximize protection and minimize damage in
4 the event of a wildland fire.

5
6 20A-2: Funding. The Board of Supervisors should continue to insure stable funding at levels
7 sufficient to provide for adequate fire protection and emergency services to all communities in the
8 County.

9
10 20A-3: Insurance ratings. The county shall support efforts by each fire department within the county
11 to obtain lower ISO ratings for structure fires within all fire protection areas.

12
13 20A-4: Support aerial attack facilities. The County shall support efforts by wildland fire fighting
14 agencies to utilize the Alpine County airport as a base of operations for aerial attack and associated
15 fire suppression equipment.

16
17 20A-5: Service district requirement. The Board of Supervisors should consider an ordinance to
18 require all new development of a certain size (number of residential units, sq. ft. non-residential) or
19 more to establish a new or participate in an existing community service district, county service area,
20 benefit assessment district or other similar organization or entity that will finance, provide, and
21 maintain adequate fire protection and emergency services in the area where the new development is
22 proposed.

23
24 20A-6: Maintain Plans. The County shall support efforts to maintain and periodically revise key
25 public safety planning documents including, but not limited to, emergency operations plans,
26 community wildfire protection plans and natural hazard mitigation plans.

27
28 20A-7: Codes and Standards. The County shall maintain codes and standards that require new
29 development to meet or exceed the State of California Fire Safe Regulations; and make periodic
30 updates to the applicable building and fire codes which address fire safety and reflect accepted fire
31 safe practices

32
33 20A-8: Fire Marshall. Board of Supervisors should evaluate available options and consider
34 establishing the functions of a Fire Marshall within all areas of Alpine County.

35
36 20A-9: Hazard Mitigation Plan Action Items. Support Goal 20 of the Hazard Mitigation Plan to
37 reduce the possibility of damage and losses due to wildland fire and its associated action items 10A-
38 10W.

39
40 20A-10: Education. Facilitate the education of landowners, residents, visitors and business owners
41 about the risks of living in the wildland urban interface including applicable regulations, prevention
42 measures and pre-planning activities. Provide informational materials in building permit packets,
43 through the fire safe councils and through other venues including the County web site.

44
45 20A-11: Burn Area Recovery Plans. Support the efforts of fire protection organizations and property
46 owners to develop burn area recovery plans that include rapid post-fire assessment and
47 implementation actions that encourage salvage of burned trees and reforestation activities, create
48 resilient and sustainable landscapes and restore functioning ecosystems

1 20A-12: Community Recovery and Resilience Planning. The County should initiate a process to
2 develop recovery plans to help the community recover from a wildland fire disaster. Recovery plans
3 should address immediate clean up and recovery efforts, re-establishing essential operations across
4 a broad range of community functions (government services, education, health services, business
5 sector, other) and strengthening the long term health and resiliency of the community.
6

7 20A-13: Future Facility and Service Needs. The County should project future growth and plan for
8 facilities and emergency services needed for fire protection.
9

10 20A-14 Fire Department Training Standards. Fire departments within the County shall be
11 encouraged to utilize the California State Fire Training (SFT) certification program as a training guide
12 for fire department personnel, including volunteer fire fighters.
13

14 20A-15 Interagency Collaboration. Continue collaboration and coordination with regional agencies
15 and surrounding fire protection districts on a unified regional response to risks that affect Alpine
16 County and surrounding jurisdictions to include: Enhancing interjurisdictional communication
17 systems; Sharing data and information on developing issues or potential risks; Participating in
18 Operational Area trainings and share response procedures with other first responder entities; Where
19 possible, consolidating grant applications with other area jurisdictions; and coordinating with other
20 planning departments, first responder entities, and emergency services providers on standard
21 operating procedures and protocols to enhance regional benefits
22
23

24 WILDLAND FIRE - LAND USE

25

26 Alpine County contains approximately 750 square miles situated astride the Pacific crest and is
27 approximately 96 percent public land. The public lands include lands managed by the U.S. Forest
28 Service, Bureau of Land Management, California Department of Parks and Recreation, California
29 Department of Fish and Wildlife, California Department of Transportation (Caltrans) and Alpine
30 County. Land use in the County is characterized by small communities surrounded by large
31 expanses of agricultural lands, forested areas and brush covered lands. There are some areas of
32 more dispersed and low density rural residential development, mostly located near Woodfords in the
33 northeast part of the County. All of the communities and rural residential development are within the
34 WUI.
35

36 Alpine County is the least populated county in California with an estimated permanent population of
37 1162 persons in 2019. Most of the population lives near or in the small communities of Hung-A-Lel-Ti,
38 Markleeville, Woodfords, Bear Valley and Kirkwood. Kirkwood is in the moderate hazard zone. The
39 other communities are in the high or very high hazard zones. There are approximately 1780
40 residential units in Alpine County; over 1200 of these are located in high or very high wildfire hazard
41 severity zones. Approximately 30% of the housing units in the County are occupied by permanent
42 residents. The remaining 70% are composed of second homes used seasonally and vacation rental
43 properties mostly located at two ski resorts in the County – Bear Valley and Kirkwood.
44

45 Essential facilities including fire stations, schools, government offices and centralized infrastructure
46 such as water and wastewater systems are located within or very close to the small communities
47 where most of the county's population resides.
48

49 Alpine County has adopted ordinances and development standards that meet or exceed the State of
50 California Fire Safe Regulations. Section 15.10 of the Alpine County Code adopts Public Resource

1 Code Section 4290 Fire Safe Regulations for State Responsibility Areas, commencing with Section
2 1270.00 through 1276.04, Article 5.5, Chapter 7, Division 1.5, Title 14 California Code of Regulation
3 (CCR 14). Section 8.20 of the Alpine County Code adopts defensible space and fuels reduction
4 standards for lots that meet or exceed California Public Resources Code Section 4291.

5
6 Development in many areas of Alpine County was planned, approved and constructed prior to
7 adoption of these ordinances and standards. Consequently, there are many areas that do not
8 conform to the current standards.

9
10 **20-B Policy**

11
12 Reduce the exposure to risk from wildland fire to an acceptable level by only allowing development in
13 high or very high fire hazard areas if it can be made safe by planning, construction, or other fire safety
14 measures.

15
16 **20B Implementation Measures**

17
18 20B-1: Non-conforming Development. Identify areas of development that do not conform to current
19 Fire Safe Regulations and consider programs and/or measures that would bring these areas closer to
20 conformance.

21
22 20B-2: Findings for New Subdivisions. In accordance with California Government Code Section
23 66474.02, before approving a tentative map, or a parcel map for which a tentative map was not
24 required, for an area located in a state responsibility area or a very high fire hazard severity zone, the
25 approving authority (Community Development Director, Planning Commission or Board of
26 Supervisors) shall make the following findings:

27
28 (1) A finding supported by substantial evidence in the record that the subdivision is consistent with
29 regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and
30 4291 of the Public Resources Code or consistent with local ordinances certified by the State Board of
31 Forestry and Fire Protection as meeting or exceeding the state regulations.

32
33 (2) A finding supported by substantial evidence in the record that structural fire protection and
34 suppression services will be available for the subdivision through any of the following entities:

35
36 (A) A county, city, special district, political subdivision of the state, or another entity organized
37 solely to provide fire protection services that is monitored and funded by a county or other
38 public entity.

39
40 (B) The Department of Forestry and Fire Protection by contract entered into pursuant to
41 Section 4133, 4142, or 4144 of the Public Resources Code.

42
43 20B-3 Development in High and Very High Hazard Zones. Recognize that new development will be
44 located in moderate, high and very high fire hazard zones. Accordingly, require that project design
45 meets all applicable codes and standards, and includes design parameters, improvements and
46 conditions of approval that reduces risk to acceptable level.

47
48
49

1 **WILDLAND FIRE - FUEL MODIFICATION**

2
3 CalFire has assessed the wildland fire hazard in different areas of the county based on a
4 consideration of wildland fuels, terrain, weather, and other relevant factors. Wildland fuels or
5 vegetation are the basic catalyst that supports the combustion process of wildfires. The various fuels
6 have specific characteristics which allow fire behavior analysts to categorize them based on how they
7 burn. The result is the Fire Hazard Severity Zone map for the State Responsibility Area. The maps
8 for Alpine County can be viewed at [https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-
9 engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/](https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/) .

10
11 CalFire’s mapping shows the lands in Alpine County with Moderate, High, and Very High Fire Hazard
12 Severity Zones as described below. This mapping provides only a general picture of the actual fire
13 hazard because there may be local variations in vegetation, slope, and other factors which influence
14 fire. The term “fire behavior” is used to describe the magnitude, direction, and intensity of fire spread.

- 15
16 • Moderate Fire Hazard Severity Zone includes: a) wildland areas of low fire frequency supporting
17 modest fire behavior; and b) developed/urbanized areas with a very high density of non-burnable
18 surfaces and low vegetation cover that is highly fragmented and low in flammability.
- 19
20 • High Fire Hazard Severity Zone includes: a) wildland areas supporting medium to high fire behavior
21 and roughly average burn probabilities; and b) developed/urbanized areas with more limited non-
22 burnable surfaces and moderate vegetation cover.
- 23
24 • Very High Fire Hazard Severity Zone includes: a) wildland areas supporting high to extreme fire
25 behavior resulting from well-developed surface fuels and forests where fire in tree crowns (portions of
26 trees above the trunks) is likely; and b) developed/urbanized areas with high vegetation density and
27 fuel continuity, allowing flame to spread over much of the area with little impediment from non-
28 burnable surfaces. Additional site elements include steep and mixed topography and seasonally
29 extreme conditions of strong winds and dry fuel moistures. The highest fire hazard is found in
30 mountainous areas with dry summers, plenty of fuel, and steep slopes

31
32 The County and the community have taken a wide range of measures to reduce fuel loading in order
33 to reduce the risk level of fire within the wildland urban interface. Examples include:

- 34
35 • Maintaining a seasonal biomass collection site at Turtle Rock Park that provides a convenient
36 location for community residents on the east side of the county to dispose of vegetation removed
37 from their properties
- 38 • Curbside chipping programs in Bear Valley, Kirkwood and other east side communities
- 39 • Fuels reduction along county roads
- 40 • Encouraging CalFire to conduct defensible space inspections pursuant to Public Resources Code
41 4291
- 42 • Adopting and implementing an adjacent lot fuels reduction ordinance to further mitigate fire hazard
43 in the county
- 44 • Obtaining grant funds to plan for and accomplish fuels reduction on lands within and adjacent to
45 existing communities

46
47 The Alpine County Community Wildfire Protection Plan identifies priority fuel reduction projects and
48 potential fire breaks in all communities in Alpine County.

1 **20C. Policy**

2
3 20C: Reduce fuel loading and encourage healthy forests to help in lowering the risk level for fire
4 within the wildland urban interface.
5

6
7 **20C. Implementation Measures**

8
9 20C-1: Defensible Space. The County shall work with Calfire to assertively implement the defensible
10 space requirements of Public Resources Code 4291. This includes implementation of the
11 requirements for individual lots and a periodic inspection program to monitor compliance and correct
12 deficiencies.
13

14 20C-2: Funding. The County, fire safe councils and other community organizations are encouraged to
15 pursue public and private funding to facilitate fuels reduction including assisting private landowners in
16 implementing fuels reduction and defensible space measures.
17

18 20C-3: Vegetation Management Plans. The County shall require vegetation management plans for all
19 new development that, at a minimum, include provisions for implementation and maintenance of fuels
20 reduction and defensible space; and which meet the minimum clearance standards pursuant to Public
21 Resources Code 4290 (14 CCR 1270). Consideration should be given to maintaining healthy
22 vegetation, minimizing the potential spread of noxious weeds, habitat for wildlife and visual impacts in
23 formulating these vegetation management plans. For purposes of this implementation measure, new
24 development includes parcel maps and subdivisions that create new lots or building sites, planned
25 developments, conditional use permits and other zoning actions that lead to the entitlement of new
26 structures.
27

28 20C-4: Maintenance of Fuel Reduction. The County shall encourage and, where possible, require a
29 means for ongoing maintenance of fuels reduction in areas that have been treated. For areas that
30 require a vegetation management plan pursuant to implementation measure 20B-3, this shall include
31 a requirement for ongoing maintenance of vegetation management plans to be addressed in
32 conditions of approval and/or CC&Rs for the development. A mechanism for enforcement of the
33 maintenance requirements shall also be implemented.
34

35 20C-5: Public Lands. The County shall work with public land management agencies to pursue
36 reduced fuel loading to lower risks on public lands in areas both within and surrounding existing
37 communities. Use of prescribed fire and pile burning shall be considered as well as hand and
38 mechanical means.
39

40 20C-6: Road Side Fuels Reduction. The County shall make fuels reduction along County roads
41 within existing rights of way a regular part of the ongoing County road maintenance operations. The
42 County shall encourage owners of private roads and driveways to do the same.
43

44 20C-7: Support CWPP Fuels Reduction. The County shall work with the fire safe councils and other
45 agencies where applicable to support and help facilitate completion and maintenance of priority fuels
46 reduction projects and fire breaks as identified in the Alpine County Community Wildfire Protection
47 Plan.
48
49
50

1 **WILDLAND FIRE - ACCESS**
2

3 Providing adequate and safe access to communities and developed areas is a key to reducing the
4 risk of injury or loss of life, and to facilitating ingress and egress for fire suppression and evacuation.
5 The Alpine County Development Standards were adopted in 2014. These standards set minimum
6 requirements for access facilities including roads, lanes and driveways; and ensure compliance with
7 the State of California Fire Safe Regulations (Title 14, California Code of Regulations, Division 1.5,
8 Chapter 7, Subchapter 2, Articles 1-5).
9

10 **20D Policy**
11

12 All new development in Alpine County shall be provided with vehicular access meeting or exceeding
13 the requirements of the Alpine County Development Standards
14

15 **20D Implementation Measures**
16

17 **20D-1: Secondary Access.** Any area of new development with potential for five or more residential
18 units and also located within a high or very high fire hazard severity zone shall have a second means
19 of vehicular ingress and egress connecting to a county collector road or state highway functional
20 classification as listed in the most current version of the Circulation Element of the Alpine County
21 General Plan (currently Figure 1 - Alpine County Functional Classification). The second means of
22 access shall be constructed to the emergency access road standard as described in Section 9.03-6
23 and Table 9-3 of the Alpine County Development Standards adopted by the Board of Supervisors on
24 September 7, 2014 and as may be amended going forward. Existing roads that are constructed to an
25 equal or higher standard may be utilized to meet the second access requirement where such roads
26 provide a completely separate route connecting to a county collector road or state highway compared
27 to the primary access route. This requirement for second access shall override any lesser applicable
28 requirement that may exist in County development standards and/or SRA Fire Safe Regulations for
29 access.
30

31 **20D-2: Update Development Standards.** County Development Standards shall be updated to reflect
32 the secondary access requirements as set forth in Implementation Measure 20D-1.
33

34 **20D-3: Evacuation Plans.** The Alpine County Sheriff's Office should work with agencies responsible
35 for wildland fire suppression to develop pre-plans for fire risk areas that address civilian evacuation
36 and provide a means to effectively communicate those plans.
37

38 **20D-4: Inadequate Access and Evacuation Routes.** The County shall identify residential areas of the
39 County that have inadequate access and/or inadequate evacuation routes and develop plans to
40 reduce or alleviate the associated risks within these areas.
41

42 **20D-5: Addressing:** Consider a County ordinance to improve and standardize street addressing signs
43 in order to reduce emergency service response times.
44
45

46 **WILDLAND FIRE - WATER SUPPLY**
47

48 The availability of water supply for fire suppression varies among communities within Alpine County.
49 Bear Valley, Hung-A-Lel-Ti, Kirkwood and Markleeville have developed water supply systems with
50 multiple fire hydrants within their service areas. The Eastern Alpine Fire Services Station 91 in

1 Woodfords is served by a small water system that includes 50,000 gallons of storage with the ability
2 to fill water tenders. The South Tahoe Public Utility District C-Line which transports treated
3 wastewater to Alpine County includes several fire hydrants in the Woodfords area. Water from these
4 “purple hydrants” can be used for wildland fire suppression. There are restrictions on using this water
5 for structure fires. Turtle Rock Park and the Alpine Village subdivision in Woodfords have small water
6 systems. Outside of the areas served by water systems with fire hydrants, water for fire suppression
7 is limited or may be non-existent. To help compensate, the local fire departments utilize a system of
8 mobile water tenders and portable tanks to provide water at the site of a fire. Helicopters deployed
9 by federal or state agencies are often used to deliver water from area lakes and rivers to wildland
10 fires.

11
12 Fire suppression water supply requirements for new development in Alpine County are defined by the
13 California Board of Forestry and Fire Protection SRA Fire Safe Regulations, National Fire Protection
14 Association (NFPA) codes and standards, and the Alpine County Development Standards. Combined,
15 these regulations, standards and codes set forth minimum requirements for fire flow,
16 water storage, fire hydrants and other important components of the water system. Alpine County
17 Code Chapter 13.04 defines minimum requirements for domestic and firefighting water supply and
18 distribution systems in new subdivisions. The Alpine County General Plan Land Use Element defines
19 minimum fire flow requirements and information required at each stage of the land use entitlement
20 process (general plan change, zoning change, subdivision) to demonstrate that the minimum fire flow
21 can be provided to new development. This includes information on the proposed method and
22 location of improvements for meeting the fire flow requirement.

23 **20E Policy**

24 Improve water supplies for fire protection in developed areas within the wildland urban interface.

25 **20E Implementation Measures**

26
27
28 20E-1: Plan for water supplies. The county shall encourage long range planning for improved water
29 supplies for fire protection throughout the county. This planning process should involve the fire safe
30 councils, local area residents, existing water service providers, fire departments, CalFire and other
31 agencies with responsibility for fire protection.

32
33
34 20E-2: Funding. The county, existing water service providers and/or fire safe councils shall pursue
35 public and private funding to improve water supply for fire protection throughout the county.

36 **GEOLOGIC HAZARDS**

37
38
39 The geologic hazards of greatest potential in Alpine County include those associated with avalanche,
40 earthquake/seismic shaking and landslide/slope failure. All of these are described in detail in the
41 County’s Hazard Mitigation Plan.

42
43
44 **GOAL 21: PROTECT NEW AND EXISTING STRUCTURES AND LAND USES FROM GEOLOGIC
45 HAZARDS IN ORDER TO AVOID OR MINIMIZE LOSS OF LIFE, INJURY, PROPERTY DAMAGE,
46 AND ECONOMIC AND COMMUNITY DISRUPTION.**

47 **GEOLOGIC HAZARDS - AVALANCHE**

48
49

1
2 Alpine County is located along the crest of the Sierra Nevada. The county's elevation ranges from a
3 low of about 4800 feet to high elevations in excess of 11,000 feet. Steep slopes and heavy winter
4 snowfall are common in the higher elevations. The combination of steep slopes and high snowfall
5 creates a potential danger for snow avalanches throughout the winter months in Alpine County.
6

7 Avalanche risk and actual avalanches frequently cause temporary closures of Highway 88 in the
8 Carson Pass and Carson Spur areas. Avalanches can also occur in the Bear Valley and Kirkwood
9 areas, and in backcountry areas popular for outdoor winter recreation. A recent avalanche in 2017
10 caused property damage to single family homes in the East Meadows area of Kirkwood. The
11 characterization of avalanche hazard and the associated risks in Alpine County are more thoroughly
12 described in Section 5.2.1 of the County's Hazard Mitigation Plan.
13

14 **21A Policy**

15
16 Locate and design all new development to prevent or minimize to the fullest extent possible the threat
17 due to avalanche
18

19 **21A Implementation Measures**

20
21 21A-1 Assess Avalanche Hazard. All developments intended for human use or occupation shall
22 assess avalanche hazards where there is a potential risk from avalanches. The following conditions
23 are indicative of a potential risk: significant accumulation of snow; treeless or sparsely vegetated
24 slopes exceeding 30% slope gradient; gullies, and bowls exceeding 30 percent slope gradient; and
25 any locations with a history or evidence of avalanche occurrence within or immediately adjacent to
26 the proposed development area.
27
28

29 **GEOLOGIC HAZARD - EARTHQUAKE/SEISMIC SHAKING**

30
31 Alpine County's mountainous terrain lies within the area of the North American and Pacific tectonic
32 plate activity. There have been earthquakes as a result of this activity in the past, and there will
33 continue to be earthquakes in the future. The eastern side of the County is situated along the eastern
34 slope of the Sierra Nevada and is more prone to earthquake and seismic shaking than other areas of
35 the County. There is a moderate to high probability (highly likely as 80 – 100% chance of
36 occurrence) of an earthquake in Alpine County, but a moderate to low risk associated with this natural
37 hazard. The characterization of earthquake and seismic shaking hazard and the associated risks in
38 Alpine County are more thoroughly described in Section 5.2.5 of the County's Hazard Mitigation Plan.
39

40 **21B Policy**

41
42 The potential risks associated with earthquake and seismic shaking shall be addressed in considering
43 new development.
44

45 **21B Implementation Measures**

46
47 21B-1 Seismic Activity Notation. Any parcel map, or subdivision map, subdividing lands near the
48 potentially active faults located along the eastern escarpment of the Sierra Nevada as shown on shall
49 contain a notation warning that said area may be subject to seismic activity.
50

1 21B-2 Geologic Report for Seismic Risk. All new development proposed within or adjacent to a
2 Alquist Priolo "Special Study Zone" as identified on the Official Map prepared by the California
3 Geologic Survey shall require a geologic report addressing potential risks of earthquakes and seismic
4 shaking. Human occupied structures shall not be constructed across traces of active faults as
5 identified in a required geologic report.
6
7

DRAFT

1 **GEOLOGIC HAZARD - LANDSLIDE/SLOPE FAILURE**
2

3 Alpine County's terrain and climate combine to create conditions conducive to landslide. Landslides
4 are categorized into groups using two variables; the type of movement and the type of material that is
5 involved. Type of movement is categorized into three groups:

- 6 • falls
7 • slides, and
8 • flows
9

10 The amount of water usually is the defining ingredient when classifying the movement. In falls, very
11 little water is present, whereas in flows there is a lot of water involved.
12

13 Landslides that occur within Alpine County are most often experienced as part of a larger, more
14 widespread natural hazard event. Landslides can take place as a result of severe storms, floods, and
15 earthquakes. They can also happen as an aftermath to wildland fires. The characterization of
16 earthquake and seismic shaking hazard and the associated risks in Alpine County are more
17 thoroughly described in Section 5.2.8 of the County's Hazard Mitigation Plan.
18

19 **21C Policy**
20

21 Locate and design all new development to prevent or minimize to the fullest extent possible the threat
22 due to landslide and slope instability.
23

24 **21C Implementation Measures**
25

26 21C-1 Assess Landslide and Slope Instability. Require soils and geologic investigations that address
27 potential landslide and slope instability as part of the review required for any parcel map, subdivision
28 map or use permits that involve earth disturbance; and in or adjacent to any areas of known or
29 potential slope instability.
30
31

32 **Flood Hazard**
33

34 Alpine County is located almost entirely within the mountainous Sierra Nevada. Precipitation and
35 snow melt from the Sierra Nevada runs off through high-relief, deeply-cut river canyons that are
36 interspersed with meadows and flat areas. On the east side of the County, the West Fork of the
37 Carson River flows into the Carson Valley where a more traditional floodplain exists. The
38 characterization of flood hazard and the associated risks in Alpine County are more thoroughly
39 described in Section 5.2.6 of the County's Hazard Mitigation Plan. Information on past flood events in
40 the County can also be found in Section 5.2.6. The U.S. Geological Survey (USGS) also has
41 information on flood history of the Carson River available at Flood Chronology of the Carson River
42 Basin, California and Nevada Web Site: <https://nevada.usgs.gov/crfd/>.
43

44 Two types of flood events are typical to Alpine County. Each type of flood event causes associated
45 water, erosion, and sediment damage within the watersheds where the flood event transpires. The
46 two types of flooding are:
47

- 48 • Wet-mantle or rain-on-snow flood
49 • Dry-mantle or flash flood

1
2 Wet-mantle and rain-on-snow are typically winter or early spring occurrences and are generally
3 widespread in nature. Characteristically, wet-mantle and rain-on-snow flooding develops when warm
4 rains fall on already saturated ground. Particularly devastating are flood events where heavy snows
5 precede warmer rain events, causing the mantle of snow to melt and run off in conjunction with the
6 rain. Rain on snow flooding has resulted in property and infrastructure damage in Bear Valley and in
7 the Markleeville/Woodfords areas of the County.

8
9 Dry-mantle flood events are a result of intense summer thunderstorms and are much more localized
10 in nature. Dry-mantle flooding is not widespread, as is the case of wet-mantle and rain-on-snow
11 events. Severe flash floods are much more likely to occur over recent burn areas which exist in Alpine
12 County. This thunderstorm related flooding can be a major concern as severe local rain and hail can
13 create conditions for flash-flooding and considerable threat to life and property. No historical record is
14 available for dry-mantle flood events.

15
16 An additional source of potential flooding is dam failure. Most dams in Alpine County are remote from
17 the populated area of the county. The remote location of dams shields residents from the potential
18 hazards associated with dam failure and the resulting inundation. An exception is the Reba Dam in
19 the community of Bear Valley. This dam creates Bear Lake. Dam failure and the resultant inundation
20 of downstream areas is a hazard to the community. The characterization of dam failure hazard and
21 the associated risks in Alpine County are more thoroughly described in Section 5.2.3 of the County's
22 Hazard Mitigation Plan.

23
24 Additional sources of information on flood hazards in Alpine County include the following:

25
26 National Flood Insurance Rate Maps: All of Alpine County is currently designated as Zone D - an
27 area of undetermined but possible flood hazards. More detailed mapping under the direction of the
28 Federal Emergency Management Agency (FEMA) is in progress for the West Fork of the Carson
29 River from Woodfords downstream to the California-Nevada state line; and for Bear Creek, Bloods
30 Creek and other minor drainages in the Bear Valley area.

31
32 DWR Awareness Floodplain Mapping Program: This program conducted by the California
33 Department of Water Resources (DWR) identifies flood hazard areas that are not mapped by FEMA's
34 National Flood Insurance Rate maps. Awareness floodplain maps are updated more frequently and
35 can be targeted and prepared for a community. Information on flood risks for a specific location can
36 be found at the California Office of Emergency Services (Cal OES) My Hazards web page:
37 <http://myhazards.caloes.ca.gov/>

38
39 DWR Dam Inundation Maps: The California Department of Water Resources (DWR) Division of
40 Safety of Dams (DSOD) reviews and approves inundation maps prepared by licensed civil engineers
41 and submitted by dam owners for extremely high, high, and significant hazard dams and their critical
42 appurtenant structures. Inundation maps approved by DSOD are a tool used to develop emergency
43 action plans, and the maps are intended to provide general information for emergency planning.
44 Dam inundation maps are in place for the following lakes/reservoirs in Alpine County: Bear Lake,
45 Lake Alpine, Upper Blue Lake, and Utica Reservoir. Dam inundation maps can be accessed for
46 viewing through the following web site: <https://fmds.water.ca.gov/maps/damim/>. Additional dams in
47 Alpine County without inundation maps are also shown.

48
49 Agencies with a role and/or responsibility for flood management and/or flood emergency response in
50 Alpine County include the California Department of Water Resources (DWR), California Office of

1 Emergency Services (Cal OES), Alpine County Sheriff's Office, Carson Water Sub-Conservancy
2 District and the Federal Emergency Management Agency (FEMA).

3
4 **22A Policy**

5
6 Locate and design all new development to minimize risk from flood occurrence.

7
8 **22A Implementation Measures**

9
10 22A-1 Floodplain Development Regulations. Adopt and maintain updated floodplain development
11 regulations in order to minimize public and private losses due to flood conditions in specific areas by
12 legally enforceable regulations, methods, and provisions applied uniformly throughout the community
13 to all publicly and privately-owned land within flood prone, mudslide [i.e. mudflow] or flood related
14 erosion areas.

15
16 22A-2 Inundation From Dam Failure. No living quarters or areas for overnight accommodations shall
17 be allowed at ground level within areas possibly subject to flood inundation due to possible dam
18 failure.

19
20 22A-3 Dam Failure & Emergency Plans. Dam failure hazard assessments and emergency plans
21 shall be prepared before any development is approved which may subject persons or property to
22 hazards associated with dam failure.

23
24 22A-4 Flash Flood Notation. Any parcel map, or subdivision map subdividing lands near drainage
25 courses in Alpine County shall contain a notation warning that said area is possibly subject to flash
26 flood occurrence.

27
28 22A-5 Essential Public Facilities. Locate new essential public facilities outside flood hazard areas if
29 feasible. This includes, but is not limited to, schools, fire stations, health services, emergency
30 shelters, emergency operations centers and emergency communications facilities. If essential public
31 facilities must be located in areas of flood hazard, incorporate design, construction or other measures
32 to maximize protection and minimize damage from flooding.

33
34
35 **Noise**

36
37 Government Code 65302(f) sets forth requirements for a noise element to be included in the General
38 Plan. A noise element shall identify and appraise noise problems in the community. The noise
39 element shall analyze and quantify, to the extent practicable, as determined by the legislative body,
40 current and projected noise levels for all of the following sources:

41 (A) Highways and freeways.

42 (B) Primary arterials and major local streets.

43 (C) Passenger and freight online railroad operations and ground rapid transit systems.

44 (D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights,
45 jet engine test stands, and all other ground facilities and maintenance functions related to airport
46 operation.

47 (E) Local industrial plants, including, but not limited to, railroad classification yards.

48 (F) Other ground stationary noise sources, including, but not limited to, military installations, identified
49 by local agencies as contributing to the community noise environment.

1
2 Due to the lack of sizeable industrial operations, the County's small population and topography,
3 existing noise emissions in Alpine County are generally limited to transportation facilities and
4 corridors. Recreation and tourism in the County create higher levels of noise at these facilities and
5 corridors than would otherwise exist. The County airport presently receives very limited use and is
6 located three miles from the nearest developed area. It is therefore not included as a significant
7 noise producing transportation facility.
8

9 As part of an update to the Alpine County General Plan in 1993, noise contours for Alpine County
10 were prepared by Brown-Buntin Associates. The noise contours shows existing and projected noise
11 levels along County transportation corridors. The Federal Highway Administration (FHWA) Highway
12 Traffic Noise Prediction Model (FHWA-RD-77-108) was used to develop the contours. Short-term
13 traffic noise measurements were taken at various sites in the County and were used in verifying the
14 noise contours developed using the FHWA model. More detailed information is contained in the Data
15 Base created to support the 1993 General Plan update.
16

17 Section 12.1, Noise, in the data base discusses the noise contours and provides a community noise
18 exposure inventory which shows noise levels in the more populated areas in the County. Land use
19 patterns and the extent of development in the County have not changed significantly since 1993.
20 Accordingly, the information in the Data Base is still considered valid today.
21

22 Alpine County Code Section 18.68.090 contains the County's noise ordinance. The ordinance
23 establishes maximum noise level standards and addresses noise-sensitive developments. This code
24 section was last updated in 2009.
25

26 **23A Policy**

27
28 Preserve the character of the county's quiet small rural communities by maintaining existing ambient
29 noise levels and preventing new land uses that would result in significant adverse impact from noise
30 to existing communities.
31

32 **23A Implementation Measures**

33
34 23A-1 Noise Ordinance. Maintain a noise ordinance with noise level standards that are consistent
35 with the above stated policy.
36

37 23A-2 Review Proposed Development. All land use and development proposals shall be reviewed for
38 compliance with noise and land use compatibility standards. Design changes and/or mitigation
39 measures shall be considered as needed to achieve compliance with the standards.
40
41

42 **Hazardous Materials**

43
44 There are no large generators of hazardous waste in the County and no producers of hazardous
45 materials. The majority of waste generated in the County is from households, small businesses, ski
46 resorts, and vehicle maintenance facilities operated by Caltrans, U.S. Forest Service, Alpine Unified
47 School District, ski resorts and the County. The characterization of hazardous materials and the
48 associated risks in Alpine County are more thoroughly described in Section 5.2.7 of the County's
49 Hazard Mitigation Plan.

1
2 The Alpine County Hazardous Waste Management Plan adopted in 1988 identified four potential sites
3 in the County for hazardous waste storage and transfer facilities, 1) the Mud Lake Road Area, 2) the
4 County Maintenance Yard, 3) The County Airport, and 4) Harvey Reservoir and nearby private lands.
5 No such facilities have been constructed in the County. The county-operated recycling drop off
6 facility in Woodfords at the County Maintenance Yard does except small quantities of used motor oil.
7

8 Locally, regulation of hazardous materials and hazardous waste is a shared responsibility of Alpine
9 County and the California Environmental Protection Agency (CAL-EPA). The Alpine County Health
10 Department is designated by CAL-EPA as a Certified Unified Program Agency (CUPA) with certain
11 authorities delegated to it by CAL-EPA.
12

13 There is one federal Superfund Site in Alpine County. The Leviathan Mine is an abandoned open-pit
14 sulfur mine located on the eastern slope of the Sierra Nevada in the vicinity of Monitor Pass at
15 approximately the 7,000-foot elevation, 6 miles east of Markleeville. The mine site comprises
16 approximately 250 acres of land surrounded by the Humboldt-Toiyabe National Forest, and is only
17 accessible by vehicle a few months a year.
18

19 Major environmental problems at the Leviathan Mine originated during open-pit sulfur mining that
20 occurred from 1951 through 1962. During this period the mine provided a source of sulfur to dissolve
21 copper from relatively low-grade ore at a mine near Yerington, Nevada. In 1962 large scale mining
22 operations at Leviathan ceased. No significant mining activities have taken place since. Early clean-
23 up measures began in the mid-1980s and the site was added to the federal "National Priority List" in
24 1999 making it a federal Environmental Protection Agency (EPA) "Superfund Site" and the only
25 recognized contaminated site in the County. Under the authority of the federal superfund law
26 (Comprehensive Environmental Response, Compensation, and Liability Act or "CERCLA"), the U.S.
27 Environmental Protection Agency closely coordinates cleanup plans and activities with all of the
28 stakeholders, including local and state agencies from California and Nevada, the U.S. Forest Service,
29 the U.S. Fish and Wildlife Service, and the site's potentially responsible parties. In addition, the
30 Washoe Tribe is strongly involved at the site to ensure that their unique traditional tribal uses of the
31 area's resources are protected.
32
33
34

35 24A Policy

36
37 Protect citizens and property from damage by hazardous materials including but not limited to harmful
38 chemicals, radiation levels, gases, explosives and hazardous waste.
39

40 24A Implementation Measures

41
42 24A-1 Proper Handling of Hazardous Waste. Ensure the hazardous waste materials used in
43 business and industry are properly handled and that information on their handling and use is available
44 to fire and police protection agencies.
45

46 24A-2 Maintain CUPA Status. Continue to work cooperatively with the California Environmental
47 Protection Agency on regulation of hazardous materials including maintaining the Certified Unified
48 Program Agency (CUPA) status provided that there is sufficient funds available and technical
49 capability to continue this program.
50

- 1 24A-3 Transportation Routes. Oppose designation of any transportation routes through Alpine
- 2 County for hazardous waste that could create responses to hazardous waste spills or related
- 3 incidents that are beyond the resources of the local emergency response agencies

DRAFT

Richard A. Harvey

6/23/2020

PO Box 275

Markleeville,

CA 96120

Dear Members of the Alpine County Planning Commission,

As a longtime resident of Alpine County, I am really concerned about the growing number of vacation short term rentals (STR's) in our residential districts. The majority of these rental units are owned by individuals who do not live or vote in Alpine County. As such, neighborhoods are gradually losing full time residents. In Markleeville and Markleevillage alone, there are now 10 registered and an unknown number of unregistered absentee owner short-term rentals. These homes sit empty much of the time and then periodically may host large groups of visitors.

I understand the view that these visitors can and do benefit the local economy during the tourist season. However, there needs to be a *balance* between the number of local residents who volunteer for so many worthwhile activities, commissions and boards, and **nonresidents** who love it here, but do not participate in the activities that make our County such a great place to live.

Currently there is a pause in the approval of new short-term rentals. This pause will allow the County to find the right balance between owner occupied residencies and absentee owned STR's in residential zones. Many other communities such as South Lake Tahoe are also dealing with this issue. The courts have upheld the right of counties to regulate short- term rentals and doing so is NOT a violation of personal property rights.

I sincerely hope that the Community Development Department will produce a document that shows where STR's are currently located, and proposes how they can be regulated and how code enforcement will be managed.

With much appreciation,

Rich Harvey

Markleeville



COUNTY OF ALPINE
Community Development

Brian Peters, Director

Memo

To: Planning Commission

From: Zach Wood, Planner III

Date: June 25, 2020

Re: Short term rental regulations of County Code 18.73

Background

On February 27 the Planning Commission considered revisions to the short term residential rental regulations of CC 18.73 with public comment and direction to staff. The PC directed:

- Set a public hearing to consider revision to possible recommendation to the Board of Supervisors
- Make minor revisions including:
 - o Add outdoor lighting as a standard, require shielded lighting that does not trespass on adjacent properties
 - o Add requirement for signage within the short term rental describing ordinance standards, good neighbor practices, and emergency contacts and procedures

Since the February meeting the County and State has declared a public health emergency due to the coronavirus pandemic. On March 17 the Board of Supervisors directed that the meetings of appointed Commissions and Committees delay non-essential business. The March Planning Commission meeting was cancelled due to the emergency. The April and May meetings were held with the only business as applications subject to processing deadlines. On June 16 the Board of Supervisors gave direction to staff to continue processing the revisions of the STR ordinance. Due to the timing of the meetings staff was unable to prepare a public hearing in time for the June 25 meeting. The Planning Commission may accept public comment and provide direction to staff on the ordinance revision. The ordinance revision may not be recommended to the Board of Supervisors until a subsequent public hearing which meets the minimum notification requirements of 10 days posting prior to the meeting.

At the June 16 Board of Supervisors meeting the Board tentatively set their August 4, 2020 meeting date for a workshop on short term rental regulations. The workshop may consider all aspects of short term rental regulation including business licensing, transient occupancy tax collection, and code enforcement policy. The Board of Supervisors has the sole authority to regulate the commerce of STR

through business license and transient occupancy tax ordinances. The Board also determines related administrative policies including fee schedules, fines and penalties, and determines staffing resources and priorities. The purpose of this memo is to provide information about all matters related to short term rental uses and regulations where there is new information since February.

Emergency ordinance prohibiting new STR uses

On March 17 the Board of Supervisors adopted an emergency ordinance which prohibited the permitting or registration of new short term rental uses outside of Kirkwood and Bear Valley. The purpose of the ordinance is to protect health, safety, and welfare and to allow for the adoption of revised ordinance. The STR uses which were compliant with the zoning ordinance on March 17 are described below. The Department has posted the list of properties with allowed uses to the short term rental webpage.

Home Occupation Permits – Transient Lodging			Residential Short Term Rental Registrations	
CASE FILE	ADDRESS	APN	ADDRESS	APN
2016-01	538 Jackson Ranch Rd	0010100250	380 Timber Ln	0023820040
2009-24	80 Douglas Way	0010410040	250 Old Pony Express	0011100180
97-25	50 Douglas Way	0010410080	100 Crystal Springs Rd	0010900520
2002-17	50 Douglas Way	0010410080	296 Pleasant Valley Rd	0023920120
2005-02	120 Douglas Way	0010430030	80 Montgomery St	0022900020
99-16	130 Douglas Way	0010430040	195 Laramie St	0022900230
2004-18	130 Douglas Way	0010430040	245 Hot Springs Rd	0022500160
2017-01	88 Crystal Springs Rd	0010900470	403 Pleasant Valley Rd	0024010020
2010-01	19145 Hwy 88	0011000030		
2002-04	6849 Diamond Valley Road	0011500230		
2012-23	275 Chambers Lane	0011500430		
2010-02	2155 Carson River Rd.	0011500560		
97-30	20590 Highway 89	0012300160		
2011-07	185 Larson Canyon	0012600030		
2017-32	480 Chambers Ln	0013200060		
2017-30	115 Chambers Ln	0013310040		
2015-15	255 Sunrise Trail	0013400210		
2002-20	110 Douglas Way	0010430020		
97-29	110 Douglas Way	0010430020		
2016-04	201 Blue Camas Rd	0021300180		
2017-42	155 Blue Camas	0021300190		
2007-09	159 Lower Manzanita	0022400280		
2016-14	145 Laramie St	0022900100		
99-13	196 Laramie Street	0023100150		
2006-02	820 Hot Springs Road	0023720040		
98-05	170 Pinion Road	0023820050		
2003-31	170 Pinon	0023820050		
2015-21	205 Pinion Rd	0023830030		
2012-16	60 Sawmill Rd	0023910010		
97-34	89 Lower Manzanita Road	0024200260		
2017-25	199 Lower Manzanita Ln	0024200270		
2004-15	199 Lower Manzanita	0024200270		
2017-39	50 Silvertip Rd	0056100020		

Revisions to CC 18.73 and good neighbor materials

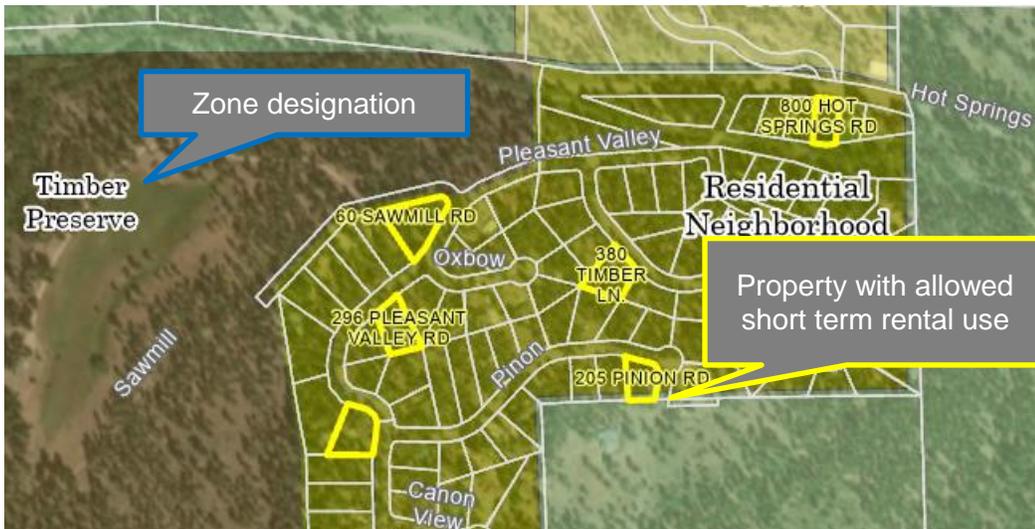
Attachment 1 is a revision of the ordinance based on the Commission’s direction of February 27. The draft includes outdoor lighting as a standard and requires informational signage within a short term rental. Attachment 2 is a good neighbor best practices list of topics which are unique to Alpine County. The good neighbor issues may be state laws or local ordinances primarily enforceable by the Sheriff’s Department.

Maps of existing uses

The Planning Commission has discussed limiting STR uses and at the February 27 meeting did not recommend revisions to the ordinance. The Department has prepared maps of existing permitted or

registered STR uses as the information has been requested by the public and may be used by the Planning Commission and Board of Supervisors in the future. The maps describe uses in yellow that meet the following conditions: have a home occupation – transient lodging permit issued between 1997 and 2017, have a short term rental registration. The maps do not include; use of non-conforming residential in commercial zones, exempt uses (1 bed, owner occupied), or non-conforming uses (code enforcement). Maps of the Markleeville and Woodfords area are included as Attachment 3.

Map example:



Possible actions

The Commission can take public comment, deliberate on short term rental use and regulation, and give direction to staff. The item is not a public hearing and a recommendation on an ordinance revision cannot be made to the Board of Supervisors. The following possible actions are the same as previously considered:

1. Direct staff to prepare information and/or draft ordinance revisions for a future meeting
 - a. Make significant revisions to the short term rental ordinance including restricting uses in eastern Alpine County by a homeowner requirement or other limit of uses
 - b. Make minor revisions to the short term rental ordinance
2. Direct staff to prepare draft ordinance revision and prepare a public hearing for possible recommendation to the Board of Supervisors.
3. Make recommendations to the Board of Supervisors to direct staff on code enforcement policy or actions related to residential short term rental uses.
4. No action. The Commission does not direct the preparation of ordinance revisions, recommend ordinance revisions to the Board of Supervisors, or recommend enforcement policy direction to the Board of Supervisors.

Attachment 1

Draft revision of CC 18.73
Additions from February 27

1 **Chapter 18.73**

2 **RESIDENTIAL SHORT-TERM RENTALS**

3 Sections:

- 4 18.73.010 Purpose.
5 18.73.020 Applicability.
6 18.73.030 Exemptions.
7 18.73.040 Residential short-term rental registration required.
8 18.73.050 Acknowledgement of registration.
9 18.73.060 Notification of residential short-term rental.
10 18.73.070 Standards.
11 18.73.080 Transient lodging tax proof of payment.
12 18.73.090 Preexisting transient lodging uses.

13 **18.73.010 Purpose.**

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

17 **18.73.020 Applicability.**

18 Residential short-term rentals may be located in any zone that allows residential use; provided, that the residential
19 short-term rental complies with all the requirements of this chapter. (Ord. 723 § 1(2), 2017)

20 **18.73.030 Exemptions.**

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

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

27 **18.73.040 Residential short-term rental registration required.**

28 A residential short-term rental is required to be registered with the Alpine County community development
29 department prior to the establishment of such use. Registration for a residential short-term rental shall be submitted to
30 the community development department together with full payment of the registration fee as determined by resolution
31 of the board of supervisors. The residential short-term rental shall comply with this chapter, except for specific
32 exemptions or exceptions that are described in this chapter. (Ord. 723 § 1(4), 2017)

33 **18.73.050 Acknowledgement of registration.**

34 An acknowledgement of registration shall be issued by the community development director upon his/her
35 determination that the residential short-term rental complies with all of the requirements of this chapter. The
36 acknowledgement of registration is issued to the property owner or their designated agent, is not transferable and does
37 not run with the land. (Ord. 723 § 1(5), 2017)

38 **18.73.060 Notification of residential short-term rental.**

39 Upon receiving an acknowledgement of registration and prior to offering the residential short-term rental, the property
40 owner or their agent shall send a notification to all property owners shown on the latest equalized assessment roles as
41 owning real property within three hundred feet of the property where the residential short-term rental is located.
42 Notices shall contain the property owner's and, if applicable, the rental agent's name, telephone number and mailing
43 address; street address of the residential short-term rental unit, description of the residential short-term rental use,
44 name and phone number for a local twenty-four/seven emergency contact.

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

47 **18.73.070 Standards.**

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

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

52 C. Outdoor Fires. Outdoor fires are limited pursuant to Chapter 8.16 regarding outdoor burning and fire control.

53 1. East slope properties which violate the standards of CC 8.16 for outdoor fire will be prohibited from all
54 future outdoor burning with the exception of propane fuel barbeques and appliances.

55 D. Solid Waste. Solid waste storage and disposal shall not become a nuisance. The property owner shall not fail to
56 adequately provide for appropriate refuse collection and/or storage. Solid waste violations include failure to secure
57 waste from wildlife, leaving waste out for excessive time, and failure to secure waste from weather.

58 1. East slope properties which violate the standard for solid waste shall be required to install a wildlife-proof
59 solid waste receptacle or "bear box".

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

61 F. Signs. One single, nonilluminated sign of not more than six square feet in area is permitted. In addition, each
62 residential short-term rental shall have an address placard displayed on the building or land in such manner as to be
63 clearly visible from the street or road on which the residential short-term rental is located. The address placard shall
64 comply with the requirements of the California Fire Code.

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

67 1. Operating smoke detector(s) and carbon monoxide detector(s) installed in accordance with state law;

68 2. At least one functioning fire extinguisher in an easily accessed location inside the space;

69 3. Written information available to the occupant in a conspicuous location inside the space containing
70 twenty-four/seven emergency contact information for a representative of the property owner or rental agent, law
71 enforcement, fire department, and ambulance services.

72 H. Confinement of pets. Guests of residential short term rentals shall confine pets per the requirements of CC
73 6.04.160.

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

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

80 1. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone
81 number at which that party may be reached on a 24-hour basis;

82 2. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;

83 3. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property
84 except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that
85 failure to utilize the provided garbage can enclosure, unless otherwise exempted, is a violation of this chapter;

86 4. Notification that occupants, may be cited and fined for creating a disturbance or for violating other provisions of this
87 chapter;

88 5. Notification that occupants and/or guests of the vacation home rental shall not create unreasonable noise or
89 disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or
90 disorderly conduct between the hours of 9:00 p.m. and 7:00 a.m.

91

92 L. Compliance with Other Codes, Laws and Regulations. The residential short-term rental shall be conducted in
93 compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of
94 the Alpine County Code.

95 M. Public Nuisance. The residential short-term rental shall not be operated in a manner that creates a public nuisance.
96 (Ord. 723 § 1(7), 2017)

97 N. Local Contact. The property owner shall designate a local contact. The local contact may be a professional
98 property manager realtor, property owner, or other designated person who is available 24 hours per day, seven days
99 per week during all times that the property is rented, and has access and authority to assume management of the unit
100 and take remedial measures. The local contact shall be required to abate a nuisance relating to noise, trash, or parking
101 within one hour after being notified of the existence of a potential violation of this chapter. The local contact shall be
102 located within one hour driving distance of the short term rental.

103 18.73.080 Enforcement and Penalties

104 A. Upon violation of the standards the responsible party and property owner will receive a written warning that
105 additional violations of the standards will result in an administrative fine.

106 B. The second successive violation of the standards will cause an administrative fine not to exceed \$500. The third
107 successive violation of the standards will cause an administrative fine not to exceed \$750. The fourth violation will
108 cause an administrative fine not to exceed \$1,000 and the registration to conduct short term rental use shall be revoked
109 and the property shall be prohibited from future short term rental use.

110 C. Operation of a residential short term rental without a valid registration will result in an immediate administrative
111 fine not to exceed \$1,000.

112 **18.73.090 Transient lodging tax proof of payment.**

113 On or before April 1st of each year, payment in full of all transient lodging taxes due for the preceding calendar year
114 shall be confirmed by the community development department. Nonpayment of transient lodging taxes is a violation
115 of this chapter and the county may take action against the property owner and/or operator of the residential short-term
116 rental pursuant to the applicable sections of the Alpine County Code. (Ord. 723 § 1(8), 2017)

117 **18.73.100 Preexisting transient lodging uses.**

118 A. Bear Valley and Kirkwood. Pursuant to Alpine County Ordinance No. 596-97, transient lodging use has been
119 allowed as a use by right within the Bear Valley Master Plan and Kirkwood Specific Plan areas of Alpine County.
120 Within twelve months of the effective date of the ordinance codified in this chapter, all transient lodging uses in
121 residential dwellings in existence and future transient lodging uses proposed in these two areas shall complete the
122 registration process, receive an acknowledgment of registration and comply with all of the requirements for residential
123 short-term rentals as described in this chapter.

124 B. All Other Areas. Transient lodging permits issued prior to the effective date of the ordinance codified in this chapter
125 shall continue to be valid and registration shall not be required as long as the operation complies with all of the other
126 requirements of this chapter. (Ord. 723 § 1(9), 2017)

127 C. Effective immediately East slope residential short term rentals are required to meet the operational standards of
128 this section and are subject to enforcement provisions including immediate administrative citations for violation of
129 operational standards.

- 130 **18.73.110 No property rights conferred**
131 Residential short term rental registration shall not be construed as providing property rights or vested interests and
132 entitlements in continued operation of a short term rental. Residential short term rental registrations are revocable.
133 Residential short term rental registrations shall not run with the land.

Attachment 2

Draft Good Neighbor information

Alpine County Good Neighbor Best Practices for short term rental guests

Respect private property – Alpine County is 95% public lands. However, vacant properties and pastures have gates and signage for a reason. Keep out of private property and recreate responsibly.

Be careful with fire – Improper disposal of ashes or poorly maintained fires can have catastrophic consequences. During the summer and fall season outdoor open flame fires are usually prohibited by order of the Sheriff.

Keep the wildlife wild – Secure trash and your vehicle. Never feed wildlife!

Leash your pets – Don't be fooled by the wide open spaces you are required to keep your pets under your control.

Park your vehicle off the street – Use all available garage or driveway parking available before parking on the street. Winter snow operations prohibit street parking and you may be ticketed or towed.

Attachment 3

Maps of short term rental uses

Short Term Rental uses

PermitType

 Registration; Home Occupation Permit

ZONE

 AG; AG-CR; AG-CR-SH

 AP

 C; C-DH; NC

 CR

 IND

 INS

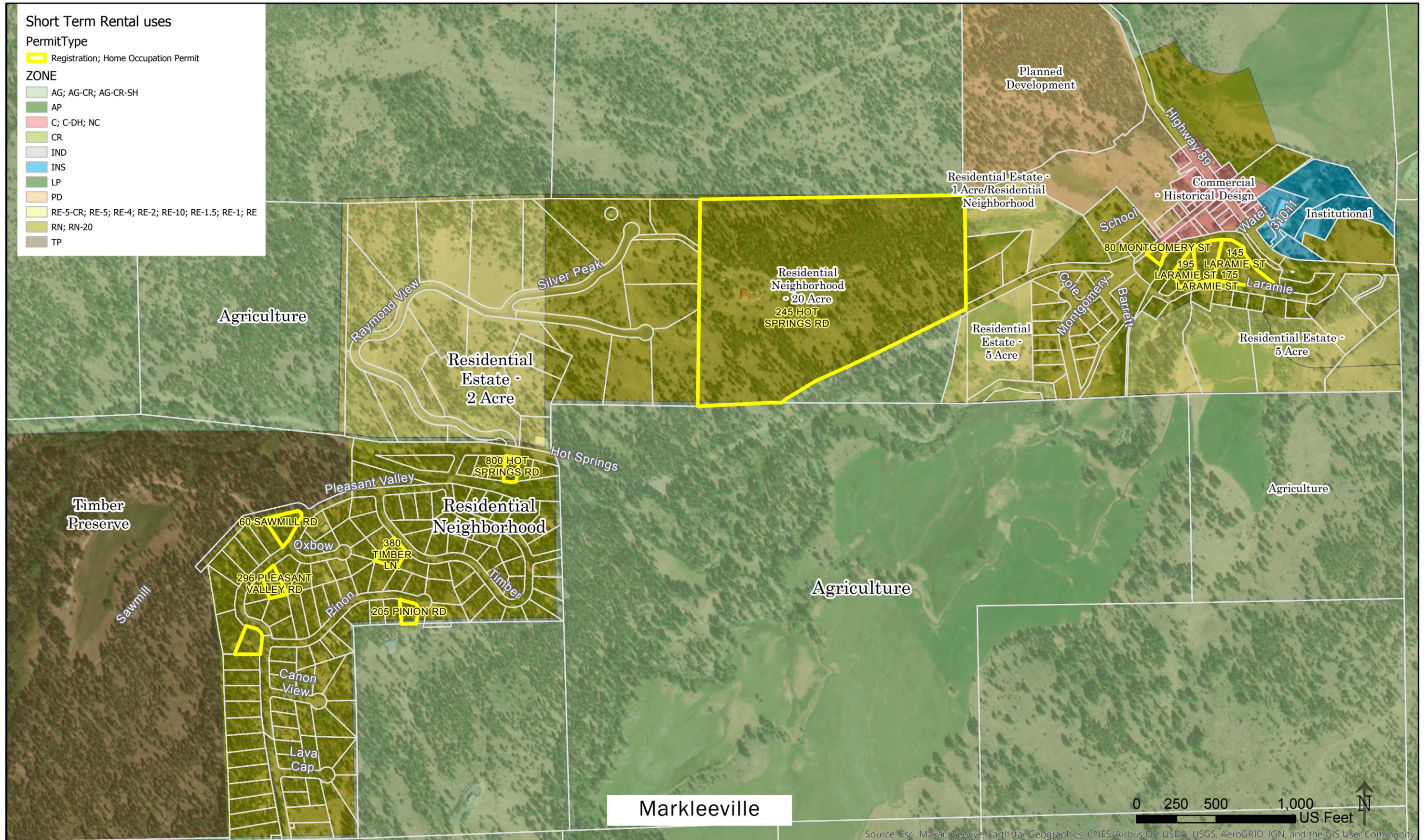
 LP

 PD

 RE-5-CR; RE-5; RE-4; RE-2; RE-10; RE-1.5; RE-1; RE

 RN; RN-20

 TP



Markleeville

0 250 500 1,000 US Feet

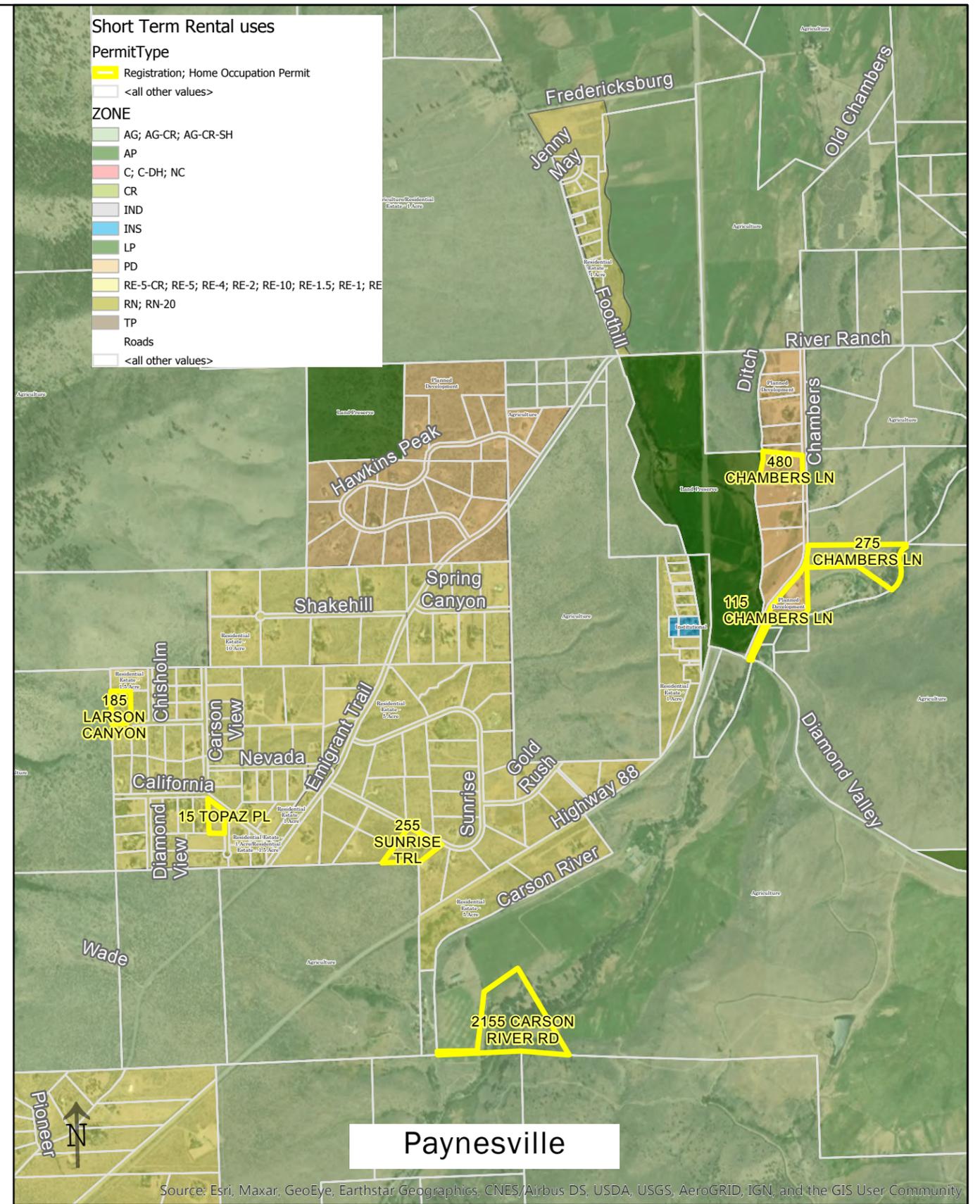
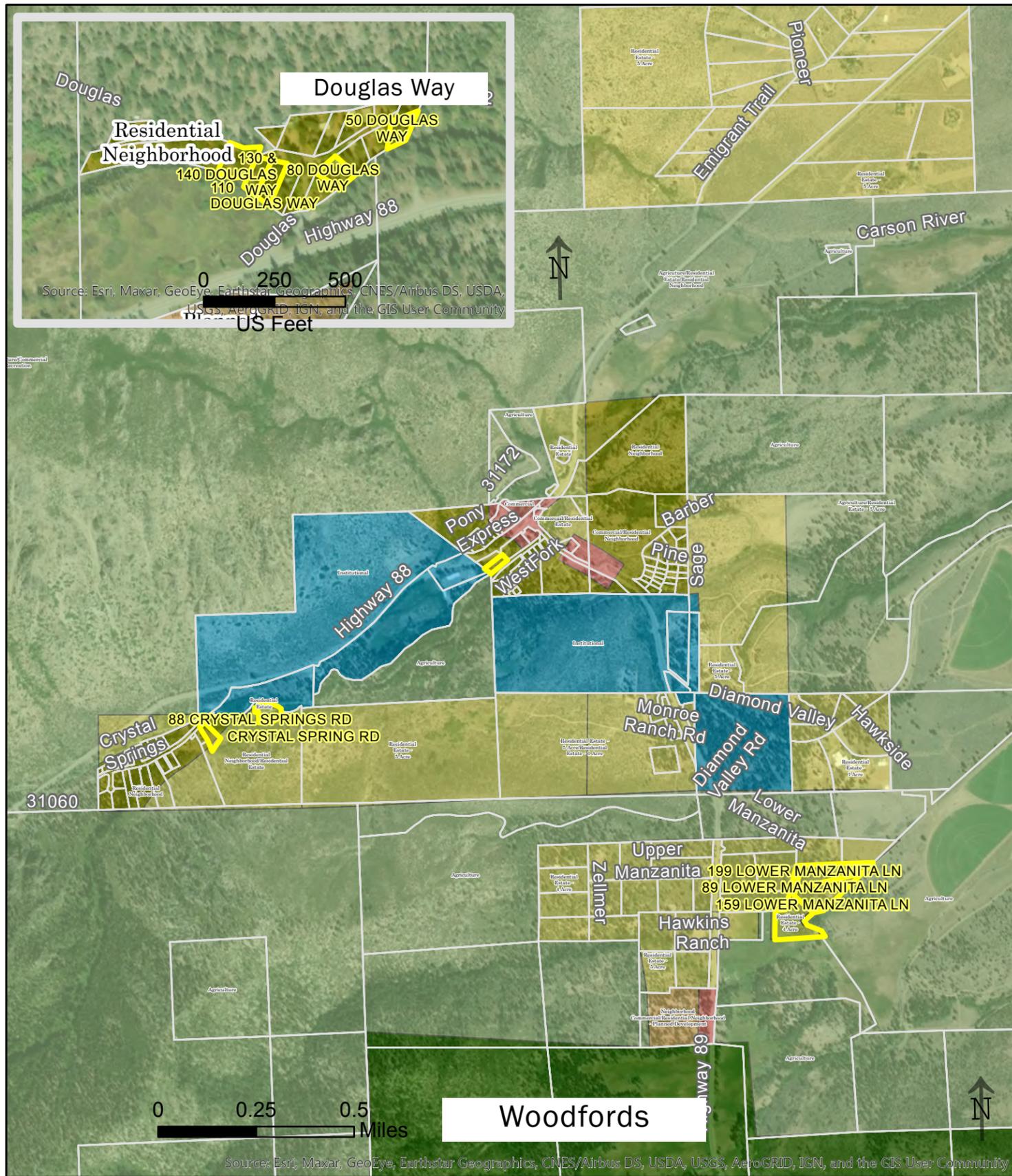


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Map of permitted Residential Short Term Rental uses

All data displayed on this map is regarded as planning or resource level information specifically for use by Alpine County. Alpine County does not warrant in any way the accuracy, currency, usage or interpretation of the information displayed. zwood 6/25/2020





Map of permitted Residential Short Term Rental uses

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Richard A. Harvey

6/23/2020

PO Box 275

Markleeville,

CA 96120

Dear Members of the Alpine County Planning Commission,

As a longtime resident of Alpine County, I am really concerned about the growing number of vacation short term rentals (STR's) in our residential districts. The majority of these rental units are owned by individuals who do not live or vote in Alpine County. As such, neighborhoods are gradually losing full time residents. In Markleeville and Markleevillage alone, there are now 10 registered and an unknown number of unregistered absentee owner short-term rentals. These homes sit empty much of the time and then periodically may host large groups of visitors.

I understand the view that these visitors can and do benefit the local economy during the tourist season. However, there needs to be a *balance* between the number of local residents who volunteer for so many worthwhile activities, commissions and boards, and **nonresidents** who love it here, but do not participate in the activities that make our County such a great place to live.

Currently there is a pause in the approval of new short-term rentals. This pause will allow the County to find the right balance between owner occupied residencies and absentee owned STR's in residential zones. Many other communities such as South Lake Tahoe are also dealing with this issue. The courts have upheld the right of counties to regulate short- term rentals and doing so is NOT a violation of personal property rights.

I sincerely hope that the Community Development Department will produce a document that shows where STR's are currently located, and proposes how they can be regulated and how code enforcement will be managed.

With much appreciation,

Rich Harvey

Markleeville

On April 21, 2020 the Alpine County Board of Supervisors extended an urgency ordinance suspending new registration of residential short-term (ST) rentals during the moratorium period (which does not apply within Bear Valley and Kirkwood). During this period the BOS expects that the County will propose a comprehensive workable plan to manage ST rentals.

In order to conduct an effective workshop that results in a workable plan, the Board needs current, reliable information. We believe this to be a **map** of all existing permitted ST rental properties in the county (believed to be somewhere between 21 - 38). This map would then be used to base decisions and adopt sensible limitations on the total number of ST Rentals in Eastern Alpine County, as well as an appropriate concentration of such properties in each neighborhood. Additional current information is needed, such as: the number of bedrooms and bathrooms (size), number of people allowed, type of property (owner occupied, absentee landlord, etc.), number of parking spaces, exact location and contact information. We request that the County staff be directed to prepare such a map and data prior to a public meeting. This information could be updated and confirmed with letters sent to all current registrants. We recommend that these registrations be renewed each year and the map made available to all county residents.

An effective workshop and workable plan will also result in:

1. An **enforcement** mechanism of the rules governing short term rentals. (We envision a part time position). Activities would include:

-site visits to confirm compliance for existing permit holders and new permittees (perhaps paid for with a fee from the applicants);

-promptly deal with complaints or reports of illegal rental activity;

-assure all Transient Occupancy Taxes are collected.

2. A review and possible update of all requirements and related codes to ensure they are sufficiently strong. This includes:

-fire/noise, respect for other private property;

-fines/penalties/revocation of permits for non-compliance.

Finally, as anyone listening to the BOS meeting on April 21 learned, there are currently un-permitted ST Rental properties in Eastern Alpine County from whom we are not collecting TOTs. There should be a plan put in place to locate these properties, assess appropriate fines as stipulated by the code and bring them into compliance.

Respectfully submitted,
Barbara Barton
Michael S. Barton
171 Silver Peak Road
Markleeville, CA 96120

From: [Carey Umbdenstock](#)
To: puainc@yahoo.com; [bob Broyer](#); jholdridge@hotmail.com; [Nick Hartzell](#); [T Sweeney](#)
Cc: [Zach Wood](#); [Brian Peters](#)
Subject: FW: Please distribute to commissioners for Agenda Item 4.2 on 6.25.2020
Date: Thursday, June 25, 2020 4:16:56 PM

Here is another public comment for tonight meeting

Carey Umbdenstock

*Alpine County Community Development
Administrative Assistant
50 Diamond Valley Rd
Markleeville, CA 96120
530-694-2140 Ext: 421*

From: kate harvey [mailto:harveykaz@gmail.com]
Sent: Thursday, June 25, 2020 11:08 AM
To: Carey Umbdenstock
Subject: Please distribute to commissioners for Agenda Item 4.2 on 6.25.2020

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Alpine County Planning Commissioners,

In regards to Agenda item 4.2 in your June 25th, 2020 regular meeting, I wish to comment on the Draft Revision of the Alpine County Code, Chapter 18.73 Residential Short Term Rentals (STR'S) following the Dec 5, 2019 meeting. Please refer to that document.*

Where are STR'S defined? Less than 30 days/yr, April to April (TOT taxes due)

Section 18.73.020 Applicability. To limit the concentration of STR'S in any one residential street or neighborhood, allow no more than a ratio of 2-3 applications per 12 homes.(25%)

Section 18.73.060 Notification of STR application to property owners within 500 ft of property

Section 18.73.070 B. Noise. Quiet time 11p-7a.

E. Parking Limit # of cars allowed to park at property to 4

G. Life Safety Add egress route in case of wildfire. Add Info on visiting Alpine Co. (bears, wildfires, dark skies, consideration of neighbors)

Section 18.73.080 Enforcement and Penalties. B. The second

successive violation results in a \$750 fine. The third successive violation of the standards is a fine of \$1500 and revocation of the STR registration.

Please define Transient Lodging vis a vis STR's

Section 18.73.090 Non payment of TOT Taxes for Transient Lodging

The accountability should be clear: a progression similar to the above
Section 18.73.080

The whole point for me in committing to strengthen the regulations and enforcement of the regulations of STR'S is to preserve the quality of life

we work so hard to maintain in our small, rural community. Our safety, respect for each other and preserving the exceptional beauty and wildlife of our landscape is the responsibility of all of us who live and visit here.

We all want our businesses to thrive and for people who visit to appreciate and enjoy their time with us.

Thank you for your consideration of my suggestions.

Sincerely,

Kate Harvey
206 Laramie St
Markleeville
530-694-2222

* Alpine County Code
Chapter 18.73 RESIDENTIAL SHORT-TERM RENTALS
Feb 2020 Draft Revision

RESOLUTION NO. PC 2020-01

RESOLUTION OF THE PLANNING COMMISSION

COUNTY OF ALPINE, STATE OF CALIFORNIA

RECOGNIZING BRIAN PETERS FOR SERVICE TO ALPINE COUNTY AND THE PLANNING COMMISSION

WHEREAS, Brian began his service to Alpine County in 1997 as Planning Director and will retire on June 30, 2020; and,

WHEREAS, as the Planning Director and Community Development Director he directed General Plan updates, zoning revisions, specific plans, and subdivision maps; and,

WHEREAS, Brian has attended over two hundred evening Planning Commission meetings in his career and worked with more than 1% of the County population as appointed Planning Commissioners; and

WHEREAS, the Planning Commission is supported by and works with staff to serve the community, and Brian has served the County with distinction through his excellent work to support the Commission; and

WHEREAS, community development involves building and strengthening relationships as much as physical construction; Brian's leadership is widely appreciated by colleagues, agencies, stakeholders, and the public;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, County of Alpine, State of California hereby recognizes the 22 years of service and accomplishments of Brian Peters as stated in this resolution.

PASSED AND ADOPTED this 25th day of June, 2020, by the following vote;

AYES:

NOES:

ABSENT:

Nick Hartzell, Chair
Planning Commission
County of Alpine, State of California

ATTEST:

Zach Wood, Planner III