



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

AGENDA
THURSDAY, May 28, 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 May 28, 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/97530154374>
Phone number: 669-900-9128
Zoom meeting ID: 975 3015 4374

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/97530154374> or the public may listen via phone by dialing 1-669-900-9128 and then when prompted, entering the Meeting ID Access Code 975 3015 4374

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 April 23, 2020

4. UNFINISHED BUSINESS

4.1. **Revision to the Safety Element of the Alpine County General** (5:15 pm) – 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

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

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 April 23, 2020

1. CALL TO ORDER

Chair Nick Hartzell called the meeting to order at 5:08 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

Carey Umbdenstock administrative assistant read a public comment from Michael Barton regarding the Alpine County Board of Supervisors extension of the urgency ordinance suspending new registration of residential short-term rentals, create a map of all existing permitted short term rental properties in the county and research all unpermitted short-term rental properties in Eastern Alpine County from whom the County is not collecting transient occupancy tax.

3. MINUTES

3.1. Request approval of regular meeting minutes of February 27, 2020 meeting.

MOTION: Sweeney/Second: Holdridge approving the regular meeting minutes of February 27, 2020 meeting minutes with changes. Call to Order Jim Holdridge, spelling correction, Tim Lamb and add closing public hearing time to Public Hearing item 6.1

Roll Call Votes were as follows:
Commissioner Hartzell; ABSTAIN
Commissioner Kelly; AYE
Commissioner Holdridge; AYE
Commissioner Sweeney; AYE
Commissioner Broyer; ABSTAIN

MOTION CARRIED

4. UNFINISHED BUSINESS

4.1. 121 West Fork Lane Above Ground Utility Variance –

Requested hardship variance to allow construction of above ground utilities to serve a new residence to be located at 121 West Fork Lane in Woodfords, CA. The variance would allow utilities to be constructed from an existing utility pole at the southeast corner of the lot. APN: 001-110-009 Planning Case #2020-04. Applicant: Ryan Swehla

Zach Wood summarized the requested information from Commissioners regarding contractor estimate and information from Liberty Utilities with the cost estimate, as well as the site visit from Commissioner Sweeney and Commissioner Kelly.

Chair Hartzell opened the Public Hearing at 5:37 PM.

Ryan Swehla commented that he did not receive an underground bid because his contractor said it was completely cost prohibited and he would not be able to build his home in Markleeville. Swehla indicated he received a letter from Liberty Utilities recommending using overhead power giving the situation.

Michael Barton commented that he is in support of granting the variance

Chair Hartzell Closed The Public Hearing at 5:49 PM.

MOTION: Holdridge /Second: Kelly approving the hardship variance with the findings.

Findings:

- a. The subject parcel existed prior to the effective date of the ordinance and is in the 1956 Canyon Subdivision for Grant Merrill subdivision which is developed and served by existing overhead utilities. Overhead utilities were established with the construction of the subdivision prior to the effective date of the ordinance.
- b. The applicant would be required to trench through the existing septic leach field or designated leach field replacement area. The applicant would be required to install underground utilities approximately 500 feet in order to connect to the utility. The soil conditions include large boulders of up to five feet in diameter. The requirement to install unground utilities, trench through or near areas of existing septic system , and the possible conflict with large boulders is an unreasonable hardship which justifies granting a variance.

Roll Call Votes were as follows:
Commissioner Hartzell; AYE
Commissioner Kelly; AYE
Commissioner Holdridge; AYE
Commissioner Sweeney; AYE
Commissioner Broyer; ABSTAIN

MOTION CARRIED

5. NEW BUSINESS

None

6. PUBLIC HEARINGS

7. OTHER BUSINESS

7.1. Director's Report- Zach Wood

County Staff is expected to return to the office May 4, 2020

The Board of Supervisors is going to consider the Eastern Sierra Stainable Recreation Partnership (ESSRP) potential projects and if you would like to know more about this contact Zach Wood.

The County has contracted Green Dot Inc. for the transportation planning services.

There is a RFP out for the general plan update to the Housing Element, Zoning Revision and CEQA documentation. The RFP is due May 15, 2020

Tuesday April 28, 2020 there is a virtual meeting for the Fire Risk Mitigation Plan

7.2. Items initiated by Commissioners

Chair Hartzell stated that the Markleeville Public Utility District had received a planning grant from the Department of Water Resources for \$330,000 to plan a new crossing from Laraimie Street to the sewer line and a rebuild to the pump station.

8. ADJOURNMENT

At 6:11 p.m. the Commission adjourned to the next regular meeting on May 28, 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: 5/18/2020

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. The public hearing was closed and the Commission gave direction to staff to provide more information on the proposed new policy requiring secondary access for new development of 5 or more residential lots. The discussion section in this memo includes this information.

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

The discussion is about the proposed Implementation Measure 20D-1 that addresses secondary access. This measure is included in the Wildland Fire – Access section of the revision that begins on page 10 of the attached draft. New revisions to the measure proposed by staff are shown in highlight below.

20D Implementation Measures

20D-1: Secondary Access. Any area of new development with potential for five or more residential units and 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 same standard as required for the primary access to the same area of new development. 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, Woods Lake Road.

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

The discussion at the public hearing on February 27 centered on a concern expressed that the proposed measure would greatly constrain potential future development in a large part of the County. It was stated that access to Markleeville is a dead end road much of the year and that Hot Springs Road is also a dead end road with only one way out. Concern was also expressed about fire department personnel and emergency response vehicles getting into an area at the same time residents are attempting to evacuate.

Following the public hearing, staff contacted planning departments in other counties in California regarding secondary access requirements. Nine counties responded – Calaveras, Humboldt, Los Angeles, Madera, Mariposa, Mono, Sacramento, Sierra and Sonoma. With two exceptions, these counties rely on the State's SRA Fire Safe Regulations which set maximum lengths for dead end roads based on the size of parcels served by the road. Two counties – Los Angeles and Sacramento – have regulations that require second access to subdivisions above a certain number of lots and in areas that have highly flammable natural vegetation present. The thresholds are more than 75 lots in Los Angeles and more than 39 lots in Sacramento. Although Los Angeles County is highly urbanized, it is a large county and also has extensive areas of rural and semi-rural development where this requirement applies. Obviously the scale of development there is not similar at all to Alpine County's situation. However, it is the same principle being applied as is proposed by the new 20D-1 Implementation Measure for Alpine County.

The SRA Fire Safe Regulations (shown below) have been the historical norm throughout much of the state so it is not surprising to find few counties with more restrictive standards.

CALIFORNIA BOARD OF FORESTRY AND FIRE PROTECTION SRA FIRE SAFE REGULATIONS

1273.09. Dead-End Roads

(a) The maximum length of a dead-end road, including all dead-end roads accessed from the dead-end road, shall not exceed the following cumulative lengths, regardless of the numbers of parcels served:
parcels zoned for less than one acre – 800 feet
parcels zoned for 1 acre to 4.99 acres – 1320 feet
parcels zoned for 5 acres to 19.99 acres – 2640 feet
parcels zoned for 20 acres or larger – 5280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply.

(b) Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 foot intervals.

(c) Each dead-end road shall have a turnaround constructed at its terminus.

Alpine County Current Situation: The existing Safety Element includes an objective that requires emergency access for all new development:

Objective 20-C: All new development in Alpine County shall be provided with adequate access for emergency response vehicles and an emergency egress route for evacuation.

The County's development standards for access with respect to dead end roads follow the State SRA Fire Safe Regulations. The SRA Fire Safe Regulations do allow for special exceptions where it can be shown that additional required measures have the "same practical effect" as would be achieved by the standard. The special exception can be approved by the local jurisdiction if the State Board of Forestry has certified the local agency standards. This is the case for Alpine County. Examples of some common measures to achieve same practical effect have included additional turn outs along the road, improved water supply and higher levels of fuel reduction along the road.

The County's development standards include a standard for Emergency Access Roads:

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.

Staff Recommendation

The decision on 20D-1 is largely a policy consideration. It addresses a significant issue and lesson learned from recent large wildfires – the difficulty of evacuation and access and the risk to public safety resulting from having just one road in/out. It will constrain future development. The County may be more restrictive than the SRA Fire Safe Regulations. The Commission should consider the risk factors and balance those against the potential constraint on development. The revisions added by staff (highlighted text) are a first cut at more clearly defining when the second access requirement would apply. An additional option the Commission could consider is raising the number of residential units that would trigger the requirement from 5 or more as currently drafted.

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.

Attachment: Draft Revision to the Safety Element

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.
38

39 20C-6: Road Side Fuels Reduction. The County shall make fuels reduction along County roads
40 within existing rights of way a regular part of the ongoing County road maintenance operations. The
41 County shall encourage owners of private roads and driveways to do the same.
42

43 20C-7: Support CWPP Fuels Reduction. The County shall work with the fire safe councils and other
44 agencies where applicable to support and help facilitate completion and maintenance of priority fuels
45 reduction projects and fire breaks as identified in the Alpine County Community Wildfire Protection
46 Plan.
47
48
49

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 shall have a second means of vehicular ingress and egress constructed to the same standard
19 as required for the primary access to the same area of new development. This requirement for
20 second access shall override any lesser requirement that may exist in County development standards
21 for access.

22
23 20D-2: Update Development Standards. County Development Standards shall be updated to reflect
24 the secondary access requirements as set forth in Implementation Measure 20D-1.

25
26 20D-3: Evacuation Plans. The Alpine County Sheriff's Office should work with agencies responsible
27 for wildland fire suppression to develop pre-plans for fire risk areas that address civilian evacuation
28 and provide a means to effectively communicate those plans.

29
30 20D-4: Inadequate Access and Evacuation Routes. The County shall identify residential areas of the
31 County that have inadequate access and/or inadequate evacuation routes and develop plans to
32 reduce or alleviate the associated risks within these areas.

33
34 20D-5: Addressing: Consider a County ordinance to improve and standardize street addressing signs
35 in order to reduce emergency service response times.

36
37
38 **WILDLAND FIRE - WATER SUPPLY**

39
40 The availability of water supply for fire suppression varies among communities within Alpine County.
41 Bear Valley, Hung-A-Lel-Ti, Kirkwood and Markleeville have developed water supply systems with
42 multiple fire hydrants within their service areas. The Eastern Alpine Fire Services Station 91 in
43 Woodfords is served by a small water system that includes 50,000 gallons of storage with the ability
44 to fill water tenders. The South Tahoe Public Utility District C-Line which transports treated
45 wastewater to Alpine County includes several fire hydrants in the Woodfords area. Water from these
46 "purple hydrants" can be used for wildland fire suppression. There are restrictions on using this water
47 for structure fires. Turtle Rock Park and the Alpine Village subdivision in Woodfords have small water
48 systems. Outside of the areas served by water systems with fire hydrants, water for fire suppression
49 is limited or may be non-existent. To help compensate, the local fire departments utilize a system of
50 mobile water tenders and portable tanks to provide water at the site of a fire. Helicopters deployed

1 by federal or state agencies are often used to deliver water from area lakes and rivers to wildland
2 fires.

3
4 Fire suppression water supply requirements for new development in Alpine County are defined by the
5 California Board of Forestry and Fire Protection SRA Fire Safe Regulations, National Fire Protection
6 Association (NFPA) codes and standards, and the Alpine County Development Standards.
7 Combined, these regulations, standards and codes set forth minimum requirements for fire flow,
8 water storage, fire hydrants and other important components of the water system. Alpine County
9 Code Chapter 13.04 defines minimum requirements for domestic and firefighting water supply and
10 distribution systems in new subdivisions. The Alpine County General Plan Land Use Element defines
11 minimum fire flow requirements and information required at each stage of the land use entitlement
12 process (general plan change, zoning change, subdivision) to demonstrate that the minimum fire flow
13 can be provided to new development. This includes information on the proposed method and
14 location of improvements for meeting the fire flow requirement.

15 16 **20E Policy**

17
18 Improve water supplies for fire protection in developed areas within the wildland urban interface.

19 20 **20E Implementation Measures**

21
22 20E-1: Plan for water supplies. The county shall encourage long range planning for improved water
23 supplies for fire protection throughout the county. This planning process should involve the fire safe
24 councils, local area residents, existing water service providers, fire departments, CalFire and other
25 agencies with responsibility for fire protection.

26
27 20E-2: Funding. The county, existing water service providers and/or fire safe councils shall pursue
28 public and private funding to improve water supply for fire protection throughout the county.

29 30 31 **GEOLOGIC HAZARDS**

32
33 The geologic hazards of greatest potential in Alpine County include those associated with avalanche,
34 earthquake/seismic shaking and landslide/slope failure. All of these are described in detail in the
35 County's Hazard Mitigation Plan.

36
37 **GOAL 21: PROTECT NEW AND EXISTING STRUCTURES AND LAND USES FROM GEOLOGIC**
38 **HAZARDS IN ORDER TO AVOID OR MINIMIZE LOSS OF LIFE, INJURY, PROPERTY DAMAGE,**
39 **AND ECONOMIC AND COMMUNITY DISRUPTION.**

40 41 **GEOLOGIC HAZARDS - AVALANCHE**

42
43 Alpine County is located along the crest of the Sierra Nevada. The county's elevation ranges from a
44 low of about 4800 feet to high elevations in excess of 11,000 feet. Steep slopes and heavy winter
45 snowfall are common in the higher elevations. The combination of steep slopes and high snowfall
46 creates a potential danger for snow avalanches throughout the winter months in Alpine County.

47
48 Avalanche risk and actual avalanches frequently cause temporary closures of Highway 88 in the
49 Carson Pass and Carson Spur areas. Avalanches can also occur in the Bear Valley and Kirkwood

1 areas, and in backcountry areas popular for outdoor winter recreation. A recent avalanche in 2017
2 caused property damage to single family homes in the East Meadows area of Kirkwood. The
3 characterization of avalanche hazard and the associated risks in Alpine County are more thoroughly
4 described in Section 5.2.1 of the County's Hazard Mitigation Plan.

5
6 **21A Policy**

7
8 Locate and design all new development to prevent or minimize to the fullest extent possible the threat
9 due to avalanche

10
11 **21A Implementation Measures**

12
13 21A-1 Assess Avalanche Hazard. All developments intended for human use or occupation shall
14 assess avalanche hazards where there is a potential risk from avalanches. The following conditions
15 are indicative of a potential risk: significant accumulation of snow; treeless or sparsely vegetated
16 slopes exceeding 30% slope gradient; gullies, and bowls exceeding 30 percent slope gradient; and
17 any locations with a history or evidence of avalanche occurrence within or immediately adjacent to
18 the proposed development area.

19
20
21 **GEOLOGIC HAZARD - EARTHQUAKE/SEISMIC SHAKING**

22
23 Alpine County's mountainous terrain lies within the area of the North American and Pacific tectonic
24 plate activity. There have been earthquakes as a result of this activity in the past, and there will
25 continue to be earthquakes in the future. The eastern side of the County is situated along the eastern
26 slope of the Sierra Nevada and is more prone to earthquake and seismic shaking than other areas of
27 the County. There is a moderate to high probability (highly likely as 80 – 100% chance of
28 occurrence) of an earthquake in Alpine County, but a moderate to low risk associated with this natural
29 hazard. The characterization of earthquake and seismic shaking hazard and the associated risks in
30 Alpine County are more thoroughly described in Section 5.2.5 of the County's Hazard Mitigation Plan.

31
32 **21B Policy**

33
34 The potential risks associated with earthquake and seismic shaking shall be addressed in considering
35 new development.

36
37 **21B Implementation Measures**

38
39 21B-1 Seismic Activity Notation. Any parcel map, or subdivision map, subdividing lands near the
40 potentially active faults located along the eastern escarpment of the Sierra Nevada as shown on shall
41 contain a notation warning that said area may be subject to seismic activity.

42
43 21B-2 Geologic Report for Seismic Risk. All new development proposed within or adjacent to a
44 Alquist Priolo "Special Study Zone" as identified on the Official Map prepared by the California
45 Geologic Survey shall require a geologic report addressing potential risks of earthquakes and seismic
46 shaking. Human occupied structures shall not be constructed across traces of active faults as
47 identified in a required geologic report.

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 250-acre Leviathan Mine is a former
14 open-pit sulfur mine located on the east side of the County near Monitor Pass. Major environmental
15 problems originated during open-pit sulfur mining that occurred from 1951 through 1962. During this
16 period the mine provided a source of sulfur to dissolve copper from relatively low-grade ore at a mine
17 near Yerington, Nevada. In 1962 large scale mining operations ceased. No significant mining
18 activities have taken place since. The site's long-term cleanup is ongoing. Under the authority of the
19 federal superfund law (Comprehensive Environmental Response, Compensation, and Liability Act or
20 "CERCLA"), the U.S. Environmental Protection Agency closely coordinates cleanup plans and
21 activities with all of the stakeholders, including local and state agencies from California and Nevada,
22 the U.S. Forest Service, the U.S. Fish and Wildlife Service, and the site's potentially responsible
23 parties. In addition, the Washoe Tribe is strongly involved at the site to ensure that their unique
24 traditional tribal uses of the area's resources are protected. The site is entirely surrounded by public
25 lands and there are no permanent residents within several miles.
26

27 **24A Policy**

28
29 Protect citizens and property from damage by hazardous materials including but not limited to harmful
30 chemicals, radiation levels, gases, explosives and hazardous waste.
31

32 **24A Implementation Measures**

33
34 24A-1 Proper Handling of Hazardous Waste. Ensure the hazardous waste materials used in
35 business and industry are properly handled and that information on their handling and use is available
36 to fire and police protection agencies.
37

38 24A-2 Maintain CUPA Status. Continue to work cooperatively with the California Environmental
39 Protection Agency on regulation of hazardous materials including maintaining the Certified Unified
40 Program Agency (CUPA) status provided that there is sufficient funds available and technical
41 capability to continue this program.
42

43 24A-3 Transportation Routes. Oppose designation of any transportation routes through Alpine
44 County for hazardous waste that could create responses to hazardous waste spills or related
45 incidents that are beyond the resources of the local emergency response agencies

Attachment 1

Application, project narrative, plans



APPLICATION FOR DEVELOPMENT

Alpine County Planning Department
 50 Diamond Valley Road
 Markleeville, CA 96120
 Tel: (530) 694-2140, Fax: (530) 694-2149

OFFICIAL USE ONLY	
Received by _____	
Date _____	
Deposit/Fees paid _____	
Receipt # _____	
Case # _____	

PROJECT AND SITE INFORMATION			
Project Name <u>Bear Valley Adventure Company Use Permit</u>			
Project Location/Address <u>West Side of Hwy 4 from Bear Valley Road</u>			
Assessor Parcel Numbers <u>005-010-0190</u>			
Parcel Size <u>440 acres</u>		Existing Uses <u>cattle, cross country + (see attached)</u>	
PROPERTY OWNER INFORMATION			
Name <u>TBI Land and Cattle Company</u>			
Address <u>1960 The Alameda, Suite 20</u>			
City <u>San Jose</u>		State <u>CA</u>	Zip <u>95126</u>
Phone <u>408 246 8945</u>	Fax _____	Cell _____	Email <u>cjt@toeniskoetter.com</u>
APPLICANT/AGENT INFORMATION (if different from property owner)			
Name <u>Bear Valley Adventure Company c/o Steve Schwabauer</u>			
Address <u>141 S. Rose St</u>			
City <u>Lodi CA 95240</u>		Steve Schwabauer	
Phone <u>209 329-0250</u>	Fax _____	Cell <u>209 329-0250</u>	Email <u>@yahoo.com</u>
TYPE OF APPLICATION			
<input checked="" type="checkbox"/> Code Amendment	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Tentative Tract Map	
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Preliminary Review	<input type="checkbox"/> Variance	
<input type="checkbox"/> Envelope Modification	<input type="checkbox"/> Surface Mining Permit	<input type="checkbox"/> Zone Change	
<input type="checkbox"/> General Plan Amend.	<input type="checkbox"/> Tentative Parcel Map	<input type="checkbox"/> Other	
AUTHORIZATION AND ACKNOWLEDGEMENTS			
<p>I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing the application I am acting with the knowledge and consent of those persons who are owners of the subject property or are parties to this application. I understand that all materials required by Alpine county must be submitted prior to having this matter processed. I understand that I am consenting to allow the County staff involve in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.</p> <p>I understand that public hearings or meetings may be required. The property owner and/or applicant/agent or their representative shall be present at all official public meetings and public hearings relative to this application. Processing deposits and/or fees for reviewing the application shall be paid in accordance with the Alpine County Planning Department Schedule of Fees and Deposits (Board of Supervisors Resolution No. R2005-30 or as may be amended in the future). I understand that additional fees or materials may be required as a result of considerations which may arise in the processing of this application.</p>			
SIGNATURE OF PERSON SUBMITTING APPLICATION			DATE
<u>[Signature]</u>			<u>July 23, 2018</u>
PROPERTY OWNER SIGNATURE			DATE
_____			_____

Required		CONDITIONAL USE PERMIT APPLICATION CHECKLIST
Yes	No	
APPLICATION FORM, AUTHORIZATION AND WRITTEN DOCUMENTS		
X		1. Application form completed and signed by the applicant.
X		2. Property owner's written authorization to proceed with the project. This can be in the form of the owner's signature on the application form, or a separate letter of authorization.
X		3. Written description of the proposed project or use including types of activities, size, methods and hours of operation and general characteristics of the proposal.
X		4. Vicinity map showing the location of the property where the use will be located and the location of surrounding properties, public roads, public trails and other improvements.
X		5 A written description of the site where the use will be located, including: <ul style="list-style-type: none"> a. Topography b. Soils and Geology c. Hydrologic features (streams, rivers, ponds, lakes, etc.) d. Vegetation and land cover e. Any unique or potentially sensitive natural or historical features that might be affected by the proposal.
X		6. A map or maps of the property or project site showing the following: <ul style="list-style-type: none"> f. Topography at a contour interval of 2, 10 or 40 feet as determined by the Planning Director based on the characteristics of the site and the proposal. g. Land cover and vegetation type h. Hydrologic features including streams, drainages, ponds, lakes and wetlands i. Location and boundaries of any known natural hazards such as flood plains, avalanche areas, unstable slopes or soils, rock fall areas, high or moderate wildfire hazard areas, seismic areas, etc. j. Location of any unique or potentially sensitive natural or historical features that might be affected by the proposal.
SITE, GRADING AND BUILDING PLANS		
X		7. Site plan or sketch, legibly and accurately drawn to scale, showing the property boundaries, location of all proposed improvements including buildings, parking areas and driveways, pedestrian walkways, drainage structures, snow stack areas, locations of utilities, and the location of all activities associated with the proposal.
X		8. Elevations and floor plans of all proposed buildings. Elevations need to show how the buildings will be located on the site. Information on the proposed exterior materials and colors should also be provided.
UTILITY CERTIFICATIONS		
N/A		9. Proposed source of water supply to serve the proposed use, including documentation of existing well permits and/or water rights that will be utilized, or evidence of adequate capacity and permission to connect to an existing water supply system.
N/A		10. Proposed method of wastewater treatment, including the design and capacity of existing and proposed on site systems, or evidence of adequate capacity and permission to connect to an existing wastewater treatment system.
N/A		11. Certification in writing from all utilities (power, telephone, natural gas, etc.), which are planned to be provided to the proposed use, indicating that the proposed use can and will be adequately served.

COMBINED SUBMITTALS: Combined submittals consisting of more than one type of application are possible if deemed acceptable by the Planning Director. A pre-application meeting is mandatory prior to making a combined submittal. Applicants should be advised that combined submittals may result in longer review times due to multiple requests being combined into one submittal. The Planning Department may also require that the requests included in a combined submittal be reviewed and considered in stages. Also, combined submittals require additional processing deposits.

NUMBER OF COPIES: One (1) complete set of all required application materials (see checklist), including one full size set (D size – 24”x36” and one 11” X 17” set) of all plans and one complete set of all written documents (8 ½” x 11”) shall be submitted. In addition, the following duplicate sets shall be submitted:

Technical Advisory Committee

- 8 sets of full size plans

Tri-County Technical Advisory Committee – Kirkwood Area

- 3 sets of 11” x 17” plans

California Environmental Quality Act – Environmental Review - State Clearinghouse

- 15 full size sets of plans if the project requires an environmental review through CEQA

Planning Commission

- 18 sets of 11” x 17” plans

Board of Supervisors

- 13 sets of 11” x 17” plans (if planning commission decision is appealed)

Normally, the number of copies noted above will be sufficient to complete the project review. However, additional copies of application materials may be requested by the Planning Department if necessary to complete the review.

REVIEW SCHEDULE: Once a complete application is filed with the Planning Department, review of the project will begin. Review by the Alpine County Technical Advisory Committee and/or Tri-County Technical Advisory Committee may be required prior to consideration of the application by the Alpine County Planning Commission. The application will be reviewed at the following public meetings:

- Alpine County Technical Advisory Committee (TAC): The TAC normally meets on the second Tuesday of each month, 9:30 a.m. at the Alpine County Public Works Office, 50 Diamond Valley Road, in Woodfords. Meetings may also be held at Turtle Rock Park, 17300 Highway 89 between Markleeville and Woodfords.
- Tri-County Technical Advisory Committee (applies to projects in Kirkwood and within the Highway 88 corridor between Picketts Junction and Kirkwood, and Highway 89 corridor between Picketts Junction and Luther Pass - regular meetings are the 1st Friday of each month, 10:00 a.m. at the Kirkwood Community Services Building in Kirkwood).

- Alpine County Planning Commission - a public hearing is required prior to a decision on a use permit application (regular meetings are the last Thursday of each month, 6:00 p.m. at Turtle Rock Park, 17300 Highway between Markleeville and Woodfords).

CRITERIA FOR DECISION: In order to approve the permit, the Planning Commission must find that the proposed location, uses and conditions of operation:

- Will not be detrimental to the health, safety or welfare of persons residing or working in the neighborhood, the general public or property in the vicinity.
- Will be in conformity with all pertinent County ordinances and the purpose of the zone district where the site is located.
- Is in conformity with all elements of the Alpine County General Plan and any specific plan adopted for the area.
- Will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.
- Will complement and harmonize with the existing and proposed land uses in the vicinity, and be compatible with the physical design, land use intensities and dwelling unit densities of the neighborhood.

ADDITIONAL INFORMATION: Please contact the Alpine County Planning Department:

Address: 50 Diamond Valley Road
Markleeville, CA 96120
Phone: 530-694-2140
Fax: 530-694-2149
Email: zwood@alpinecountyca.gov

Bear Valley Adventure Company (BVAC) operates a longstanding cross country ski area across Highway 4 from the village of Bear Valley, Alpine County California. The Cross Country ski area is located in the privately owned PD zoned property on the south side of Bear Valley and on National Forrest land as depicted on the Trail Map attached to this application as exhibit A. The operation has existed under three different ownership groups (Jan Parelius, Paul Petersen, and the BVAC) since it was established in 1969. The operation exists partially on National Forest land under permit with the federal government and partially on land in Alpine County jurisdiction zoned Planned Development as depicted in Exhibit A under a number of different Use Permits issued by Alpine County. Bear Valley Adventure Company with assistance from the Bear Valley Mountain Cooperative purchased the business from Paul and Diane Petersen in December of 2018. The new ownership group is filing this application to consolidate and clarify the existing Use Permit approvals, and seek preapproval of planned improvements to the cross country ski area.

The existing use permits that we seek the County to re-affirm include: the maintenance and operation of the groomed cross country ski trails; meadow cafe with kitchen, bathrooms and dining space; a portable trail head ticket sales building and a permanent sled storage shed; the small warming huts (all located on national forest land); the intermittent ice skating pond (only used in dry cold winter seasons); and the tubing and sledding hills all as depicted in the Trail Map. The operations described above occur exclusively in the winter when adequate snow creates the snowpack necessary to create the trails. We have permission from the land owners to access and use the land each year from October 1-April 30. There are exceptions for access made to complete summer trail maintenance activities consisting of removal of saplings that grow within the trail and deadfall that falls across the trail. Exact dates for trail operations are hard to predict because they are based on weather but the trail system is generally operated between November and April.

The Adventure Company also seeks a use permit to enhance its level of service with several new additions in the coming years. The first priority project is to add a portable rental center. The proposed rental center would be constructed on sleds and towed to the property and parked on top of the snow once available in the area indicated in the attached supplement to the Trail Map. The Rental Center would accomplish a number of important objectives for the operation and the community. It would provide more efficient rental and staging space to accommodate high traffic days. Although cross country skiing is not a high traffic industry, we hope to see modest growth to our cross country business with this project better serving our existing customer base. A site plan and layout of the proposed structure is attached. The Adventure Company understands that this approval would be subject to the issuance of an appropriate building permit which will be filed after this approval.

The Adventure Company would also propose to add a sign to the north east facing side of the building reading "Bear Valley Adventure Company" subject to the approval of an appropriate sign permit which will be filed after this approval.

In the next two years the Adventure Company hopes to begin a remodel of the existing meadow cafe restaurant and bathroom structure depicted on the Trail Map. The remodel is not currently designed but would consist of a tear down and reconstruct on the existing footprint. The structure is not currently visible from the highway and would continue to be screened by existing trees as shown in the aerial image supplement to the trail map. The reconstruction of the meadow cafe would be subject to the issuance of an appropriate building permit.

This application is consistent with County Code 18.76's required findings set forth below:

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

This first requirement is clearly met given the harmonious existence of the ski area and restaurant within the Meadow since 1969. Indeed the ski area is acknowledged and celebrated in the Specific Plan as discussed in more detail below. (Specific Plan Pages 56 and 93-94). The expansion of adding a portable rental shop that will be removed in spring is so minor as to have no possible effect on the existing harmonious relationship of the ski area.

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

This second requirement is also met as the Adventure Company operates the ski area in a PD zoned area that contemplates some development and that the ski area is cited as an existing use in the (Specific Plan Page 94) Moreover the Adventure Company has a proven track record of operation consistent with the zoning laws with no record of violations available in the file.

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

Again, as discussed in more detail below, the ski area is specifically referenced and relied upon as a mitigation for development demand for recreational activities in the Specific Plan (Specific Plan, Page 94)

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

The proposed project proposes no increase in utility demand with the exception of underground telephone and power lines to serve the temporary rental building. The ultimate rebuild of the restaurant is not proposed to add seating or wastewater or water facilities (no additional bathrooms or kitchens). Moreover the project does not propose to increase the skiable acres or capacity of the ski area. As such it is not projected to increase vehicle or traffic movements.

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

The above uses are consistent with the Bear Valley Master Plan adopted by the Alpine County Board of Supervisors on February 9, 1979. Indeed, the Master Plan specifically acknowledges the existence and importance of the cross country ski area stating: "The meadow on the south side of Highway 4, within the proposed development area is one of the best cross country ski areas for beginning skiers and serves as access to the more difficult trails within the Stanislaus National Forest." It goes on to reference the associated "cross country ski school and equipment rental shop (that) presently exists in Bear Valley. (Specific Plan, page 94). Indeed the Specific Plan relies on the Cross Country Ski area as a recreational mitigation for recreation demands caused by the planned residential development of the Meadow. (Specific Plan, pages 56 and 93).

Although this application contemplates some new development within the meadow, the development is consistent with the Specific Plan and General Plan on multiple levels. First and most obviously, the General and Specific Plan presume residential and commercial development of the Meadow. (Specific Plan Map) However, the proposed development is extremely low impact. Among other things the new rental building be built on ski sleds and will only rest on the site in winter on a temporary basis in the area depicted on the supplement. The rental building will then be removed and stored in the existing commercial area as depicted on the map. The above is consistent with the Specific Plan statement that "Alteration activities should remain visually subordinate to the characteristic landscape ... (with) no alterations except temporary buildings...." (Specific Plan, Page 54) As required the buildings will "borrow

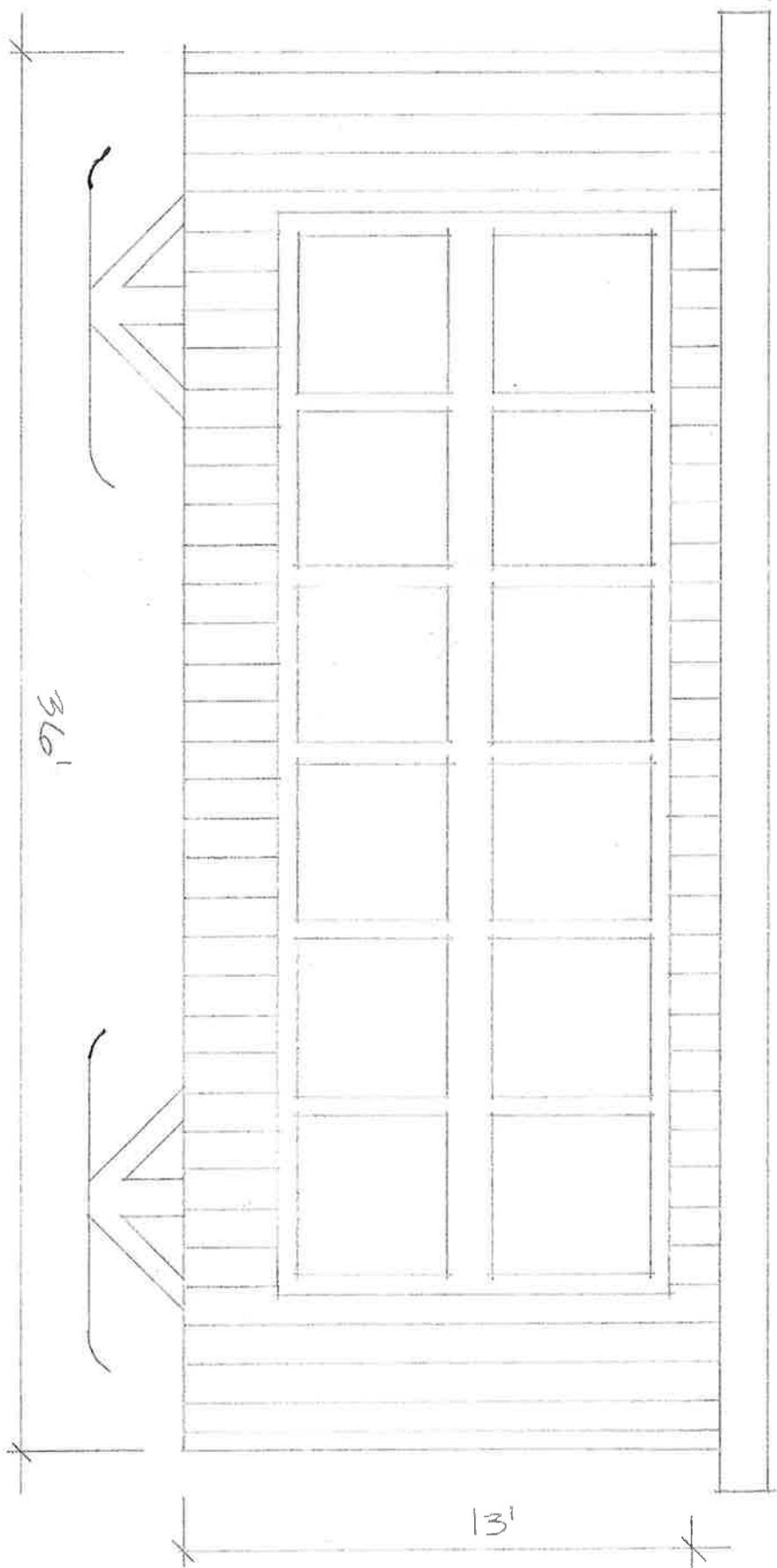
from naturally established forms color and texture so completely and at such scale that their visual characteristics are those of the natural occurrences within the surrounding area.” (Specific Plan, page 56). The building design is a classic avalanche roof that mirrors the many rock faces of Bear Valley and will be covered in natural stained wood shake shingles to mirror the color and feel of the meadow.

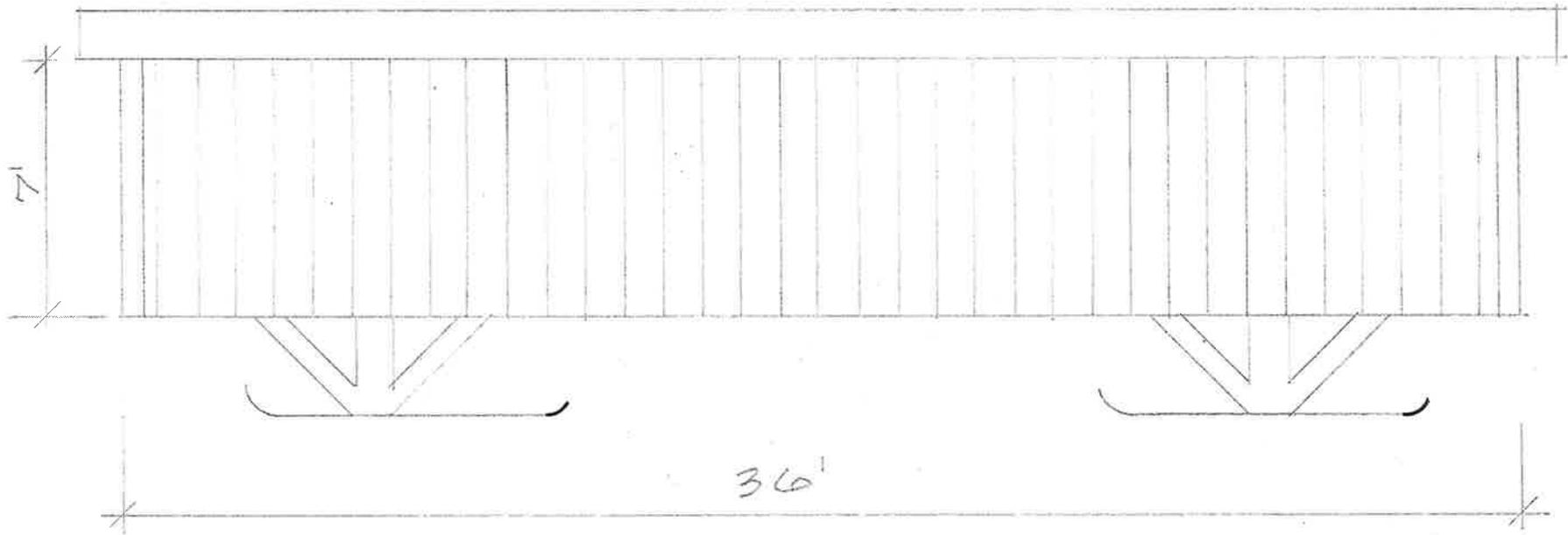
The above narrative lays out the current and projected future uses envisioned by the current ownership group. We are confident that they will be an enhancement to the winter recreation opportunities in Alpine County and hope you will support our request to reaffirm the existing uses and approve the projected uses subject of course to appropriate permit requirements.

In light of the investments planned to be made, the Adventure Company requests that the Use Permit be issued without an expiration date, subject of course to termination by the County for failure to comply with permit conditions.

FRONT ELEVATION

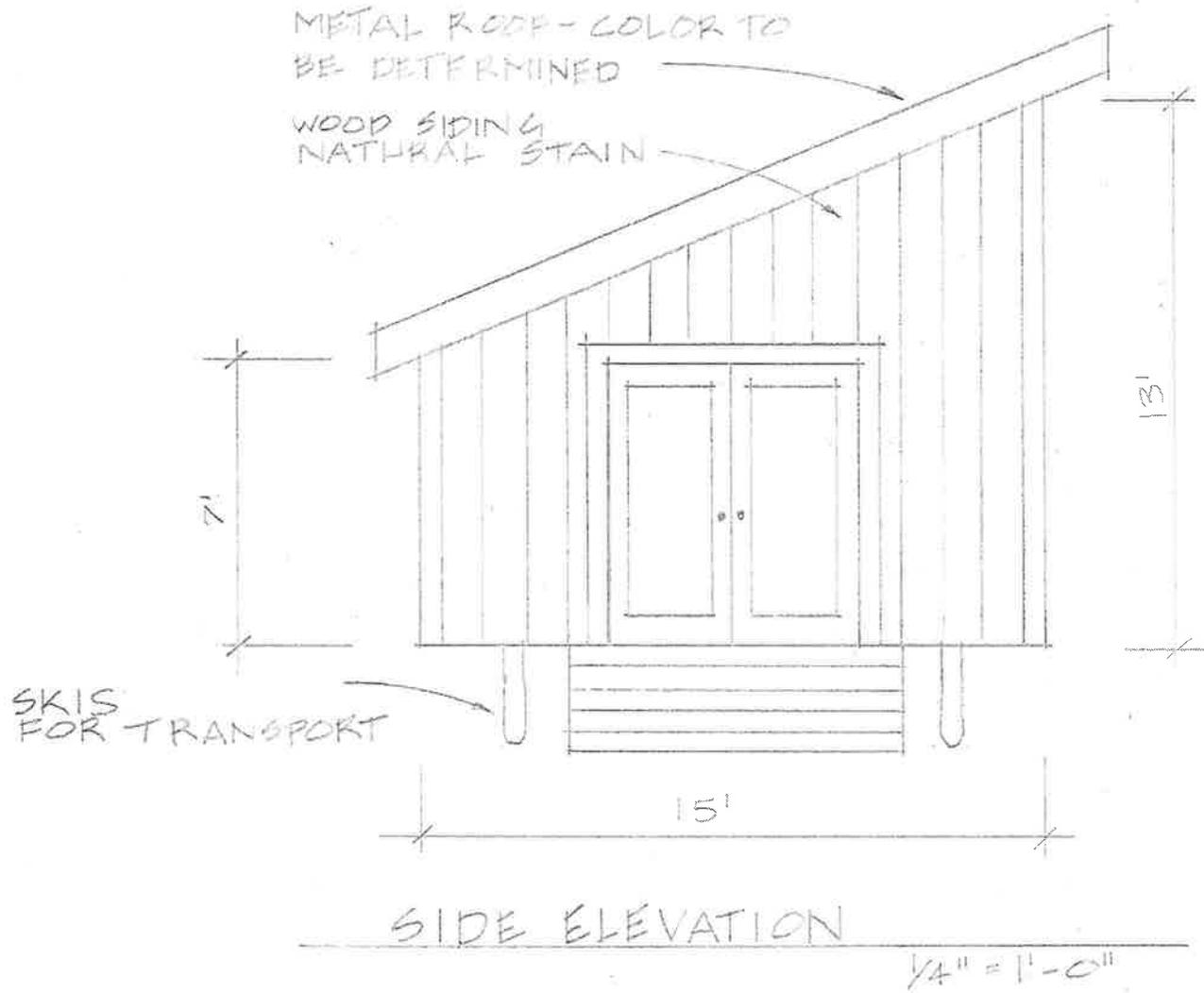
1/4" = 1'-0"

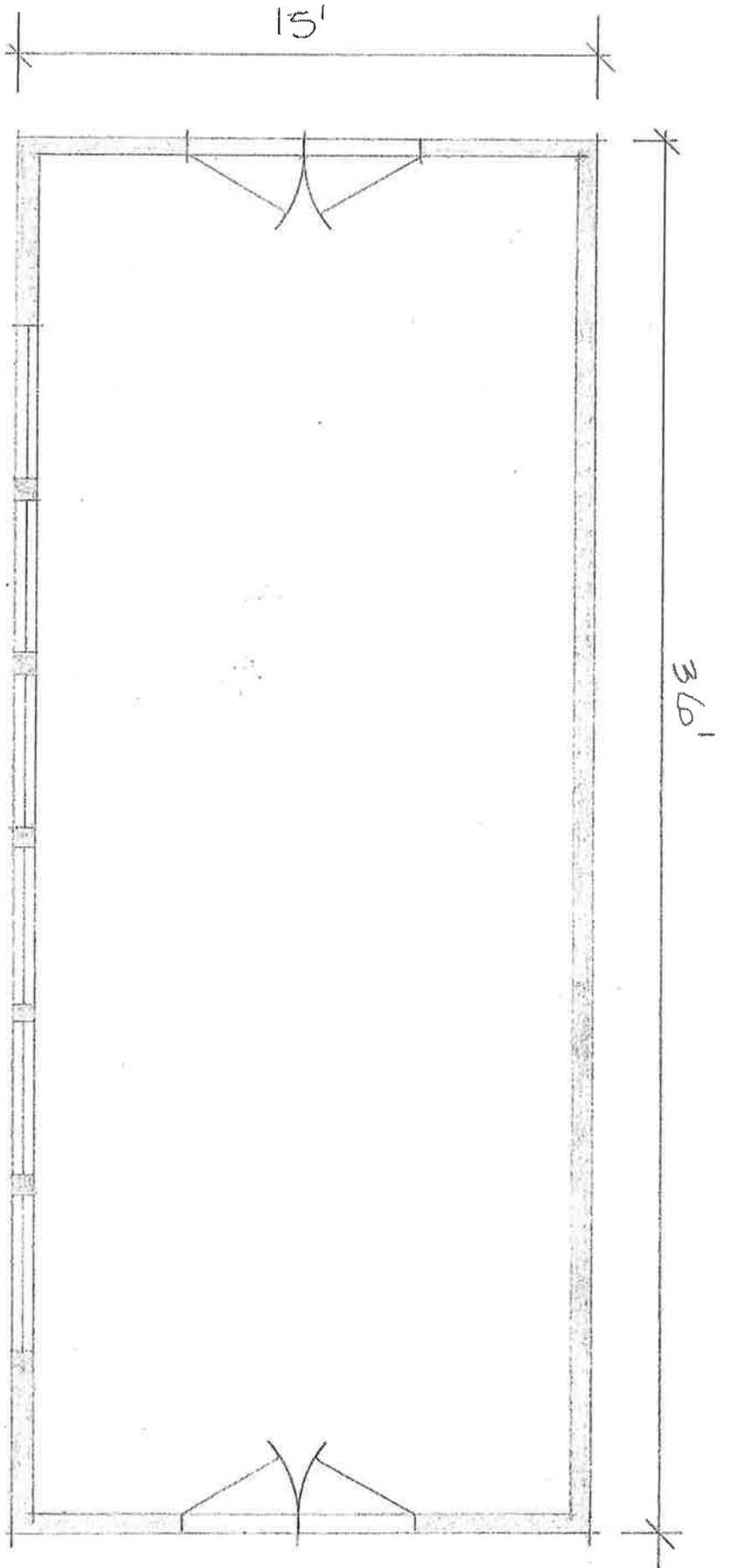




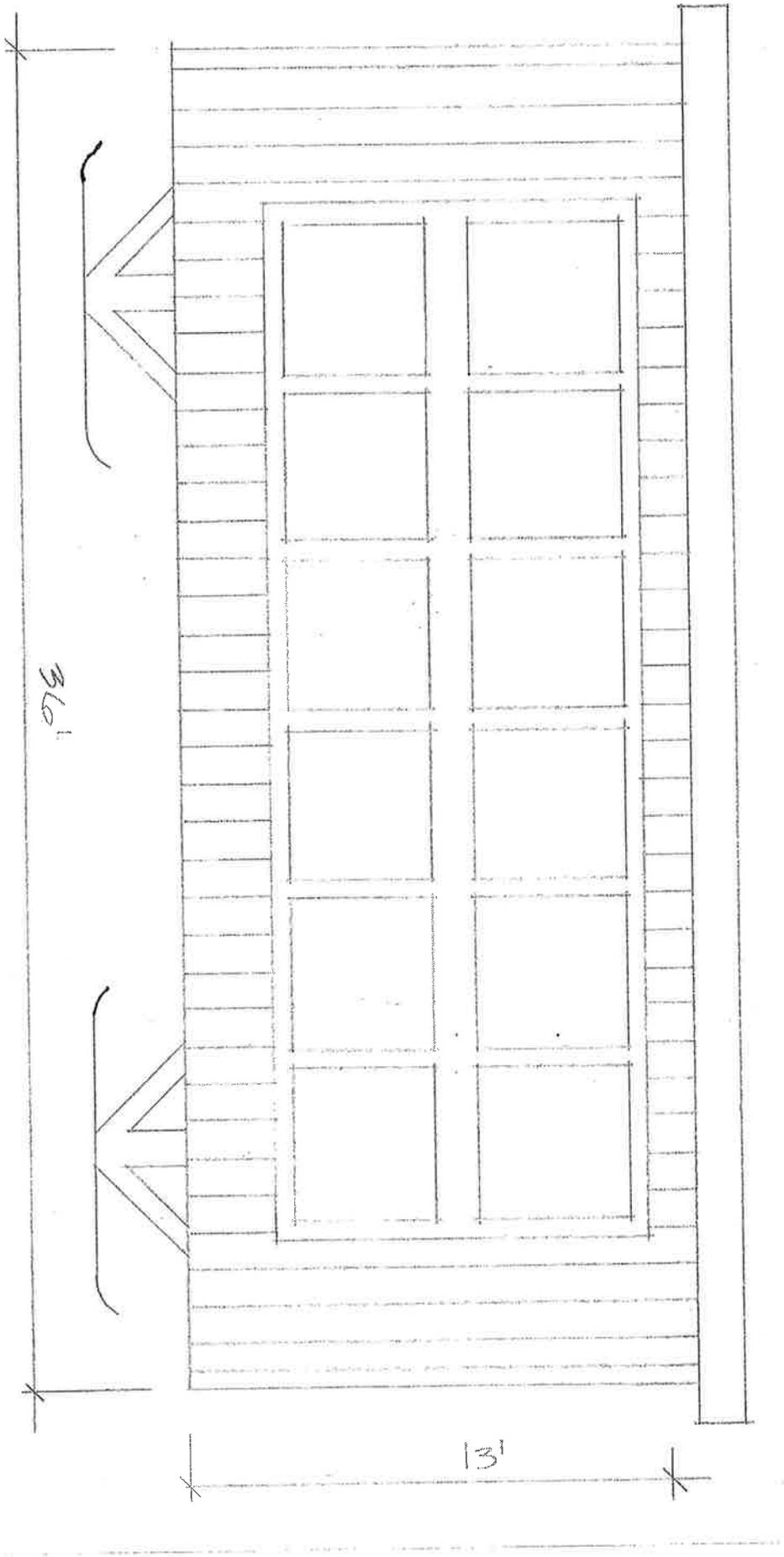
REAR ELEVATION

$\frac{1}{4}'' = 1'-0''$



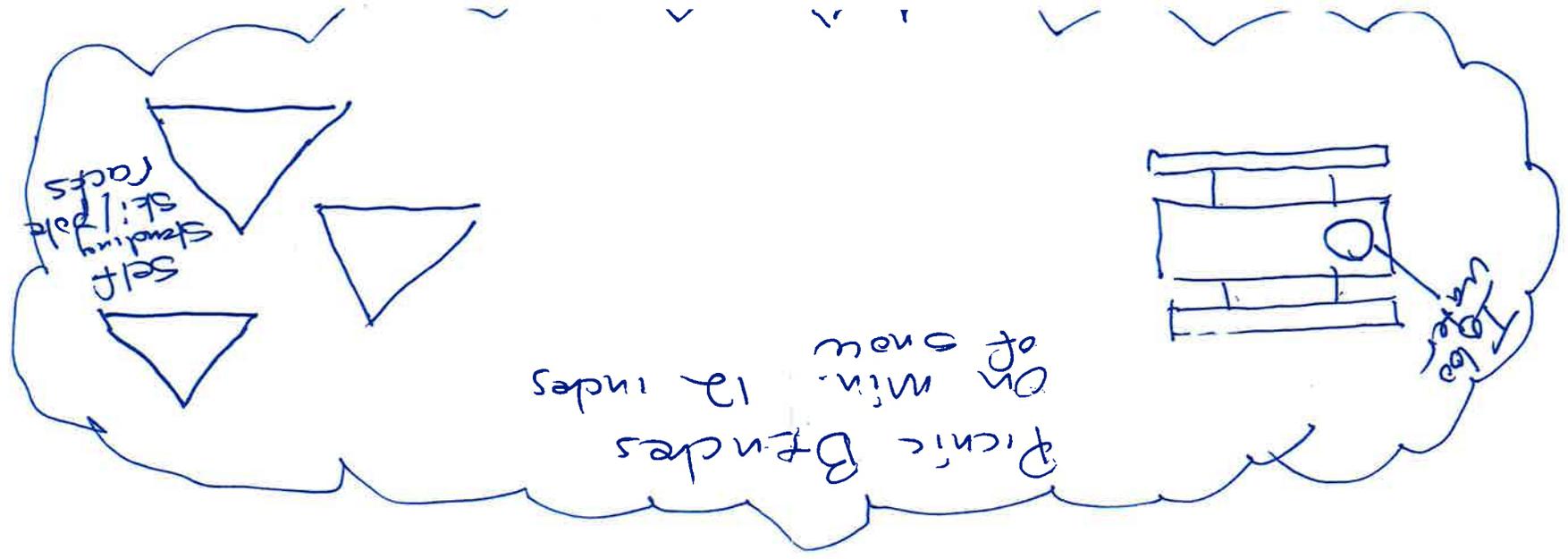
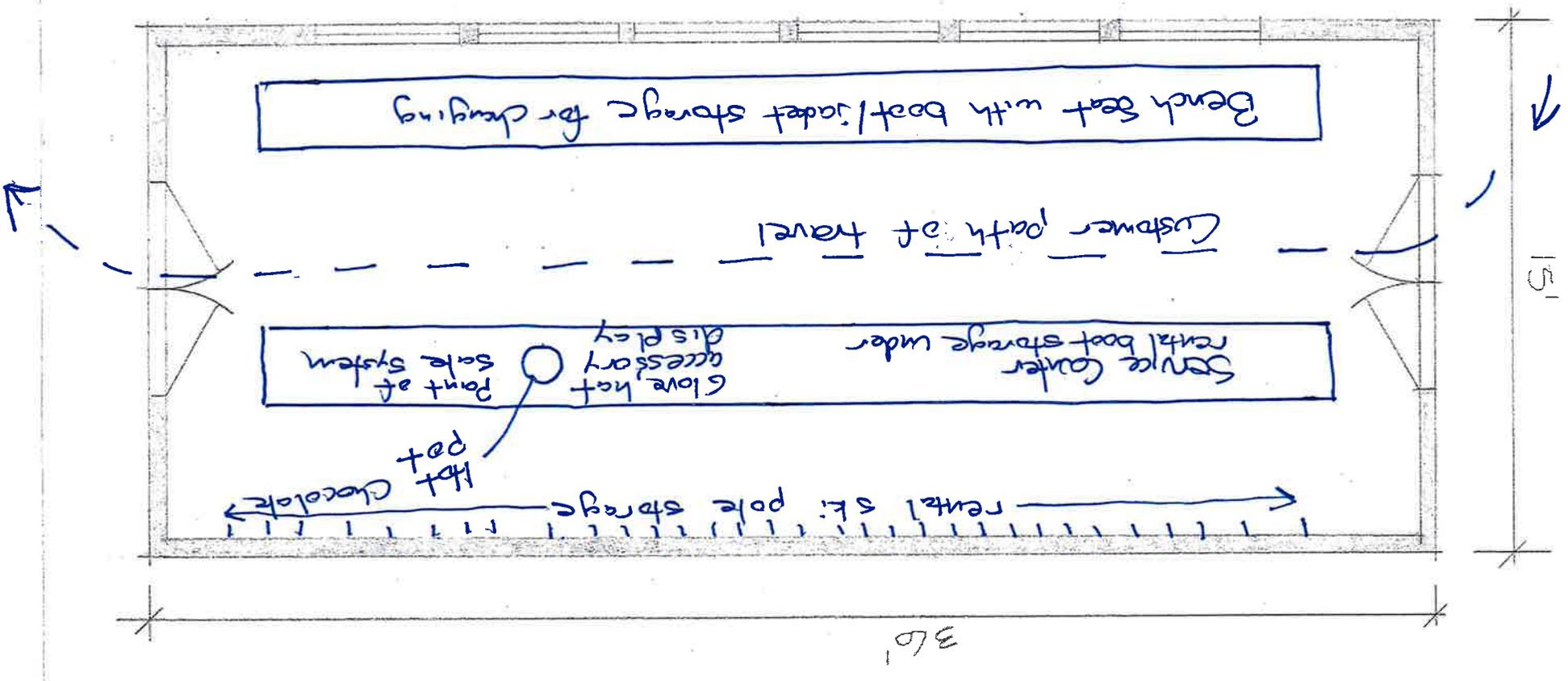


PORTABLE TRAIL HEAD #1
1/4" = 1'-0" FLOOR PLAN

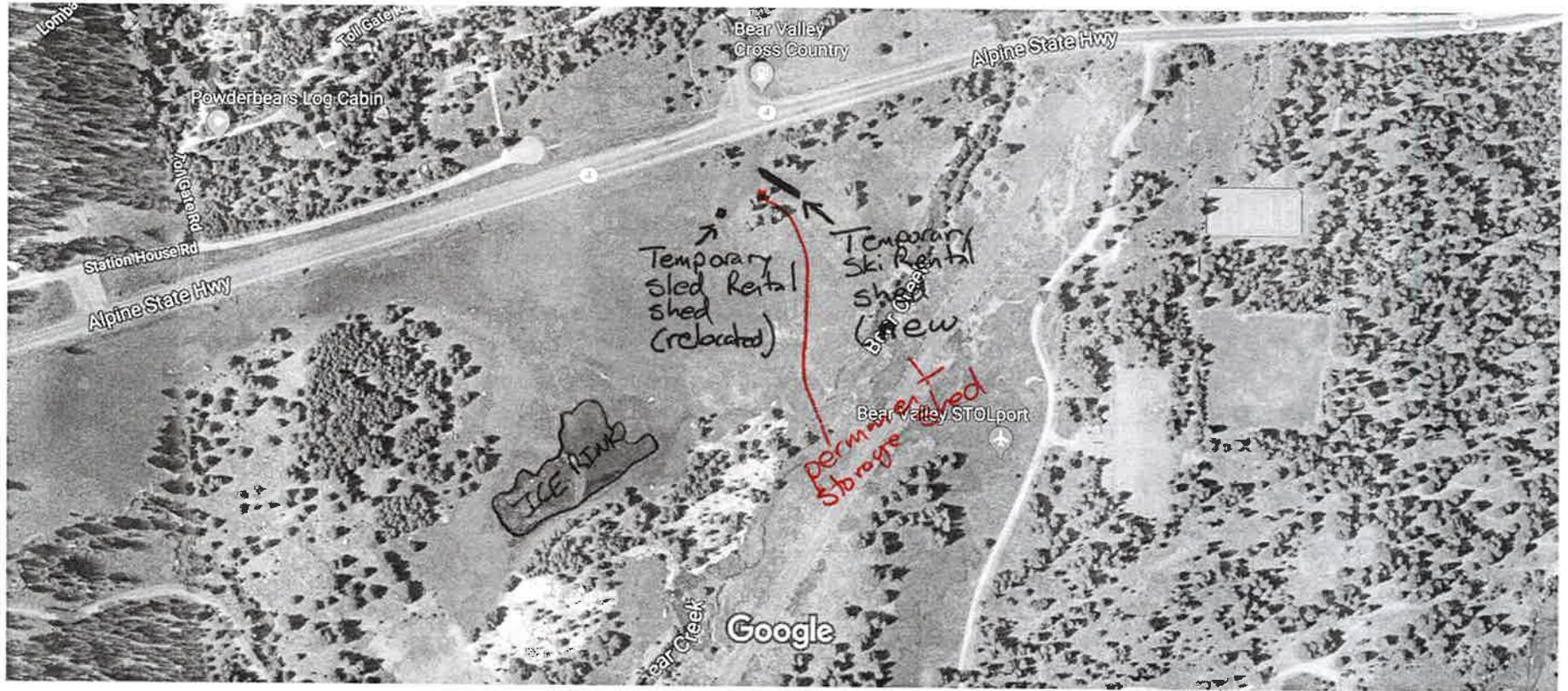


X X X X X X X X
 Minimum 12 inch Snow Pack
 X X X X X X X X
 X X X X X X X X

Nature Soil



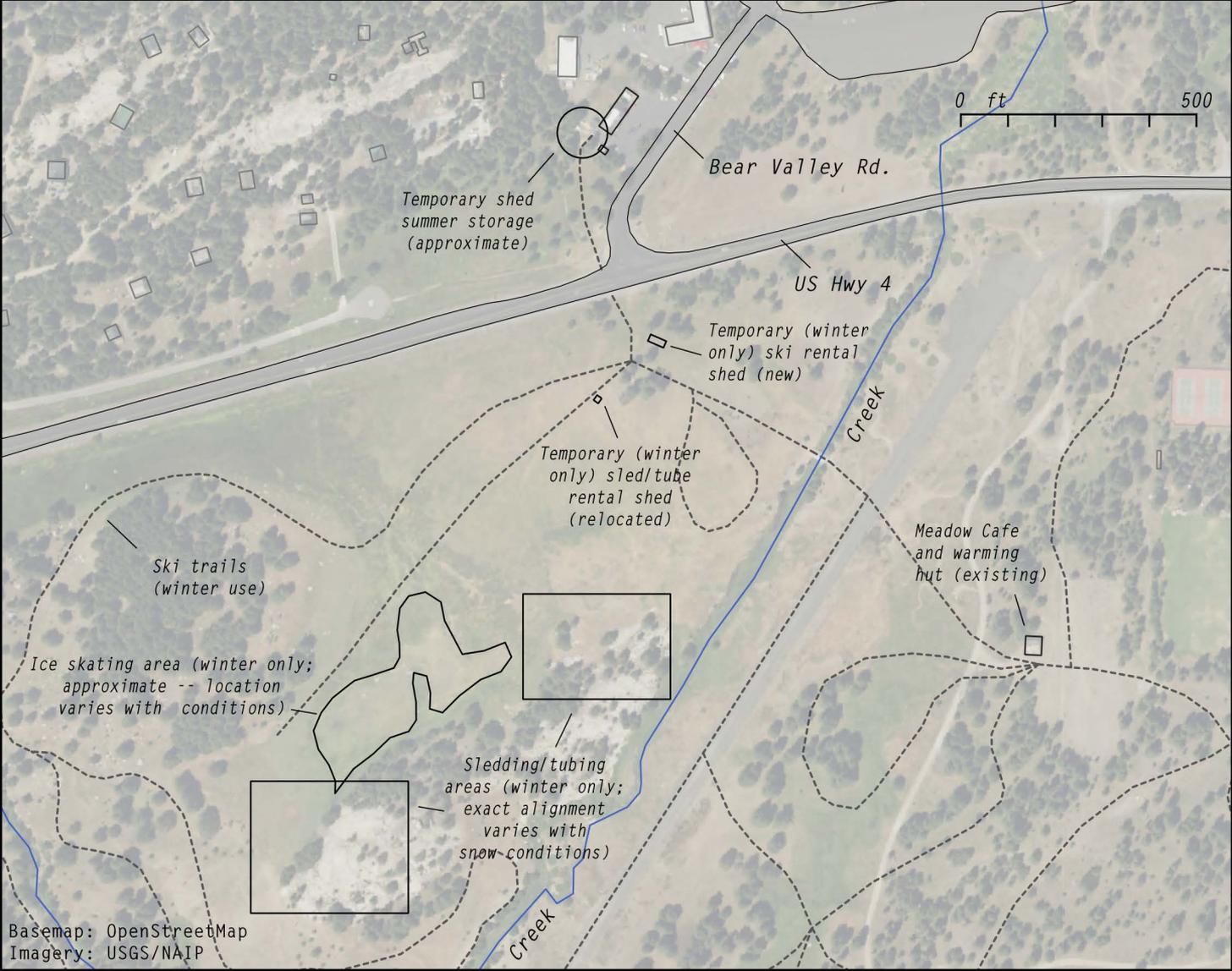
Google Maps



Imagery ©2019 Google, Map data ©2019 200 ft

Attachment 2

Site Plan



0 ft 500

Bear Valley Rd.

US Hwy 4

Creek

Temporary shed
summer storage
(approximate)

Temporary (winter
only) ski rental
shed (new)

Temporary (winter
only) sled/tube
rental shed
(relocated)

Meadow Cafe
and warming
hut (existing)

Ski trails
(winter use)

Ice skating area (winter only;
approximate -- location
varies with conditions)

Sledding/tubing
areas (winter only;
exact alignment
varies with
snow conditions)

Attachment 3

Photos

Applicants Photos



Bear Valley Adventure Co Tubing hill



Existing Meadow Café



Proposed Meadow Café reconstruction concept



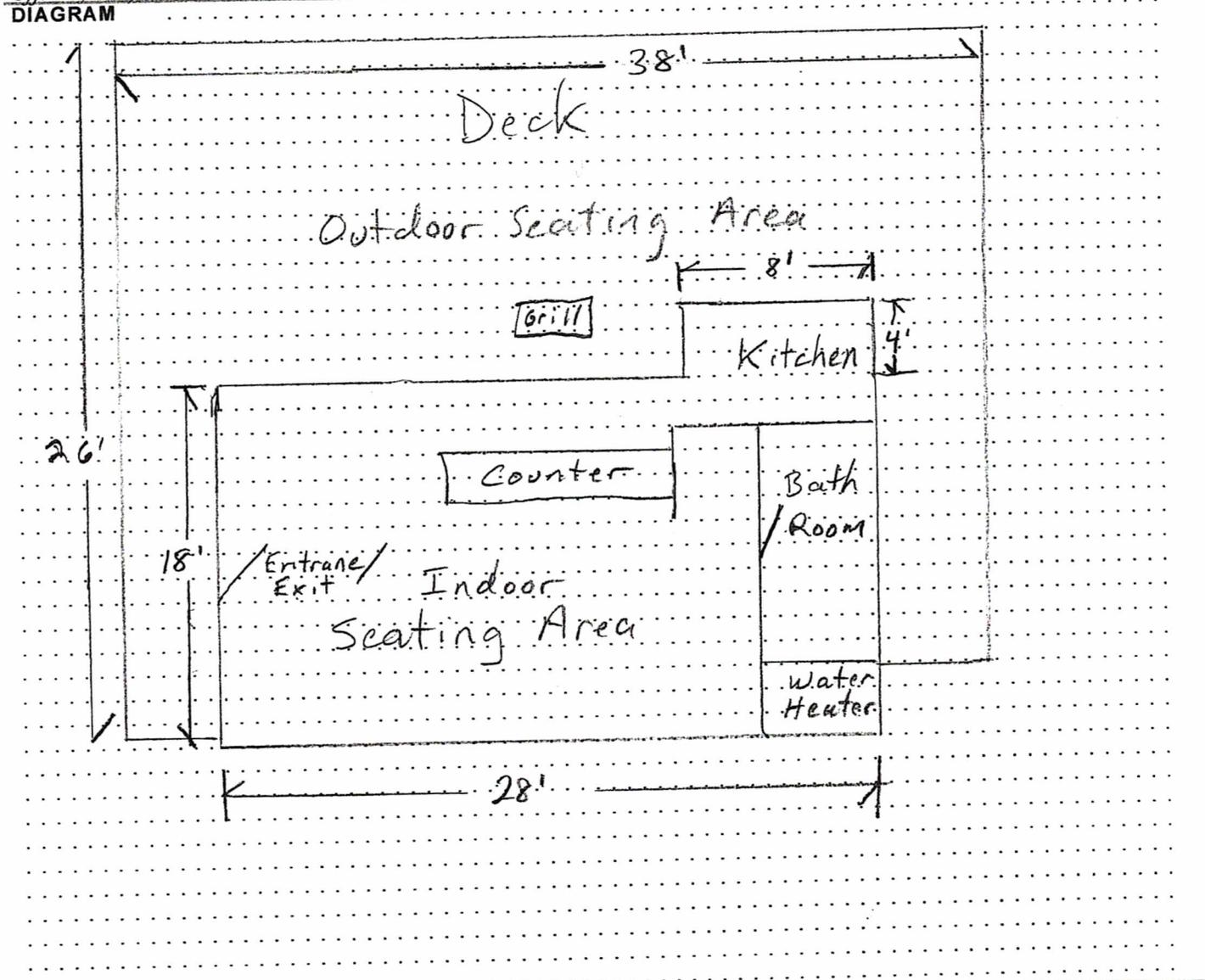
Attachment 4

Meadow Café floor plan

Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

1. APPLICANT NAME (Last, first, middle) Bear Valley Adventure Company, Inc.	2. LICENSE TYPE 41
3. PREMISES ADDRESS (Street number and name, city, zip code) Hwy. 4 South E. of Bear Valley Creek, Bear Valley, CA 95223	4. NEAREST CROSS STREET Bear Valley Road

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required) <i>[Signature]</i>	DATE SIGNED 12.9.18
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME
	INSPECTION DATE

Attachment 5

Notice of Categorical Exemption



Date Posted:
Date Removed:

ALPINE COUNTY
Community Development Department
50 Diamond Valley Rd, Markleeville, CA 96120
Tel 530-694-2140 Fax 530-694-2149

NOTICE OF EXEMPTION

1. APPLICANT: Bear Valley Adventure Company
2. ADDRESS: PO Box 5120 Bear Valley, CA 95223
3. PHONE NUMBER: 530 694 2140
4. LEAD AGENCY: Alpine County, California
5. PROJECT TITLE: Bear Valley Adventure Company cross country ski and tubing area use permit amendment
6. DESCRIPTION:

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

ADMINISTRATIVE DETERMINATION: The Planning Department has completed a preliminary review of this project in accordance with Alpine County adopted guidelines for implementing the California Environmental Quality Act (CEQA) of 1970. Based on that review, the Environmental Administrator finds that the proposed project constitutes a Categorical Exemption. Therefore, the Environmental Administrator has determined that further environmental evaluation is not required because:

[X] The project is categorically exempt, Class 2b, replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity (Section 15302(b)).

_____ Date: _____
Brian Peters, Planning Director
Environmental Coordinator

STAFF REPORT

May 22, 2020

TO: Planning Commission

FROM: Zach Wood, Planner III

DATE: May 28, 2020

SUBJECT: Item 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

RECOMMENDATION

Approval with conditions

SITUATION

A. Applicant

Bear Valley Adventure Company
PO Box 5120
Bear Valley, CA 95223

B. Background

Location: 987 SR 4 - Immediately south of the intersection of Bear Valley Rd and SR 4 Bear Valley, CA

General Plan Designation: Planned Development (PD)
Zoning: Planned Development (PD), 1978 Bear Valley Master Plan recreation and sensitive area designations

C. Project description

The Bear Valley Cross Country Ski Area and Tubing Hill is an existing winter recreation trail network, tubing and sledding hill, and supporting guest amenities operating on private land and the Stanislaus National Forest. The area was established in 1969 and has been permitted by the County for commercial recreation, restaurant, and retail uses since the 1980's. The proposed use permit is to recognize the existing conforming uses and to allow for the establishment of new uses. The following table describes existing approved use permits for subject uses:

Description	Permit #	Year Approved
Relocate ice skating pond; extension of cross country ski area permit	93-05	1993
Extension cross country ski area permit	91-15	1991
Use permit for area to teach cross country skiing	88-04	1988
Operate a cross country touring center with groomed trails, restrooms, cafeteria, and rentals	84-19	1984

Per the previous County approvals the uses recognized as existing conforming uses include:

Cross country trail system, warming huts, tubing and sledding hills

BVAC operates a 40 km cross country ski trail system partly on private and US Forest Service lands. The trails allow for classic and skate Nordic skiing. The "trailhead" for the system is the intersection of Bear Valley Road and SR 4. The system includes three warming huts which provide shelter for trail users. The warming huts are placed for the winter season and are all located on Forest Service land and subject to permits from Stanislaus National Forest. Tubing and sledding hills allows for hike-up access with rental equipment available on-site.

Meadow Café

The café/warming hut was established after the structure was relocated to the current site. The café is approximately 540 square feet and includes a kitchen, restrooms, and outdoor dining.

New uses subject to approval

The applicant has proposed the following new uses which are subject to the approval of use permit amendment:

Seasonal portable rental center

The proposed seasonal rental center is an approximately 540 sq. ft portable structure which would be placed approximately 200 ft south of the intersection of Bear Valley Rd and SR 4. The structure would be used for guest equipment rentals and sales. The structure would be stored off-site and moved into location when snow conditions allow for minimum ground cover.

Meadow Café reconstruction

The applicant proposes to perform major maintenance and renovation on the existing Meadow Café building. If the renovation is not feasible the café structure would be demolished and reconstructed within the existing footprint. The proposed reconstructed café would have the same capacity for dining and retail.

The staff report includes attachments from the applicant which describe the existing and proposed new uses in more detail.

Application, project narrative, plans	Attachment 1
Site plan	Attachment 2
Photos	Attachment 3
Meadow Café floor plan	Attachment 4

The project site is open space land immediately south of State Route 4 with one permanent structure, Meadow Café. The trail system operates over approximately 3,000 acres which include mixed tamarack forest, meadows, and granite outcrops. The proposed location of the adjacent land uses include, single family residential, recreation, and open space. The project area is bordered by State Route 4 to the north; Bear Valley ball field and tennis courts to the east; open space, Bear Valley Water District, and Stanislaus National Forest to the south; and open space to the west.

D. Criteria for Decision

Use permit findings

The applicant requires a use permit to establish new uses not previously permitted. In order to approve the use permit the Planning Commission shall make the following findings per County Code 18.76.015:

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

- B. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent county ordinances and the purpose of the zone district in which the site is located.
- C. That the proposed use is consistent with all elements of the county General Plan and with any specific plan which has been adopted for the area.
- D. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.
- E. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities and dwelling unit densities of the neighborhood.

E. Issues & Staff Analysis

Building safety and health

The demolition and reconstruction of the Meadow Café will require building permits from the Community Development Department – Building Safety division. Buildings permits are also required for the placement, utility connection, and occupancy of the temporary rental building (Condition of Approval 1).

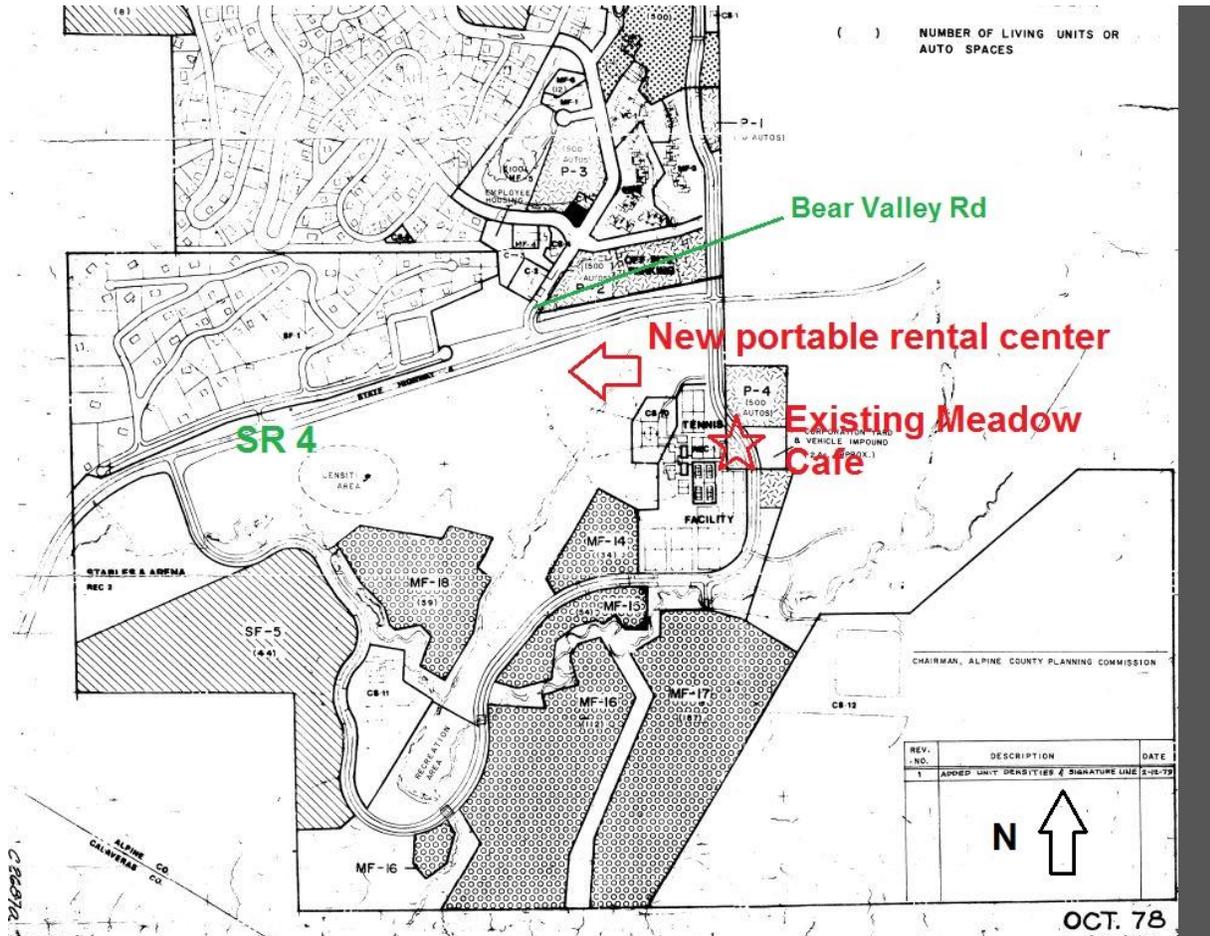
The Health Department will require new food service permits for the Meadow Café reconstruction. For the seasonal temporary uses the applicant shall submit plans for sanitary facilities to be approved by the Environmental Health Officer (Condition of Approval 2).

Meadow Café reconstruction

The application allows for a possible demolition and reconstruction of the Meadow Café structure and use. The café structure is a legal conforming structure and use. Normally the like-for-like replacement of an allowed use is not subject to the discretionary action. The purpose of defining the concept area and elevations of the possible reconstruction is to allow for the Community Development Department to have a determination of the extent of the existing conforming use that may be improved without additional use permits. The plans to improve the café may change by increase the footprint area or capacity which would trigger determination of the consistency of the use. The applicant has provided a floor plan of the café (Attachment 4) and the Department recommends Conditions of Approval 3 that the floor plans and concept are determined to be consistent with the building permit application prior to the issuance of a building permit for demolition of the café.

1978 Bear Valley Master Plan

The existing Meadow Café is located in an area proposed for development per the 1978 Bear Valley Master Plan. The map exhibit describes the location of the existing and proposed uses with the Master Plan map. The location, density, and intensity of the land uses are consistent with the Master Plan land use of recreation.



Parking and pedestrian safety

Some temporary guest parking is available at the BVAC Adventure Center and gas station at 40 Bear Valley Rd. Most visiting ski area guests park their vehicles at the South Lot, owned by Alpine County, located at the intersection of Bear Valley Rd and Creekside Dr. Access to the Adventure Center and cross country ski area is via Bear Valley Rd and crossing SR 4.

The guest parking for the cross country ski area is located north of State Route 4. Guests are required to park then walk along Bear Valley Rd and cross State Route 4 to access the ski area. BVAC grooms a ramp for access from the ground level at the SR 4 right of way to the snow surface.

The application does not propose changes to the ski area access and guests will continue to cross SR 4. There are no sidewalks or pedestrian crossing improvements within the right of way for Bear Valley Rd or SR 4. Currently guests acquire rental skis and equipment at 40 Bear Valley Rd and walk to access the area. The proposed new season rental center would eliminate the need to cross SR 4 wearing or carrying rented equipment. Staff recommends Condition of Approval 4 to require BVAC to provide information and signage related to safe travel on Bear Valley Rd and crossing of State Route 4.

Scenic highway ordinance

The land uses of the existing use are visible from SR 4, a designated state and national scenic byway. County Code 18.60 recommends design guidelines to reduce visual impacts to scenic highway resources. The ordinance guidelines are not mandatory. Condition of Approval 5 requires the applicant to submit color and material information with the Building Permit application so the Department may determine that improvements are consistent with the guidelines.

ENVIRONMENTAL REVIEW

A Notice of Categorical Exemption has been prepared for Class 2b exemption, replacement of a commercial structure with a new structure (Attachment 5).

PUBLIC NOTIFICATION

Notice of the public hearing was posted in accordance with County Code 18.76.030. Property owners within 300 feet of the subject property were noticed of the public hearing. No comment letters have been received as of May 22.

STAFF RECOMMENDATION

1. Approval of the BVAC cross country ski area use permit amendment application with conditions listed in the proceeding section and the following 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)

RECOMMENDED 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.

ALTERNATE ACTIONS

1. Approval of the use permit with conditions as modified by the Planning Commission.
 2. Denial of the use permit with findings.
 3. Continue the item pending more information necessary to make a decision.
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Respectfully submitted,

Zach Wood
Planner III

- Attachments:
1. Applicant's information
 2. Site plan
 3. Applicant's photos
 4. Meadow Café floor plan
 5. Notice of Categorical Exemption
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