



SIERRA COUNTY PLANNING COMMISSION

REGULAR MEETING MINUTES

3/16/2023

Chair: Mike Filippini		Vice Chair: Janet Baldrige
Liz Fisher	James Kelley	Vacant

Location: Sierra County Courthouse | Board of Supervisors Chambers | 100 Courthouse Square | Downieville, CA 95936

This meeting was open to the public for in-person viewing/participation, as well as available via video/teleconference.

1. CALL TO ORDER/ROLL CALL

1.1. The meeting was called to order at 10:22am. **Commissioners Present:** Mike Filippini, Liz Fisher, Janet Baldrige **Staff Present:** Tim Beals, Planning Director; Corri Jimenez, Planner II; Monica Beachell, Administrative Secretary III

1.2. **Appointment of New Officers:** The Commissioners come to a consensus to revisit the appointment of new officers until Commissioner Kelley returns.

2. APPROVAL OF AGENDA

Motion: Commissioners Baldrige/Fisher Approved without changes. Vote: 3/0

3. APPROVAL OF MINUTES

10/13/2022 Minutes approved as presented.

Motion: Commissioners Fisher/Baldrige. Approved with/out changes. Vote: 3/0

4. CORRESPONDENCE

None.

5. PUBLIC COMMENT OPPORTUNITY

None.

6. WORKSHOPS

None.

7. PUBLIC HEARINGS

The Public Hearing for 1647 Big Springs Resort Conditional Use Permit & Site Plan Review is called to order at 10:29am. Planner Jimenez reported on the project's categorical exemption, and invited applicant Bruce Boyd to chronical the background of the project..

Applicant Boyd explained that tin 2017 the "barn": was used as an art studio, and that the project is focused on converting the space into an office and housing for the property manager. Rather than build a new structure, converting the barn would allow ADA accessibility and have a minimal impact on the property itself.

Chair Filippini asks if the conversion would have a significant change to the water usage or if it would trigger a State waterboard issue

Applicant Boyd clarifies that there would be no significant changes or impacts to water usage, that the water has been and will continue to be tested quarterly, and the well produces approximately 1,000 gallons a minute..

Commissioner Fisher asks how many employees can be accommodated in the new housing.

Applicant Boyd explains that as many as three persons could be accommodated in the converted space, but generally most events only warrant one to two people using the space.

Planner Jimenez reviews the conditions of approval, and that the comments listed in red were per the Environmental Health Department.

Motion to Approve: Commissioners Baldrige/Fisher Approved without changes. Vote: 3/0

8. BUSINESS REQUIRING ACTION OR DISCUSSION

None.

9. PLANNING DIRECTOR'S STAFF REPORTS

9.1. Short Term Rentals: Planning Director Beals introduced the topic of Short-Term Rentals, wanting to inform the Planning Commission that the ordinance is in effect and to give a progress report. He invited Planner Jimenez to provide the update. See Exhibit A, attached, of the report. Commissioner Fisher expressed the importance of having a landline telephone upon the conclusion of the report.

9.2. Electric Vehicle Charging Stations: Director Beals went on to update the Commission on the progress of Electric Vehicle Charging Stations. The draft ordinance was scheduled to be presented to the Board of Supervisors on March 21, 2023. The draft ordinance was created after discussing the State mandate in previous Planning Commission meetings. Director Beals expressed that while the push from the State to move from gas to electric considers environmental impact from emissions, it fails to see the negative impact on the planning process. There are considerations for discretionary reviews, the impact on historic structures, nor infrastructure challenges during inclement weather. Chair Filippini stated that the idea of State mandates over County jurisdictions is becoming a dangerous and frustrating precedence. Local jurisdictions understand their own operational intricacies that the State

EXHIBIT A

Dear Planning Commissioners,

We have received 14 Short Term Rental Applications:

- Downieville—Four (4) applications
- Sierra City—Five (5) applications
- Calpine—Two (2) applications
- Sierraville—Two (2) applications
- Sierra Brooks—One (1)

Currently, one (1) application has resulted in a STR administrative use permit (115 Main Street, Sierra City, owned by Bryan & Mary Davey).

Of these applications, three (3) have resulted in denial letters, predominantly due to their zoning district. Of these denials, they include:

1. 103 Pearl Street, Downieville (R-3)—Multi-Family Residential doesn't allow for a STR. The property owner is looking to rezone the property and are in the process of scheduling a meeting with our office.
2. 540 S. Lincoln Street, Sierraville (CC)—Community Commercial does allow for a STR; however, commercial use is not the primary use. This property is being used solely as residential. They are looking for a commercial use.
3. 54 Mustang Trail, Sierra Brooks (RR-1)—Rural Residential One Family doesn't allow for a STR. The property owner has several violations, including the rental itself. Recently, we received a call on this STR that a guest received carbon monoxide poisoning while staying there. We immediately contacted the property owner, and they removed the listing. The building dept is currently working on the existing violations on the property.

Outside of these denials, the rest of the eleven (11) applications the Planning Dept. is reviewing are in various states of review where additional information is being requested or was missing or we cannot schedule a site inspection unless certain criteria are met, like a landline phone. A handful of these applications have open permits with the Building Department, which need to be inspected and closed. So, at the most, we will be closing/finaling a good 10 open permits, thanks to the STR process.

Additionally, we are working with Tax Collector-Treasurer's office to notice property owners who have been paying their Transient Occupancy Tax to let them know that a STR application would be needed. We have nine (9) property owners (2 in Downieville, 4 in Sierra City, and 3 in Calpine) who have paid their TOT with the Tax Collector and have not yet filed a STR application and will be reminded that a STR application is needed to operate otherwise it is a violation.

Thanks also to the Tax Collector's office and their due diligence, they have addressed another 26 property owners who have not paid TOT so far and will be on our list to email that they cannot operate a STR without an application. We are working on a letter to send out to them on this issue.

Last, Monica has been tracking feedback from callers on the application. What we currently have as feedback include:

1. 20 pound fire extinguisher. Is a 20 lbs. fire extinguisher necessary? Cumbersome, difficult to operate, expensive. Guests should evacuate immediately and call 911, if 20 lbs. fire extinguisher is required.
2. Appliance Manuals. Primary appliance manuals are vaguely defined, and difficult to produce. Owners don't want guests messing with the furnace. Can we relax this? Or better define the appliance manuals needed?
3. Parking requirements. We need a clearer definition of what parking requirements are needed. How many vehicles are needed based on the maximum occupancy? Each guest must have a space? One car per bedroom?
4. Landline Phone. Getting some pushback on the landline. Are VOIPs ok? What about areas like Calpine that have sufficient cellphone service?

5. Water systems. Water system policies and required documentations are extremely complex and confusing. Most people have difficulty understanding what is required, and it has been difficult even for our departments (Environmental Health and Planning Depts).

often fails to notice, and that planners and commissions are diminished to “rubber stamps” rather than trusted officials that serve the public interest.

- 9.3. **Planning Commission Vacancy & Updated Bylaws:** Director Beals proposes a Resolution of Appreciation for retired Planning Commissioner Irv Christensen for either April 4th or 18th. He recaps the Board of Supervisors search for a replacement candidate, and the search triggered them to revisit and revise the bylaws governing the commission. The Board of Supervisors is looking to amend Chapter 1 of the Sierra County Code, which Director Beals will send out to the Commissioners.
- 9.4. **Housing Element:** The LEAP and REAP grants are intended to be used for the review the utility and infrastructure around Loyaltan, which is designated in the General Plan. After a year of paperwork, an FRP is going out for water, sewer, and public utility capacity.
- 9.5. **General Plan Update:** The County is working with Minter Harnish for the update, and using funds from the SB2 grant, and County revenue. It is hopeful that the update will occur in 2023.

10. PLANNING COMMISSIONERS’ REPORTS

None.

11. ADJOURNMENT

Motion to adjourn: Commissioners Baldrige/Fisher Vote: 3/0

Meeting was adjourned at 11:18am. The next Planning Commission meeting will take place on 4/13/2023

Respectfully submitted,

Monica Beachell

Monica Beachell
Administrative Secretary III

Approved as Witnessed



Tim H. Beals Commission
Secretary