



SIERRA COUNTY PLANNING COMMISSION

REGULAR MEETING MINUTES

Thursday, July 14, 2022

Chair: Mike Filippini **Vice Chair:** Janet Baldrige

Liz Fisher Irv Christensen James Kelley

Location: Sierraville School | Library Room |
305 S. Lincoln Street | Sierraville, CA 96126

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

The meeting was called to order at 10:09 am.

Commissioners Present: Chairman Mike Filippini, Irv Christensen, and James Kelley; Liz Fisher attended virtually. Commissioner Janet Baldrige was absent.

Staff Present: Commission Secretary/Planning Director Tim Beals; Assistant Director/Planner Brandon Pangman attended virtually; Planner II Corri Jimenez; and Administrative Secretary III Monica Beachell.

2. APPROVAL OF AGENDA

Thursday, July 14, 2022, regular meeting agenda. Item 10 – Workshop/Field Trip was cancelled and rescheduled for a later date. The Commissioners disclosed that upon recess of the meeting, they would have lunch at Los Dos Hermanos.

Motion: Fisher/Kelley
absent)

Approved without changes. **Vote:** 4/0 (Commissioner Baldrige was

3. APPROVAL OF MINUTES

June 16, 2022 meeting minutes.

Motion: Christensen/Kelley
was absent)

Approved without changes **Vote:** 4/0 (Commissioner Baldrige

4. CORRESPONDENCE

None.

5. PUBLIC COMMENT OPPORTUNITY

None.

6. PUBLIC HEARINGS

6.1 Public Hearing on Goddard Zoning Variance: Chairman Filippini opened the public hearing at 10:13am and the staff report was presented by Assistant Director Brandon Pangman. The applicant was requesting a zoning variance to reduce the setbacks from 60 feet to 10 feet on a legal non-conforming lot. Mr. Pangman discovered that property dimensions on the site plan prepared by the applicant didn't match the legal description of the property. The legal description of the property indicates there is approximately 20 feet to 30 feet not accounted for in the variance request, which would make the applicant's project slightly easier to accommodate, but Mr. Goddard would still need to reduce the property setbacks. A zoning variance would also be recommended for this property because its current zoning (General Forest) is inconsistent with the General Plan. Neighbor to the west wrote a supportive letter for the project.

Director Beals commented that approving the zoning variance is the best solution for this project and added it is an opportunity to fast track the remodel. Per the staff report, rezoning the property from General Forest to Rural Residential-2 would make the legal nonconforming residence consistent with the General Plan, but even with the new yard setbacks, the project would still require a zone variance. The proposed variance will have no adverse environmental effects or change the existing land use. Director Beals noted that the Planning Commission should revisit rezoning the West Willow neighborhood soon as it is a county obligation to ensure that zoning is consistent with the General Plan. Staff recommended to approve the variance with no changes.

The Planning Commission approved the Zoning Variance per staff's recommendations.

Motion: Kelley/Christensen **Approved** without changes **Vote:** 4/0 (Commissioner Baldrige was absent)

6.2 Public Hearing on Constellation Creek Conditional Use Permit (CUP) & Zone Amendment:

Chairman Filippini opened the Public Hearing at 10:23am. Planner II Jimenez recounted the details of the staff report. Constellation Creek Resort is a legal parcel with two (2) listed APN numbers. The parcel is located in the Visitor Commercial District per the General Plan and is zoned General Forest. The applicants requested to rezone their property to Commercial Residential District where resorts are allowed as a permitted use. In addition to the zone amendment, the applicants are requesting a Conditional Use Permit (CUP) on the resort to allow an as-built (unpermitted) cabin to be made code-compliant, and to convert a storage structure into a store.

Director Beals commented that historically this property has had no permits, and possibly predated Sierra County's zoning. According to the Director, approving this project is not only an opportunity for the county to ensure the future development is consistent with the General Plan, building codes, zoning, and use permits, but also for the property owners of Constellation Creek to define their property. The Director also noted the new owners are eager to correct older entitlements and bring Constellation Creek into compliance, with a clean slate, which is commendable. The Director said, *"This change is a good thing for everyone"*.

Besides the overview of the project, additional details regarding the CUP and comments that were received:

- **Fire Restrictions:** Director Beals commented the county will maintain jurisdiction over the fire restrictions on the property, not the U.S. Forest Service because the Board of Supervisors has jurisdiction over private land use and fire prevention.
- **Terms:** Director Beals mentioned, every use permit has a term, instead of being approved in perpetuity. Terms allow the Board of Supervisors the opportunity to review progress, issues, and to revisit the project in general. It doesn't mean that the project is no longer valid after the term expires. Term extensions are allowed for all conditional use permits as well as encouraged.
- **Growth:** Additional clarification was given about the proposed store by Director Beals. The proposed CUP is for a dry goods store (i.e.: t-shirts, toothbrushes, prepackaged food, etc.); however, if the applicant wishes to expand the use (i.e.: add a restaurant), they have that option as long as they get proper permits obtained from the county from the Building and Environmental Health Departments.

Ms. Jimenez commented that staff had received numerous letters of support, reflected in the staff report. A new letter came in since the commissioners' received their packet, and Ms. Jimenez entered into the Administrative Record as Appendix G. Chairman Filippini opened the public hearing and asked if there were any questions/comments from the commissioners:

- Georgie Bisval made the following comments *"Thank you to Brandon and Corri for answering endless questions. You have been incredibly guiding. Everything that we wanted to do was with due diligence, to be a part of the community, and to have support of the neighbors. We have been looking for over 10 years to build our dream family business. It's been difficult with COVID and had immense highs and lows. But our neighbors have gotten us through the last 2.5 years. Our neighbors bringing their families to our cabins is the biggest compliment. We have had visitors from the bay area that have never heard of Sierra County and they have returned several times. We want to help put Sierra County on the map. We want guests to have access to purchase small goods to make their stay more comfortable like toothbrushes, t-shirts etc. – the items that may have been missed in packing."*
- Brian Hess: (of 208 Old Truckee Road) *"I have a small family, and things have changed a lot in 7 years [since owning property in Sierraville]. My parents first stayed in Canyon Ranch [when they were younger], and my mom said it smelled like propane all night [when managed by previous owners]. Now that the torch has been passed to Georgie, everything is much better. Constellation Creek brings more people to Sierra County and I'm in huge support of having commerce here. They are doing the project with beauty, community support, and full compliance. I am in support of the project."*
- Director Beals: *"I want to thank the Bisvals for complimenting Corri and Brandon and their overall pleasantness to work with."*
- Commissioner Kelley: *"Are all the cabins ADA accessible?"* Director Beals commented: *"No, not all of the cabins have to be ADA accessible, just a certain percentage of cabins need to be ADA compliant."*
- Georgie Bisval: *"I have a question on the term on the use permit of this nature. Is it absolutely necessary to put a term on this CUP? I have put so much work into this project and it seems like time is flying by very quickly."* Director Beals responded: *"What I say in present day can change in 5 -10 years down the road, so I understand your concern. The intent for the term is to look at if conditions have been fulfilled, to investigate if any issues arise, and so forth. The 10-year term is just a number, and we can make the term longer. So long as there a term, and the CUP is not issued in perpetuity. If the Commission wants to extend the term, there is no issue. The issue is to keep everything current, and not present a hardship."*

Chairman Christensen made a motion to extend the conditional use permit from 10 years to 20 years; therefore, it would not expire until July 2042. The other Planning Commissioners had no issue with the extension of the term to 20 years and approved conditional use permit for a term of 20 years, and recommended the approval of the zone amendment to the Board of Supervisors. The item concluded at 10:56am.

- **Motion:** Christensen/Kelley **Approved** with amendment of the CUP term being extended to be 20 years changes **Vote:** 4/0 (Commissioner Baldrige was absent)

7. **BUSINESS REQUIRING ACTION OR DISCUSSION**

Director Beals solicits dates to reschedule the site visit for the cancelled afternoon workshop. July 28th at 10:00am is targeted reschedule date, with confirmation to follow in the next week.

8. **FURTHER BUSINESS**

None.

9. **PLANNING COMMISSIONERS' REPORTS**

Chairman Filippini reported on Loyaltown's July 4th celebration and Rotary Club's scholarship fundraiser. He said the turnout was "very good." The food was supplied by private vendors, and there was significant fundraising for the scholarship.

10. **Workshop/Field Trip**

Postponed to a future date.

11. **ADJOURNMENT**

The meeting was adjourned at 11:01am with the next regular Planning Commission Meeting scheduled for Thursday, August 11, 2022 at Downieville.

Respectfully submitted,

Monica Beachell

Monica Beachell
Administrative Secretary III

Approved as Witnessed


Tim H. Beals

Commission Secretary