



Planning Commission Staff Report

December 17, 2015

PC EXHIBIT 1

Project: Sierra Valley Lodge SUP
PD File No. 1619
Staff Rec. No.: 1161
Request: SUP Compliance review & Extension
Location: 103 - 111 Main Street, Calpine CA
APN: 012-122-001, 012-121-002
Planner: Brandon Pangman

<u>Property Owner</u>	<u>Applicant</u>	<u>On-site Manager</u>
SVP, LLC 11 Duboce Ave. San Francisco, CA 9413	Jason Perkins	Dwight Brooks

1. Staff Recommendation

Staff recommends that the Planning Commission amend the Conditions of Approval, and *conditionally-approve* the request for a one (1) year extension on the life of the Special Use Permit.

2. Project Description & Background

The Applicant is requesting a:

- *Compliance Review & Extension on the life of their Special Use Permit*

At a Special Meeting on July 30, 2015 the Planning Commission adopted Resolution no. 2015-03 approving a Special Use Permit (SUP) to allow tent and RV camping on the Sierra Valley Lodge property in the Community Commercial (CC) District, subject to certain conditions of approval (COAs). The SUP was limited in scope to five (5) event weekends (minus the two already held without benefit of a permit) between May 1 and Sept. 30, 2015; and the SUP would expire after Dec. 31, 2015 unless the Permittee requests in writing a maximum one (1) year extension and undergoes a compliance review demonstrating that they have operated in substantial conformance with the permit conditions, and that the findings required by law for such entitlement could still be made (*cf*, COA #4). Such request was received by the County on Oct. 7, 2015.

3. Summary Findings & Recommendations

Staff has four general observations:

- While the Permittee has made a good faith effort at satisfying some of the COAs that are “preconditions” to operating, there are still a few “holes” (e.g., COAs 8, 9, 10, 15). In other words, all four (4) events in 2015 were technically conducted without benefit of a permit.
- Complaints and concerns expressed to the Planning Department following the two (2) most recent events in August were down significantly from the events held in May and June—but there were still some issues.
- Until recently (12/8/2015), despite repeated requests by Planning staff, the Permittee’s responses and documentation evidencing compliance with “operational” conditions were almost non-existent. Staff applauds the new on-site manager, Dwight Brooks, for finally providing the Planning Department with a summary report of compliance efforts to date; and assurances that any deficiencies will be adequately addressed before next season if they are afforded an opportunity to have the permit extended another year (**Exhibit 6**). However, of the twenty (20) COAs, twelve (12) conditions (60%) remain either *out of compliance, partially-compliant, or unknown*.
- Based on observations of the camping events in 2015, staff has provided some recommendations for amendments to certain COAs, which are discussed below and shown in “redline” format in **Exhibit 2**, enclosed.

4. Conditions of Approval, Compliance Review & Recommended Amendments

<u>COA #</u>	<u>Condition</u>	<u>Compliance?</u>
1	The project approved by this action is for a Special Use Permit to provide for temporary outdoor camping and RV occupancy uses within the Community Commercial (CC) District on APNs 012-122-001 & 012-121-002 as described in the project description contained in the Planning Department Staff Report for file no. 1619 (ref. staff rec. no. 1156, dated July 16, 2015). Approved project features are specifically as laid out in the staff report and the attached application materials, as amended by these conditions. Deviations from the conditionally-approved project description shall be reviewed by the Planning Department for substantial compliance and may require amendment of the Special Use Permit by the appropriate hearing body. If there are any discrepancies between the approved project description or plans, and the conditions of approval, the conditions of approval shall supersede.	Yes
	<i>Discussion:</i> Standard condition. No deviations from the original permit conditions proposed by the applicant.	
	<i>Recommendation:</i> No change.	
<u>COA #</u>	<u>Condition</u>	<u>Compliance?</u>

2	<p>This action does not relieve the applicant of the obligation to comply with all local, state or federal ordinances, statutes, regulations, and procedures.</p> <p><u>Discussion:</u> The only known issue concerns payment of Transient Occupancy Tax. Per County Tax Collector (ref. Exhibit 9), there was a disagreement about whether camping and other motel occupancies were fully or accurately reported, and TOT paid as required.</p> <p><u>Recommendation:</u> Amend COA #2 to additionally specify that prior to conducting any further events ("camping") in reliance on this entitlement, Permittee shall provide the Planning Department with evidence of the County Tax Collector's satisfaction that TOT and all other taxes, fees and assessments have been paid up-to-date. [See proposed language in amended COAs, Exhibit 2]</p>	TBD
3	<p>Fees: Any balance of fees must be paid to any County agency involved in the processing of this application prior to the issuance of the Special Use Permit and commencement of the use.</p> <p><u>Discussion:</u> Processing costs for the original application left a minor balance of \$8.75 over the initial deposit; this balance was waived and the COA was deemed satisfied. However, annual compliance reviews, preparation of staff reports and exhibits, etc. result in additional costs incurred by county staff.</p> <p><u>Recommendation:</u> Amend COA #3 to strike inapplicable language (pertaining to original application processing costs); and add provision to authorize reimbursement of reasonable direct costs associated with annual compliance reviews and permit extension hearings.</p>	Yes
4	<p>Term: The term of the Special Use Permit shall extend to December 31, 2015 and shall terminate unless the Special Use Permit is extended from year to year for an additional term of no greater than one (1) year by the Planning Commission. The process for requesting and receiving an additional term of one (1) year shall commence upon the County Planning Department receiving a written request from the permittee at least sixty (60) days prior to the expiration date of the existing special use permit. The Planning Commission, upon receipt of a written request for an additional one year term, shall set the matter for public hearing and shall make a determination at a regular or special meeting of the Planning Commission conducted prior to the expiration date of the Special Use Permit. Extension of the Special Use Permit is contingent upon the successful amendment of the zoning ordinance governing allowable "conditional uses" in the Community Commercial (CC) District by the Board of Supervisors (ref. Sierra County Code Section 15.12.130[d] and [i]). If the relevant ordinance is not amended by the Board of Supervisors, the conditionally-approved Special Use Permit shall not be extended and the Special Use Permit shall become invalid. If the zoning ordinance has been amended by the Board of Supervisors the</p>	Yes

	<p>Planning Commission may: approve an additional term under the existing conditions of approval specified in the Special Use Permit; or, approve the additional term subject to new or modified conditions of approval; or, reject the request for an additional term. Prior to approving any extension the Planning Commission shall be required to make the findings required within the Sierra County Code related to Special (or ‘conditional’) Use Permits, as well as find that the Permittee has operated in substantial compliance with the Conditions of Approval. Such compliance review shall be required annually.</p> <p><u>Discussion:</u> No compliance issues. Permittee provided timely written request for extension, received on 10/7/2015. However, details demonstrating compliance with COAs have been sparse, incomplete or unclear (ref. Exhibit 3). Additional compliance documentation was received on 12/8/2015 (Exhibits 6 – 8). The County initiated a zone amendment, and following public hearings before the Planning Commission on 10/22/2015 and Board of Supervisors on 11/3/2015, the Board adopted Ordinance no. 1065 (Exhibit 10), clarifying that RV parks and tent camping are now conditionally allowed in the CC zone.</p> <p><u>Recommendation:</u> Amend COA #4 to extend life of SUP to 12/31/2016; and delete language pertaining to zone amendment contingencies.</p>	
5	<p>Frequency: The use authorized under this Special Use Permit is limited to five (5) weekends per calendar year between the dates of May 1st and September 30th and the property shall not be used at any other time for recreational vehicle occupancy or incidental camping. (Note: For the first term of this Special Use Permit (expiring if not extended before December 31, 2015), the five (5) allowable weekends shall include the two (2) events that already took place without benefit of a permit (on the weekends of May 2nd and June 13th, 2015); plus up to three (3) additional weekends.) The period that is authorized for the use specified in this Special Use Permit shall be weekends defined as Friday no earlier than 12:00 pm (noon) through Sunday at 1:00 pm. Such use of the property for the five (5) weekends shall not occur on consecutive weekends.</p> <p><u>Discussion:</u> Department records indicate that, in addition to the two unpermitted events held during the weekends of 5/2/15 and 6/2/15, only two additional camping events were held, out of the three (3) additional events allowed—during the weekends of 8/1/15 and 8/15/15. The Planning Department received verbal reports more recently that RV parking and camping may have occurred more often, but the Permittee has denied this and no evidence of additional camping has been received by the Department to date.</p> <p><u>Recommendation:</u> Amend COA #5 to strike the language pertaining to past event dates that no longer apply, and keep the condition in place restricting RV parking and camping events to no more than five (5) times per year between May 1 and September 30 on non-successive weekends (and only during specified times).</p>	Yes
COA #	Condition	Compliance?

6	<p>Notice: Excepting the planned August 1, 2015 event, at least seven (7) calendar days prior to each scheduled event involving outdoor camping authorized under this Special Use Permit, Permittee shall provide a posted notice at the Calpine-Sattley Post Office located within the community hall building in Calpine; provide a copy of the written notice to the County Planning Department; and shall directly notify the local fire department (Sierra County Fire Protection District #1—Calpine Station) so local EMTs are on notice of the event.</p> <p><i>Discussion:</i> Notice was not a requirement under the SUP until the fourth event (weekend of 8/15/15); however, the Planning Department received such notice only 2 days before the event, and after inquiring after the lodge's on-site manager at the time (Nicole Beck; see Exhibit 11). Staff has found no evidence of compliance with the requirement for posting, or directly notifying the local fire department at least seven (7) days in advance of any of the events. In the compliance review response letter by Manager Dwight Brooks, received 12/8/2015 (ref., Exhibit 6), it was stated with regard to COA #6: "I can find no evidence that the Lodge fully complied with this condition under the current permit and I am committing to the Department and the Commission that I will insure compliance in the 2016 season."</p> <p><i>Recommendation:</i> Amend COA #6 to strike the language referencing a past event, and keep the noticing requirement a condition of approval.</p>	No
7	<p>RV Spaces: Use for parking and overnight occupancy of recreational vehicles is limited to ten (10) recreational vehicle parking spaces located on the north-east side of the main lodge building, substantially as represented on the application Site Plan shown in Planning Commission Exhibit 4. Such RV spaces shall be unimproved and have no water, sewage disposal, or electrical outlets or services. "Recreational vehicle" or "RV" as used herein is defined as a <u>self-contained</u> motorhome, travel trailer, fifth wheel, cab-over camper or similar vehicle as determined by the County Planning Department, each with its own facilities for cooking, sleeping, and bathroom. "Recreation vehicle" does <u>not</u> include tent trailers, tents, cars, pick-up trucks with or without a camper shell, or similar vehicles or that are not fully self-contained in the customary sense of a modern motorhome. Recreational vehicle spaces are limited to one (1) recreational vehicle (except, in the case of trailers and fifth wheels, additionally the primary vehicle transporting the recreational vehicle). Multiple vehicles (more than one [1]) may not be parked with a recreational vehicle per space authorized under this special use permit. Each space shall be limited in occupancy to the inside capacity of the RV (no outside sleeping or accessory cots, air mattresses or tent camping in this area).</p> <p><i>Discussion:</i> According to an inspection by Planning Director Beals on the night of 8/1/2015 (Exhibit 12), there were only about 7 RVs at this third</p>	No

	<p>event (the first authorized event). However, several reports were received following the event during the weekend of 8/15/2015 that at least sixteen (16) RVs were parked on-site, with additional RVs parked and occupied in the parking lot at the park; another on Main St.; on private property when the owner was away; and possibly elsewhere (mixed reports of RV and tent camping and sleeping in vehicles in various off-site locations). See complaint correspondence, Exhibits 13-16.</p> <p>As mentioned above, there were also reports of RVs parked on the property on non-event days; but staff has not independently verified this. See Manager's response (Exhibit 6): <i>"I have read and acknowledge the conditions for RV spaces. I understand there were complaints during the past season that more than 10 RV's were allowed during events and some were parked outside of designated spaces. I have no evidence to the contrary and I commit to limiting RV parking on Lodge property to no more than 10 units in designated spaces. We will not suggest, encourage or facilitate RV parking on adjacent property. Ultimately, however, I will have no control of RV parking on any other property in the community."</i></p> <p>Regarding this last statement, staff would remind the Permittee and the Commission that a principal concern in weighing whether or not to grant this entitlement was about <i>enforcement</i>: neither the Planning staff nor the Sheriff's office have the staff, time, or resources to actively monitor and enforce all SUP conditions and special events—so it was made a condition of approval (and stipulated by the Permittee ahead of time) that the Lodge would provide its own on-site, 24/7 security to monitor its guests and enforce all permit conditions. The willingness and ability to maintain control of people visiting the community <i>during the Lodge's advertised weekend events</i> is of paramount concern. If the Permittee cannot, or will not, maintain control and provide adequate self-enforcement of the permit conditions (including admonishing people who attend their events but park or camp off-site in the community, <i>not to</i>), then it is Staff's recommendation that the SUP be revoked or not extended. In short: the Permittee <i>must</i> maintain control of their guests, both on- and off the property if this entitlement will 'work.'</p> <p><u>Recommendation</u>: No changes to this condition; but staff recommends the Commission admonish the Permittee to diligently self-enforce all permit conditions in the future.</p>	
8	<p>Camping Spaces: Use for overflow, incidental camping is limited to twenty (20) designated camp sites that are substantially unimproved and have no water, sewage disposal, or electrical outlets or services. Use of portable generators is prohibited. Camp sites shall be limited to four (4) persons per camp site and no more than one (1) motor vehicle (or two [2] motorcycles). Each camp site is authorized for no more than two (2) tents (whether or not camp site users are sleeping on the ground or within a tent); or one (1) camp trailer; or one (1) truck with camper shell; or similar use as approved by the Planning Department. At no time shall the overflow camping area for incidental camping exceed forty (40) tents,</p>	Partially

	<p>twenty (20) motor vehicles, or eighty (80) camp site occupants. “Designated camp site” shall be defined as an area no less than 20’ x 20’ in area and each of the twenty (20) approved camp sites shall be clearly identified by a post (or similar method) with an identification # attached for easy reference and location of each of the camp areas authorized under this Special Use Permit. If the final location of each camp site differs from those shown on the original Site Plan, the Site Plan shall be revised to reflect the true location and approximate dimension of each actual camp site and re-submitted to the Planning Department for reference. Camp site registration (<i>cf</i>, COA #19 below) shall include identification and contact information of the person or persons reserving each site, and indicate the total number of people occupying each site.</p> <p><u>Discussion:</u> While there were no reports of campsites exceeding the allotted capacity, there were some complaints of people camping off-site around the community during the weekend of 8/15/2015 (<i>cf</i>, Exhibits 13 – 16). See discussion above, under COA #7. To date (and despite repeated requests), the Planning Department has not received evidence of campsite identification consistent with the approved site plan (although drive-by inspections showed a number of landscape lights on wood rounds, so this ‘may’ have been done). The Manager’s compliance response (Exhibit 6) mentioned ‘attached photographic evidence that shows the space markers in place during the past season’ but no such photographs were provided; he also stated, ‘I will update and submit to the Planning department a site plan that reflects the sites, dimensions and also the approved vehicle access (#10)’ but this, too, has not yet been provided to the Planning Department to confirm satisfaction of this condition. Lastly, the County has not received evidence of any actual camp site registration; however on 12/8/2015 the Manager did provide a copy of a blank registration form.</p> <p><u>Recommendation:</u> No changes to this condition; but staff recommends the Commission admonish the Permittee to follow-through with these requirements and call an inspection of the camp site area prior to conducting future camping events.</p>	
9	<p>Property Boundaries: Trespassing on neighboring property, or camping or parking within the public park areas is strictly forbidden and shall be enforced by the responsible Security enforcement officer(s) (<i>cf</i>, COA #19 below). All side and rear property lines shall be clearly delineated by a temporary fence or other method approved by the Planning Department to inform lodge customers and event guests of the areas available for parking, camping, and associated uses and to help ensure that trespasses and unauthorized use of County public spaces do not occur.</p> <p><u>Discussion:</u> No evidence has been provided to the Planning Department that property lines have been clearly delineated for the Lodge’s guests (similar to #8 above: Exhibit 6 response references attached</p>	No

	<p>photographic evidence of compliance, but no photographs were actually provided). After the first two (2) unpermitted events, it appears that camping no longer took place in the adjacent public park; however, there were some complaints of camping off-site on private property, etc. See discussion under #7 above.</p> <p><u>Recommendation:</u> No changes to this condition; but staff recommends the Commission admonish the Permittee to follow-through with these requirements and call for an inspection prior to conducting future camping events.</p>	
10	<p>Access: Driveway access to the areas on the property used for recreational vehicle parking and incidental camping shall be limited to locations as determined by the County Road Department, and shall be clearly identified on a revised Site Plan. Vehicles are not allowed to access the property indiscriminately from adjacent County roads, or cross neighboring property or the County park. Proper signs will be provided and posted by the permittee to advise motorists of the access points that have been approved by the County. In addition, no parking or driving of any nature shall occur atop any existing septic or leach areas in existence on the property (including south of the designated RV parking area, east of the lodge).</p> <p><u>Discussion:</u> To date, despite repeated requests, the Permittee has not contacted the County Road Department or provided evidence to the Planning Department of compliance with this condition. In his 12/8/2015 response memo (Exhibit 6), the Manager stated, "I will contact and consult with County Road Department personnel on the designation of driveway access to RV spaces and camp sites from County roads. I will provide signage for guests directing them to these access points approved by the County. Prior to the first event under this permit [sic.: presumably, in 2016], I will submit to the County a revised site plan showing these access points."</p> <p><u>Recommendation:</u> No changes to this condition, since it has not yet been satisfied. Again, staff recommends the Commission admonish the Permittee to follow-through with these requirements and call for an inspection prior to conducting future camping events.</p>	No
11	<p>Parking: Overflow (off-site) parking during events and uses authorized by this Special Use Permit shall be carefully monitored and regulated by the responsible Security enforcement officer(s) (<i>cf.</i> COA #19 below) to ensure that parking along public roads and rights-of-way is conducted in a safe, orderly fashion without obstructing the lanes of travel or creating unsafe conditions, and to ensure that private driveways are not obstructed and unauthorized parking does not occur on neighboring property.</p> <p><u>Discussion:</u> Early complaints regarding parking off-site were largely non-existent for the two final events in August 2015. No further issues, apparently.</p> <p><u>Recommendation:</u> No changes; maintain this condition.</p>	Yes

COA #	Condition	Compliance?
12	<p>Dogs: No dogs allowed, except within recreation vehicles (as defined in COA #8 above). Dogs are prohibited within the incidental camp area, parked vehicles, tents, etc.; and shall not be left unattended outside at any time whether confined, leashed or unleashed.</p> <p><u>Discussion:</u> There continued to be some complaints about dogs, but Planning staff received conflicting reports about whether nuisance dogs belonged to guests or local neighbors. There were complaints of dog/s being locked in parked cars, barking, while the owners were in the Lodge during concert events during the weekend of 8/15/2015 (cf, Exhibits 13, 15, 16).</p> <p><u>Recommendation:</u> No changes to this condition; but staff recommends the Commission admonish the Permittee to diligently self-enforce all permit conditions in the future.</p>	Partially
13	<p>Noise Curfew: No loud noises outside the lodge, or outdoor music or partying are allowed after 10:00 pm. The 10:00 pm curfew shall be strictly enforced by the person(s) in charge of Security (cf, COA #19 below).</p> <p><u>Discussion:</u> There were some complaints of loud noise after 10:00pm during both events in August (plus the two unpermitted events prior). Dir. Beals reported that when the double sets of doors to the front of the lodge were both closed, the noise was fine; but when the outside doors were propped open (apparently to allow cool air in), it was very loud. The Planning Department received a few complaints of loud music extending past 10:00pm (cf, Exhibits 13–16) and loud screaming at 2:30 in the morning. The Sheriff's office also received some complaints. The Planning Department obtained copies of two (2) incident reports from the Sheriff's office: "Disturbing the peace" at 3:45am on 8/3/2015 (Exhibit 17); and "disturbing the peace" at 12:50am on 8/16/15 (Exhibit 18). Of note in the former incident report (Exhibit 17), the three (3) responding Sheriff's officers noted during their investigation, 'No lodge employees were present'; and, 'Additionally, dispatch attempted to contact the lodge manager, Nathan Scott via telephone but were unable to reach him.' See condition #19, below.</p> <p>In his 12/8/2015 response, the Manager noted, "This condition is incorporated in our rules distributed to guests and posted on Lodge property (#17)." (cf, Exhibit 4).</p> <p><u>Recommendation:</u> Amend COA #13 to add the provision that the outer doors of the lodge shall remain closed during amplified music and live performances, to help mitigate some of the noise impacts to neighbors.</p>	No
14	<p>Sanitation: At all events and uses authorized by this Special Use Permit, Permittee shall provide at minimum each of the following: two (2) portable toilets, at least one of which shall be ADA accessible; and sufficient trash and recycling receptacles, including at least four (4) 38± gal. trash cans in the camp area, and two (2) in the RV area, plus</p>	Unknown

	<p>implementation of recycling for plastic, glass, and aluminum. Immediately following each event, Permittee shall ensure the area is cleaned up and all trash and debris is removed from outdoor spaces on the property, as well as related trash and debris in the neighboring park and roadways. The property and vicinity shall be maintained at all times in a clean, neat fashion (including, to the extent feasible, during permitted events).</p> <p><i>Discussion:</i> There were some complaints of trash outside during and immediately following the events, but the Planning Department has seen no evidence of this and the Permittee has assured the County that trash is diligently picked up. With respect to the required portable toilets, trash cans, and recycle bins—in his 12/8/2015 compliance response, the Manager noted, “I can find no evidence that the Lodge fully complied with this condition under the current permit. I commit to locating at least two (2) portable toilets on site prior to noon on the Friday of our first camping event next season. I also commit to providing photographic evidence to the County Planning Department prior to 5 p.m. on the Friday of our first camping event, including the required trash and recycle receptacles” (Exhibit 6).</p> <p><i>Recommendation:</i> No changes to this condition; but staff recommends the Commission admonish the Permittee to diligently self-enforce all permit conditions in the future and provide evidence of compliance to the Planning Department, and/or call for an inspection prior to conducting the next event.</p>	
15	<p>Park Restroom: Use of the County public restroom at the adjacent park shall only be permitted in conjunction with events authorized under this Special Use Permit when coordinated through the Calpine Improvement Association (CIA). Permittee (SVL) shall provide to the Planning Department a fully-executed Agreement between the SVL and CIA for this facility’s use, fees, cleaning and supplies.</p> <p><i>Discussion:</i> Not satisfied. Staff has considered the possibility of requiring the CIA to lock the park restrooms during the Lodge’s 5 weekend events; however, this seems unfair to the rest of the public—and caused by the Permittee’s unique entitlement and failure thus far to comply with this condition and provide adequate security and control. If the events are permitted to continue at the Lodge, there will continue to be an increased demand and use of this nearby public facility, so the requirement for coordination with the CIA and shared maintenance responsibility should be enforced.</p> <p>On 12/8/2015 the Manager provided an unsigned draft copy of a proposed agreement (Exhibit 7). Staff understands that the CIA board has not yet had an opportunity to review and approve the agreement.</p> <p><i>Recommendation:</i> No changes to this condition. If the SUP is extended for another year, staff recommends that a signed agreement continue to be a required condition, and should be provided to the Planning Department prior to commencement of the next scheduled camping event.</p>	No
COA #	Condition	Compliance?

16	<p>Fires: No open campfires are permitted by guests in the RV or camp areas. Propane-fueled barbeques and lanterns are permitted; but no other open flames are permitted (including candles, “Citronella” and “tiki” torches, etc.). Permittee shall adhere to all relevant fire codes and regulations, including use, occupancy, signage, and other improvement requirements under the current California Fire Code, California Building Code, Cal Fire’s Wildfire Protection requirements under Public Resources Code §4290-4291 and implementing regulations, as well as the local fire district’s adopted ordinances and amendments thereto.</p> <p><i>Discussion:</i> There was one complaint received by the Planning Department of Lodge guests camping in the nearby forest and lighting campfires during the weekend of 8/15/2015 (cf, Exhibit 14)—although there has been no independent confirmation or evidence of this provided. The “Camping & RV Rules” (cf, Exhibit 4) that are distributed to guests does emphasize this concern, and monitoring by the Planning Director and Sheriff’s office, as well as staff inquiries made to other local residents, all indicate that there have been no camp fires or illicit open flames on-site.</p> <p><i>Recommendation:</i> No change.</p>	Yes
17	<p>Overnight Rules & Registration: All overnight guests—whether in the RV area or incidental camp sites—shall be required to register (as required under the County’s Transient Occupancy Tax rules; contact the County Auditor/Tax-Collector for more information). Permittee shall develop rules consistent with these conditions and shall distribute to all guests during both advanced registration and arrival/check-in. Rules/Registration Form(s) shall be provided to the Planning Department for review and approval prior to August 1, 2015, and whenever subsequently amended; and shall be posted on the SVL website.</p> <p><i>Discussion:</i> Draft copies of proposed Rules were provided to the Planning Department for review and comment prior to the 8/1/2015 event; and a final version was provided by Mr. Perkins on 10/7/2015 (Exhibit 4). However, the Planning Department has seen no evidence that they have ever been posted on the website, or distributed to guests during both registration and check-in. Furthermore, it appears that the Lodge has not kept diligent records of overnight registration, as evidenced by a recent exchange with the County Tax Collector (cf, Exhibit 9).</p> <p><i>Recommendation:</i> Minor amendment to COA #17 to change the performance deadline from ‘Aug. 1, 2015’ to ‘prior to conducting an event authorized by this SUP.’ See also the amendment to COA #2 regarding TOT compliance and documentation.</p>	Partially
18	<p>Park Use: The adjacent public park is available for public use and may not be used or occupied by SVL or their guests exclusively, or for commercial purposes, or in any manner that could discourage general use</p>	Yes

	<p>by the public or community (including parking, camping, bands, vendors, adult partying, etc.). SVL shall endeavor not to discourage a “family friendly” atmosphere at the adjacent park or nearby residential neighborhood.</p> <p><i>Discussion:</i> Following the two (2) unpermitted events in May and June, it appears this condition was complied with for subsequent events.</p> <p><i>Recommendation:</i> No change.</p>	
19	<p>Security and Enforcement: Permittee shall provide round-the-clock (24-hour) private Security and a means of responsible enforcement of these rules and conditions of approval for the use authorized by this Special Use Permit. A Security and Enforcement Plan shall be submitted to the Planning Department and Sierra County Sheriff outlining the rules and describing the proposed methods of ensuring compliance with these conditions.</p> <p><i>Discussion:</i> In staff's view, this is the biggest issue. As discussed above, the success or failure of this entitlement depends on the Permittee's willingness and ability to maintain control of the events hosted by the Lodge. Sierra County lacks the resources to adequately police and diligently enforce all permit conditions at every weekend event (noting, too, that such events are sometimes held concurrently with large special events on the west side of the county). Mr. Perkins suggested the 24-hr private (self-) security proposal, and provided a Security Plan (Exhibit 5) with assurances that the permit conditions would be diligently enforced and their private security would maintain peace and actively discourage potential nuisances—not just on-site, but in the neighboring vicinity as well. Security was to be “on duty” round-the-clock and available to both the Sheriff's office and local fire personnel and EMTs. However, active self-enforcement of the permit conditions and a clear attempt to protect the community against nuisances caused by patrons to the Lodge's events do not seem to be taken seriously so far. (As noted above under COA #13, in one of the Sheriff Dept.'s incident reports (Exhibit 17), the three (3) responding officers noted during their investigation, 'No lodge employees were present'; and, 'Additionally, dispatch attempted to contact the lodge manager, Nathan Scott, via telephone but were unable to reach him.')</p> <p><i>Recommendation:</i> No change to the condition; but if the Commission intends to extend the life of the SUP, staff recommends the Commission to admonish and urge the Permittee to be more diligent about self-enforcing these permit conditions; or if he cannot maintain control, the permit will be revoked.</p>	Partially
COA #	Condition	Compliance?

20	Revocation: Failure to adhere to or satisfy any of these conditions may be grounds for revocation of the Special Use Permit. Where issues arise, interpretations and enforcement of these permit requirements and conditions shall be determined by the Planning Director; and such determinations may be appealed to the Planning Commission (ref. SCC §20.15[c], §15.28.050).	Yes
	<u>Discussion:</u>	
	<u>Recommendation:</u> No change.	

5. Findings:

Sierra County Code Section 20.15(a) provides that “No conditional use permit shall be approved, unless the Planning Commission first [makes eight (8) certain findings].” Those findings and suggested evidence are as follows:

1. Finding: The proposed use is consistent with all applicable provisions of this Part and any applicable provisions of other Parts of this code.

Evidence: The County recently adopted an ordinance (no. 1065; eff. 12/30/2015) which amended the Community Commercial District ordinance to specify that the outdoor uses contemplated under this project are conditionally allowed. Therefore, the proposed camping use in the Community Commercial District is consistent with the County Code, as amended, with the issuance of a conditional use permit.

2. Finding: The proposed use is consistent with applicable policies and requirements of the Sierra County General Plan, and any applicable community plan or specific plan, and any specific findings required by any of these plans have been made.

Evidence: While the General Plan is silent with respect to the proposed uses within the Visitor Commercial land use designation affecting this property, both staff analysis and the Planning Commission's interpretation support such uses within this designation, based on General Plan Land Use Element Policy #1-8 (on the Visitor Commercial land use designation). There is no adopted Community Plan or Specific Plan affecting the subject property; and no specific findings are required by the General Plan for this project.

3. Finding: The establishment, maintenance or operation of the proposed use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the county; except that a proposed use may be approved contrary to this finding where the granting authority determines that extenuating circumstances justify approval and enable the making of specific overriding findings.

Evidence: The Planning Commission finds that despite the issues identified in the initial staff report and recommendation, and the numerous complaints filed by neighboring community members during unpermitted activities similar to those proposed in this

application—with the amendment and implementation of certain conditions of approval, the proposed project will not result in material damage or prejudice to other property in the vicinity. The majority of public comments received during the public hearings on this project were supportive, including comments by affected property owners in the neighboring community, some of whom initially opposed the project, but then changed their testimony to support it as long as certain potential “nuisance” concerns would be addressed—concerning, for example: garbage, restrooms, after-hours noise, parking, use of the community park and public property, respecting property boundaries, dogs, security, open fires, etc. With the imposition of the amended conditions of approval, attached, the Planning Commission finds sufficient justification to meet the “extenuating circumstances” provision of the mandatory finding above and approval of a one (1) year extension the entitlement.

4. Finding: The proposed project or use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.

Evidence: Although staff analysis initially concluded that this finding could not be made, the Planning Commission determined otherwise after careful consideration of comments made during public hearings on July 16, July 30, and December 17, 2015. Based on the testimony provided by community members at the public hearings on the matter, and with the implementation of the attached conditions of approval, as amended, the Planning Commission finds that the proposed uses—which are temporary in nature and heavily restricted—will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.

5. Finding: In a TPZ zone district, the establishment, maintenance and operation of the proposed use or building will not significantly detract from the use of the property for, or inhibit the growing and harvesting of timber.

Evidence: This is not applicable. The property is not zoned Timberland Production Zone.

6. Finding: The entitlement and its extension satisfy any specific findings as required by the Zoning Ordinance.

Evidence: This is not applicable. There are no specific findings required by the Community Commercial District zoning ordinance. The proposed uses are only allowable with the issuance of a Special Use Permit, which has been conditionally approved; and the extension of which is the subject of this action (permit extension). The conditions of approval, as amended, will ensure the project’s compatibility with the underlying zone and surrounding land uses.

7. Finding: Procedural requirements under the California Environmental Quality Act (CEQA) have been satisfied.

Evidence: This project is categorically exempt under California Environmental Quality Act (CEQA) Guidelines Class (4) (Section 15304[e]) and Class (11) (Section 15311) on the basis that the project is a ‘minor temporary use of land having negligible or no permanent effects on the environment’ and/or ‘consists of construction or replacement of minor structures accessory to (or appurtenant to) existing commercial facilities.’ Furthermore, the project is not subject to any of the ‘exceptions’ to the use of categorical exemptions, listed in Section 15300.2 of the CEQA Guidelines.

-
8. Finding: The proposed use is consistent with, replaces or appropriately modifies any prior established relevant conditions of a previous entitlement, if applicable.

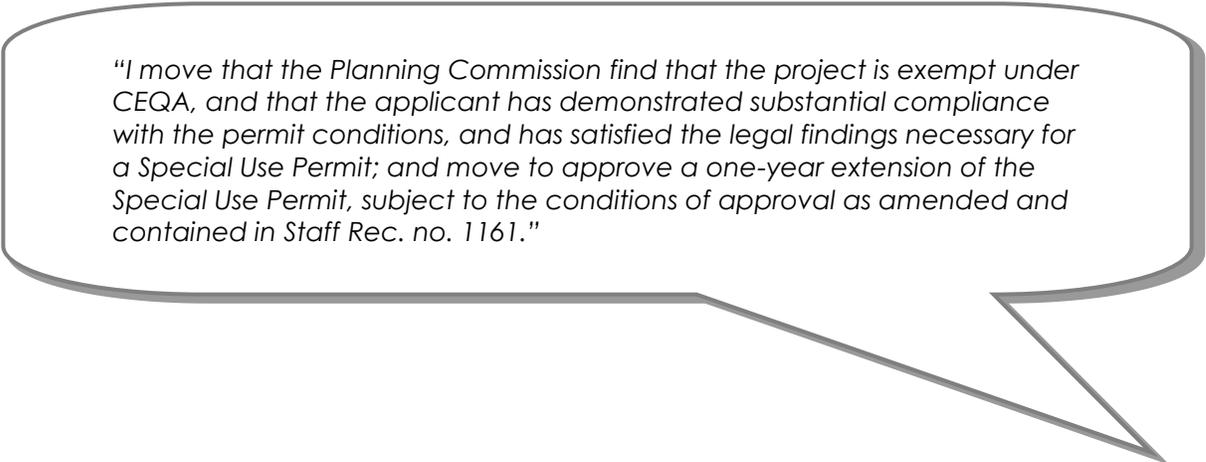
Evidence: An extension of the proposed use (camping) is consistent with the Special Use Permit, and the conditions of approval have been amended to ensure compatibility with, and to clarify, the original permit conditions under which this use was originally contemplated. The extension or replacement entitlement will be limited to a term of one (1) year at a time, subject to annual compliance review whereby the permit holder will be required to demonstrate compliance with all previously-established relevant conditions of the entitlement.

6. Recommended Conditions of Approval

Proposed amendments to the conditions of approval are contained in PC Exhibit 2, and incorporated here by reference.

7. Recommended Motion

Should the Planning Commission agree with staff's recommendation, the following motion is suggested:



"I move that the Planning Commission find that the project is exempt under CEQA, and that the applicant has demonstrated substantial compliance with the permit conditions, and has satisfied the legal findings necessary for a Special Use Permit; and move to approve a one-year extension of the Special Use Permit, subject to the conditions of approval as amended and contained in Staff Rec. no. 1161."

EXHIBIT A
to PC Res. # 2015-10

Sierra Valley Lodge “Camping” SUP
(SCPD File no. 1619)

Conditions of Approval

[Revised 12/17/2015]

- 1) The project approved by this action is for a Special Use Permit to provide for temporary outdoor camping and RV occupancy uses within the Community Commercial (CC) District on APNs 012-122-001 & 012-121-002 as described in the project description contained in the Planning Department Staff Report for file no. 1619 (ref. staff rec. no. 1156, dated July 16, 2015). Approved project features are specifically as laid out in the staff report and the attached application materials, as amended by these conditions. Deviations from the conditionally-approved project description shall be reviewed by the Planning Department for substantial compliance and may require amendment of the Special Use Permit by the appropriate hearing body. If there are any discrepancies between the approved project description or plans, and the conditions of approval, the conditions of approval shall supersede.
- 2) This action does not relieve the applicant of the obligation to comply with all local, state or federal ordinances, statutes, regulations, and procedures. Permittee shall provide written evidence to the Planning Department of the Treasurer-Tax Collector’s satisfaction that Transient Occupancy Tax and other applicable taxes and assessments have been paid up-to-date, prior to conducting an event with camping in reliance on this Special Use Permit.
- 3) Fees: Any balance of fees must be paid to any County agency involved in the processing of this application prior to the issuance of the Special Use Permit and commencement of the use. Permittee shall pay fees billed by the Planning Department for reasonable direct costs associated with annual compliance review and request for permit extension, prior to commencement of events authorized under this entitlement.
- 4) Term: The term of the Special Use Permit shall extend to December 31, ~~2015~~ 2016 and shall terminate unless the Special Use Permit is extended from year to year for an additional term of no greater than one (1) year by the Planning Commission. The process for requesting and receiving an additional term of one (1) year shall commence upon the County Planning Department receiving a written request from the permittee at least sixty (60) days prior to the expiration date of the existing special use permit. The Planning Commission, upon receipt of a written request for an additional one year term, shall set the matter for public hearing and shall make a determination at a regular or special meeting of the Planning Commission conducted prior to the expiration date of the Special Use Permit. ~~Extension of the Special Use Permit is contingent upon the successful amendment of the zoning ordinance governing allowable “conditional uses” in the Community Commercial (CC) District by the Board of~~

~~Supervisors (ref. Sierra County Code Section 15.12.130[d] and [i]). If the relevant ordinance is not amended by the Board of Supervisors, the conditionally approved Special Use Permit shall not be extended and the Special Use Permit shall become invalid. If the zoning ordinance has been amended by the Board of Supervisors the~~ The Planning Commission may: approve an additional term under the existing conditions of approval specified in the Special Use Permit; or, approve the additional term subject to new or modified conditions of approval; or, reject the request for an additional term. Prior to approving any extension the Planning Commission shall be required to make the findings required within the Sierra County Code related to Special (or 'conditional') Use Permits, as well as find that the Permittee has operated in substantial compliance with the Conditions of Approval. Such compliance review shall be required annually.

- 5) Frequency: The use authorized under this Special Use Permit is limited to five (5) weekends per calendar year between the dates of May 1st and September 30th and the property shall not be used at any other time for recreational vehicle occupancy or incidental camping. ~~(Note: For the first term of this Special Use Permit (expiring if not extended before December 31, 2015), the five (5) allowable weekends shall include the two (2) events that already took place without benefit of a permit (on the weekends of May 2nd and June 13th, 2015); plus up to three (3) additional weekends.)~~ The period that is authorized for the use specified in this Special Use Permit shall be weekends defined as Friday no earlier than 12:00 pm (noon) through Sunday at 1:00 pm. Such use of the property for the five (5) weekends shall not occur on consecutive weekends.
- 6) Notice: ~~Excepting the planned August 1, 2015 event, at~~ At least seven (7) calendar days prior to each scheduled event involving outdoor camping authorized under this Special Use Permit, Permittee shall provide a posted notice at the Calpine-Sattley Post Office located within the community hall building in Calpine; provide a copy of the written notice to the County Planning Department; and shall directly notify the local fire department (Sierra County Fire Protection District #1—Calpine Station) so local EMTs are on notice of the event.
- 7) RV Spaces: Use for parking and overnight occupancy of recreational vehicles is limited to ten (10) recreational vehicle parking spaces located on the north-east side of the main lodge building, substantially as represented on the application Site Plan shown in Planning Commission Exhibit 4. Such RV spaces shall be unimproved and have no water, sewage disposal, or electrical outlets or services. "Recreational vehicle" or "RV" as used herein is defined as a self-contained motorhome, travel trailer, fifth wheel, cab-over camper or similar vehicle as determined by the County Planning Department, each with its own facilities for cooking, sleeping, and bathroom. "Recreation vehicle" does not include tent trailers, tents, cars, pick-up trucks with or without a camper shell, or similar vehicles or that are not fully self-contained in the customary sense of a modern motorhome. Recreational vehicle spaces are limited to one (1) recreational vehicle (except, in the case of trailers and fifth wheels, additionally the primary vehicle transporting the recreational vehicle). Multiple vehicles (more than one [1]) may not be parked with a recreational vehicle per space authorized under this special use permit. Each space shall be limited in occupancy to the inside capacity of the RV (no outside sleeping or accessory cots, air mattresses or tent camping in this area).
- 8) Camping Spaces: Use for overflow, incidental camping is limited to twenty (20) designated camp sites that are substantially unimproved and have no water, sewage disposal, or electrical outlets or services. Use of portable generators is prohibited. Camp sites shall be limited to four (4) persons per camp site and no more than one (1) motor vehicle (or two [2] motorcycles). Each camp site is authorized for no more than two (2) tents (whether or not camp site users are sleeping on the ground or within a tent); or one (1) camp trailer; or one (1)

truck with camper shell; or similar use as approved by the Planning Department. At no time shall the overflow camping area for incidental camping exceed forty (40) tents, twenty (20) motor vehicles, or eighty (80) camp site occupants. "Designated camp site" shall be defined as an area no less than 20' x 20' in area and each of the twenty (20) approved camp sites shall be clearly identified by a post (or similar method) with an identification # attached for easy reference and location of each of the camp areas authorized under this Special Use Permit. If the final location of each camp site differs from those shown on the original Site Plan, the Site Plan shall be revised to reflect the true location and approximate dimension of each actual camp site and re-submitted to the Planning Department for reference. Camp site registration (*cf*, COA #19 below) shall include identification and contact information of the person or persons reserving each site, and indicate the total number of people occupying each site.

- 9) Property Boundaries: Trespassing on neighboring property, or camping or parking within the public park areas is strictly forbidden and shall be enforced by the responsible Security enforcement officer(s) (*cf*, COA #19 below). All side and rear property lines shall be clearly delineated by a temporary fence or other method approved by the Planning Department to inform lodge customers and event guests of the areas available for parking, camping, and associated uses and to help ensure that trespasses and unauthorized use of County public spaces do not occur.
- 10) Access: Driveway access to the areas on the property used for recreational vehicle parking and incidental camping shall be limited to locations as determined by the County Road Department, and shall be clearly identified on a revised Site Plan. Vehicles are not allowed to access the property indiscriminately from adjacent County roads, or cross neighboring property or the County park. Proper signs will be provided and posted by the permittee to advise motorists of the access points that have been approved by the County. In addition, no parking or driving of any nature shall occur atop any existing septic or leach areas in existence on the property (including south of the designated RV parking area, east of the lodge).
- 11) Parking: Overflow (off-site) parking during events and uses authorized by this Special Use Permit shall be carefully monitored and regulated by the responsible Security enforcement officer(s) (*cf*, COA #19 below) to ensure that parking along public roads and rights-of-way is conducted in a safe, orderly fashion without obstructing the lanes of travel or creating unsafe conditions, and to ensure that private driveways are not obstructed and unauthorized parking does not occur on neighboring property.
- 12) Dogs: No dogs allowed, except within recreation vehicles (as defined in COA #8 above). Dogs are prohibited within the incidental camp area, parked vehicles, tents, etc.; and shall not be left unattended outside at any time whether confined, leashed or unleashed.
- 13) Noise Curfew: No loud noises outside the lodge, or outdoor music or partying are allowed after 10:00 pm. The 10:00 pm curfew shall be strictly enforced by the person(s) in charge of Security (*cf*, COA #19 below). At all times when amplified music is playing inside the lodge (whether live performances or recorded music) the outer doors of the lodge shall remain closed to mitigate the noise impacts to the surrounding neighborhood. If greater ventilation or cooling is desired inside the lodge, it may be provided by fans or air-conditioning instead.
- 14) Sanitation: At all events and uses authorized by this Special Use Permit, Permittee shall provide at minimum each of the following: two (2) portable toilets, at least one of which shall be ADA accessible; and sufficient trash and recycling receptacles, including at least four (4)

38± gal. trash cans in the camp area, and two (2) in the RV area, plus implementation of recycling for plastic, glass, and aluminum. Immediately following each event, Permittee shall ensure the area is cleaned up and all trash and debris is removed from outdoor spaces on the property, as well as related trash and debris in the neighboring park and roadways. The property and vicinity shall be maintained at all times in a clean, neat fashion (including, to the extent feasible, during permitted events).

- 15) Park Restroom: Use of the County public restroom at the adjacent park shall only be permitted in conjunction with events authorized under this Special Use Permit when coordinated through the Calpine Improvement Association (CIA). Permittee (SVL) shall provide to the Planning Department a fully-executed Agreement between the SVL and CIA for this facility's use, fees, cleaning and supplies.
- 16) Fires: No open campfires are permitted by guests in the RV or camp areas. Propane-fueled barbeques and lanterns are permitted; but no other open flames are permitted (including candles, "Citronella" and "tiki" torches, etc.). Permittee shall adhere to all relevant fire codes and regulations, including use, occupancy, signage, and other improvement requirements under the current California Fire Code, California Building Code, Cal Fire's Wildfire Protection requirements under Public Resources Code §4290-4291 and implementing regulations, as well as the local fire district's adopted ordinances and amendments thereto.
- 17) Overnight Rules & Registration: All overnight guests—whether in the RV area or incidental camp sites—shall be required to register (as required under the County's Transient Occupancy Tax rules; contact the County Auditor/Tax-Collector for more information). Permittee shall develop rules consistent with these conditions and shall distribute to all guests during both advanced registration and arrival/check-in. Rules/Registration Form(s) shall be provided to the Planning Department for review and approval prior to ~~August 1, 2015~~ conducting an event authorized by this Special Use Permit, and whenever subsequently amended; and shall be posted on the SVL website.
- 18) Park Use: The adjacent public park is available for public use and may not be used or occupied by SVL or their guests exclusively, or for commercial purposes, or in any manner that could discourage general use by the public or community (including parking, camping, bands, vendors, adult partying, etc.). SVL shall endeavor not to discourage a "family friendly" atmosphere at the adjacent park or nearby residential neighborhood.
- 19) Security and Enforcement: Permittee shall provide round-the-clock (24-hour) private Security and a means of responsible enforcement of these rules and conditions of approval for the use authorized by this Special Use Permit. A Security and Enforcement Plan shall be submitted to the Planning Department and Sierra County Sheriff outlining the rules and describing the proposed methods of ensuring compliance with these conditions.
- 20) Revocation: Failure to adhere to or satisfy any of these conditions may be grounds for revocation of the Special Use Permit. Where issues arise, interpretations and enforcement of these permit requirements and conditions shall be determined by the Planning Director; and such determinations may be appealed to the Planning Commission (ref. SCC §20.15[c], §15.28.050).

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EXHIBIT 3

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BRICK & MORTAR
MUSIC HALL
BRICKANDMORTARMUSIC.COM

Oct. 7, 2015

Attn: Planning Director Certification - Sierra County - Planning Dept

re: PD File#1619 - Sierra Valley Lodge - Conditions of Approval

Here are the answers to conditions of approval:

- 1) Acknowledged
- 2) Acknowledged
- 3) Acknowledged
- 4) Please consider this our written request to extend our Special Use Permit for one year to Dec 31, 2016.
- 5) Acknowledged
- 6) Posting of events is Acknowledged
- 7) Acknowledged
- 8) Acknowledged - compliance can be observed by the markers that are clearly numbered in the camping field to the right of the lodging building. Please note that the markers will be removed for Winter and reinstalled on May 1, 2018.
- 9) Signs and written notices to campers were installed and will be removed for winter and reinstalled on May 1, 2016
- 10) Parking signs and parking personnel were posted at all events. Acknowledged
- 11) Acknowledged
- 12) Acknowledged
- 13) Acknowledged
- 14) Two Portable Toilets and four garbage cans posted in camping area and two garbage cans in RV area.
- 15) Use of the County restroom was not used in the last event. Acknowledged
- 16) Acknowledged
- 17) Written rules were sent to all participants and handed to campers and RV folks upon check in. Acknowledged
- 18) Acknowledged
- 19) Revised security plan sent and received. Acknowledged
- 20) Acknowledged

Let me know if you need anything further in regards to compliance needs or for my written notification to extend our permit for 2016.

Sincerely,

Jason Perkins/Managing Partner/Parish Entertainment Group.



**PC
EXHIBIT 4**

Camping and RV Rules:

First off, there will be NO campfires or open flames! We are in a serious drought and our fire danger is extreme. (Covered, propane-fueled BBQs and lanterns are permitted but nothing more).

NO loud noises outside of the lodge after 10pm. This includes any sort of music playing device, car stereo, loud voices, etc. This sort of camping is mainly a way for you to have fun at the lodge and not be forced to drive home. Remember, after 10pm, the lodge is the place to party and the camping areas transform into strictly sleeping quarters.

Each tent campsite is limited to 4 persons per site and no more than 1 motor vehicle or 2 motorcycles. Each campsite may only set up 2 tents. Each registered group of campers must only utilize the campsite they have been assigned to. NO generators on the tent camping grounds. **NO dogs allowed!** Dogs are prohibited within the camp area, inside parked vehicles, tents, and/or hotel rooms.

RV sites are limited to one recreational vehicle only. These sites are only given to self contained recreational vehicles. No sewage, water, or electrical hook-ups are provided. Additional vehicles may not be parked in the RV sites. Additional vehicles may be parked along the road shoulders but please park in an orderly fashion and be sure not to block anyone's driveway or create a hazardous situation. Generators may be used up until 10pm in RV sites, but then must comply with our noise curfew and be turned off.

Throw all trash in provided receptacles, and clean up after yourself (bonus points if you clean up after others). Please help us to keep our happy little community peaceful and clean. Any malicious activity or intentional damage to city property (including graffiti) will be paid for by the camper or the individual who filled out the registration for the campsite. Use only designated driveways/access points to enter or exit the RV and tent camping areas. Once your vehicle is parked in the camping area, we would greatly appreciate no random driving in and out throughout the weekend.

During the lodge's business hours you are free to use our bathroom facilities. After the bar closes, please use the portable toilets that have been provided for your use throughout the weekend. They are located in the tent camping grounds next to the hotel building.

*Please be respectful and adhere to these rules so we can continue to have these amazing events. If any of our hired security guards asks you to turn something down, or turn off a generator, do it! We reserve the right to refuse service to anyone not adhering to our policies and will ask you to leave if you do not comply.

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Security Plan **Sierra Valley Lodge 2015-2016**

Sierra Valley Lodge has implemented a number of measures to provide a safe and secure camping environment for our patrons. There will be a minimum of two security guards on site on any camping weekends around-the-clock.

Operational Procedures:

- All visitors will be directed where to park their vehicles as to ensure that no private driveways are obstructed. Also to ensure that overflow parking along public roads and rights-of-way is conducted in a safe, orderly fashion without obstructing and lanes of travel.
- All guests will check in with the front staff and be given a hard copy of the Rules & Regulations for staying at the lodge (these will also be emailed at the time of camping registration and payment).
- Cones, signs, and/or similar devices will be used to direct RVs and camp traffic to the designated access points, which are also clearly designated on the Site Plan. Also, security will escort patrons to their well defined campsites and/or RV sites after they check in at the front desk to ensure they clearly understand where to park as to ensure that guests and patrons do not trespass on neighboring property or encroach onto County rights-of-way or the adjacent public park with vehicles or camping equipment. All side and rear property lines will be clearly delineated by large stumps surrounding the property with solar lights attached. Customers and event guests of property lines to help ensure that trespasses and unauthorized use of County public spaces do not occur.
- Security Staff will wear clearly marked T-shirts, and/or jackets notifying customers that they are Security. Possession or consumption of any illegal drugs or alcohol by any security staff is strictly prohibited during shifts.
- One member of the security staff will be deemed a “point-of-contact” between the Sheriff’s Dept and the events taking place onsite. Sheriff will be made aware of and connected with this staff member at least 48 hours before the camping weekend begins.
- This “point-of-contact” will be informed by either the Sheriff, the Planning Dept and/or any other County Officials of any non-criminal violations regarding call-ins about noise, or any rules and conditions of the Special Use Permit that may not be complied with. Security staff will respond to these problems and ensure that all camping rules and regulations that have been required in resolution package are being respected at all

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times. This includes any violations that he/she observes personally, and those which the Sheriff in contact relays to the security staff.

- In the event of a more serious problem, security will do their best to diffuse a situation prior to contacting the Sheriff's office. If the guest refuses to abide by our rules of the grounds they will be asked to leave the premises. If problems continue to arise, the Sheriff's office will then be contacted to help escort the individuals off the grounds to abate the issue, file a formal complaint, and proceed in a manner they see fit.
- Campgrounds will be closely monitored and rules will be strictly enforced after 10pm to keep any noise or disturbances to a minimum.
- One security guard will roam the premises while the other security guard will be watching the venue and bar area to ensure the entire property is well monitored. These two will maintain constant contact with one another and act as a back-up in the event of an emergency.

Sierra Valley Lodge Calpine

December 4, 2015

Sierra County Planning Department
P.O. Box 530
Downieville, CA 95936

Tim & Brandon:

I am submitting this information to the Sierra County Planning Department and County Planning Commission in my new capacity as General Manager of the Sierra Valley Lodge in Calpine. I assumed this position on November 1, 2015. I have successfully owned and operated the Smithneck Farms Café in Sierraville for the past three years. My family lives in Sierra Brooks and our two children attend Loyalton Elementary School.

I have read and reviewed Planning Commission Resolution 2015-03 approving the Special Use Permit for Sierra Valley Lodge Camping and also the 20 conditions of approval contained in Exhibit A, Sierra Valley Lodge "Camping" SUP, SCPD File no. 1619. It will be my responsibility going forward to insure that compliance with these conditions is complete, documented and submitted to the Planning Department in a timely manner.

To this end, I am submitting this report on the compliance measures that were taken under the current permit and also my commitment to attain compliance with all conditions in the requested permit currently under consideration for the 2016 season. I will identify both compliance and non-compliance with the current permit and provide details on how I intend to comply in the coming year.

Condition #1 is a general condition that I have read and acknowledge its content.

Condition #2 is a general condition that I have read and acknowledge its content.

Condition #3: I understand that no permit will be issued until all applicable fees have been paid to any County agency involved in the processing of this application.

Condition #4: I understand and acknowledge the process for renewal of the current Special Use Permit. I am submitting this report to allow the Commission to find that the Lodge has operated in substantial compliance with the Conditions of Approval.

Received

DEC 8 2015

Sierra County Planning
& Building Departments

Condition #5: I have read and acknowledge the frequency and timing of the events authorized by this permit and also the prohibition against RV occupancy and incidental camping at any other times.

Condition #6: I can find no evidence that the Lodge fully complied with this condition under the current permit and I am committing to the Department and the Commission that I will insure compliance in the 2016 season.

Condition #7: I have read and acknowledge the conditions for RV spaces. I understand there were complaints during the past season that more than 10 RV's were allowed during events and some were parked outside of designated spaces. I have no evidence to the contrary and I commit to limiting RV parking on Lodge property to no more than 10 units in designated spaces. We will not suggest, encourage or facilitate RV parking on adjacent property. Ultimately, however, I will have no control of RV parking on any other property in the community.

Condition #8: I have read and acknowledge the conditions for camping spaces. I have attached photographic evidence that shows the space markers in place during the past season. I will update and submit to the Planning Department a site plan that reflects the sites, dimensions and also the approved vehicle access (#10).

Condition #9: I have read and acknowledge the condition for property boundaries. I have attached photographic evidence of the property boundary markers. No trespassing on adjacent, private property is included as one of our rules distributed to guests and posted on Lodge property (#17).

Condition #10: I will contact and consult with County Road Department personnel on the designation of driveway access to RV spaces and camp sites from County roads. I will provide signage for guests directing them to these access points approved by the County. Prior to the first event under this permit, I will submit to the County a revised site plan showing these access points.

Condition #11: I have read and acknowledge this condition. I commit to making sure our security personnel enforce these parking provisions.

Condition #12: This condition is incorporated in our rules distributed to guests and posted on Lodge property (#17).

Condition #13: This condition is incorporated in our rules distributed to guests and posted on Lodge property (#17).

Condition #14: I can find no evidence that the Lodge fully complied with this condition under the current permit. I commit to locating at least two (2) portable toilets on site prior to noon on the Friday of our first camping event next season. I also commit to providing photographic evidence to the County Planning Department prior to 5 p.m. on the Friday of our first camping event, including the required trash and recycle receptacles.

Condition #15: I have attached a copy of the draft agreement between the Lodge and the Calpine Improvement Association (CIA) for use of the public restrooms in Calpine Park. This agreement was drafted with the President and Treasurer of the CIA but it still must be approved by the full CIA board before it takes effect. I will submit a final, approved and signed copy to the Planning Department as soon as it is available and prior to our first event under this permit.

Condition #16: This condition is incorporated in our rules distributed to guests and posted on Lodge property (#17).

Condition #17: I have attached a copy of the guest RV and camping registration form which will be used during the 2016 season. This form was prepared in accordance with Sierra County Code 5.20.150(a) and will be printed with sequential numbering to satisfy the requirements of that ordinance. I also have attached a copy of the Camping and RV rules that were previously submitted. These rules will be provided to all guests during registration and posted on both the Lodge property and website.

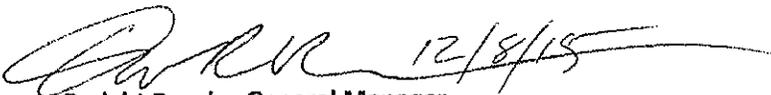
Condition #18: I have read and acknowledge this condition.

Condition #19: I have attached a copy of the revised Security Plan

Condition #20: I have read and acknowledge this condition.

If you need clarification or further information, please let me know

Sincerely,

 12/8/15
Dwight Brooks, General Manager
Sierra Valley Lodge

Agreement between the
Calpine Improvement Association
And the
Sierra Valley Lodge

Received

DEC 8 2015

Sierra County Planning
& Building Departments

This agreement between the Calpine Improvement Association (CIA) and the Sierra Valley Lodge (Lodge) is for the use of the two (2) public restrooms in Calpine Park during the five (5) camping weekends at the Lodge permitted in the Special Use Permit issued by Sierra County for those events.

The CIA will make the public restrooms available to Lodge guests on these 5 weekends, as long as the Lodge provides two (2) portable toilets outside at the Lodge for up to 120 guests and four (4) toilets for more than 120 guests.

The CIA will have the restrooms clean, stocked with paper products and open for use by Lodge guests at noon on Friday.

The Lodge will check the restrooms twice during the day on Saturday and once Sunday morning to clean and replace paper products if needed.

The Lodge will clean the restrooms and replace paper products on Sunday afternoon, leaving the restrooms in the condition they were on Friday at noon.

The Lodge is responsible for any damage incurred as a result of the restrooms use by Lodge guests.

This agreement can be terminated by either party by providing written notice to the other party.

Executed this _____ day of _____, _____

Virginia Butler, President, Calpine Improvement Association

Dwight Brooks, General Manager, Sierra Valley Lodge

Sierra Valley Lodge RV & Camping Registration

DEC 8 2015

Name _____ Telephone _____

Sierra County Planning
& Building Departments

Address _____

City _____ State _____ Zip _____

No. of vehicles _____ State _____ License No. _____

No. of nights _____ Amount per night _____ Total _____

Tax paid _____ Total paid _____

____ I have been provided a copy of the RV/Camping Rules at Sierra Valley Lodge

Signature _____

Dates of stay _____ Site Number _____

Sierra Valley Lodge RV & Camping Registration

Name _____ Telephone _____

Address _____

City _____ State _____ Zip _____

No. of vehicles _____ State _____ License No. _____

No. of nights _____ Amount per night _____ Total _____

Tax paid _____ Total paid _____

____ I have been provided a copy of the RV/Camping Rules at Sierra Valley Lodge

Signature _____

Dates of stay _____ Site Number _____

Treasurer-Tax Collector
COUNTY OF SIERRA



Van Maddox
Auditor- Treasurer-Tax Collector

December 4, 2015

Michael O'Connor
Jason Perkins
Sierra Valley Lodge
11 Dudoce Street
San Francisco, CA 94103

TRANSIENT OCCUPANCY TAX BILL

This bill has been issued for the following reason:

In accordance with the provisions of Sierra County Code §5.20.100, the Tax Collector has imposed the lawful amount of Transient Occupancy Tax due following a determination that a false or fraudulent report with intent to defeat or evade the tax due has been filed.

From the information you provided and the observation of the Tax Collector and others the Transient Occupancy Tax due for the quarter ending 9/30/2015 has been recalculated as shown below.

DESCRIPTION: 103 Main Street
Calpine, CA 96124

TAX BILL DATE 12/4/15
TAX DUE DATE: **12/22/2015**

OWNER/OPERATOR AND LAST KNOWN ADDRESS: 11 Dudoce Street
San Francisco, CA 94103

<u>Report Period</u>	<u>Tax</u>	<u>Penalties</u>	<u>Interest</u>	<u>Total Due</u>
7/1/15-9/30/15	\$1,505.84	\$301.17	\$30.12	\$1,837.13
Partial Payment				(\$299.00)

TOTAL \$1,538.13

The TOTAL DUE must be paid within fifteen days to avoid the recording of a lien. A hearing regarding the amount assessed must be requested in writing within fifteen days of the date of the mailing of this tax bill. If application for a hearing is not made within the time prescribed, the tax, penalties, and interest determined by the Tax Collector

Sierra Valley Lodge tot bill amended

shall become final and conclusive and shall be immediately due and payable.

5.20.130 Failure to Collect or Report

- (a) **Tax Collector to Estimate Tax Due:** In the event that any operator fails or refuses to collect the tax imposed by this chapter, or to make, within the time provided in this chapter, any required report or any payment of the tax or any portion of the tax required by this chapter, the Tax Collector may make an estimate of the tax due. In making the estimate, the Tax Collector shall proceed in the manner the Tax Collector deems appropriate to obtain facts and information on which to base an estimate of the tax due. In the absence of information which the Tax Collector deems most appropriate, it shall be deemed appropriate for the Tax Collector to estimate the tax by multiplying the number of days in the reporting period by the estimated number of lodging units customarily available for rent by the operator and then multiplying such resultant number by the estimated average rent for the subject lodging units or similar lodging units and thereafter multiplying that resultant number by the tax rate. The foregoing shall not limit the Tax Collector in estimating the tax due but if utilized shall in and of itself be deemed reasonable.
- (b) **Notice of Tax Due:** The Tax Collector shall proceed to determine and assess against the operator the tax, interest, and penalties due as provided for by this chapter. The Tax Collector shall give a notice of the amount so assessed by mail or personal service addressed to all persons so assessed, at their last known addresses.
- (c) **Tax Is Final If Hearing Not Requested:** The operator may make application in writing to the Tax Collector for a hearing on the amount assessed within ten (10) calendar days after personal service of any notice of taxes or within fifteen (15) days from the date of mailing of any notice of taxes due. If application by the operator for a hearing is not made within the time prescribed, the tax, interest and penalties, if any, determined by the Tax Collector shall become final and conclusive and shall be immediately due and payable. (Ord. 786, eff. 7/18/92, prior Ord. 377)
- (d) **Separate Trust Account:** The Tax Collector may require the Operator to establish a separate trust account for deposit of the taxes as they are collected. The bank account shall be established in the ownership of Sierra County. (Ord. No. 834, eff. 4/16/96)

5.20.140 Appeals Process

- (a) **Hearing and Dispute Resolution:** In the event that an operator applies for a hearing within the time prescribed, the Tax Collector shall give at least fifteen (15) days written notice to the operator of the time and place of the hearing by mail or at least ten (10) days notice if by personal service. Such hearing may be held at any time within sixty (60) days of receipt of application for the hearing by

the Tax Collector. At the hearing, the operator may appear and offer evidence why the specified tax, interest, or penalties should not be so established.

- (b) **Determination of Tax:** Within thirty (30) days after the hearing, the Tax Collector shall determine the proper tax to be remitted and shall give written notice to the person by personal service or certified mail of the determination and the amount of the tax, interest, and penalties. The total due shall be payable fifteen (15) days from mailing or serving of notice unless an appeal is made as provided in section 5.20.140(c).
- (c) **Appeal from Initial Hearing:** Any operator aggrieved by any decision of the Tax Collector with respect to the amount of the tax, interest, or penalties may appeal to the Sierra County Uniform Appeals Committee by filing a written notice of appeal with the County Clerk within fifteen days of personal service or twenty (20) days from the date of mailing of the determination of tax due. The appeals procedure and the rules governing the hearing(s) shall be consistent with the Sierra County Uniform Appeals Procedure specified in Sierra County Resolution No. 90-272, as amended. Any operator or the Tax Collector, dissatisfied with the results of the determination of the Uniform Appeals Committee may appeal to the Sierra County Board of Supervisors pursuant to the Sierra County Uniform Appeals Procedure. Any determination on the matter by the Sierra County Board of Supervisors shall be deemed final. No appeal may be taken without first having completed the Initial Hearing process set forth in 5.20.140(a).
- (d) **Limitation of Issues on Appeal:** The issues on appeal shall be limited to:
 - Operator named on the tax bill is not correct.
 - Estimated tax is based on incorrect number of units.
 - Estimated tax is based on incorrect lodging rates.
 - Estimated tax is based on incorrect occupancy rates. (Ord. 786, eff. 7/18/92, prior Ord. 377)

5. Payment of Tax a Condition of Appeal

After the determination of an amount of tax due from any operator has been made following an Initial Hearing as specified in 5.20.140(a) above, an operator must pay the tax as specified in the notice as a condition precedent to filing an appeal. Failure to pay such tax, together with penalties and interest thereon, if any, shall result in the appeal being denied. In the event that it is ultimately determined that the whole or any part of the tax, interest and penalties was not due, the operator shall be entitled to a full refund of all the amounts paid but determined not to be due together with interest at the rate prescribed by *Revenue & Taxation Code* 5151. The County may retain without interest those funds ultimately determined to be due to the County pursuant to this chapter. (Ord. 834, eff. 4/16/96, prior Ord. 377, 786)

Sierra Valley Lodge tot bill amended

Sincerely,



Van Maddox
Auditor Treasurer-Tax Collector

Sierra Valley Lodge tot bill amended

P. O. Box 376, 100 Courthouse Square, Suite 14, Downieville, CA 95936
Phone: (530) 289-3286 Fax: (530) 289-2829
Email: collector@sierracounty.ca.gov Website: www.sierracounty.ca.gov

Sierra Valley Lodge

Date	Lodge Register	Ticket Tier Report	Est. Rooms	EST Camping	TOT
7/3/2015 7/4/2015	766.17			250	101.62
7/8/2015 7/9/2015	89.51			250	33.95
7/10/2015 7/11/2015	89.51			250	33.95
7/18/2015 7/20/2015	448.67			250	69.87
7/24/2015 7/26/2015	593.70			250	84.37
7/30/2015 7/31/2015	691.11			250	94.11
8/1/2015 8/2/2015	224.34			370	59.43
8/6/2015 8/7/2015	100.84			250	35.08
8/8/2015 8/9/2015	112.17			250	36.22
8/14/2015 8/15/2015		4,000.00			400.00
8/18/2015 8/19/2015	279.86			250	52.99
8/21/2015 8/22/2015	460.00	500.00			96.00
8/28/2015 8/30/2015	862.23			250	111.22
9/4/2015 9/7/2015			862.23	370	123.22
9/12/2015 9/13/2015	830.51				83.05
9/18/2015 9/20/2015	572.17				57.22
9/23/2015	100.84				10.08
9/28/2015	234.53				23.45
	6,456.16	4,500.00	862.23	3,240.00	1,505.84

**BOARD OF SUPERVISORS
COUNTY OF SIERRA
STATE OF CALIFORNIA**

ORDINANCE NO. 1065

**An Ordinance to Amend Sierra County Code
Subsections 15.12.130 (c), (d), (i)
Pertaining to Allowable “Outdoor Uses” in the
Community Commercial (CC) Zoning District**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA ORDAINS as follows:

Ordinance Section One:

Sierra County Code Part 15, Chapter 12, Section 130, Subsection (c) is hereby amended to read as follows:

- (c) Accessory Uses: Accessory uses and buildings customarily appurtenant to a permitted use, *including outdoor music intended for the enjoyment of business patrons only and not extending past 10:00 pm or causing a significant nuisance to surrounding properties*. Living quarters when accessory to the principal permitted use.

Ordinance Section Two:

Sierra County Code Part 15, Chapter 12, Section 130, Subsection (d) is hereby amended to read as follows:

- (d) Conditional Uses: Cabinet shops, electrical, plumbing, air conditioning, upholstery, printing and publishing shops, mortuaries, wholesale bakeries and creameries. *RV parks, tent camping, concerts and special events involving outdoor music after 10:00p.m.* Drive-in food and refreshments stands where the use is not confined to the enclosed area of the building.

Ordinance Section Three:

Sierra County Code Part 15, Chapter 12, Section 130, Subsection (i) is hereby amended to read as follows:

- (i) Other Required Conditions: All uses shall be conducted within a completely enclosed building, except for: service stations; off-street parking and loading facilities; *tables*,

chairs and benches, signs, and display of goods for sale that do not obstruct required areas of accessibility; accessory and conditionally-permitted music and special events, tent and RV camping, and other recreational uses appropriate to the area. In any part of a CC zone directly across the street from any residential zone, the parking and loading facilities shall be at least ten (10') feet from said street, and the buildings and structures at least twenty (20') feet from said street. (Ord. _____, eff. _____; prior Ord. 409.)

Ordinance Section Four:

This ordinance shall take effect thirty (30) days after its passage. Before expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in the Mountain Messenger, a newspaper of general circulation published in the County of Sierra, State of California.

Introduced at a regular meeting of the Board of Supervisors held on the 17th day of November, 2015 and passed and adopted by the Board of Supervisors of the County of Sierra, State of California, on the 17th day of November, 2015, by the following roll call vote, to wit:

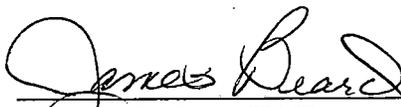
AYES: Supervisors Adams, Huebner, Roen, Schlefstein, Beard

NOES: None

ABSTAIN: None

ABSENT: None

COUNTY OF SIERRA



 JAMES BEARD, CHAIR
 BOARD OF SUPERVISORS

ATTEST:



 HEATHER FOSTER
 CLERK OF THE BOARD

APPROVED AS TO FORM:



 JAMES A. CURTIS
 COUNTY COUNSEL

From: Nicole Beck <Nicole@sierravalleylodge.net>
Sent: Thursday, August 13, 2015 10:40 AM
To: Joel Burdick
Cc: Brandon Pangman; Tim Beals; calpinefiredept@gmail.com
Subject: Sierra Valley Lodge Event Awareness and Precautions

Hi there,

As you might already know, we are having another music-related camping weekend August 14th-16th. We are just getting used to all of the regulations of this permit, and I have been so busy running around making sure everything is taken care of that I didn't hit the deadline in notifying you all so I personally apologize!

Attached is the Security Plan for the camping weekends at the Sierra Valley Lodge.



The point of contact this weekend is Vinnie Delbarba, his phone number is (530)414-1590. He has been given the phone number for the Sheriffs Office, Lisa Tuggle's number (Vol. fire department) and the Fire District Chief's number as well as Tim Beal's number of the Planning Dept. We will have 2 security guards onsite around the clock (John D'Agostino, being the other) and as a back-up contact you may call Nate (562)305-0666 who will delegate to the Security Staff.

The tentative weekend schedule goes as follows-

Friday Aug 14th-

- Bar will open at noon, People will start checking in for camping and setting up camp from noon on.
- At 3pm, people are able to check into their hotel rooms.
- 7:30pm Music Starts inside Venue
- Music should be over by 1am

Saturday Aug 15th-

- Bar opens 10am
- 3pm Acoustic set on the porch
- from 5pm on Music at the inside venue (until about 1am again with 30 min breaks for band switches)

Sunday Aug 16th-

- 11 am Acoustic set outside deck
- 5 pm Inside set, music done by 9pm

Please let me know if you need any other info from me or if you have any other concerns. Thanks, I think this weekend will go smoothly and be great!

-Nicole Scott
On-site Manager

From: Tim Beals
Sent: Sunday, August 02, 2015 9:06 AM
To: Brandon Pangman
Cc: Paul Roen AOL (sproen@aol.com)
Subject: August 1-SVL Event

For the file. I drove to Calpine on Saturday night August 1 and arrived at 9:45 pm and observed the event for compliance with conditions of approval. I left the community around 11:30 pm. Other than watching an incredible light show with lightning around the valley and over Yuba Pass, the night was somewhat mellow and I saw no obvious issues that occurred that would suggest any problems with the operating conditions of approval. There were about 7 RV spaces occupied with motorhomes, travel trailers and a fifth wheel. The camp spaces at best guess appeared to have four tents, two pickups with camper shells, but it was quite dark and I could not get a good field of view and did not go out on foot to view as it seemed unnecessary.

There were people walking the streets fairly consistently-some to access their parked vehicles and some just out walking. I parked at the restroom by the park; by the intersection of Main Street and Farrar; and directly across from the motel units to observe and I also drove around the community twice during the two hours I was present. I observed dogs barking but they were all local dogs barking at walkers and those accessing their vehicle to leave. At least one of the camp occupants had a dog inside of his truck but this seemed fine even though the conditions suggest otherwise. It will be difficult for the county to enforce a "no dog" rule when people have their personal cars or trucks, particularly trucks with camper shells, but there were no dogs running on the grounds or outside of any vehicles that I could see. The noise from the music and from the guests sitting on the front porch of both the lodge and the motel was quite obvious. The music was very easy to hear and loud two and three blocks away from the lodge and this is attributed to them leaving the interior doors open into the concert room as well as having their exterior doors wide open (it was hot and muggy that evening). With both sets of doors open, the music could be heard a long distance away from the lodge. People sitting, drinking, and talking (voices were elevated and loud) on the two front decks (lodge and motel) as well as the side deck of the lodge could likely be an issue for the residential neighbors directly across from the lodge. Private and public property seemed respected, I saw no fires, the park was not being used at all, and generally it seemed mellow. The attendance was well below what was anticipated. I never saw any security people outside and inspecting during the time I was there. Camp sites were well marked with solar landscape lights....i did not see any obvious marking for the RV sites and I could not determine if access points to the RV area and the camp area had been identified....the traffic was so low it did not matter but in larger attended events, this needs to be given some attention.

That is it for now.

Tim



Complaint Report

To: File # 1619

Date: Aug. 18, 2015

From: Brandon Pangman
Assistant Director-Planning & Building

Re: *SVL Complaint [Baldrige]*

Janet Baldrige called the Planning Dept. on 8/18/15 at approx.. 10:30am about the camping event over the weekend of 8/15/15 at Sierra Valley Lodge. She noted the following issues:

- 16 RVs in the area designated for a max. of 10 RVs [ref. COA # 7]
- People sleeping in back of pick-up truck parked at intersection of Farrar & Main St.; also they were seen sitting on neighbor's lawn while that neighbor was not home [ref. COA # 8, 9, 19]
- RV was parked & occupied on Main St.; RV(s) parked in parking lot at public park [ref. COA # 8, 9, 19]
- Noise & partying continued until at least 1:00am (note: Sheriff's Incident Report [Ex.2] noted incorrectly that the permit allowed loud music until 1:00am, rather than 10:00pm curfew); more partying noise at 2:30am [ref. COA# 13]
- Barking dogs locked in vehicles; people walked barking dogs at 2:30am through neighborhood [ref. COA # 12, 13]
- Congested parking/camping next to public park facilities—not kid-friendly [ref. COA #8, 9 , 11, 19]
- Not all camping guests had departed by 1:00pm on Sunday, 8/16/15 [COA # 5]

From: Brandon Pangman
Sent: Friday, August 21, 2015 1:33 PM
To: 'Michelle Thomsen'
Cc: Tim Beals; Kathy Whitlow
Subject: RE: Sierra Valley Lodge Camping

Thank you for your comments, Michelle and Kurt. As you know, County staff is severely limited so we greatly appreciate assistance from the public in our code enforcement efforts.

Yes, we are aware of similar complaints about this past weekend's event and we are communicating regularly with the Lodge owner, manager, the Sheriff's office, and other neighbors. We are getting conflicting information on the extent of some of these issues, however, which makes it more difficult to "nail down" for enforcement and the compliance review at the end of the year. Do you happen to have any pictures or other evidence of the extent of the issues you identified? This would be very helpful to us in putting together a record of 'how it is going' since the permit was approved.

Again, thank you for your assistance with monitoring and reporting on the level of compliance with the various permit conditions.

Sincerely,

BRANDON PANGMAN
Assistant Director
Sierra County Planning Department
(530) 289-3251
bpangman@sierracounty.ca.gov

bwp:08-____

From: Michelle Thomsen [<mailto:mthomseme@yahoo.com>]
Sent: Friday, August 21, 2015 12:51 PM
To: Brandon Pangman
Subject: Sierra Valley Lodge Camping

Good afternoon Brandon,
I understand you are the gentleman to keep expressing our concerns to over the Sierra Valley Lodge camping situation, which must be a difficult position. I regret to have to write to you again and once again to express our concerns and objections for the SVL camping.
I am aware they received their permit for the remainder of the year to allow camping once a month for certain music shows. Now having their permit from the county and guidelines in place, last weekends camping situation was again not executed with professional responsibility or respect. There were in fact many more campers and RV's that exceeded the number than in the permit guidelines, not to mention no security of any kind, because if there were, people would not be camping out of their cars on the side streets of our neighborhood and picnicking on the private property of homeowners. During and after the weekend, the trash that followed was more than disturbing, littering our streets and surrounding forest where more camping took place. As camping extended into the woods around our neighborhood, obvious campfires had also been made, bringing up another huge concern. By allowing camping to continue at SVL, the problems don't start nor end there, it invites in another set of problems that extends beyond the Lodge premises. We are

expected to compromise as a town for the "success" of the Lodge, but where is the return respect for the community from the Lodge?

To be clear, this has nothing to do with operating the business, it is strictly in regards to the camping, which again, it is our belief that the small neighborhood community of Calpine is not the proper venue for.

I hope its true that our letters are heard and can potentially help make a difference to obtain a peaceful conclusion for future events. Thank you, Michelle and Kurt Haselton

From: Salli Wise <swiseone@gmail.com>
Sent: Sunday, August 30, 2015 2:30 PM
To: Brandon Pangman
Subject: Sierra Valley Lodge

Hello Brandon,

I would like it to be noted that the owners/managers of the Sierra Valley Lodge ***did not*** adhere to the conditions of their Special Use Permit during the last music/camping event.

1. There were almost double the permitted 10 "RV sites"; 17 by my last count.
2. A truck camper was parked on private property at 206 Main St. (the owner was not home).
3. Three folks camped on Farrah St. between Calpine Ave. and Main St.; and made themselves at home in the front yard of the only house on the west side of the street in that block (the owners were not home).
4. Folks set up camp at the locked Forest Service Gate going up to the Calpine Lookout.
4. The Lodge managers assured the Commissioners that there would be no dogs allowed at the event. Out-of-town dogs were present and un-attended either locked in cars or running at large.
5. Following the event, the garbage containers on the west side of the motel (in the camping site area) were left for 2 days after visitors left. As one might expect the garbage was scattered about each night by roaming animals (wild or otherwise). A neighbor had to tell the managers to clean it up.

The lack of attention to adhering to the agreed upon conditions of the Special Use Permit, of respect for private property, and the general lack of regard for the cleanliness of this community is irresponsible and highly undesirable.

Please consider these observations when reviewing the SVL's application to extend this Special Use Permit for the 2016 event year. If there are no consequences, it appears that the lodge owners will keep pushing the limits to the detriment of this community and potentially to the National Forest (fire danger).

Thank you,
Salli Wise
(Calpine resident)

September 9, 2015

Sierra County Dept. of Planning and
Building Inspection

Re: Sierra Valley Lodge August 14, 15, 2015

Dear Brandon:

Once again I am writing with regards to the Sierra Valley Lodge and their camping and non-compliance with the permits granted and not adhered to. On the weekend of August 14, 15, 2015 there were to be limited Rvs and campers as granted after the big meeting of July 16, 2015. The evening of Saturday, Aug. 15, 2015 there were to be no more than 10 Rvs and there were, according to my count and several others, more than 16 Rvs, trailers and campers. Also, there was a camper van overnight in the parking area adjacent to the basketball courts. There was also a truck and camper parked across the street from the lodge in a driveway of an empty house and a truck with camper shell on the corner of Farrar and Main with people sleeping in it. In the morning of Aug. 15 the people from the truck on the corner made themselves comfortable on the lawn across the street at the house where the residents are not here most of the time. This is the situation which seems will only grow as more people realize there are vacant houses. The tent area was so crowded that it was difficult to even count the tents for the people crowded into that area.

After the music on Saturday, Aug. 15, the noise was amazing as was the barking of dogs that had been shut up in cars.....not a good situation. At after 2:15AM on Sunday AM several people were walking with their dogs up Calpine Avenue. If there had not been the camping, it is reasonable to say these noisy people and dogs would not be in our area and making loud hoots and hollers and having the dogs bark like dogs do after having been in a car for several hours.

I don't understand how the lines are drawn for the lodge owners, and they still proceed with their disrespectful and unlawful behavior without anything being done. The noise and people and dogs barking are not acceptable additions to this lovely community. After the meeting on July 16th where the myriad of 'not so local' people gave testimony after testimony as to why the lodge should be open, not getting the point of camping and all the negatives it brings, I am frustrated beyond words. Several neighbors don't feel comfortable expressing their negative views on the camping and Rvs at the lodge and they feel as if it is wasted energy. Were there citations issued to the lodge people by the Sheriffs dept on Saturday for the excessive numbers of trailers, RVs, etc.? On Sunday morning, Aug. 16 a sheriff drove by a yard sale on the corner of Farrar and Main and made a comment as to making sure there was a permit - certainly making light of a situation he should have taken seriously.

On Tuesday Aug. 18 a local resident finally stopped at the lodge and told the managers that they had to go out and clean up all the garbage that was along the motel portion of the lodge because animals were getting into it and it was an eyesore. I believe the garbage was to have been picked up and disposed of by Sunday afternoon. It just goes on and on.....the garbage in the forest off County Road, across Hwy 89, noise long after the shows are over, barking dogs. At what point is the County going to do something to keep this situation from getting bigger and bigger.... Really, if the lodge owners don't comply and nothing happens to stop them what is going to happen to the residents of this community? And, why is it that the rules or limitations go without being heeded?

This is such a frustrating and negative situation and I fear for next season. The lodge and music and restaurant could be such a wonderful addition to our community. The addition of camping and all the people it brings in the issue and it seems to have gotten lost in the minds of the people that only see the lodge and bar. I hope the County and Planning Department will continue to address the disrespect of the owners in doing whatever they choose to do without regard to the laws and the community. If nothing is done the owners will certainly push forward and continue to do whatever they choose to do and end up ruining this community. I truly hope that is not what happens. Life is too short to have to spend time writing to you and the Planning Department on this negative subject, yet it is very important. And, I'm sure you have other important business to attend to. I do appreciate your time and attention to the lodge and all the negatives it is

causing and hope something will be done to keep the current owners from ruining our community.

Sincerely,

Janet Baldrige
106 Calpine Avenue
Calpine, CA 96124



Sierra County Sheriff's Office

Deputy Report for Incident 15-01279

Nature: Fight
Location: CAL

Address: 103 Main St.
Calpine CA 96124

Offense Codes: CIVD

Received By: Aaron Astesana	How Received: 9	Agency: SCSO
Responding Officers: Jim Concannon, Mike Fisher, Robert Yegge		
Responsible Officer: Mike Fisher	Disposition: UTL 08/03/15	
When Reported: 03:47:30 08/03/15	Occurred Between: 03:47:30 08/03/15 and 03:47:30 08/03/15	

Assigned To: Mike Fisher
Status: ILE

Detail: PTRL
Status Date: 08/04/15

Date Assigned: 08/03/15
Due Date: **/**/**

Complainant: 30215

Last: Croteau
DOB: 03/21/84
Race:

First: Joseph
Dr Lic: D1291756
Sex: M
Phone: (916)370-7696

Mid: Thomas
Address: 5231 Folsom BLVD.
City: Sacramento, CA 95819

Offense Codes

Reported: CIVD Civil Dispute
Additional Offense: CIVD Civil Dispute

Observed:

Circumstances

NITE Nighttime - full darkness

Responding Officers:

Jim Concannon
Mike Fisher
Robert Yegge

Unit :
4604
N10
4602

Responsible Officer: Mike Fisher

Received By: Aaron Astesana
How Received: 9 9-1-1 line
When Reported: 03:47:30 08/03/15
Judicial Status: AC
Misc Entry:

Agency: SCSO
Last Radio Log: 05:40:18 08/03/15 1098
Clearance: CLO Closed
Disposition: UTL **Date:** 08/03/15
Occurred between: 03:47:30 08/03/15
and: 03:47:30 08/03/15

Modus Operandi:

415 PC

Description :

Disturbing the Peace

Method :

COPIES TO:

D.A. PROBATION HUMAN SERVICES
MAILED TO: SIERRA CO. PLANNING DEPT
BY M. BOYD DATE:

Involvements

Date	Type	Description	
08/04/15	Name	Scott, Nathan NMN	Manager
08/03/15	Name	Croteau, Joseph Thomas	Complainant
08/03/15	Name	Thongmark, Preeda NMN	Involved
08/03/15	Name	Martinovich, Jayson Paul	Involved

DET. M. FISHER 4610
Responsible LEO:

CO. CALDWELL 4604
Approved by:

08/11/15
Date

Name Involvements:

Involved : 30216

Last: Thongmark

DOB: 07/25/75

Race: A **Sex:** M

First: Preeda

Dr Lic: A8450524

Phone: (415)722-1696

Mid: NMN

Address: 15 Lexington Ave

City: San Francisco, CA 94110

Involved : 30217

Last: Martinovich

DOB: 03/28/75

Race: W **Sex:** M

First: Jayson

Dr Lic: A7747826

Phone: (707)685-1264

Mid: Paul

Address: 1355 Willard St #1

City: San Francisco, CA 94117

Manager : 30034

Last: Scott

DOB: 02/17/86

Race: W **Sex:** M

First: Nathan

Dr Lic: D9037254

Phone: (530)994-3367

Mid: NMN

Address: 270 Redondo Ave #B

City: Long Beach, CA 90803

Complainant : 30215

Last: Croteau

DOB: 03/21/84

Race: **Sex:** M

First: Joseph

Dr Lic: D1291756

Phone: (916)370-7696

Mid: Thomas

Address: 5231 Folsom BLVD.

City: Sacramento, CA 95819

ADDITIONAL CRIME SECTIONS

CRIME §	I	M	F
A 415 PC		X	
B			
C			



SIERRA COUNTY SHERIFF'S OFFICE

REPORT NARRATIVE

REPORT NUMBER

15-01279

ORIGINAL SUPPLEMENTAL FOLLOW-UP

Crime Incident

SUSPECT:

Unknown

VICTIM:

Joseph Croteau

August 3, 2015 at about 0345 hours:

I was at home off duty when I was called out for a fight at the Sierra Valley Lodge in Calpine. Dispatched told me the Reporting Party, Joseph Croteau stated a male adult only know as Dave was pounding on his motel room door and trying to get in. Dispatch also advised there was possibly a physical fight that occurred earlier involving the same subject. While responding, I learned Sgt. Concannon was also called out from home. Sgt. Concannon arrived at the lodge approximately 3-4 minutes prior to my arrival.

Sgt. Concannon had already contacted Joseph, who told him "Dave" had left the motel and was believed to be on foot in the area. Sgt. Concannon also told me no physical fight had occurred. Sgt. Concannon left the motel and attempted to locate Dave in the surrounding area. I remained and spoke with Joseph and two of his friends, Preeda Thonmark and Jayson Martinovich. I questioned Joseph about what happened. Joseph told me he and his friends are band members and they played the lodge earlier in the night. "Dave" was at the concert and intoxicated. After the show, Joseph believed "Dave" wanted to continue partying and that's why he was banging on the door. Joseph told me he was pretty sure the guy's name was "Dave" but wasn't totally sure. Joseph described "Dave" as a white male approximately 27 years old with a bald head wearing a black tee-shirt and blue jeans. I told Joseph and his friends we would look for Dave and to call the sheriff's office again if he returned.

I walked the lodge and motel property looking for the subject while Sgt. Concannon checked the park, post office and fire house. While we were searching the area Undersheriff Yegge arrive. After I finished my search I met with Sgt. Concannon and Undersheriff Yegge near the Calpine Post Office. After a short talk we continued searching the area but were unable to locate "Dave". We finished our search and left the area.

Additionally, dispatch attempted to contact the lodge manager, Nathan Scott via telephone but were unable to reach him. During our investigation, no lodge employees were present.

End of report.

Report By: Det. Mike Fisher 4610

Send Copies To Sierra County Planning Dept. Attn: Tim Beals

Additional Copies (Department, Address)

Date: Tuesday, August 04, 2015 Time:17:14:03

Approved

Narrative Page 1 of 1

08/17/15
15:18

Sierra County Sheriff's Office
LAW Incident Table:

162
Page: 1

Incident

Incident Number: 15-01363 Nature: Disturb peace
Case Number: Image:
Address: 103 Main St.
City: Calpine State: CA ZIP: 96124
Area: CAL Calpine Contact:

Complainant

Numbr: 30070
Last: Baldridge Fst: Janet Mid:
DOB: / / SSN: - - Adr: 106 Coates Ave/Box 45
Race: Sx: Tel: (530)412-3637 Cty: Calpine ST: CA ZIP: 96124

Details

Offense Codes: DCON Reported: Observed:
Circumstances: NITE
Rspndg Officers: Brad Dempster
Rspnsbl Officer: Brad Dempster Agency: SCSO CAD Call ID:
Received By: John Smith Last RadLog:
How Received: T Telephone Clearance: CLO Closed
When Reported: 00:50:00 08/16/15 Disposition: CNC Disp Date: 08/16/15
Occurrd between: 00:50:00 08/16/15 Judicial Sts:
and: 00:50:00 08/16/15 Misc Entry:
MO:

Narrative

Narrative: Caller reports loud music disturbing their peace.
Supplement: (See below)

=====

INVOLVEMENTS:

Type	Record #	Date	Description	Relationship
NM	6722	08/16/15	Sierra Valley Lodge,	Business Involved
NM	30070	08/16/15	Baldridge, Janet	*Complainant

LAW Incident Offenses Detail:

Seq Code	Offense Codes	Amount
1	DCON Disturbing the Peace	0.00

LAW Incident Circumstances:

Seq Code	Contributing Circumstances	Comments
1	NITE Nighttime - full darkness	

LAW Incident Responders Detail
Responding Officers

Seq	Name	Unit
1	Brad Dempster	Pl4

Law Supplemental Narrative:

Supplemental Narratives

Seq	Name	Date	Narrative
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1	John Smith	01:30:22 08/16/15	
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Caller called about Sierra Lodge having loud music and it is late and that their permit only states they can have 10 RV's but there are 16 RV's on the property.

Deputy Dempster en route to check on it. But the permit states music is okay until 0100.

Sun Aug 16 01:44:38 PDT 2015

Code4. Band is over but just stereo music inside but not loud at all. No one screaming out side at all. Security guard is still out there and watching everything and he seems like everything is good and code4. If we needed any thing after hours we can contact Point of Contact. Most campers in tents.