

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

Carolyn Chambers  
310 Old Truckee Rd  
Sierraville  
CA 96126

January 25, 2019

Regarding Sierra Hot Springs Masterplan and its inconsistency with Sierra County's General Plan

Dear Brandon,

In addition to the concerns that I raised about this project in my letter to you dated January 15, 2019, it has come to my attention that the Masterplan is significantly out of alignment with Sierra County's General Plan.

For details on the specific and numerous inconsistencies between the Masterplan and Sierra County's General Plan, please refer to the attached PDF file from Shute, Mihaly and Weinberger LLP ([www.smwlaw.com](http://www.smwlaw.com)), which is a renowned law firm that specializes in land use and environmental law. The legal opinion letter was forwarded to me by a concerned resident and I am sure you will be interested in learning about its findings.

From reading the legal opinion from this esteemed law firm, I have the following additional concerns (beyond those I raised in my January 15, 2019 letter to you):

1. Part of the proposed development will be built on acreage zoned as Open Space. In particular, the Campground, the 1,000 square foot administration/reception building, the 700 square foot Market/Deli, 4 acres of parking lots and the two single family homes are to be built on land zoned as Open Space. **According to pages 1-68 of Sierra County's General Plan, no residences, commercial, industrial uses or signs are allowed on land designated as Open Space. Other types of structures may be conditionally allowed. And, if the County approves a structure on land designated as Open Space, any such structure is limited to 3,000 square feet per 40 acres of land. And, the population density must be ZERO.**
2. The acreage to be developed is twice what is allowed, per Sierra County's General Plan. **According to Sierra County's General Plan and the zoning of the Hot Springs land, only 34 acres can be developed. Yet the Mitigated Negative Declaration (MND) states that up to 63.5 acres will be developed.**
3. The proposed population density of this project greatly exceeds what is allowed by Sierra County's General Plan and by current land zoning. The maximum population allowed for this site is 20 people. Yet the Hot Springs proposal estimates a population of 529 people. **At least 341 acres of the Hot Springs land is zoned VC so the maximum population is limited to 10 to 20 people. VC zoning allows a maximum population of .03 people per "gross acre". If the County considers the Hot Springs "gross acreage" to be 682 acres, then a maximum pollution of 20 people may be allowed on the Hot Springs land (682 x .03 = 20). If the County considers the Hot Springs "gross acreage" to be 341 acres (which is**

the acreage zoned as VC) then the maximum population allowed is 10 people (341 x .03 = 10). The MND estimates a maximum population of 529 people which is grossly out of compliance.

4. According to Sierra County's General Plan, only 5 acres can be developed as multiple unit residential. **The Hot Springs proposal is out of compliance.**
5. Per page 1-82 of Sierra County's General Plan, the Hot Springs must provide a 5 acre public or quasi-public park. **The Hot Springs proposal does not provide such a park and is therefore out of compliance.**
6. Pages 13-40 of Sierra County's General Plan prohibit land uses that require major new groundwater withdrawals that may impact meadows or other water influenced habitat. **The proposed Hot Springs development is out of compliance.**
7. Pages 13 - 55 of Sierra County's General Plan require 500 to 1,000 foot setbacks for all buildings from mapped deer migration corridors, holding areas and fawning areas. **The Hot Springs proposal is out of compliance - it proposes only 200 foot setbacks.**

I sincerely hope that you and your staff will ensure that this project fully complies with Sierra County's General Plan and the current zoning of the Hot Springs acreage. Again, thank you for the opportunity to bring these matters to your attention.

Sincerely,

Carolyn Chambers