

Nevada County Planning Commission

Staff Report
August 27, 2015

*Housing Element Rezone Program
Implementation Project
(GP12-002; Z12-002; EIR12-002)*



Prepared by: Tyler Barrington, Principal Planner
County of Nevada
Community Development Agency-Planning Department

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ATTACHMENTS:

- ~~1. Draft Board Resolution: EIR Certification~~
 - ~~a. Mitigation Monitoring and Reporting Program~~
 - ~~b. CEQA Findings and Statement of Overriding Considerations~~
- ~~2. Draft Board Resolution: General Plan Amendments~~
- ~~3. Draft Board Ordinance: Zoning District Map Amendments~~
4. LUDC Section L-II 2.7.11: Regional Housing Need Combining District Zoning Excerpt
5. Noticing Maps
- ~~6. Final EIR Includes Draft EIR, Written Response to Comments*, Draft EIR Errata**~~
(Planning Commissioners Only, available at:
<http://www.mynevadacounty.com/ne/cda/planning/Pages/2009-2014-Housing-Element-Rezone-Program-Implementation.aspx>)
7. *Revised Response to Letter 6: City of Grass Valley
8. ** Revised Final EIR Errata

EXECUTIVE SUMMARY

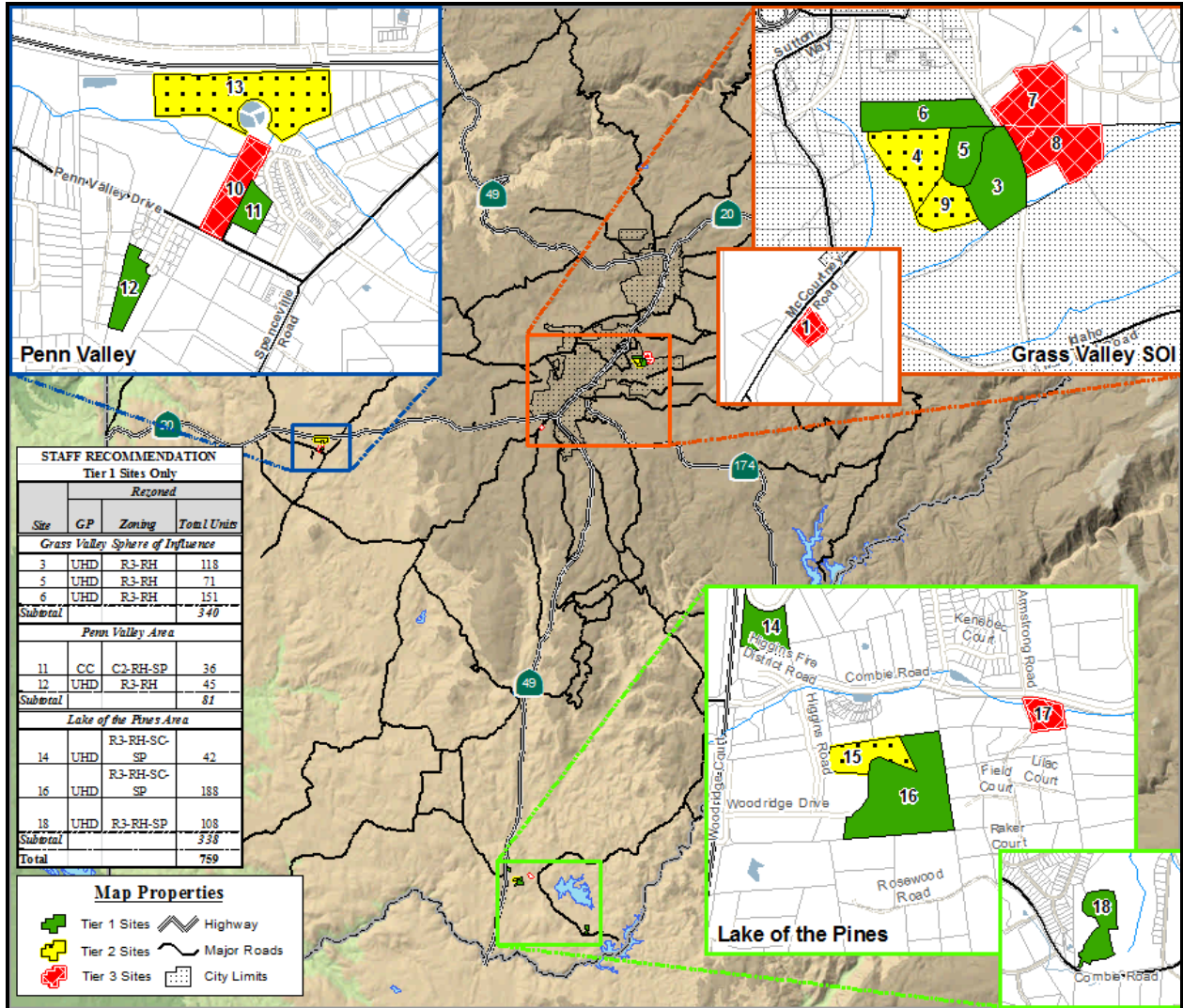
The project that is discussed throughout this staff report is a proposed series of General Plan Land Use and Zoning District Map Amendments, titled the “Nevada County Housing Element Rezone Program Implementation Project”, that will implement the state mandated rezone program(s) contained within the County’s 4th and 5th revision to the Housing Element (Chapter 8 of the Nevada County General Plan). To execute this project, the County has prepared an Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) and the CEQA Guidelines (California Code of Regulations Title 14, Section 15000 et seq.), which provides both a programmatic and project level review. The purpose of the project is to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre and to allow those sites to develop as a by-right use, not subject to further discretionary action by the County as regulated by the County’s Regional Housing Need (RH) Combining District.

The project/EIR analyzes the potential to rezone 18-candidate sites to establish a menu of options to the County decision-making bodies that would allow the greatest amount of flexibility when making a final decision on the project. Geographically the site are distributed to three specific areas of western Nevada County with Sites 1-9 in the City of Grass Valley Sphere of Influence (SOI), Sites 10-13 in the Penn Valley Village Center, and Sites 14-18 in the Lake of the Pines Village Center/Community Region. This project/EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to meet the minimum state mandated rezone requirements and to consider additional high density residential zoning to address anticipated future housing needs on those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

The Planning Department has developed a tiered system of grouping sites to achieve the current project goal of providing sufficient R3-RH zoning (or the equivalent) to accommodate 699-high density residential units, with Tier 1 sites being the most suitable for accommodating future high density housing, Tier 2 sites still being adequate for rezoning but slightly less suitable than Tier 1 sites for a variety of reasons, and Tier 3 sites being the least suitable to accommodate future high density housing. Tier 1 properties are determined to be: Sites 3, 5, 6, 11, 12, 14, 16 and 18; Tier 2 properties are Sites 4, 9, 13 (at 91-units only) and 15; and Tier 3 properties are Sites 1, 7, 8, 10, and 17. Should the Planning Commission and Board of Supervisors follow **staff’s recommendation to rezone only Tier 1 sites**, as shown on Exhibit A, to meet the state’s objective, it would result in the following density increases by location: 340-units in the Grass Valley SOI (an increase of 201 units over existing allowed densities); 81-units in the Penn Valley Village Center (an increase of 43-units over existing allowed densities); and 338-units in the Lake

of the Pines Village Center/Community Region (an increase of 3-unit over existing allowed densities*).

Exhibit A. Staff Recommended Rezone Sites



*Site 16 has existing density for 271-units with its existing designation of Planned Development (PD): Urban High Density (UHD). Through the EIR, it was determined that the building footprint on this 18.12-acre property is 11.81-acres, allowing for a potential of 188-units, which attributed towards the only small increase of units in the Lake of the Pines Village Center/Community Region.

As outlined in the Table of Contents, this staff report is broken into four distinct sections:

- Section I provides background on the project and discusses actions and the guiding documents which led to the County undertaking this extensive rezoning effort.
- Section II provides a discussion of the overall project, including the candidate site selection process and criteria, a services and infrastructure analysis by geographic location, a detailed discussion of each of the individual sites including the building footprint map, a description of surrounding land uses, availability of infrastructure and services, site access, land use/density, parking requirements, environmental resources, applicable mitigation measures/development standards, and staff's recommendation on that particular site. Finally Section II provides the Planning Department's final recommendation and other potential options for meeting the project goals and objectives.
- Section III outlines and discusses the EIR and CEQA process that was followed for this project, including the EIR consultant contract, the various steps in the public EIR process such as public meetings and comment periods, the components of the draft and final EIR, the EIR identified significant and unavoidable impacts, and the required CEQA Findings/Mitigation Monitoring and Reporting Program.
- Section IV provides a discussion of the project's General Plan and Zoning Consistency, a summary of the staff report, and the Planning Department's recommended actions on the environmental document and the project.

NEVADA COUNTY PLANNING COMMISSION
STAFF REPORT

APPLICANT: Nevada County

HEARING DATE: August 27, 2015

OWNER(s): Nevada County

FILE NO: GP12-002; Z12-002; EIR12-002

PROJECT: Recommendation to the Board of Supervisors regarding the Nevada County Housing Element Rezone Program Implementation Project and Environmental Impact Report.

LOCATION: Unincorporated area of Nevada County

PROJECT PLANNER: Tyler Barrington, Principal Planner

ATTACHMENTS:

- ~~1. Draft Board Resolution: EIR Certification~~
 - ~~a. Mitigation Monitoring and Reporting Program~~
 - ~~b. CEQA Findings and Statement of Overriding Considerations~~
- ~~2. Draft Board Resolution: General Plan Amendments~~
- ~~3. Draft Board Ordinance: Zoning District Map Amendments~~
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5. Noticing Maps
- ~~6. Final EIR Includes Draft EIR, Written Response to Comments*, Draft EIR Errata** (Planning Commissioners Only, available at: <http://www.mynevadacounty.com/ne/cda/planning/Pages/2009-2014-Housing-Element-Rezone-Program-Implementation.aspx>)~~
- ~~7. *Revised Response to Letter 6: City of Grass Valley~~
- ~~8. ** Revised Final EIR Errata~~

RECOMMENDATIONS:

- I. Environmental Action: Recommend Certification of the Final Environmental Impact Report (EIR12-002/ SCH2009072070) subject to the recommended Mitigation Measures found in the Mitigation Monitoring and Reporting Plan (*Attachment 1*).
 - II. Project Action:
 1. General Plan Amendment: Recommend approval of General Plan Amendment GP12-002 to re-designate specific “Tier 1” sites to Urban High Density (*Attachment 2*).
 2. Zoning Amendment: Recommend approval of Zoning Map Amendment Z12-002 to amend specific Zoning District Maps to change existing zoning of “Tier 1” sites to High Density Residential (R3) or the equivalent of R3, including adding the Regional Housing Need (RH) Combining District (*Attachment 3*).
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SECTION I.

BACKGROUND:

Housing Element of the General Plan

Every jurisdiction in California (cities and counties) must adopt a General Plan, and every General Plan must contain a Housing Element. While jurisdictions review and revise all or individual elements of their General Plan regularly to ensure that the documents remain up to date and relevant, California Law is much more specific in regards to the scheduling for updating the Housing Element, requiring an update at least every five years. The County last adopted an updated Housing Element on June 24, 2014 for the 5th Planning Cycle, which was certified by the State Department of Housing and Community Development (HCD) as meeting the minimum requirements of State Housing Element law on July 17, 2014. The County's prior update (4th Planning Cycle) was adopted on May 10, 2010 and certified by HCD on July 1, 2010.

Regional Housing Need Allocation (RHNA)

The regional housing need is determined by the California Department of Housing and Community Development (HCD) based on State Department of Finance estimates, projections of population and households and other data. The Sierra Planning Organization (SPO) acts as the Council of Governments (COG) for both Nevada and Sierra County during the RHNA process and is mandated by Government Code 65584.04 to develop a methodology for distributing a share of the Regional Housing Need Allocation, for each income category, to every local government. The RHNA Plan is required to be consistent with the following four objectives:

1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low and very low-income households.
2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.
3. Promoting an improved intraregional relationship between jobs and housing.
4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent decennial United States Census.

In general, the RHNA Plan is a projection of additional housing units needed to accommodate projected household growth of all income levels from the start until the end date of the projection period. Jurisdictions are required to demonstrate within their Housing Elements that the jurisdiction has adequately planned for these units through identifying vacant lands with appropriate zoning to accommodate the various income groups. It is important to note that these projections are not a prediction of additional housing units or building permit activity and are not a quota of housing that must be produced.

The RHNA Plan provides the methodology for how units were assigned to each jurisdiction and outlines each jurisdiction's housing unit allocation between the very-low, low, moderate and above moderate income groups which are defined below:

- Very Low Income (less than 50 percent area median income [AMI])
- Low Income (50 to 80 percent AMI)
- Moderate Income (80 to 120 percent AMI)
- Above Moderate Income (above 120 percent AMI)

The intent of the allocation is to ensure that the County provides adequate sites and adequately zoned land to accommodate the RHNA. The Housing Element is required to describe how the County will provide capacity in the General Plan Land Use and Zoning districts to accommodate the assigned units within the planning period.

Unmet RHNA Need

Planning Cycles 3rd vs. 4th vs. 5th

The County had an unmet need for both the 3rd and 4th revision to the County's Housing Element of the General Plan, which resulted in the two specific Rezone programs within the 2014-2019 Housing Element Update (4th Planning Cycle/revision) requiring the County to rezone sufficient land to accommodate 1,270 high density housing units. Following the adoption of the County's 2009-2014 Housing Element update, the County embarked on a substantial Environmental Impact Report (EIR) process, which commenced in late 2011 to implement the Rezoning programs. As the Planning Department began working on the 5th revision to the County's Housing Element (2014-2019), it became evident that the two processes (the EIR and the Housing Element update) were going to overlap and due to limited staff and state Housing Element update timing requirements, staff focused on the pending update to the Housing Element. At this time County leadership was also working with HCD in an effort to reduce the overall rezoning requirements. Since it was evident that the implementation of the Rezone programs would not occur in time to be incorporated into the 2014-2019 Housing Element update, HCD provided the County with three options moving forward. The option chosen was to put the processing of the EIR on hold to work towards updating the Housing Element, focused on demonstrating that there were sufficient sites within the County to accommodate the 5th Planning Cycle RHNA.

The County was able to prove within the 2014-2019 Housing Element update that there are adequate vacant sites with appropriate zoning and availability of infrastructure to provide a variety of housing types that can meet the needs of all income segments of the County's population as shown in the 2014-2019 Regional Housing Need Plan. Consistent with State Housing Element law, all jurisdictions are required to identify suitable sites to accommodate the RHNA for the current (5th) and previous (4th) Housing Element (Planning) cycles. After July 1, 2014, the County moved into the 5th Housing Element planning cycle which relinquished the County's responsibility for providing suitable sites for the 3rd revision (2003-2008) of the Housing Element. But, the County is still responsible for the 4th Housing Element cycle, and subsequently the State has continued to identify an existing unmet need of 699-units and therefore the updated Housing Element contains a single rezone program (Program HD-8.1.1) to address this. HCD reviewed the County's 5th revision to the Housing Element and found that the update met the minimum statutory requirements of State Housing Law, and conditionally certified the 2014-2019 Housing Element update contingent upon the County following through

with the implementation of the single Rezone. This conditional certification gave the County one year from the adoption of the element to complete the rezoning, which would be June 2015.

Vacant Land Inventory

To demonstrate how the County has adequately planned for future housing growth pursuant to the RHNA, a Housing Element must contain a substantial review of undeveloped lands and provide factual evidence that sufficient vacant (or underutilized) properties exist within the boundaries of the jurisdiction that have appropriate residential zoning to accommodate all income categories. State law has established specific requirements for how to conduct the Vacant Land Inventory, including establishing default densities for accommodating the very-low and low income categories of the RHNA. For Nevada County, the default density to accommodate very-low and low income units of the RHNA is zoning that allows 15-units per acre, which is the County's High Density Residential (R3) zoning district. The 2009-2014 Nevada County Housing Element Vacant Land Inventory found that the County had adequate sites to accommodate all moderate and above moderate RHNA units, but had a deficit in sites zoned to accommodate lower income housing development. The County did get some credit for the historical development of manufactured homes and second dwelling units, but of the 1,183 low and very low income RHNA units, the County's Housing Element was only able to demonstrate suitable sites for 484-units leaving a deficit or unmet need of 699-units.

State Criteria for Rezoning Sites for an Unmet RHNA Need

California Government Code Section 65583.2, as a result of Assembly Bill 2348 (Mullin) which took effect January 1, 2006, sets forth the criteria for which jurisdictions must follow for rezoning properties when that jurisdiction is unable to identify enough suitable sites with appropriate zoning to meet an existing or prior Regional Housing Need Allocation. In short, these measures include requiring rezoned sites to be zoned for a minimum density of 16-units per acre and mandating that the rezoned sites be developed with higher density housing as an allowed use, not subject to further discretionary or planned development permits. Design review is allowed, but that review is restricted to the design elements of the project and the density of the site is not subject to this review. Additional, state law requires that sites made available as a part of a rezone program must permit owner-occupied and rental multifamily uses with at least 50-percent of the remaining need planned on sites that exclusively allow residential uses and once rezoned the site must accommodate a minimum of at least 16-units (e.g. it must have at least 1-acre of developable area). The State's rezoning criteria does not dictate that the rezoned sites be restricted to housing that is affordable to lower income residents through a deed restriction or other method, because it is assumed that higher density housing will inherently be more affordable than the lesser densities allowed under existing land use and zoning designations.

Regional Housing Need (RH) Combining District

During the HCD review process for the 2009-2014 Housing Element update, the Planning Department foresaw the potential for conflicts with existing land use policy and zoning code requirements due to the States' criteria for rezoning to accommodate a previously identified unmet RHNA need. To ensure these conflicts could be addressed, the County also included a Program (HD-8.1.5) in the 2009-2014 Housing Element that required the County to create an "Affordable Housing" combining district to ensure adequate environmental review would occur

for the rezoned sites, the State's required minimum densities could be applied, and that the Land Use and Development Code (LUDC) Comprehensive Site Development Standards would be adhered to. In developing the combining district standards, the title of the combining district was changed to the Regional Housing Need (RH) Combining District, which was consistent with the model that the County used for developing the combining district (Santa Cruz County). The Regional Housing Need Combining District was reviewed by the Planning Commission on August 25, 2011 and ultimately adopted by the Board of Supervisors on September 27, 2011.

Codified as LUDC Chapter II Section L-II 2.7.11, (*Attachment 4*) the RH Combining District established the criteria for a site to be considered for rezoning, the process for assigning minimum densities to rezoned sites including allowing for lesser densities and interim uses under certain circumstances, as well as the specific criteria necessary to allow a site to development with multi-family housing as a by-right or allowed use including the development of a Regional Housing Need Implementation Plan. This Plan is discussed in more detail below. While state law required that sites rezoned to accommodate an unmet RHNA need must be allowed to develop as an allowed use, not subject of further discretionary action, the law does allow for Design Review to occur at the Planning Commission level. The Design Review process required by LUDC Sec. L-II 2.7.11.C.5 will allow the County to apply the specific development standards outlined in the LUDC and Regional Housing Need Implementation Plan. In addition, Staff and the Planning Commission will be allowed to review the layout of the site and ensure the proposed parking, lighting, landscaping, setbacks, signage and other site development standards are being adhered too and that the design of the buildings are consistent with established County design guidelines. The use and density of the site however are not subject to this review.

Regional Housing Need Implementation Plan

Once the sites are chosen for rezoning the "Regional Housing Need Implementation Plan" will be created in order to provide guidance to staff and property owners/developers on requirements for development the site. The requirement to create this document was in anticipation of the difficulty of assuring that all identified mitigation measures and site development standards are adhered to when allowing a multi-family housing project to be developed as an allowed use only subject to Zoning Compliance and Building Permit without further discretionary action. The RH Combining District establishes the timing for the development of the "Regional Housing Need Implementation Plan" which is required to be prepared when rezoning a site to add the RH district. Specifically, LUDC Section L-II 2.7.11.C.3 states the following:

"In addition to assigning density, the Regional Housing Need (RH) Combining District shall outline site specific development standards and any CEQA mitigation measures adopted for each site at the time the site is rezoned. All identified site specific development standards and CEQA mitigation measures shall be included within the Regional Housing Need Implementation Plan and all development of multi-family housing on a Regional Housing Need (RH) site shall be done in compliance with said plan."

This plan is intended to outline those standards and requirements that are in addition those that are required by the RH Combining District and other applicable sections of the Land Use and

Development that are enforced through zoning compliance. The Plan will show the location of building envelopes, potential road and driveway encroachments and applicable mitigation measures that must be addressed as a part of or prior to development occurring on a candidate rezone site. The information contained within the Plan will be essentially the same information that is contained in Individual Rezone Candidate Site Discussion section below and will also highlight the site specific mitigation measures, including acknowledging the Mitigation Monitoring and Reporting Plan, as well as the applicable standards of the RH Combining District and the Land Use and Development Code that apply to the project. Once the sites have been vetted by the Planning Commission and the Board of Supervisors and a final decision is made on which sites will be rezoned to add the RH Combining District, staff will complete the final Regional Housing Need Implementation Plan for the project.

SECTION II.

THE PROJECT:

The proposed project includes the consideration of an Environmental Impact Report that analyzes the anticipated impacts and develops mitigation to reduce the impacts of the proposed site specific General Plan Amendment Land Use Designation and Zoning Map Amendments to change the designation of specific sites to accommodate the development of high density residential dwelling units. The original project considered Land Use Map and Zoning Changes to accommodate 1,270-units. As discussed above, the number of units was reduced to 699-units as the result of the certification of the most recent update to the County's Housing Element. The Draft EIR however, does reflect the original 1,270 units throughout because it was completed prior to latest Housing Element update. The County has determined that the original Draft EIR was sufficient for implementing the revised rezone Project and that it was unnecessary to completely overhaul the document to reflect that the rezoning requirement was now 699-units instead of 1,270-units as this change was a reduction in the overall intensity of the Project. Staff's recommendation however, is based on a single 2014-2019 Housing Element Rezone Program (HD-8.1.1) and focuses on providing adequate sites for at least 699-units.

Rezone Candidate Site Selection

2009-2014 Housing Element Update

As described above, the County was required to include programs within its last two Housing Element updates that require the County to rezone properties to create additional R3 zoning subject to specific State mandated rezone criteria. In addition to including these programs, the County's Housing Element(s) were required to show a list of sites, "rezone candidate sites" with a preliminary analysis of the overall suitability of those sites to be rezoned. Within the 2009-2014 Housing Element update, two distinct sets of rezone candidate sites were provided. The first set was a list of fourteen (14) properties within the Grass Valley Sphere of Influence (SOI) that were identified in the 2003-2008 as sites that could be rezoned to provide additional high density residential opportunities. These sites were included with the intention of meeting the unmet need of 571-units from the 3rd Housing Element revision (2003-2008). In addition, the 2009-2014 Housing Element included a second set of rezone candidate sites that were identified as potentially suitable to be considered for rezoning based on a specific set of criteria. This criterion is discussed in greater detail below. In total twenty-five (25) properties were included to address the unmet need of 699-units from the 4th Housing Element revision (2009-2014). In total the County identified thirty-nine (39) rezone candidate sites in the 2009-2014 Housing Element update that had the potential to accommodate the identified unmet housing need of 1,270-high density units. When adopting the 2009-2014 Housing Element update, the County Board of Supervisors directed staff to work with willing property owners to implement the rezone programs. As a result of this direction, the Planning Department went through an extensive outreach process prior to beginning environmental review for the project which reduced the number of rezone candidate sites to eighteen.

2014-2019 Housing Element Update

For the 2014-2019 Housing Element update, the County recognized that there would be a reduction in the overall rezoning need from 1,270 to 699-units. Therefore, the County included

only those sites that were currently being reviewed by the EIR and no new sites were added nor were any sites removed. While it was anticipated that the certification of the Housing Element would result in the reduction, the County had spent a significant amount of time and financial resources of reviewing the eighteen sites and felt it would be premature to start removing sites at this stage. By keeping all eighteen sites (later reduced to seventeen) it provided the greatest amount of flexibility to the County's decision makers to choose the sites that made the most sense from a planning, infrastructure and environmental standpoint.

Rezone Candidate Site Selection Criteria

When selecting potential rezone candidate sites, the County created a specific set of criteria for a property to be considered. The most critical and primary determiner for a site to be considered as a rezone candidate site was related to the fact that for a site to be developed with high density residential use it must have access to public sewer, water and roads and therefore should be within a designated Community Region or Village Center. With that in mind, rezone candidate sites were required to meet the majority of the following factors to be added to the list: 1) the site is currently undeveloped; 2) the site has ingress and egress on a County maintained road or is in close proximity to a County maintained road; 3) the site is located within or in close proximity to a Community Region or Village Center that has access to services and jobs; 4) the site is on or in close proximity to a public transit route; 5) the site is within or in close proximity to an existing sanitation district; 6) the site is within an existing or in close proximity to a public water district; 7) the site has areas that are relatively flat that could accommodate higher density development; 8) the site is relatively clear of environmental constraints, such as wetlands, watercourses, excessive slopes, etc.; 9) the site is zoned Planned Development (PD) that anticipated high density residential development; and/or 10) the Planning Commissioner or Supervisor from the Supervisorial District identified the site as a viable option for rezoning. These standards were later incorporated into Land Use and Development Code Section L-II 2.7.11: Regional Housing Need (RH) Combining District as the "Site Selection Criteria" for future properties to be considered for the addition of the RH Combining District. As briefly mentioned above, for a site to actually be rezoned to add the RH Combining District, the Board also added a requirement for staff to work with willing property owners.

In addition to adhering to the rezone candidate site criteria, Planning Department staff also followed a logical zoning progression when looking at existing zoning of potential rezone candidate sites. The most logical first place to look for sites to increase density on was sites that were zoned for Urban Medium Density (UMD/R2) uses, which would be the smallest increase in density. Next was Urban Single Family (USF/R1), which was a larger jump in density but still in areas that are typically near more built up areas with existing infrastructure. Next were Planned Development (PD)/Interim Development Reserve (IDR) properties that already had an allocation of either R3 or at least R2 zoning assigned to the PD/IDR. It was found that while these sites had anticipated some residential growth at either R2 or R3 densities because they required further legislative action to actual build out at those densities, HCD would not give the County credit for those sites to accommodate the low and very-income RHNA units. The next designations that were considered were both Business Park (BP) and Office Professional (OP) because staff recognized that the County had a good amount of BP and OP properties that could meet the rezone candidate site criteria and particularly related to the fact that these properties were located primarily in areas that had public roads, sewer and water. Additional, there hadn't

been a great deal of Business Park or Office Professional development that had occurred in the unincorporated area over the last 5 to 10-years. The final existing zoning designation that was considered for the candidate rezone sites was Commercial. Typically, sites that are zoned commercial are located in areas that most easily meet the rezone candidate site criteria. Staff viewed these properties not for conversion to Urban High Density, but as sites that could be built out as a mixed-use development that still retained the underlying commercial designation with an increase in the allowed residential units from four units per acre to the state required 16-units minimum per acre.

Unless added by the Planning Commission or the Board of Supervisors, the Planning Department did not consider Rural designations such as General Agriculture (AG), Agriculture Exclusive (AE), Forest (FR), Recreation (REC) or Timber Production Zone (TPZ) as potential candidate rezone sites because in most cases properties with these designations are in areas that do not have public sewer and other necessary infrastructure needed to support high density residential housing and subsequently could not meet the candidate rezone site criteria. Staff also did not include the potential rezoning of Industrial designated properties primarily because a lack of suitable industrial designated properties for industrial use had been identified by the local development community and because typically industrial uses are the least compatible with residential uses. As a side note, a site with an Industrial designation was included as a potential candidate site in the 2009-2014 Housing Element update at the direction of the Planning Commission as allowed by rezone candidate site criteria #10. That site was later removed from consideration at the request of the property owner.

Community Regions

Pursuant to General Plan Policy 1.1.2, the County is divided into Community and Rural Regions. All of the land area of the unincorporated County is placed in one of these regions. Within the Rural Regions, growth is limited to those types and densities of development which are consistent with the open, rural lifestyle, pastoral character and natural setting and surrounding land use patterns which exists in these areas. Within the Community Regions, balanced growth is encouraged to provide managed housing, community, located for convenience, efficiency and affordability. According to General Plan Policy 1.1.3, Community Regions are established as the areas of the County within which growth should be directed to provide compact areas of development where such development can be served most efficiently and effectively with necessary urban services and facilities. In addition to the Town of Truckee, Grass Valley and Nevada City, Community Regions are established for Higgins Corner/Lake of the Pines, Lake Wildwood and Penn Valley. One of the common threads that lead to these areas being designated as Community Regions was the fact that there is public sewer in these areas. Since public sewer would be required to support high density residential development, the Planning Department was limited to Community Regions as delineated on the County General Plan maps when identifying suitable rezone candidate sites. Therefore, besides the Sphere of Influences of the incorporated areas (Grass Valley, Nevada City and the Town of Truckee), the Planning Department was limited to the Higgins Corner/Lake of the Pines Area, Penn Valley and Lake Wildwood as potential locations to implement this project. No other areas of the unincorporated County, with the exception of the Soda Springs Area which is designated as Rural Center by the General Plan, had access to public water and sewer.

Sphere of Influence (SOI) vs. Unincorporated Area

It is a longstanding Goal of the County's General Plan to promote and encourage growth in Community Regions while limiting growth in rural regions (Land Use Element Goal 1.1). Keeping this Goal in mind, staff looked at the areas surrounding the three incorporated cities as potential locations for rezone candidate sites. The area surrounding the Town of Truckee (at that time the Town boundary and the Sphere of Influence were coterminous) was ruled out because the majority of the areas on the fringe of the Town either lacked public sewer or were constrained in a way that was not conducive to the development of high density housing. Also, originally there was a property in the Nevada City Sphere that was being considered but was later dropped from the program at the request of the property owner.

With the area around the Town of Truckee and the Nevada City Sphere of Influence excluded from consideration that left only the City of Grass Valley Sphere of Influence and the remaining Community Regions as the only areas that had adequate infrastructure to support higher density residential development. As discussed above, fourteen sites within the Grass Valley SOI were carried over from the 2003-2008 Housing Element update. In addition, nine new sites within Grass Valley's SOI were added as candidate sites to accommodate the 2009-2014 identified unmet need. Since the Grass Valley SOI is directly adjacent to the largest developed city in Western Nevada County, this is an area that would seem to be the most likely to be able support high density residential growth. As a result, staff has identified several sites within the Grass Valley SOI to be considered by the Planning Commission and ultimately the Board of Supervisors for rezoning along with sites in Penn Valley and the Lake of the Pines areas. The individual merits of each site and staff's recommendation regarding a given site are provided below.

The following paragraphs outline some of the benefits and issues associated rezoning sites within a Sphere of Influence verses within the unincorporated area.

Some of the key benefits with rezoning a site within a SOI include but are not limited to: closer proximity to jobs, infrastructure and services; enhanced walkability; and the experience of the local jurisdiction with developing and supporting higher density residential development. Some of the key issues with rezoning a site within a SOI include but are not limited to: the loss of the ultimate oversight of the site development including implementation of development standards and mitigation measures; forces the City to annex the site; the potential for the site to be pre-zoned to a different land use designation during the annexation process; lack of consistency with General Plan Policy, specifically General Plan Policy 1.8.3 that basically states that the County land use maps will generally reflect the City's General Plan land use mapping and states that the County's Plan will not preclude implementation of the City's Plan by provided for a significantly more intensive land use than the City's Plan; the necessity to establish a RHNA transfer agreement with the City for each site; the longevity of the site to be eligible to accommodate RHNA units; an increase in high density residential zoning and development in an area that already provides the majority of residential apartments in western Nevada County; and the potential to stress city and county relations.

Some of the key benefits with rezoning a site in the unincorporated area include but are not limited to: providing increased housing opportunities for all income segments within established

unincorporated community regions; control over implementation of development standards and mitigation measures; guaranteed retention of rezoned sites land use and zoning designations; ability to continue to utilize sites for future RHNA's without requiring annexation. Some of the key issues identified with rezoning a site to higher density residential in the unincorporated area include but are not limited: greater commuting distances to jobs and services; creation of urban density islands within more predominately rural community regions; and a greater potential of the presence of sensitive environmental resources being located on the site.

When making a decision on which sites to include in the final recommendation and action by the Board of Supervisors, it is important that the Planning Commission keep in mind that in addition to having a project goal of providing increased housing opportunities for all income segments and special needs populations in the County, the implementation of this project plays a vital role in the County's current and future compliance with State Housing Law regarding providing adequate suitable sites to accommodate existing and future Regional Housing Need Allocations. Any site that is rezoned as a result of this project will remain eligible to be utilized as a suitable site for very low and low income RHNA units for future Housing Element update cycles, until such time that the site is actually developed. Should sites be annexed to the City of Grass Valley, and a mutually acceptable RHNA transfer agreement cannot be agreed upon by the City and County, the County runs the risk of losing out of being able to gain any future RHNA credit for any of the sites that were annexed, thereby reducing the County's benefit of this project.

Willing Property Owners

The final criteria to be met for a rezoned candidate site to actually be rezoned as a part of the project was the result of direction from the Board of Supervisors when they adopted the 2009-2014 Housing Element update on May 11, 2010. In adopting the 2009-2014 Housing Element update that included the two Rezone programs and the original rezoned candidate sites, the Board of Supervisors received public testimony from one of the rezoned candidate site property owners requesting that his property be removed. The Board directed staff to remove this person's property from consideration (and the final Housing Element update) and directed the Planning Department to notify the rezoned candidate sites property owners who did not attend the Board meeting to request their consent to have their property considered for up-zoning to ensure the County was not forcing anyone to rezone. Shortly following the adoption of the Housing Element and the creation and codification of the Regional Housing Need Combining District, staff performed this outreach. As a result, the original 39 rezoned candidate sites that were included within the 2009-2014 Housing Element were reduced to 18-sites with property owner interest in participating in the project.

During the preliminary stages of the project implementation process and the development of the draft EIR (2012), the property owners of the site within the Nevada City SOI, a site in North San Juan and a site within the Grass Valley SOI withdrew their interest effectively removing their property from consideration. Fortunately, three other property owners that owned land immediately adjacent to sites already being considered, submitted formal requests and justifications (pursuant to the Site Selection Criteria) for why the County should add their properties to the project. Since the County was only in the preliminary EIR development and because three sites had been removed, the Planning Department elected to include these three properties as a part of the project after determining that these sites met the Site Selection Criteria

outlined in LUDC Section L-II 2.7.11.B.2. Finally in November 2013, following the release of the public draft of the EIR and prior to the expiration of the public comment period for the Draft EIR, the property owner of Site 2 (within the Grass Valley SOI) provided a formal request to the County to remove his property for consideration for rezoning. Because this request came late in the EIR process, Site 2 is still included in the Draft EIR, but is no longer considered a candidate rezone site.

The Planning Department has received public comments that the willing property requirement restricted the Planning Department from choosing the best sites from a comprehensive planning perspective and as a result the Department has excluded sites that had an existing residential designation and included sites with commercial designations instead. The only areas that have adequate public services from an infrastructure and services (jobs, shopping, medical, etc.) standpoint are those Community Region areas that have already been included as a part of this project. If this was not a requirement of this project, the primary difference is the project would have continued to consider sites within the Nevada City SOI and the sites within the Grass Valley SOI would be less likely to be clustered in one specific area of the City's Sphere. The Planning Department would still be considering the Penn Valley Village Center as well as the Higgins Corner/Lake of the Pines area due to the fact that public sewer, water and roads exist in those areas. Regarding the comment about the removal of more appropriate sites that had existing residential designations, Table 1 on the following page provides a list of the sites that were removed at the request of the property owner. As evident in Table 1, several of the sites that were removed, with a few exceptions, are designated as Business Park (BP), are located in the Grass Valley SOI, and were carried over from the 2003-2008 Housing Element. Additionally, when reviewing the 2003-2008 Housing Element, the actual purpose of including these sites for rezoned was to gain consistency with the City's General Plan 2020 Land Use designations which had them designated as Urban Medium Density residential and not necessarily to meet a Regional Housing Need Allocation.

TABLE 1
SITES THAT WERE REMOVED FROM REZONING CONSIDERATION AT
REQUEST OF PROPERTY OWNER

<i>APN</i>	<i>Acres</i>	<i>County General Plan</i>	<i>County Zoning</i>	<i>Grass Valley SOI General Plan</i>	<i>Notes</i>
09-560-33*	13.04	BP	BP	UMD	*2003-08 Sites
09-560-34*	5.32	BP	BP	UMD	
09-560-05*	7.92	BP	BP	UMD	
09-560-32*	2.43	BP	BP	UMD	
09-560-37*	8.91	BP	BP	UMD	
09-560-39*	4.03	BP	BP	UMD	
09-560-38*	2.03	BP	BP	UMD	
09-560-13*	1.31	BP	BP	UMD	
09-560-10*	8.86	BP	BP	UMD	
07-550-16	20.02	OP	OP	OP	2009-2014 Sites
07-400-01	4.87	OP	OP	OP	
09-680-50	2.97	BP	BP	BP	
09-680-51	3.56	BP	BP	BP	
09-680-53	4.55	BP	BP	BP	
09-680-52	9.62	BP	BP	BP	
12-010-59	4.30	BP	BP-SP	n/a (Cedar Ridge Y)	
23-300-54**	2.01	UMD	R2-MH	n/a (Hwy 49 Near Alta Sierra Entrance)	
51-160-24	1.19	CC	C2-SP	n/a (Penn Valley)	
51-130-14	2.16	CC	C2	n/a (Penn Valley)	
60-100-18	3.57	NC/ RUR-10	C1/AG-10	n/a (North San Juan)	
09-270-04*	10.68	USF	3.62-acres R3 Remainder R1	UHD	Withdrawn Late
37-050-69	4.54	IND	M1	PD (NC SOI)	
29-350-12	11.36	BP	BP	BP	

** Removal of this site was mutual.

THE PROJECT- REZONE:

Rezone Candidate Sites

The proposed project is the consideration of amending the General Plan Land Use and Zoning Designation of a combination of seventeen different rezone candidate sites to provide sufficient density at 16-units minimum per acre to provide sites for 699 high density residential units or a minimum of 43.7-acres of high density residential zoning. In order to achieve the desired outcome of the project it doesn't require that the County change the designation of all of the sites. In total the seventeen sites make up approximately 137-acres and have the potential to provide 1,490-units of density based on identified development potential or "aggregate density" for the sites that has been determined through the EIR process. These site are located in three district areas of Western Nevada County, including 9 sites with an overall development potential of 735-units in the Grass Valley Sphere of Influence, 4 sites with the overall development potential of 330-units in the Penn Valley Village Center, and 5 sites with the overall development potential of 425 units in the Lake of the Pines/Higgins Corner Community Region.

General Area Discussion

Grass Valley

The City of Grass Valley is the largest incorporated area in western Nevada County. Located at the junction of State Highway, 20, 49, and 174, Grass Valley serves as the economic hub for western Nevada County and is the primary location in this part of the County for employment, shopping and services (medical, recreational, educational, etc.). The area identified as the Grass Valley SOI is an area within the unincorporated area of Nevada County but adjacent to the city limits of Grass Valley. The land uses transition from the typically higher residential densities and commercial and industrial intensities uses to more rural residential and commercial areas in the unincorporated area. The areas within the SOI have been identified in the City of Grass Valley General Plan as areas that have potential to be annexed into the City at some future time. As such, these areas within the SOI are typically areas that have transitional land uses. According to the Bureau of Census 2008-2012 American Communities Survey (ACS), there are approximately 6,810 housing units within the City of Grass Valley of which approximately 11.5% were vacant. Approximately 58% of those housing units are rental housing units and the current Housing Element for Grass Valley notes the City has 783 publically assisted rental units. According to the ACS, the median income for the City of Grass Valley was \$36,612, which is approximately 36% below the countywide median income of \$57,382. In Grass Valley, approximately 45% of homeowners were overpaying for housing, with overpayment being considered payment of 30% or more of an annual income towards housing, and approximately 61% of all renters were overpaying for housing.

For reference Figure B.1 on the following page, provides the location of each of the nine rezone candidate sites within the Grass Valley Sphere of Influence by site number. As you can see in Figure B.1, Site 1 is located on McCourtney Road across from the Nevada County Fairgrounds. Site 2, which is no longer being considered as a rezone candidate site, is located near the intersection of La Barr Meadows and McKnight Way. Sites 3-9 are all located along Brunswick Road just outside of the Glenbrook Basin and are virtually surrounded on all sides by the incorporated area. Each site is discussed in more detail below. It is recognized that the City has

the available infrastructure (public water, sewer, roads, police, and fire services) and well as the associated amenities (grocery stores, pharmacies, parks, medical offices and services, a hospital, schools including elementary, high school and junior college extension, and employment opportunities) that could accommodate higher density residential uses. To further document the availability of services, Table 2 below provides a list of services that are available to the candidate sites along Brunswick Road. Table 2 was created utilizing Google Maps and is not intended to be an exhaustive list. There is the potential the some of the businesses that are listed may no longer be in existence or other more recent business may be operating in the area that are not included in Table 2. Additionally, Table 2 is only focused on the general area surrounding the rezone candidate sites along Brunswick Road and does not include many of the other services that are available throughout the greater Grass Valley and Nevada City areas. As discussed above, Grass Valley is the primary area that provides services (shopping, medical, employment, etc.) for much of Western Nevada County's population and therefore these services are also available to citizens of Penn Valley, which is approximately 8-miles to the west and to Lake of the Pines which is approximately 12-miles to the south.

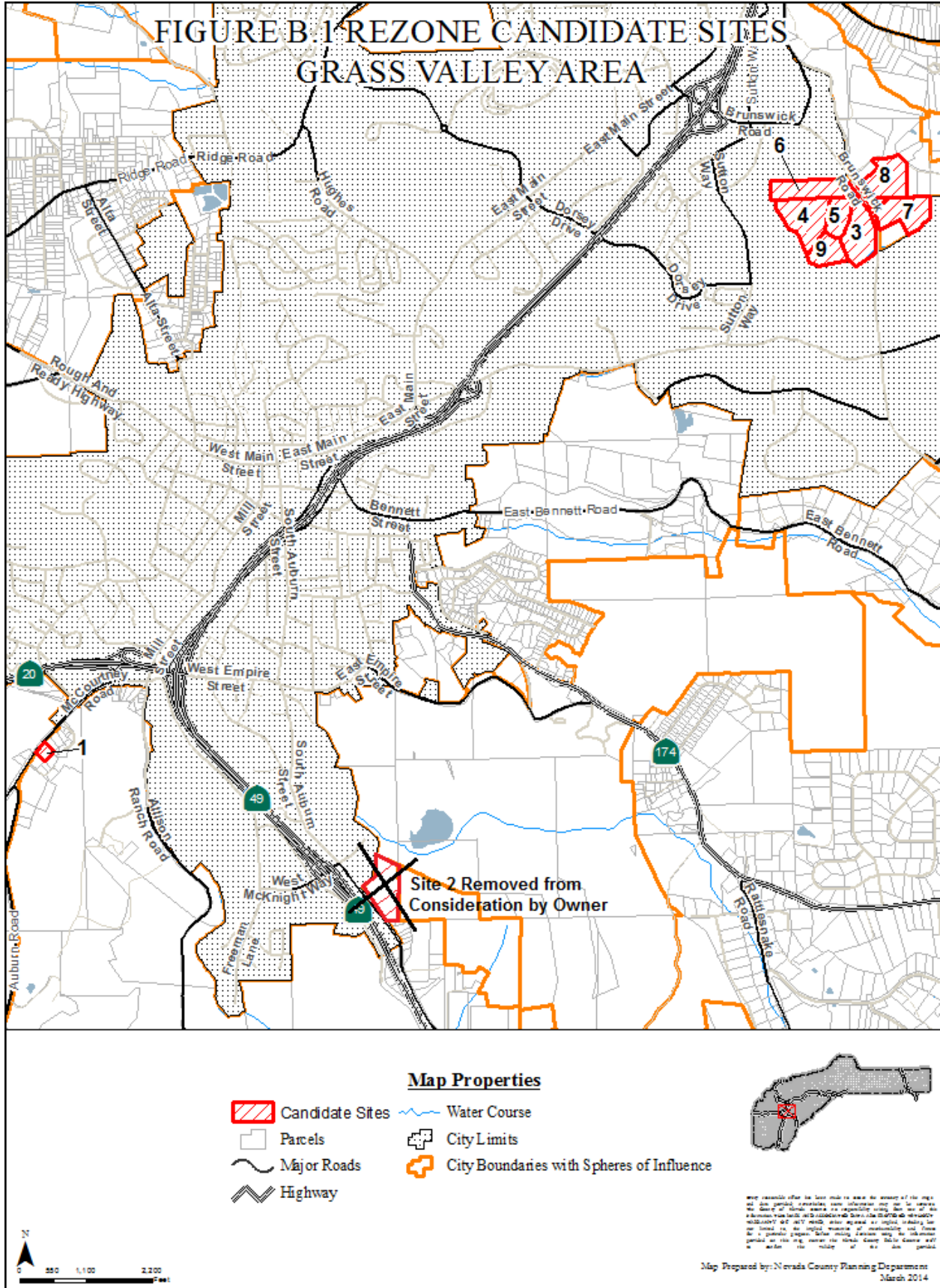


TABLE 2
GRASS VALLEY SERVICES AND AMENITIES

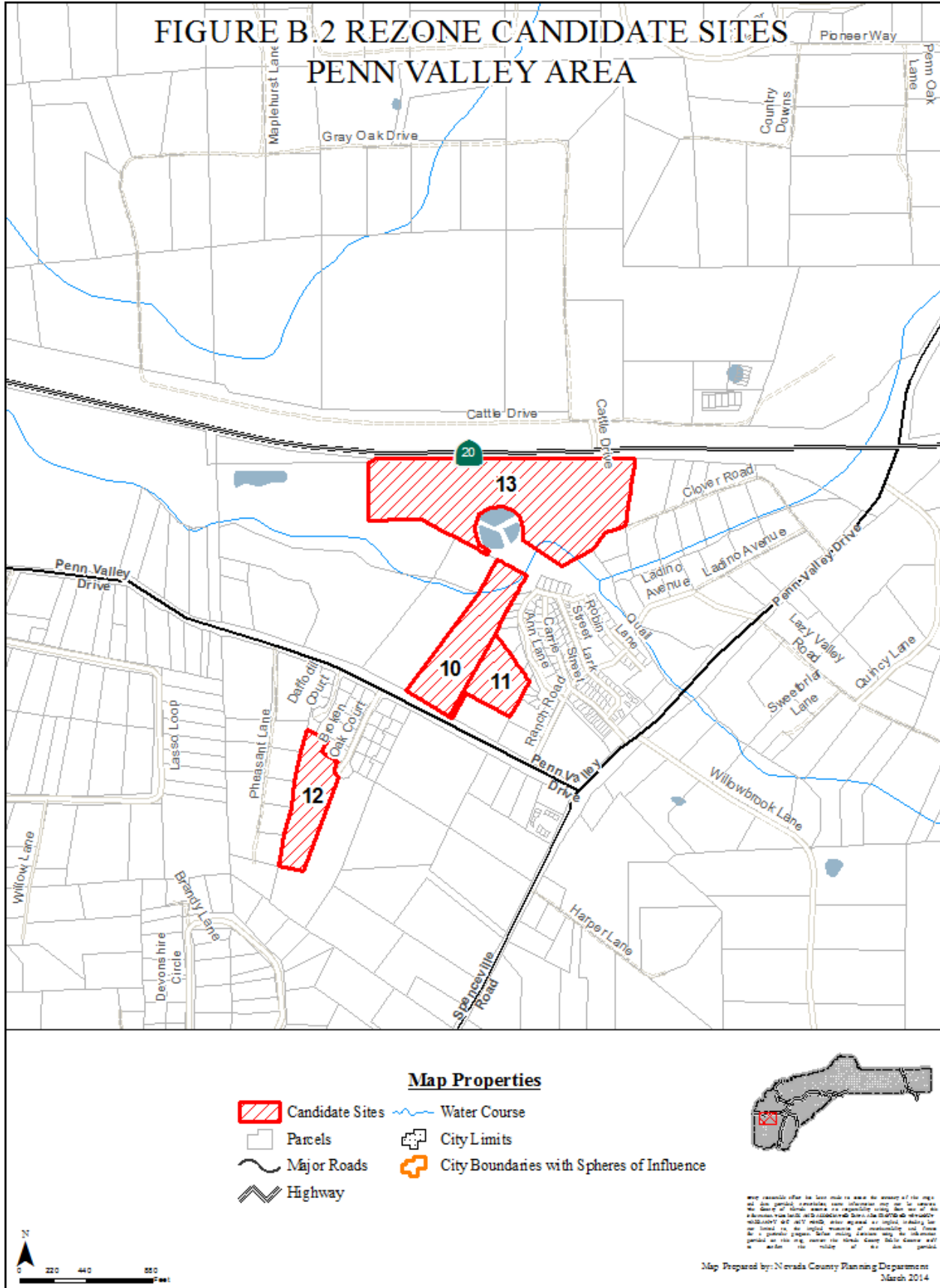
<i>Location, Distance, Drive Time</i>	Varies- Services listed are focused around the Brunswick Road Candidate Sites. For example from Site 3 to the Safeway Shopping Center, which includes a variety of services including a pharmacy, is approximately 0.7-miles or approximately 2 minutes of drive time. Site 3 to the Sierra Nevada Memorial Hospital is approximately 1.7-miles or 6 minutes of drive time.
<i>Shopping</i>	Safeway, Grocery Outlet, Walgreens, CVS, Rite Aid, Ben Franklin, Incredible Pets, Staples, B&C True Value, Radio Shack, O'Reilly Auto Parts, AutoZone, Wooden Spoon, the Dollar Store, and several others.
<i>Medical/Dental/Veterinarian</i>	Sierra Nevada Memorial Hospital, Chapa De Indian Health Clinic, Yuba Docs Urgent Care, Wolf Creek Care Center, Crystal Ridge Care Center, Miner's Family Health Center, Several private practices offering dental, vision, medical and veterinarian services.
<i>Financial Institutions</i>	Wells Fargo, Bank of the West, Bank of America, Placer Credit Union, First US Community Credit Union, Edward Jones Financial, and several others.
<i>Restaurants</i>	Taco Bell, McDonalds, Burger King, Paulette's Country Kitchen, Margarita's Mexican Restaurant, Subway, Starbucks, Flour Garden Bakery, Port of Subs, Round Table Pizza, Panda Express, Humpty Dumpty Kitchen, Kentucky Fried Chicken, Lumberjacks' Restaurant, China Garden, and several others.
<i>Misc.</i>	Big 1 Appliance TV and Mattress, Sierra Motor Sports, Flyers Gas Station and Market, AM-PM Gas Station and Market, Country Club Golf Course, Volz Bros Automotive, Gold Country Automotive, many other miscellaneous services throughout Grass Valley.
<i>Public Services</i>	Empire Mine State Park, Condon Park, Memorial Park, Nevada County Child Protective Services, Big Brothers and Big Sisters of Nevada County, United Way, Foodbank of Nevada County, Hospitality House, Nevada County Public Health, FREED Center for Independent living, Sierra Forever Families Nevada County, Habitat for Humanity, Domestic Violence and Sexual Assault Coalition, CORR, multiple Real Estate Offices, Department of Motor Vehicles and several others
<i>Transit</i>	Bus stops: Sutton way and Oak Ridge Apartments, Sutton Way at Glenbrook Apartments, Old Tunnel Road at Bank of the West (closest, approximately 1/2 mile from candidate sites on Brunswick), Dorsey Drive across from Crystal Ridge Care Center, Old Tunnel Road at Miner's Family Clinic, Sutton Way at Olympia Garden Apartments. Several others in the area.
<i>Primary Roads</i>	County/City Maintained
<i>Sewer</i>	City of Grass Valley
<i>Water</i>	NID/City of Grass Valley

Source: Google Maps, 6/9/14

Penn Valley

Penn Valley, an unincorporated community, is located in the western portion of Nevada County. Penn Valley has a “small town” feel with a population of approximately 1,621, but approximately 12,000 people consider Penn Valley home. The Penn Valley area is located in the western part of Nevada County along State Highway 20 approximately 8 miles from the City of Grass Valley and includes the Penn Valley Village Center, the Commercial Avenue development at the corner of State Highway 20 and Pleasant Valley Road, the Lake Wildwood Community Region and the surrounding rural residential and agricultural areas. According to the Bureau of Census 2008-2012 American Communities Survey (ACS), there are approximately 602 housing units within the Penn Valley Census Designated Place (CDP) of which 0% were vacant. Approximately 28% of those housing units are rental housing units and the current Housing Element for Nevada County notes the Penn Valley has 42 publically assisted rental units. According to the ACS, the median income for the Penn Valley CDP was \$41,855, which is approximately 28% below the countywide median income of \$57,382. In the Penn Valley CDP, approximately 42% of homeowners were overpaying for housing, and approximately 72% of all renters were overpaying for housing.

Figure B.2 on the following page, provides the location of each of the four rezone candidate sites within the Penn Valley Village Center by site number. Site 10 and 11 are located on Penn Valley Drive between the Post Office and the Penn Valley Mini Storage. Site 12 is located off of Broken Oak Court across from the Courtyard at Penn Valley apartment complex. Finally, Site 13 is located north of Sites 10 and 11 between State Highway 20 and Squirrel Creek. Each site is discussed in more detail below. There are three distinct local areas that provide services to the residents of Penn Valley, not including the City of Grass Valley which is approximately 8-miles away and the cities of Marysville and Yuba City which are approximately 30-miles to the west. Both Grass Valley and Marysville/Yuba City are full service urban areas that augment the local services that are available in Penn Valley. Table 3 was created utilizing Google Maps as a way to show the types of services available in Penn Valley, where they exist and the distance from the proposed rezone candidate sites. This is not intended to be an exhaustive list and there is the potential some of the businesses that are listed may no longer be in existence or other more recent business may be operating in the area that are not included in Table 3.



**TABLE 3
PENN VALLEY SERVICES AND AMENITIES**

<i>Location, Distance, Drive Time</i>		Commercial Ave./Pleasant Valley Road 1.5 miles, 4 minutes	Lake Wildwood Center 2.7miles 6 minutes
<i>Shopping</i>	PV Gas and Mini Mart, True Value Hardware, Hospice Thrift Store, Penn Valley shopping Center (27 shops and service); Penn Valley Market and B Liquor	Sierra Energy Chevron Convenience Store	Holiday Foods
<i>Medical/Dental/ Veterinarian</i>	Animal Clinic of Penn Valley, Miner's Mobile Clinic, Cater Calante Orthodontic Specialist, Sierra Equine, Penn Valley Yoga/Dragonfly Yoga massage and Wellness, Penn Valley Chiropractic Clinic, Head to Heal Therapy and Spa, Penn Valley Acupuncture	Pleasant Valley Veterinary Center, Anderson Health Center	Sierra Care Physicians , Penn Valley Family Medical, Pleasant Valley Pharmacy, Wildwood Physical Therapy, Sierra Nevada Memorial Hospital Lab, Wildwood Dental
<i>Financial Institutions</i>	Wells Fargo	First American Title Insurance.	Tri-Counties Bank, Citizens Bank, Independent Planners Group, Westamerica Bank
<i>Restaurants</i>	Tack Room, Northridge, Blue Cow Deli, Daybreak Café, Taco Bell	Pleasant Valley Grill, Players Pizza Pasta and More.	Tuscany Gardens, June's Café and Deli
<i>Misc.</i>	Bright Beginnings Learning Center (day care), Garden Fare, PV Mini Storage, Abercrombie & Co Stoves and Awnings, Empire Fence, Anything Green Hydroponics, Penn Valley Books and Gift Store, Pilot Peak Internet Marketing, Rolling Hills Realty, Penn Valley Laundromat, Penn Valley Pony Express, Eagle Sales, Plaza Tire and Auto Service, Rolling Hills Realty, King Realty, Four Seasons	Gold Country Tanning, Penn Valley Auto Services, Wildwood Storage	Radiant Light Nutrition, Coldwell Banker, Skies Realty, Trujillo Insurance, Falcon Driving School, Intero Real Estate, Buttes Insurance, All the Best Video, Network Real Estate, Reflections at Wildwood Center

	Landscape Materials, Sierra Water Systems, Complete Bookkeeping and Tax, All Kids and Critters, Simply You Salon and Spa, Designers, Charimia's Hair and Nails, Shell Service Station		
Public Services	Western Gateway Park, Bike Path on PV Drive , US Post office, PV Fire Dept.		Sheriff Substation, PV Fire Substation
Transit	Valley Oak Ct. and PV Drive. PV Drive and Easy St. PV Drive and Horton St., PV Drive and Broken Oak Ct., PV Drive at Willobrook Rd, Penn Valley Drive at PV Drive.	Pleasant Valley Rd and Commercial/Branding Iron. Pleasant Valley Rd and Penn Valley Drive.	Gold Country Stage Bus Stop with Services to GV, Pleasant Valley at Black Forest , PV at Biladeau Ln
Primary Roads	County Maintained	County Maintained	County Maintained
Sewer	Public with Pipeline Ext.	n/a	n/a (public)
Water	NID	NID	NID

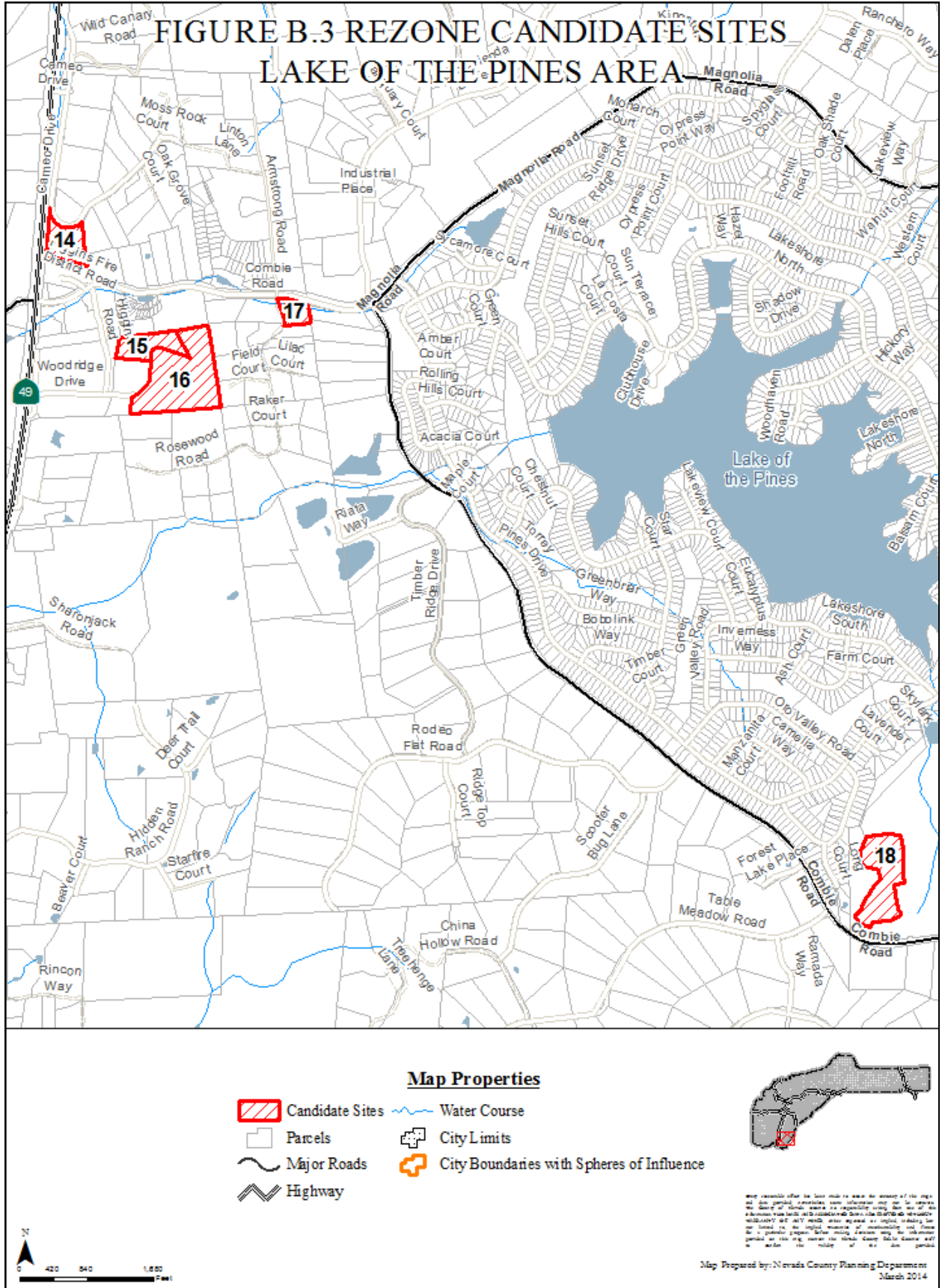
Source: Google Maps, 6/9/14

Lake of the Pines/Higgins Corner

The Lake of the Pines/Higgins Corner area is located in southwest Nevada County along State Highway 49 approximately 12-miles to the City of Grass Valley and about 10 miles to the City of Auburn (Placer County) and includes the developed commercial areas at the corner of State Highway 49, Wolf and Combie Roads, the Combie Road corridor, the Lake of the Pines Center located at Combie and Magnolia Roads and the Streeter Road industrial park located approximately 1 and a 1/2 mile south on Highway 49. Additional Lake of the Pines development within the outlying areas consists of rural residential uses, educational facilities, such as Forest Lake Christian School and the Bear River High School, and the Lake of the Pines gated residential community. According to the Bureau of Census 2008-2012 American Communities Survey (ACS), there are approximately 1,612 housing units within the Lake of the Pines Census Designated Place (CDP) of which 12.2% were vacant. Approximately 88% of those housing units are owner occupied households and the remaining 12% are rental housing units. According to the ACS, the median income for the Lake of the Pines CDP was \$84,531, which is approximately 47% above the countywide median income of \$57,382. In the Lake of the Pines CDP, approximately 44% of homeowners were overpaying for housing, and approximately 43% of all renters were overpaying for housing.

Figure B.3 on the following page, provides the location of each of the five rezone candidate sites within the Lake of the Pines Community Region by site number. Site 14 is located off of Cameo Drive via State Highway 49 directly north of the Higgins Fire Station. Site 15 and 16 are located

off of Woodridge Drive southeast of the Higgins Corner commercial development. Site 17 is off of Rosewood Road along Combie Road across from the Cascade Crossing residential development. Site 18 is located on Combie Road immediately south of the Lake of the Pines gated residential community. Each site is discussed in more detail below. There are several pockets of areas in the Lake of the Pines/Higgins Corner Community Region that provide services to the residents of Lake of the Pines, not including the City of Grass Valley which is approximately 12-miles away and the City of Auburn is approximately 10-miles to the south. Both Grass Valley and Auburn are full service urban areas that augment the local services that are available in the Lake of the Pines Community Regions. Similar to Tables 2 and 3 above, Table 4 was also created utilizing Google Maps as a way to show the types of services available in the Lake of the Pines area, where they exist and the distance from the proposed rezone candidate sites. This is not intended to be an exhaustive list and there is the potential the some of the businesses that are listed may no longer be in existence or other more recent business may be operating in the area that are not included in Table 4.



**TABLE 4
LAKE OF THE PINES SERVICES AND AMENITIES**

Location, Distance, Drive Time	Combie and Magnolia and Combie at Armstrong. No dedicated Path, - Distances from Combie and Magnolia Shopping: Site 14, 1.8 miles 4 minutes no direct access. Site 17 0.3 miles 1 minute. Site 18 Approximately 1.9 miles 3 min. Sites 15 and 16 approximately 1.3 miles 4 minutes.	Combie Corner and Wolf Road- Site 18 2.6 miles 4 minutes no walking path, Rest of Sites are within easy walking distance, except no direct access to Site 14.	Streeter Road 4.1 miles 8 minutes from Site 18. Sites 15 and 16 1.6 miles 5 minutes, Site 14 2.3 miles 6 minutes, Site 17 2.1 miles 6 minutes.
Shopping	Lake of the Pines Ace Hardware, Holiday Quality Foods, the Red Chair	CVS Pharmacy, Chevron, Wolf Road Gas Station Market	none
Medical/Dental/Veterinarian	Animal Clinic at LOP. Christian Layne Optometrist	Sutter Physical Therapy: Sutter Medical Foundation, Lake of the Pines Care Center	none
Financial Institutions	El Dorado Saving, Tri Counties Bank	Chase ATM	none
Restaurants	Stinky Mulligans Sports Bar, Gristmill Bakery and Deli	El Agave Taqueria, Starbucks, Subway, Northridge, School House Yogurt	none
Misc.	Generations Health Club, Northern Air, Micro Precision Calibration, Bear River Storage, Care Campus, Titan America Manufacturing, RCI Real Estate, Curves, Farmers Insurance, Auburn Florist, International Hobbies, Soil Broker, Coldwell Banker Realty, Nexcycle, Seeley Insurance Services	Century 21 Realty (2), Gateway Realty, Cut and Curl, LOP Music, 530 Hydro and Soil, Concept Sales and Associates, Chevron Auburn. On-Trac Drop Box	Auto Glass Express, Sierra Cad-Cam, WFO Concepts, Uhaul, M &M Machine Shop, Sudden link Communications, Hay Barn, Auburn Euro Motors, USA Golf Products, Bear River Auto Tech, Auburn Carpet one, Aquacide.
Public Services	Higgins Fire Protection District, US Post Office, Bear River High School Ball Fields, Sheriff's Substation	Higgins Fire District	
Transit (Bus Stops)	Combie at Lake Center	Combie at Higgins Center	Hwy 49 and Streeter Road, Hwy 49 and Macy Place
Roads	County	County	n/a
Sewer	Public	Public	n/a
Water	NID	NID	na

Source: Google Maps, 6/9/14

Individual Rezone Candidate Site Discussion by Area

The following section will provide a discussion of each individual rezone candidate sites including the site map showing the location of the development footprint and environmental constraints, a basic description of the site and its location, uses, and zoning in the surrounding area, availability of infrastructure and services, site access, the current and recommended general plan land use designation and zoning including the existing and proposed residential density, a breakdown of the parking requirement for the site, any identified environmental resources, a summary of the mitigation that applies to the site, and finally the Planning Department's recommendation regarding whether or not the site should be included within the final action of the Board of Supervisors.

The Planning Department has developed a tiered system of grouping sites to achieve the current project goal of providing sufficient R3-RH zoning (or the equivalent) to accommodate 699-high density residential units, with Tier 1 sites being the most suitable for accommodating future high density housing, Tier 2 sites being still adequate for rezoning but slightly less suitable than Tier 1 sites for a variety of reasons and Tier 3 sites being the least suitable to accommodate future high density housing. The purpose of the tiered system is to develop a menu of suitable candidate rezone sites that have the potential to be rezoned to allow the County to create additional opportunities for high density housing at a minimum zoning for 699-units total, including adding the RH Combining District to those properties. Additionally, to address future housing needs, this menu provides the potential for a site to be rezoned with just the R3 zoning (without the state mandated criteria outlined in the RH Combining District) that are beyond the minimum of 699-units necessary to address state mandated rezone requirements.

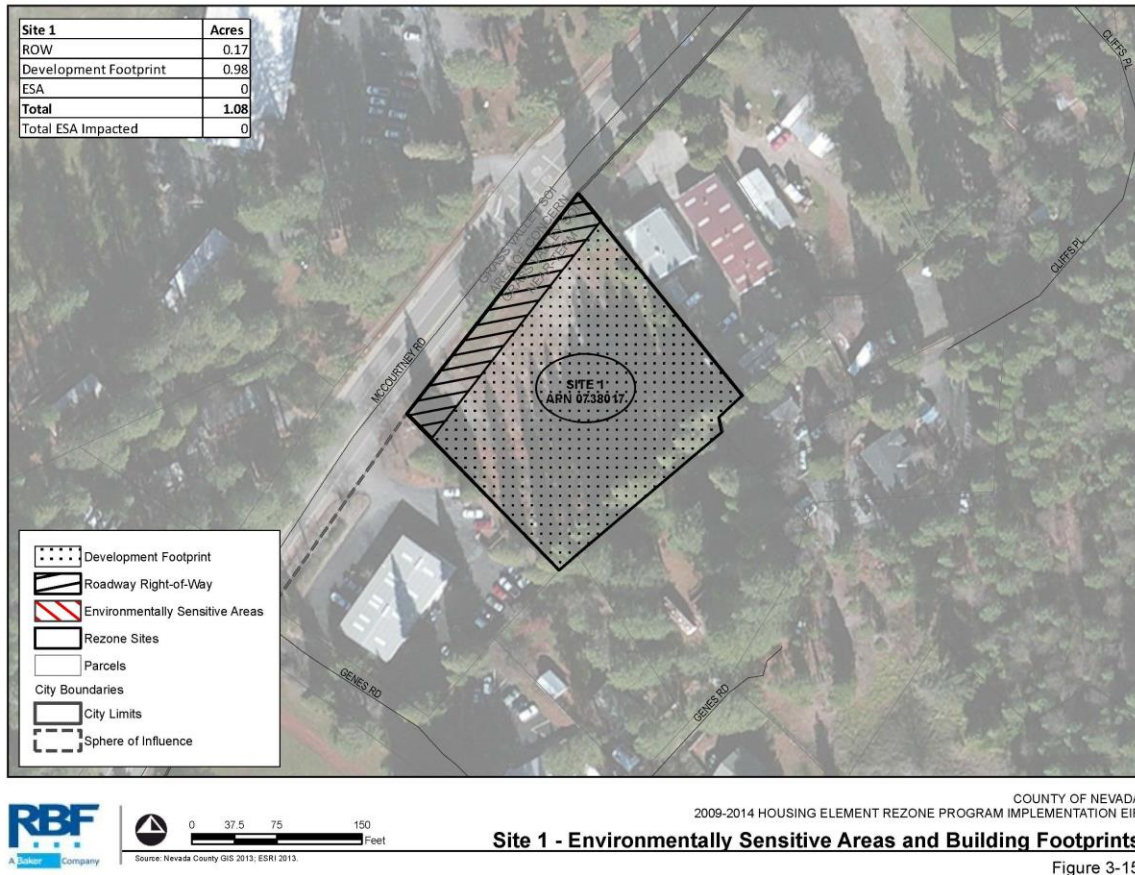
The following sites have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These are considered the first tier for implementing the project and meeting the project objectives. There are several different combinations however that will accomplish the same goal. The second tier of sites have been determined to be almost equally suitable as the tier one sites and include Sites 4, 9, 13 (at 91-units only) and 15. The justification for considering these properties as tier two sites is provided within the individual site discussion below. These sites could be mixed in with the first eight sites to go beyond the unmet need of 699-units or could be switched with one or multiple first tier sites with similar identified aggregate densities to meet the minimum of 699 units of density. The least desirable sites, or the third tier sites, are those that are considered the most constrained or only minimally implement the project goals and include Sites 1, 7, 8, 10, and 17. As a result of this EIR, the third tier sites could effectively be chosen for rezoning, but are less suitable than the twelve sites that are identified as first and second tier sites.

Grass Valley Sphere of Influence

In total there are eight rezone candidate sites that are located within the Grass Valley Sphere of Influence with the removal of Site 2. It is assumed the any site that is rezoned for high density housing in the Sphere of Influence will need to be annexed into the City of Grass Valley so the development can be served by with city sewer and other related services.

Site 1. APN: 07-380-17

Building Footprint Map:



Description/Surrounding Land Uses: Site 1, rectangular in shape and approximately 1.08 acres in size, is located in the southern portion of the Grass Valley SOI on the southeast side of McCourtney Road between Cliffs Place and Genes Road. The site is generally undeveloped and gently slopes to the northwest, toward McCourtney Road, with no notable landforms, drainage features, or vegetation. This site has previously been cleared and is periodically used as a fee parking lot for events at the Nevada County Fairgrounds, which are located across McCourtney Road, northwest of the site. Site 1 is located in an area with other existing development primarily designated as Office Professional (OP) on the County Land Use Maps, and is bounded by commercial buildings to the west and east and single family residences to the southeast. Beyond the single family residences is the northwest boundary of the North Star property, a site of historical hard rock gold mining and known environmental hazards.

Infrastructure: Site 1 is located on a County maintained public road. Water and sewer infrastructure is available in the area from the City of Grass Valley if annexed. Electrical service from PG&E and other common services, such as phone, internet and cable television are available to the site.

Services: Site 1 is served by the Nevada County Sheriff for police services and the Nevada County Consolidated Fire District for fire protection and safety services. If annexed, the City of Grass Valley would be responsible for providing these services. Table 2 above provides a short list of available shopping, medical, recreation, transit and related services that are available to the residents of western Nevada County in the City of Grass Valley. Grass Valley provides a wide variety of urban services with several options to choose from, as a result there adequate services to serve future populations associated with development of the rezone candidate sites in the region.

Access: Site 1 has direct access to McCourtney Road, a public roadway. Access to the site is assumed to be anywhere along the property frontage depending on the ultimate layout of the site.

Land Use/Density: Existing Land Use/Zoning: Office Professional (OP)/OP. Proposed Land Use/Zoning: OP-Regional Housing Need (RH). Under the existing Office Professional (OP) designation the current allowed residential density is 4 units as a part of a mixed use project. The proposed addition of the Regional Housing Need (RH) combining district to OP designation would increase the number of residential units to a minimum of 16 units as a part of a mixed use project.

Parking: Parking for the residential portion of the development of this site would range from 16 to 40 spaces depending on the size of the units being provided. Additionally, since the RH combining district requires that a use consistent with the base zoning district be developed in conjunction with or prior residential uses, parking would have to be provided for any office professional use that is developed on the site in addition to the residential parking. According to the County parking standards, general office requires 1 parking space for every 200 square feet of gross floor area.

Environmental Resources: Site 1 has no identified environmental constraints and the developable footprint covers the entire site (see site map). The site is generally undeveloped and nearly flat with only a gentle slope to the northwest. This site was previously cleared, graded and surfaced with gravel and is used for overflow parking during fairgrounds events. The entire site is in a disturbed condition and supports no natural plant communities. Vegetation onsite includes sparse weeds growing at the edge of the parking area and ponderosa pines along the perimeter of the site. Stormwater from the site infiltrates or flows off of the site via sheet-flow; no defined drainage features occur on the site. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 1:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-2b, 4.4-2c*
Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*
Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, and 4.8-3*
Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c, 4.10-1b,*
Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2,*
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2*
Recreation: *Mitigation Measure 4.14-1*
Transportation and Traffic: *Mitigation Measures 4.15-7*

Staff Recommendation: Due to its small size, the type of surrounding land uses (Public, Office Professional, the County Fairgrounds), and the fact that it would be difficult to fit a total of 16-units on the site in addition to an Office Professional use (as required by the RH Combining District Section L-II 2.7.11.D) this site has been determined to be a Tier 3 Site and subsequently staff does not recommend that Site 1 be included within the final project action.

Site 2. APN: 29-350-12

As a result of the property owners request, Site 2 has been removed from consideration for rezoning as a part of this project and therefore no further discussion regarding this site will be provided with the exception of a brief property description. Site 2, approximately 11.36 acres, is located on La Barr Meadows Road south of the intersection with McKnight Way and the western property boundary is coterminous with the Grass Valley City limit.

Sites 3, 4, 5, 6, and 9. APNs: 35-412-15; -16; -17; -18; -19

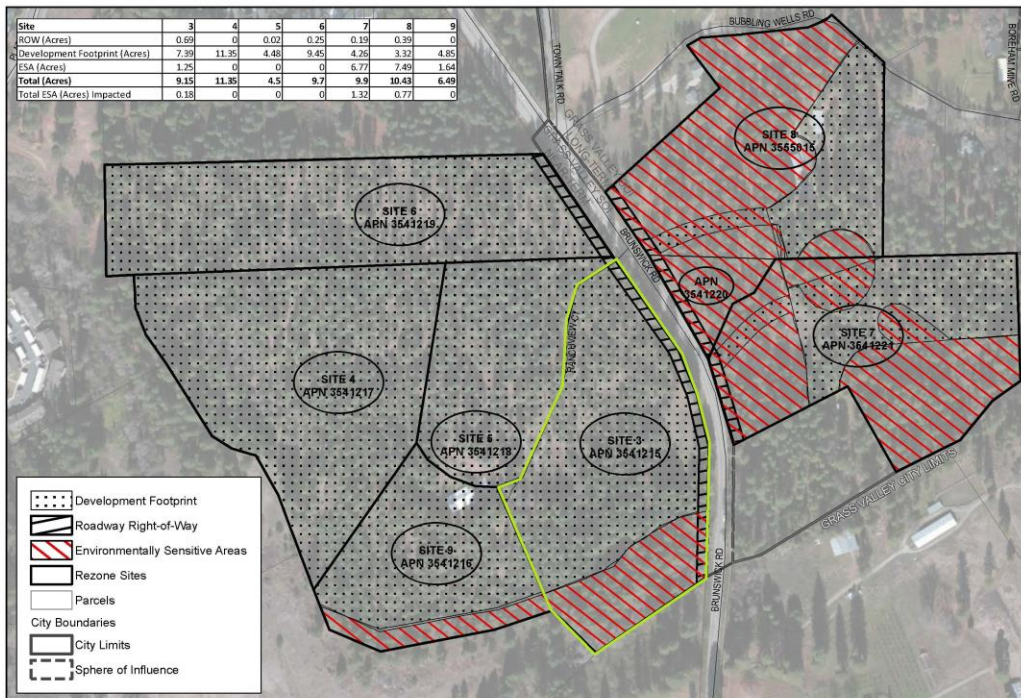
Description/Surrounding Land Uses: Due to the fact that Sites 3-6 and 9 are located adjacent to one another, the general description of those sites will be grouped. The discussion specific to Site 9, however will fall in chronological order below. Sites 3-6 and 9 are located on Brunswick Road, north of Idaho Maryland Road and south of Bubbling Wells Road. Sites 3, 4, 5, 6, and 9 are on the west side of Brunswick Road and are accessed by Triple Crown Drive. The Nevada County Airport is located approximately one half mile to the southeast. Due to the proximity to the airport, all seven of these sites are also located within the Nevada County Airport Influence Area. Specifically these sites are within the Urban Overlay Zone (Zone D*), which allows a density of up to 20-units per acre. Sites 3, 4, 5, 6, and 9 are undeveloped contiguous parcels with an irregular shape. Sites 3 through 6, and 9 are generally located on a forested hilltop location, forested with madrone, incense cedar, ponderosa pines, and associated chaparral typical of the area. Site 3 contains a minor apparent rock outcrop in the eastern portion of the parcel and an abandoned small wood structure in the eastern, downslope portion of the site, near an abandoned irrigation ditch alignment. An unnamed tributary to Wolf Creek traverses the southernmost area of this property. Sites 3, 4, 5 and 9 are all under the same ownership. Sites 3, 5 and 6 have direct road frontage on

Brunswick Road. The southern half of irregularly shaped Site 4 is dominated by a broad swale, sloping downward to the southwest; with the only evidence of significant surface water flow in the swale located in the lowermost portions of the site, near the southwestern property boundary.

Site 5 is an undeveloped property that is completely surrounded by other properties within the project area (Sites 3, 4, 6, and 9). The majority of this site and the surrounding sites are covered with forested vegetation. A knoll in the center of Site 5 is the top of the slope as it comes up from Brunswick Road and transitions down toward the developments off of Sutton Way in the City of Grass Valley. Sites 4 and 6 are bound by undeveloped land to the southwest, west, and north. A portion of the western boundary of Site 4 and the western and northern borders of Site 6 are coterminous with the boundary of the Grass Valley city limits. Undeveloped land lies southeast of Site 3. Site 9 is adjacent to Sites 3, 4, and 5 and contains one existing residence that takes access off of Brunswick Road from Triple Crown Drive through Site 5. Similar to Sites 3, 4, and 5 the majority of the site is covered with mature forested vegetation and slopes from north to south. Property to the south of Site 9 is generally flat and has been cleared for agricultural uses. The southern boundary is along the proposed alignment for the future extension of Dorsey Drive from Sutton Way east to Brunswick Road planned by the City of Grass Valley.

Site 3. APN: 35-412-15

Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
Sites 3-9 - Environmentally Sensitive Areas and Building Footprints

Figure 3 - 17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: Site 3 has direct frontage along Brunswick Road, a publically maintained roadway. Public water is provided to the site via an existing 18" line that is located in the Brunswick Road right of way. Public sewer would need to be provided by the City of Grass Valley, and subsequently this site would need to be annexed to the City prior to developing. As with all of the other sites, it is the burden of the future developer to ensure that adequate capital facilities (sewer lines/pump or lift stations, etc.) are in place and that adequate capacity is available at the City's wastewater treatment plant to service the project. Common utilities such as PG&E electrical and AT&T phone/internet as well as cable television are available to be extended to the site.

Services: Site 3 is served by the Nevada County Sheriff for police services and the Nevada County Consolidated Fire District for fire protection and safety services. Once annexed, the City of Grass Valley would be responsible for providing these services. Table 2 above provides a short list of available shopping, medical, recreation, transit and related services that are available to the residents of western Nevada County in the City of Grass Valley. Site 3 is within walking distance (approximately ½ mile) to the Sutton Way/Brunswick Road commercial area, which provides a wide variety of urban services with several options to choose from including bus stops that link the area to other locations in the city and the County. As a result there adequate services to serve future populations associated with development of the rezone candidate sites in the region.

Access: Mitigation Measure 4.15-4 requires that the existing access to Site 3 shown as Ranchview Court on County map data and marked as Triple Crown Road be realigned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northwest corner of Site 6.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 3 is Urban Medium Density (UMD)/R2-PD with the PD standing for Planned Development. At 9.15-acres, the R2 zoning would allow a maximum of 54-units on the site. The proposed General Plan Designation/zoning for Site 3 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 7.39-acres which at the minimum density of 16-units per acres would result in the potential density of 118-units; an increase of 64-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 29-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements,

the range of required parking spaces (based on the density of 118-units) would be anywhere from 118-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 295-spaces (if all units were 3 bedroom units).

Environmental Resources: A perennial tributary to Wolf Creek bisects the southern portion of Site 3 and is the only defined hydrologic feature on any of the five sites located west of Brunswick Road. Riparian vegetation is associated with this stream. Representative species in the riparian zone include white alder, red willow, arroyo willow, Himalayan blackberry, California wild rose, cutleaf blackberry, and California blackberry. Site 3 contains an abandoned wood structure in the eastern, downslope portion of the site. Except for a narrow riparian strip along the site's southern boundary, the site is Sierran mixed conifer forest. A small meadow occurs in a forest clearing in the east-central portion of the site and contains non-native upland species of grasses and forbs. The site slopes moderately to the southeast. An unnamed perennial tributary to Wolf Creek bisects the parcel along its southernmost boundary and supports a riparian vegetation community. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 3:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4, 4.4-2a*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3,*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c*

Noise: *Mitigation Measure 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: Due to the fact that development can avoid environmental sensitive areas on the site, the existing UMD/R2 designation, the potential to integrate the site design with Sites 5 and 6, the availability of infrastructure and services, and its directed frontage on Brunswick Road, this site has been determined to be a Tier 1 Site and subsequently staff recommends that Site 3 be included in the final rezoning.

Site 4. APN: 35-412-16

Building Footprint Map:

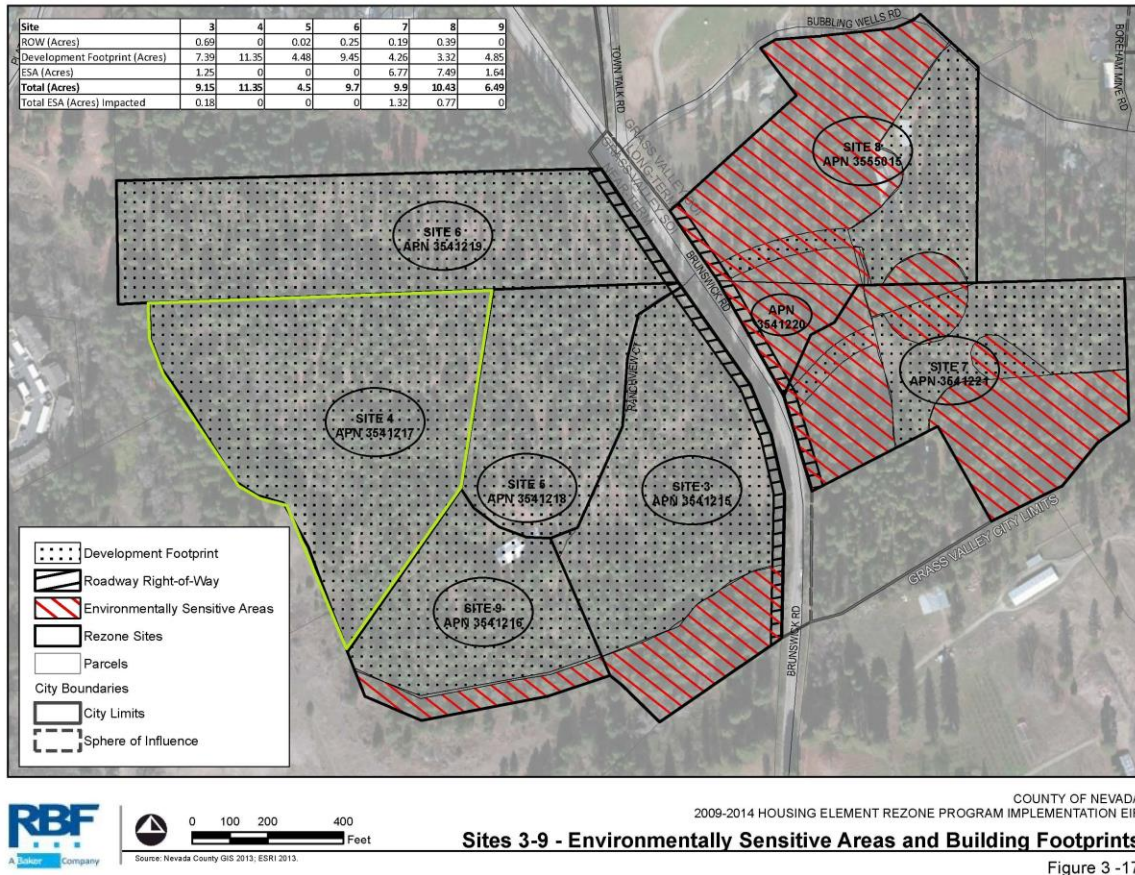


Figure 3 -17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3. Because Site 4 is farther away from Brunswick Road, it likely will require a greater expense for capital improvements to ensure that multi-family development on the site could tie into existing sewer, water and utility infrastructure.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 4 does not have road frontage onto Brunswick Road, however existing access to Site 4 is likely via existing ranch roads shown as Ranchview Court on County mapping date. Mitigation Measure 4.15-4 requires that the existing access to Site 3 shown as Ranchview Court on County map data and marked as Triple Crown Road be realigned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northwest corner of Site 6.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 4 is Urban Medium Density (UMD)/R2-PD. At 11.35-acres, the R2 zoning would allow a

maximum of 68-units on the site. The proposed General Plan Designation/zoning for Site 4 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that Site 4 is free from any environmental constraints that would limit the full build-out of the site. Subsequently, the site has a developable footprint of 11.35-acres which at the minimum density of 16-units per acres would result in the potential density of 181-units; an increase of 113-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 45-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 181-units) would be anywhere from 181-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 452-spaces (if all units were 3 bedroom units).

Environmental Resources: Sites 4 is undeveloped and supports a Sierran mixed conifer forest community. The site slopes moderately to steeply to the southwest. No notable hydrologic features occur on this site, though a broad and shallow swale occurs in the southern half of the parcel. This swale follows the slope to the southwest. Aerial imagery and topography indicates that surface water may be present at the base of this swale near the western site boundary. This area was not investigated due to steep slopes and dense brush. If hydrology is present in this area it would represent a negligible constraint to site development. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 4:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

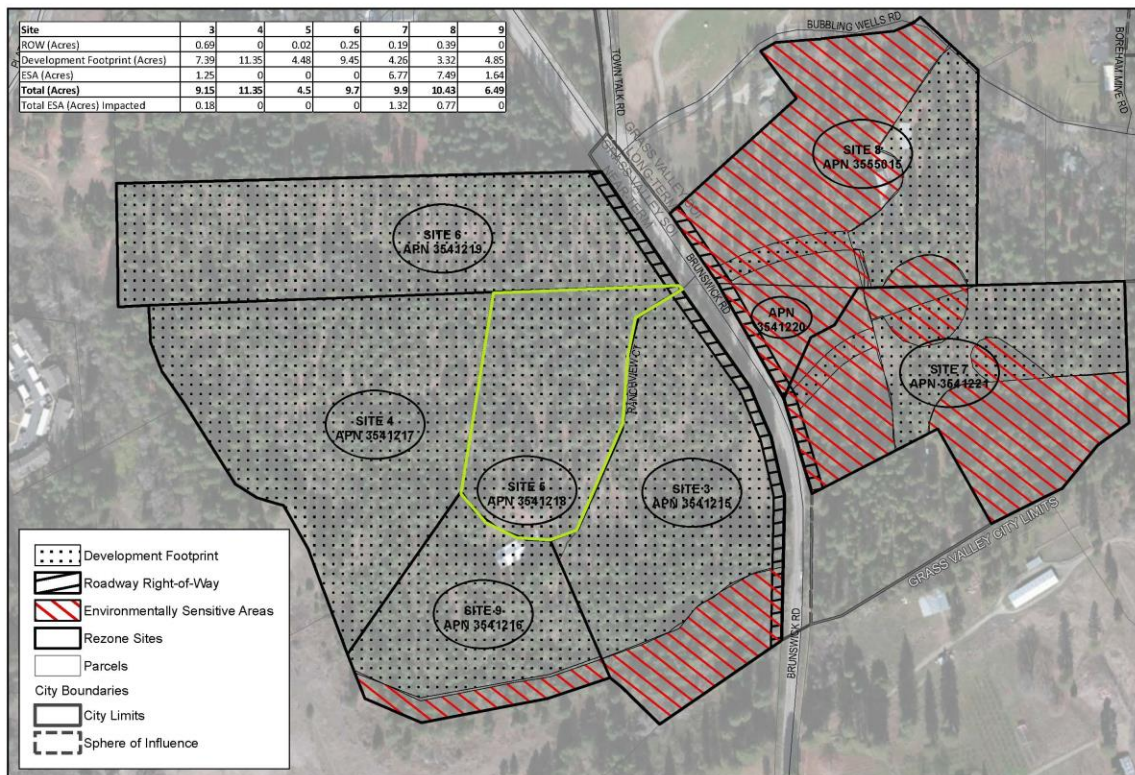
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: While Site 4 is a suitable site for rezoning for similar reasons as sites 3, 5 and 6, because it does not have direct frontage on Brunswick Road, and due to the fact that this project, if the Planning Commission follows staff’s preferred alternative, is already increasing the density in this area by rezoning three of the seven sites located here this site has been determined to be a Tier 2 site and subsequently staff is not recommending that it be included in the final rezoning.

Site 5. APN: 35-412-17

Building Footprint Map:



2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
Sites 3-9 - Environmentally Sensitive Areas and Building Footprints
 Figure 3 -17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 5 has road frontage along Brunswick Road. Mitigation Measure 4.15-4 requires that future access to Site 5 be aligned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northeast corner of Site 6. This new intersection will serve the internal access roads for sites 3-6 and 9.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 5 is Urban Medium Density (UMD)/R2-PD. At 4.50-acres, the R2 zoning would allow a maximum of 27-units on the site. The proposed General Plan Designation/zoning for Site 5 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that Site 5 is free from any environmental constraints that would limit the full build-out of the site. Subsequently, the site has a developable footprint of 4.48-acres after removing the anticipated right of way dedication, which at the minimum density of 16-units per acres would result in the potential density of 90-units; an increase of 63-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 22-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 90-units) would be anywhere from 90-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 225-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 5 is an undeveloped property that is completely surrounded by other properties within the study area (Sites 3, 4, 6, and 9). This site is situated on a low hilltop knoll and supports a Sierran mixed conifer forest type. The site slopes in all directions away from the top of the knoll. No defined hydrologic features occur on this site. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 5:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

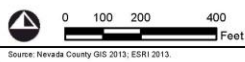
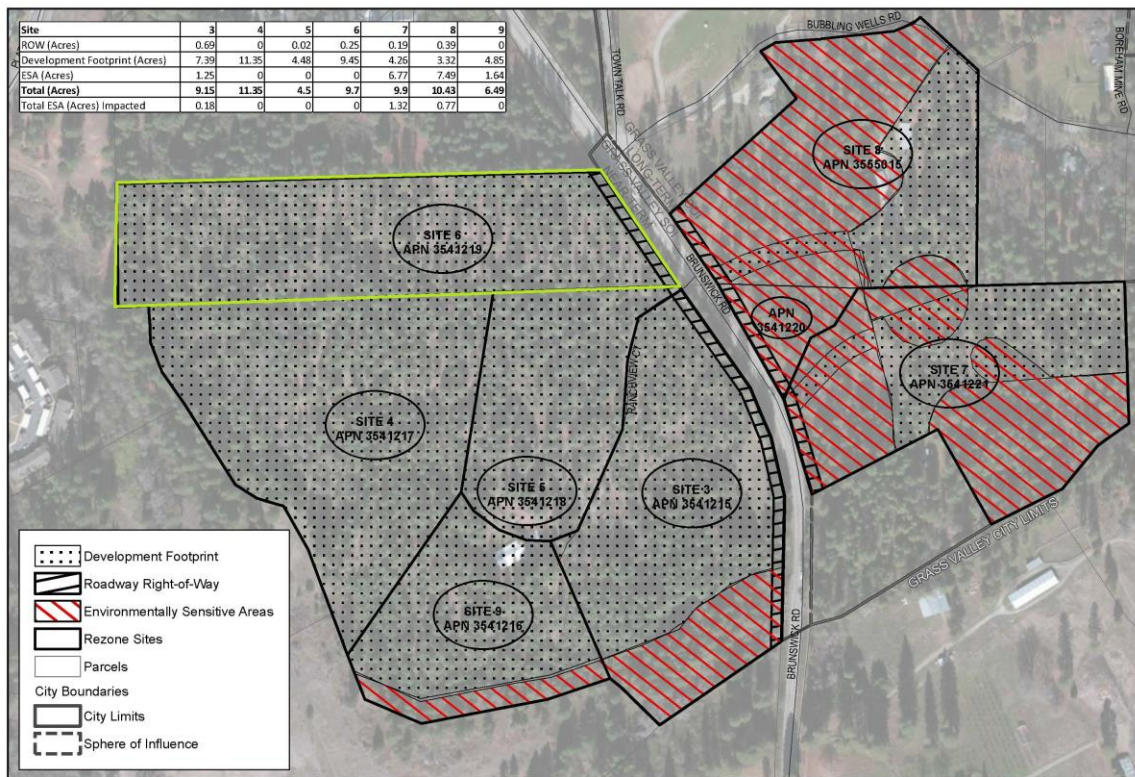
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*
 Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1e*
 Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
 Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*
 Recreation: *Mitigation Measure 4.14-1*
 Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: Due to the fact that there are no identified environmental sensitive areas on the site, the existing UMD/R2 designation, the potential to integrate the site design with Sites 3 and 6, the availability of infrastructure and services, and its directed frontage on Brunswick Road, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 5 be included in the final rezoning.

Site 6. APN: 35-412-18

Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Sites 3-9 - Environmentally Sensitive Areas and Building Footprints

Figure 3 - 17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 6 has road frontage onto Brunswick Road. Mitigation Measure 4.15-4 requires that a new signalized intersection at Brunswick Road and Town Talk Roads near the northwest corner of Site 6 be built for this project. This new intersection will serve the internal access roads for sites 3-6 and 9.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 6 is Urban High Density (UHD)/R2-PD. The underlying UHD General Plan Designation supports higher densities than would be allowed by the R2 (Medium Density Residential) base zoning district. At 9.70-acres, the R2 zoning would allow a maximum of 58-units on the site. Site 6 would only require a rezoning as the General Plan Land Use Designation is already UHD. The proposed zoning for Site 6 is R3-RH. Through the environmental review process, it has been determined that Site 6 is free from any environmental constraints that would limit the full build-out of the site. Subsequently, the site has a developable footprint of 9.45-acres after removing the anticipated right of way dedication from the overall building footprint. At the minimum density of 16-units per acres, Site 6 would result in the potential density of 194-units; an increase of 163-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 48-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 194-units) would be anywhere from 194-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 485-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 6 is an undeveloped parcel that supports Sierran mixed conifer forest that has been heavily modified by thinning activities. Access roads occur throughout the site and appear to have at one time been surfaced with gravel. Haul roads, cut stumps, and tree and shrub stature, as well as a lower stand density and canopy closure than the other sites in this area indicate that the forest on Site 6 was thinned relatively recently. The understory has been thinned, likely during harvesting, and soils exhibit evidence of disturbance associated with timber operations. Seedling and sapling-sized California black oak are sparsely distributed in open, thinned areas. Open areas recently disturbed by forest thinning support grasses and herbaceous species. Site 6 occurs on a small knoll and slopes gently in all directions away from the high point at the center of the site. No defined hydrologic features occur on Site 6. For greater detail regarding environmental resources, including how potential impacts will be mitigated,

please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 6:

Land Use and Planning: *Mitigation Measures 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

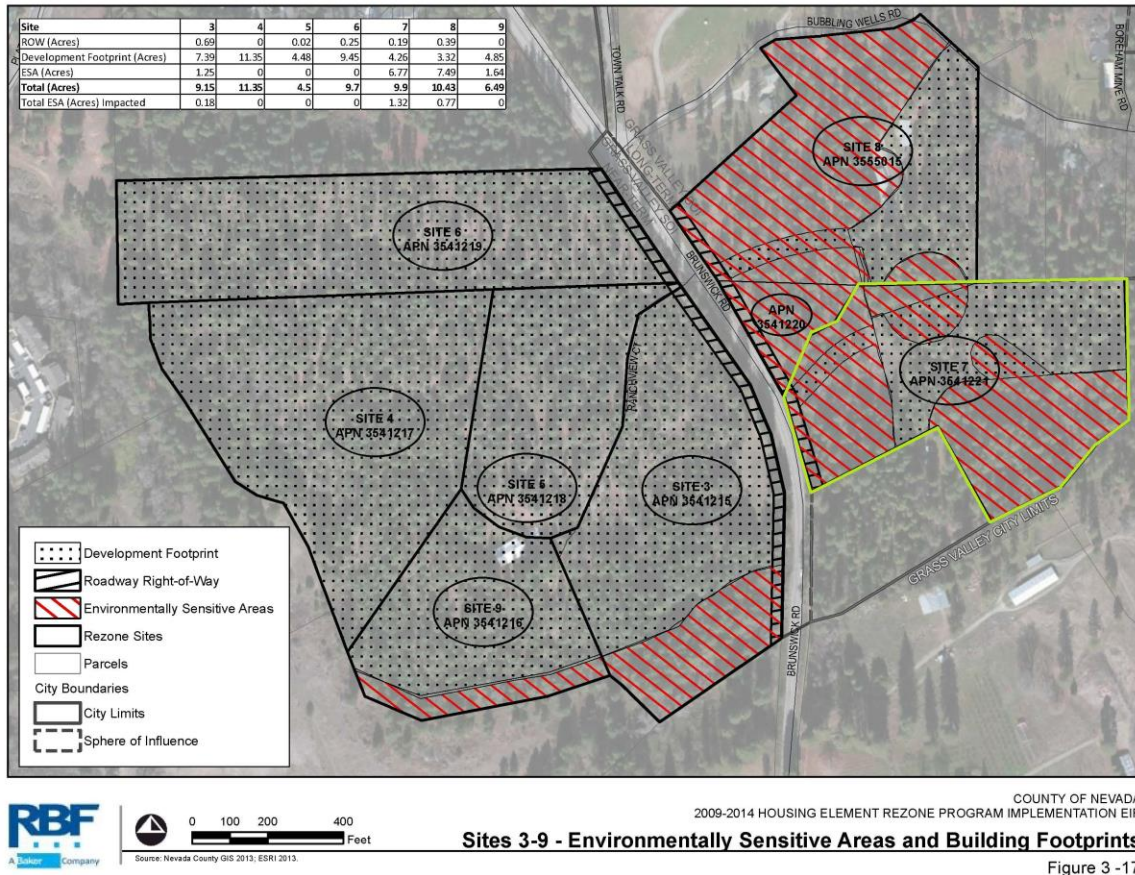
Staff Recommendation: Due to the fact that there are no identified environmental sensitive areas on the site, the existing UHD/R2 designation, the potential to integrate the site design with Sites 3 and 6, the availability of infrastructure and services, and its directed frontage on Brunswick Road, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 6 be included in the final rezoning.

Sites 7 and 8. APNs: 35-412-21 and 35-550-15; 35-412-20

Description/Surrounding Land Uses: Due to the fact that Sites 7 and 8 are located adjacent to one another, the general description of those sites will be grouped. Sites 7 and 8 are located along Brunswick Road just outside of the Glenbrook Basin and contiguous to the Grass Valley City Limits. These parcels have gentle to moderate slopes with no areas that exceed 30-percent. Site 7 and 8 are located to the east of Sites 3 through 6 and 9, on the east side of the Brunswick Road alignment. Site 7 is a forested site, with a rock outcrop in the western portion of the site. Site 7 is gently to moderately sloped to the southwest toward Brunswick Road. A previously graded, gently sloping bench crossing the site, descending from northwest to southeast, is presumed to be attributable to the historical Nevada County Narrow Gauge Railroad alignment. The portion of the site contains an unnamed tributary to Wolf Creek. Agricultural development is apparent south of Site 7 and single family residences are located to the north. Site 8 is located adjacent to Site 7 to the north with access from Brunswick Road. Like Site 7, this site is a forested site that gently slopes from the northeast to the southwest. There are two existing structures on site 8, one residence and one outbuilding.

Site 7. APN: 35-412-21

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3

Services: See Table 2 and the services discussion for Site 3.

Access: Access to Site 7 would come directly from Brunswick Road and would traverse a perennial stream and an area of foothill riparian vegetation associated with this stream course.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 7 is Urban Medium Density (UMD)/RA 1-5 (Residential Agricultural with a 1.5-acre density limitation). The underlying UMD General Plan Designation supports higher densities than would be allowed by the RA-1.5 base zoning district. At 9.90-acres, the RA-1.5 zoning would allow a maximum of 6-units on the site. The proposed General Plan Land Use Designation/zoning for Site 7 is R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 4.26-acres which at the minimum density of 16-units per acres would result in the potential density of 68-units;

an increase of 62-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 17-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 68-units) would be anywhere from 68-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 170-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 7 abuts the east side of Brunswick Road across from the cluster of candidate sites abutting Brunswick Road from the west. The site is accessed via a culvert crossing of a small drainage, and slopes gently to moderately toward Brunswick Road to the southwest. Small shed structures and abandoned equipment are scattered throughout upland portions of this site and there is evidence of historical grading on the site. The majority of the site supports Sierran mixed conifer forest, albeit heavily modified by timber operations. The site is substantially disturbed as a result of timber harvesting conducted in 2012, which cleared most of the understory vegetation and merchantable timber from the site. Trees remaining on the site are mostly madrone and California black oak. Well-developed riparian corridors associated with perennial tributaries to Wolf Creek occur along the western and southern site boundaries. Shallow swales that could be the result of past mining disturbance also occur on this site. Several small wetland seeps are scattered around the site and support hydrophytic species. The source of the hydrology in these wet areas is unclear. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 7:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

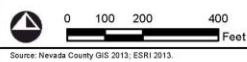
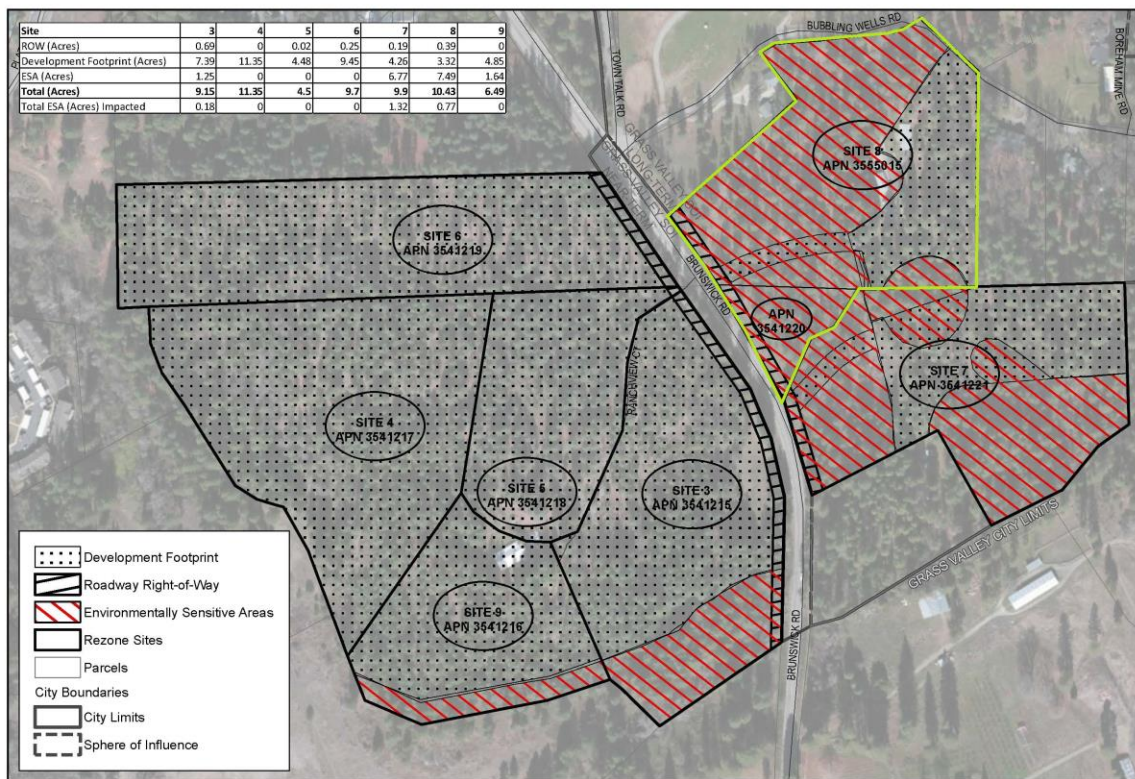
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: As a result of the significant amount of environmental constraints on Sites 7, the overall potential density of the whole project within this one area of the City's Sphere, and finally because there is a greater increase in density from the existing RA-1.5 (Residential Agriculture-1.5-acre density limitations) Zoning that applies to this sites than the R2 designation of the sites across Brunswick Road, this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Site 7 be included in final action for this project.

Site 8. APNs: 35-550-15 and 35-412-20

Building Footprint Map:



2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
Sites 3-9 - Environmentally Sensitive Areas and Building Footprints

Figure 3-17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3.

Services: See Table 2 and the services discussion for Site 3.

Access: Like the access to Site 7, the driveway/road that would provide access to Site 8 would come directly from Brunswick Road and would traverse the same perennial stream and area of foothill riparian vegetation associated with this stream course.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 8 is Urban Medium Density (UMD) and Residential (RES)/RA 1-5. At 10.43-acres, the RA-1.5 zoning would allow a maximum of 6-units on the site. The proposed General Plan Land Use Designation/zoning for Site 8 is R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 3.32-acres which at the minimum density of 16-units per acres would result in the potential density of 53-units; an increase of 47-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 13-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 68-units) would be anywhere from 53-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 132-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 8 abuts the northern parcel boundary of Site 7 and consists of two separate parcels. This site is partially developed with two existing structures on site, one single family residence and one outbuilding. The existing development is accessed from Bubbling Wells Road via a gravel surfaced road that crosses a small perennial drainage over culverts. A secondary access to the site is provided by a gate off of Brunswick Road that accesses a dirt ranch road that crosses the same drainage over culverts. The site shows evidence of past mining disturbance in the form of waste piles and small depressions where soil has been excavated. The majority of the site is Sierran mixed conifer forest that has been thinned and in which the understory has been largely cleared. Ponderosa pine is the dominant species and some large specimens grow on this property. An intermittent stream runs parallel to Brunswick Road along the southwestern boundary of the site and supports sparse riparian vegetation and a grouping of willows at the northern parcel boundary. A perennial stream runs in a narrow ditch that bisects the site generally north-south and accepts runoff from a small intermittent tributary ditch to the west. This stream supports riparian vegetation, including white alder, willows, and Himalayan blackberry within a corridor that ranges from about 10 feet to up to 100 feet wide. Other hydrologic features include small depressions from past mining activities in which wetland plant species were observed.

These features could be jurisdictional pursuant to Section 404 of the Clean Water Act. The site slopes gently to the west and the area between the perennial and intermittent streams is nearly level. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 8:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-d, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

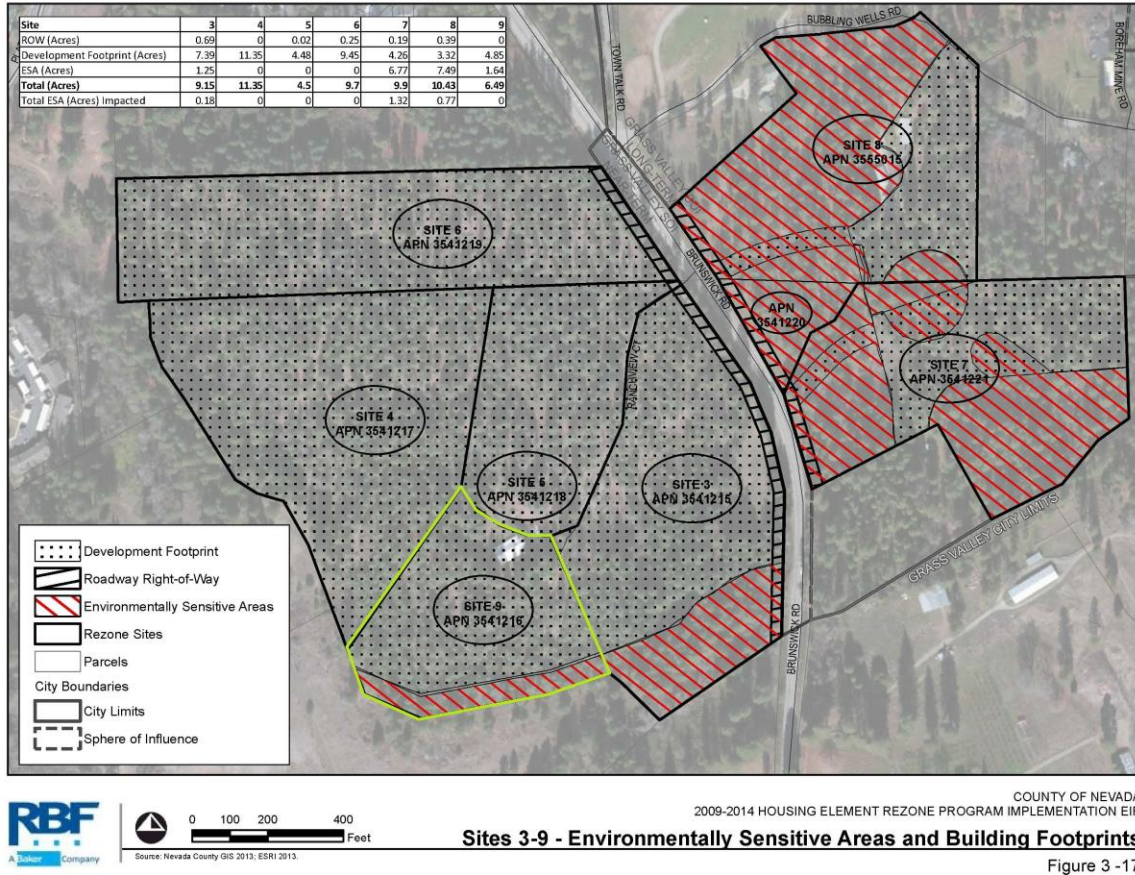
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: As a result of the significant amount of environmental constraints on Sites 8, the overall potential density of the whole project within this one area of the City's Sphere, because Site 8 is already developed with an existing residence and outbuilding and finally because there is a greater increase in density from the existing RA-1.5 (Residential Agriculture-1.5-acre density limitations) Zoning that applies to these sites than the R2 designation of the sites across Brunswick Road, this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Sites 8 be included in final action for this project.

Site 9. APN: 35-412-19
Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3. Because Site 9 is farther away from Brunswick Road, it likely will require a greater expense for capital improvements to ensure that multi-family development on the site could tie into existing sewer, water and utility infrastructure.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 9 does not have direct road frontage along Brunswick Road. Mitigation Measure 4.15-4 requires that future access to Site 9 be aligned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northeast corner of Site 6. This new intersection will serve the internal access roads for sites 3-6 and 9.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 9 is Urban Medium Density (UMD)/R2-PD. At 6.49-acres, the R2 zoning would allow a maximum of 38-units on the site. The proposed General Plan Designation/zoning for Site

9 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 4.85-acres which at the minimum density of 16-units per acres would result in the potential density of 77-units; an increase of 39-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 19-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 118-units) would be anywhere from 77-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 192-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 9 is contiguous with Sites 3, 4, and 5 and contains one existing residence in the northern half of the site. The site slopes moderately to the south. The site supports Sierran mixed conifer forest. The forest has been thinned and the understory cleared for defensible space within an approximately 100 foot radius of the residence. The remaining forest has a higher stem density and a more developed understory, though it has been harvested in the past. One patch of blackberry grows incongruously southeast of the residence and could be associated with the septic leach field. No defined hydrologic features occur onsite. Vacant land occurs on all sides of this parcel. The forest onsite transitions to open annual grassland just beyond the southern boundary of the parcel. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 9:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c, 4.10-d*

Noise: *Mitigation Measures 4.4-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: While Site 9 is a suitable site for rezoning for similar reasons as sites 3, 5 and 6, because it is currently developed with an older ranch home, does not have direct frontage on Brunswick Road, and due to the fact that this project, if the Planning Commission follows staff's recommendation, is already increasing the density in this area by rezoning three of the seven sites located here this site has been determined to be a Tier 3 site and subsequently staff is not recommending that it be included in the final rezoning.

Penn Valley

In total there are four rezone candidate sites that are located within the Penn Valley Village Center. Future multi-family projects on sites rezoned as a part of this project in Penn Valley will be required to be consistent with the Penn Valley Area Plan adopted in 2000 (Resolution 00-046), which will be ensured through the design review process required by the RH Combining District. Additionally, staff has determined that the proposed rezoning of sites within Penn Valley is consistent with and furthers the goals and objectives of the Penn Valley Village Focused Economic Development Study (Resolution 00-468) because: 1) the project as designed will not change the base commercial zoning for any sites in Penn Valley regardless of which sites are ultimately rezoned; and 2) this project will provide for an increased mix of housing opportunities in the Penn Valley area that will serve the needs of the area's labor force which is an objective of the economic study (*Objective 2 under Goal 3*).

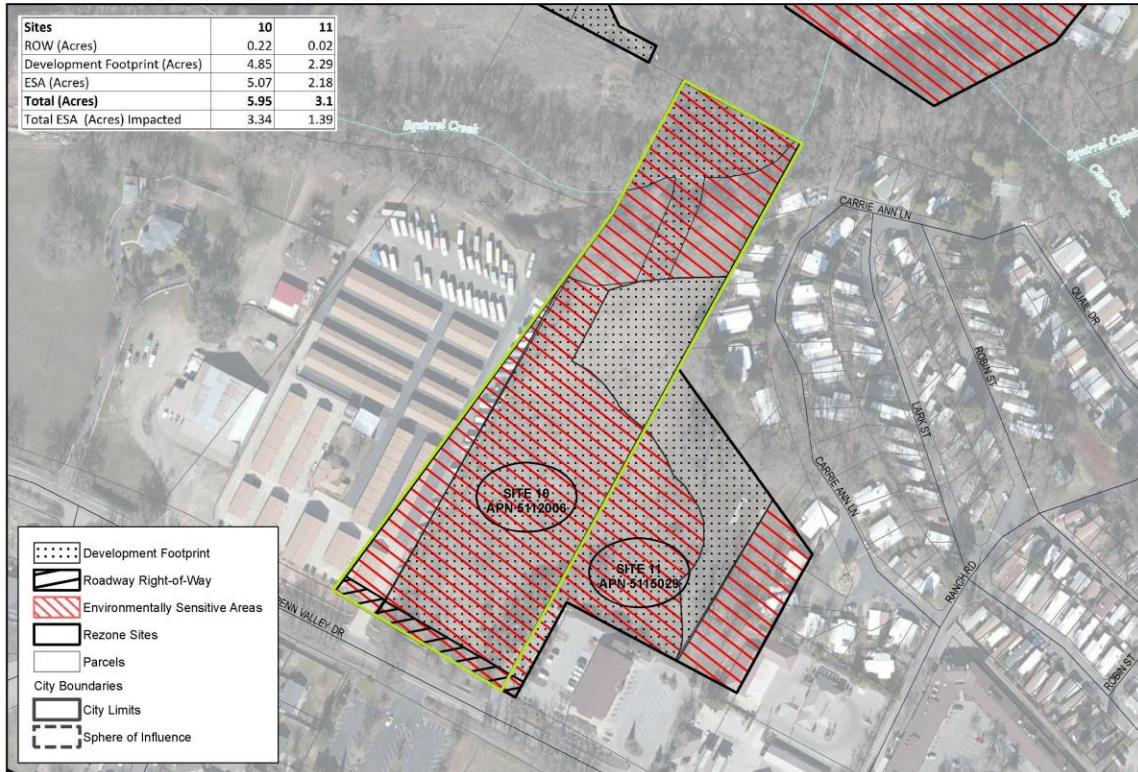
Sites 10 and 11. APNs: 51-120-06 and 51-150-29

Description/Surrounding Land Uses: Sites 10 and 11 are undeveloped contiguous parcels located in the Penn Valley Area south of State Route 20, on the north side of Penn Valley Drive, and east of the intersection with Broken Oak Court. Site 11 is approximately 3.1 acres, located west of and adjacent to a commercial development. The site is relatively flat, gently sloping to the northwest towards Site 10, and is vegetated primarily with grasses and a few oak trees. Site 10 is undeveloped and very gently slopes to the northeast toward Squirrel Creek and contains drainage courses meandering throughout the property. Site vegetation consisted of primarily grasses, localized blackberry bushes, and riparian zone plants near Squirrel Creek. The northern section of Site 10 is transected by Squirrel Creek, and is bound by a riparian zone, the Creekside Village mobile home park wastewater percolation ponds, and Site 13. Mixed use commercial and residential properties surround the sites on the east, west, and south. In 2005, the County approved the Penn Valley Oaks project which included development on both Site 10 and 11. This project was approved for approximately 12,100 square feet of commercial development in three buildings on the frontage of Site 10 and a mix of 19- residential units consisting of 12 zero lot line 2-story homes and 7 custom homes behind the commercial buildings on Site 10 and encompassing most of Site 11. The Penn Valley Oaks project was a horizontally mixed use project. As a result of state mandated extensions for pending

tentative maps, the Planning Department has determined that the entitlements for the Penn Valley Oaks project are still active and will expire in 2017.

Site 10. APN: 51-120-06

Building Footprint Map:



RBF COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
SITE 10 & 11 - Environmentally Sensitive Areas and Building Footprints
Figure 3-18

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: The development of all of the sites in Penn Valley, including Site 10 is dependent upon the completion of the Penn Valley to Lake Wildwood Wastewater Treatment Plant Pipeline project to ensure that adequate capacity and sewer infrastructure is available to accommodate future multi-family housing development. As with other sites, it is the burden of the future developer to perform the necessary capital infrastructure improvements through appropriate permits to tie into the public wastewater system. Additionally, the developer will also be required to demonstrate that adequate capacity is available at the wastewater treatment plant to support their project. Should it be determined that adequate capacity is not available, the developer will also have to perform necessary upgrades prior obtaining building permit approval. According to the Water Supply Assessment prepared for this project, the Nevada Irrigation District has adequate water for both domestic use and fire flow purposes. There is currently a 10” water line located in the Penn Valley Drive right of way and an existing 8’ water line that

runs along the “flag-pole” property line of Site 11 which is adjacent to Site 10. Site 10 has direct road frontage onto Penn Valley Drive, a publically maintained road way.

Services: The Penn Valley area is served by the Nevada County Sheriff for police protection services and there is a Sheriff’s substation located in the Lake Wildwood Center which is approximately 3 miles away. The Penn Valley Fire Protection District provides fire protection and first response emergency services to the area. Penn Valley is home to the County’s largest regional park, Western Gateway Park which is approximately ¼ mile from Site 10. Across from Penn Valley Drive is the a separated paved bike and walking path that allows access to the park and other services in Penn Valley. As discussed above, Penn Valley is served by three primary commercial areas. The main area is the Penn Valley Village Center where Site 10 is located. Other limited amenities and services are provide at the commercial center at Pleasant Valley Road and Highway 20 and the Lake Wildwood Center, which is approximately 3 miles away and hosts the areas larger grocery store, Holiday Market. Table 3 provides a more extensive list of services and amenities that are available to the residents of Penn Valley, which include by are not limited to medical, dental and veterinarian services, a Tru-value Hardware store, a handful of restaurants and deli’s, a variety of real estate and financial institutions, an elementary school and a variety of personal services such as beauty salons. Residents of Penn Valley can also access services in the City of Grass Valley which is approximately 8-miles away or the metropolitan areas of Marysville and Yuba City which are an approximately ½ hour drive to the west.

Access: Site 10 has road frontage on Penn Valley Drive, a publically maintained road. Access to the site could occur anywhere along the project frontage.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 10 is Community Commercial (CC)/Community Commercial (C2)-SP. At 5.95-acres, the C2 zoning would allow a maximum of 23-residnetial units as the part of a mixed use development. Under the proposed project, the General Plan Land Use Designation and base zoning would remain as CC/C2 and the RH combining district would be added to the base zoning. Through the environmental review process, it has been determined that the site has a developable footprint of 4.85-acres which at the minimum density of 16-units per acres would result in the potential density of 77-units; an increase of 54-units above what would currently be allowed. Consistent with the requirements of the RH combining district, LUDC Sec. L-2.7.11.D: “...the site shall be developed with a use consistent with the base zoning district, subject to the development standards shown within said district, prior to or in conjunction with mixed use residential that can be either vertically or horizontally mixed...”. This would mean that a future commercial development of the site would have to account for the potential of 77-residential units on the site. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 19-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 77-units) would be anywhere from 77-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 192-spaces (if all units were 3 bedroom units). Additionally, the County parking standards required 1 parking space per 200-square feet of general commercial plus an additional space per 600 square feet of outdoor use. For discussion purposes, if the developer built a hypothetical 6,000 square foot commercial building without any outdoor use it would require an additional 30-parking spaces.

Environmental Resources: Site 10 is undeveloped and nearly level with only a gradual slope to the northeast toward Squirrel Creek. Small, intermittent drainages meander across the site and join with an intermittent stream that flows in an eroded and incised channel along the western boundary of the property. Stormwater is delivered onto the site via three 36-inch culverts under Penn Valley Drive and a large culvert discharging to the central west portion of the site from the adjacent self-storage facility. Runoff from Site 11 is also delivered onto the site from the east. Site vegetation consists primarily of non-native annual and perennial pasture grasses, though wetland species and blackberry grow within the drainages. Common species in the grassland community include wild oat, ripgut brome, Mediterranean barley, yellow star-thistle, wild carrot, bull thistle, orchard grass, and Italian ryegrass. Common species observed in drainages onsite include rushes and sedges, Himalayan blackberry, curly dock, English plantain, Harding grass, mugwort, and willow herb. Squirrel Creek bisects the northern end of the site and supports a foothill riparian plant community. Species representative of the riparian community along Squirrel Creek include valley oak, Oregon ash, white alder, willows, cherry plum, and blue elderberry. Several elderberry bushes, the unique habitat of the valley elderberry longhorn beetle, were noted growing along the banks of Squirrel Creek. Where mitigation is provided for potential impacts to environmentally sensitive areas the building footprint and environmentally sensitive areas do overlap. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 10:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

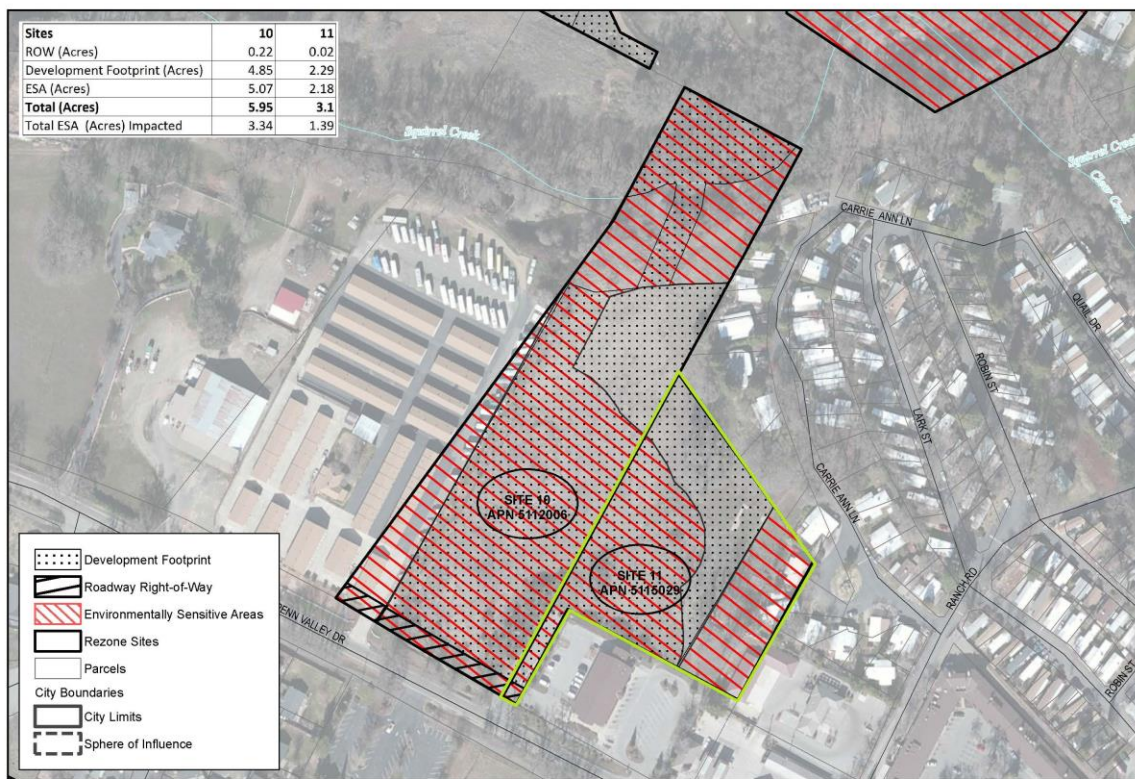
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1a, 4.10-1b, 4.10-1c, 4.10-1d*
 Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
 Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*
 Recreation: *Mitigation Measure 4.14-1*
 Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: Due to the fact that Site 10 is highly constrained by environmentally sensitive areas, the uncertainty of whether or not 77-units plus a viable commercial development could fit on the site and because the site has the potential to provide much desired stand-alone commercial development in Penn Valley with direct road frontage on Penn Valley Drive this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Site 10 be included the final action for this project.

Site 11. APN: 51-150-29
Building Footprint Map:



RBF COUNTY OF NEVADA
 2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
SITE 10 & 11 - Environmentally Sensitive Areas and Building Footprints
 Figure 3-18

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 10 above.

Services: See Table 3 and the services discussion for Site 10 above.

Access: Site 11 has road frontage on Penn Valley Drive, a publically maintained road, via a 50-foot wide flag pole. Access to the site would occur within this flag pole, which also acts as an access easement to Site 13.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 11 is Community Commercial (CC)/Community Commercial (C2)-SP. At 3.10-acres, the C2 zoning would allow a maximum of 12-residential units as the part of a mixed use development. Under the proposed project, the General Plan Land Use Designation and base zoning would remain as CC/C2 and the RH combining district would be added to the base zoning. Through the environmental review process, it has been determined that the site has a developable footprint of 2.29-acres which at the minimum density of 16-units per acres would result in the potential density of 36-units; an increase of 24-units above what would currently be allowed. Consistent with the requirements of the RH combining district, LUDC Sec. L-2.7.11.D: "...the site shall be developed with a use consistent with the base zoning district, subject to the development standards shown within said district, prior to or in conjunction with mixed use residential that can be either vertically or horizontally mixed...". This would mean that a future commercial development of the site would have to account for the potential of 36-residential units on the site. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 9-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 36-units) would be anywhere from 36-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 9-spaces (if all units were 3 bedroom units). Additionally, the County parking standards required 1 parking space per 200-square feet of general commercial plus an additional space per 600 square feet of outdoor use. For discussion purposes, if the developer built a hypothetical 2,000 square foot commercial building without any outdoor use it would require an additional 10-parking spaces.

Environmental Resources: Site 11 is undeveloped and supports annual grassland. The site has a mild slope to the west. Three large valley oaks with a dbh of greater than 36 inches grow around the perimeter of this site and qualify as Landmark Oaks. An abandoned concrete house foundation is located near the eastern boundary of the site and a few ornamental trees grow in this area. A wetland swale receives stormwater runoff from the post office development south of the site and delivers it west into the wetland swale complex on Site 10. Since much of the potential impacts to environmentally sensitive areas on Site 11 can be mitigated the building footprint and environmentally sensitive

areas are shown to overlap. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 11:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3b, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

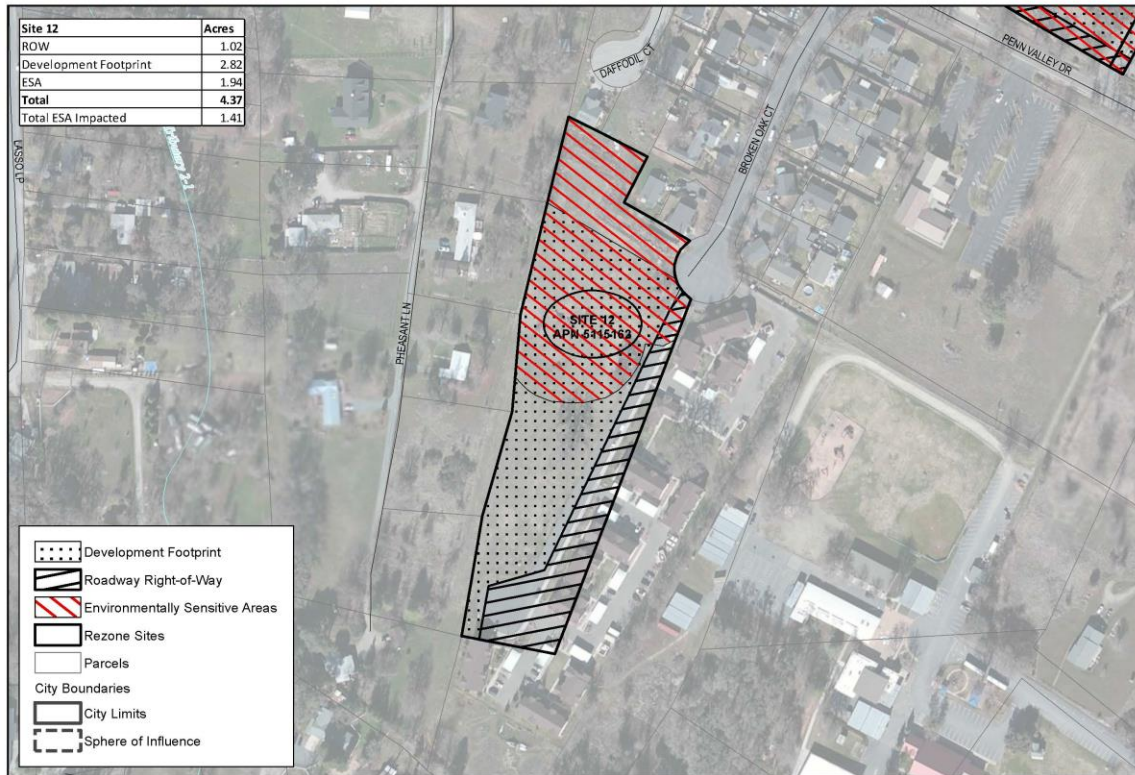
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: This site has been determined to be a Tier 1 site and subsequently staff recommends that Site 11 is included in final action on this project for the following reasons: 1) The relatively small increase in units from what would be allowed under current C2 zoning as a part of a mixed use project (12 to 36); 2) The availability of public water and sewer (with the completion of the pipeline to the Lake Wildwood Treatment Plan); 3) The identification of appropriate mitigation measures to reduce anticipated environmental impacts; 4) The availability of services in the Penn Valley Area as discussed above and in Table 3; 5) The site does not have direct frontage to Penn Valley Drive that would be conducive to a commercial store front; 6) The site would keep its commercial base zoning; 7) The property backs up to other higher density housing; and 8) The approved project for this site and Site 10 (Penn Valley Oaks) was a mixed use development with the bulk of the residential homes located on this site.

Site 12. APN: 51-151-62
Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Site 12 - Environmentally Sensitive Areas and Building Footprints

Figure 3 - 19

Description/Surrounding Land Uses: Site 12, approximately 4.37 acres, is southwest of Sites 10 and 11 across Penn Valley Road on Broken Oak Court. This site is undeveloped and flat lying. Broken Oak Court by which the site is accessed is a paved road. Vegetation on this site consisted of grasses and a few large oak trees. A seasonal drainage swale is present on the north side of the site and appears to follow the property boundary from the east, then passes through the northwest portion of the site. This site is surrounded on all sides by single and multifamily residential development with the 42-unit Courtyard at Penn Valley Apartments located directly across from Broken Oak Court.

Infrastructure: See infrastructure discussion for Site 10 above. Site 12 is current served by an existing 8” water line and infrastructure improvements to provide a connection to public sewer would be minimal because those facilities are already available to the site due to it being located immediately adjacent to apartments across the street.

Services: See Table 3 and the services discussion for Site 10 above.

Access: Access to Site 12 is provided by Broken Oak Court via Penn Valley Drive.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 12 is Urban Medium Density (UMD)/R2-SP. At 4.37-acres, the R2 zoning would allow a maximum of 26-units on the site. The proposed General Plan Designation/zoning for Site 12 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 2.82-acres which at the minimum density of 16-units per acres would result in the potential density of 45-units; an increase of 19-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add 11-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 45-units) would be anywhere from 45-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 112-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 12 is undeveloped and generally flat. An unpaved drive traverses the northern part of the site and appears to provide access to recently developed areas west and north of the site. This site supports an annual grassland community. Three valley oaks with diameters in excess of 36 inches occur on this site and qualify as Landmark Oaks. Two of these large trees are in fair to good condition; one is in declining health and has dropped most of its large limbs. A man-made drainage basin with wetland species is present on the north end of the site and generally follows the northern boundary. It appears maintenance of this area includes periodic vegetation removal. This feature appears to be isolated and to serve as a retention basin for stormwater runoff from the residential properties north of the site. The only other hydrologic feature is a small concave depression in the north central portion of the site that supports some hydrophytic species that are indicative of wetland conditions. The building footprint and environmentally sensitive areas are shown to overlap where mitigation has been identified for anticipated impacts. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 12:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

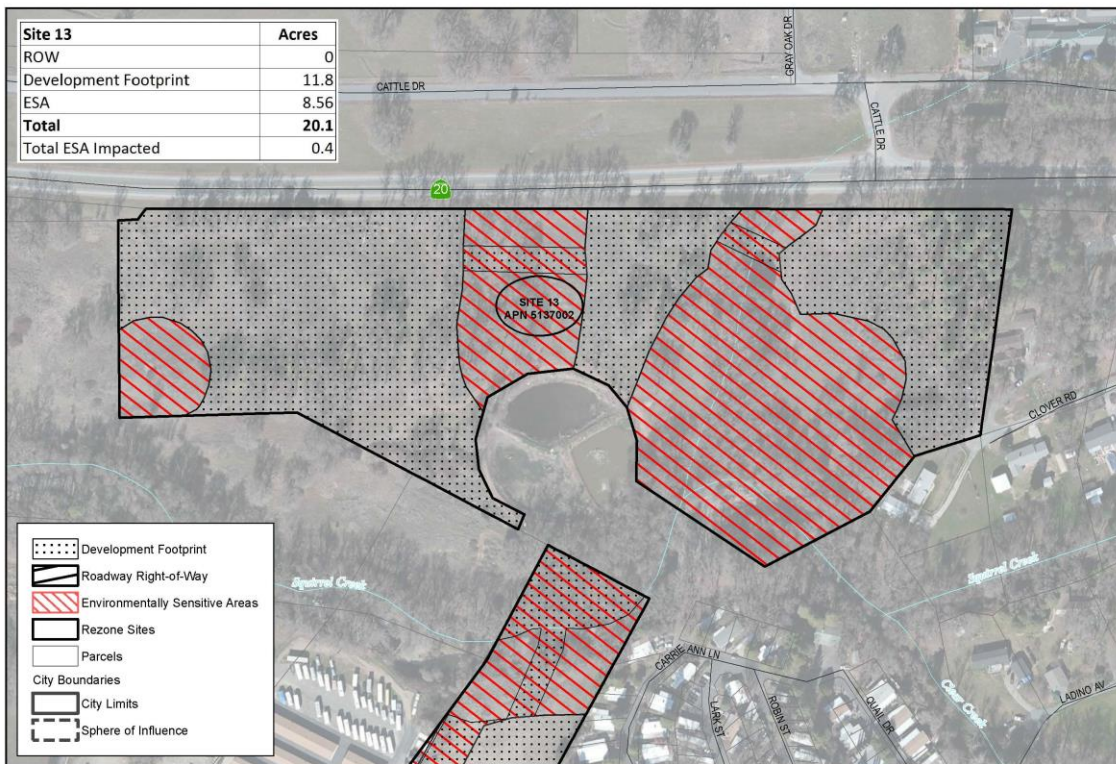
Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3b, 4.4-1a, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

- Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
- Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*
- Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
- Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*
- Noise: *Mitigation Measure 4.11-1a, 4.11-1b, 4.11-2*
- Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*
- Recreation: *Mitigation Measure 4.14-1*
- Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: Due to its proximity to existing higher density residential development, a relatively small increase in units from what would be allowed under current R2 zoning (26 to 45), the availability of public water and sewer (with the completion of the pipeline to the Lake Wildwood Treatment Plan), the identification of appropriate mitigation measures to reduce anticipated environmental impacts, and the availability of services in the Penn Valley Area, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 12 be included within the final project action.

Site 13. APN: 51-370-02
Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

SITE 13 - Environmentally Sensitive Areas and Building Footprints

Figure 3-20

Description/Surrounding Land Uses: Site 13, approximately 20.1 acres, is bordered by State Route 20 to the north, rural residential development to the east, Squirrel Creek to the south, and presently undeveloped land to the west. Site 13 is undeveloped, consists of gently rolling terrain with vegetation including grasses, shrubs, oak and pine trees. Two indistinct seasonal drainage swales transect the site from the State Route 20 boundary and flow is toward Squirrel Creek to the south. An existing, circular percolation pond is located adjacent to Site 13, near Squirrel Creek. The percolation pond functions as the primary component of the wastewater treatment and disposal system for the Creekside Village mobile home park, which is located south of Site 13, across Squirrel Creek.

Infrastructure: See infrastructure discussion for Site 10 regarding general infrastructure in Penn Valley. Prior to development, Site 13 would have to be annexed into the Penn Valley Sanitation Zone as it is currently in the Penn Valley Zone Sphere of Influence. Sewer and water infrastructure would need to be extended from Penn Valley Drive anticipated to be through Site 10 via an existing access easement. This infrastructure will also have to cross Squirrel Creek to serve the site. Other basic infrastructure such as electricity, phone/internet and cable television is available in the area but would need to be extended to the site.

Services: See Table 3 and the services discussion for Site 10 above.

Access: Existing access to Site 13 from the south is provided by a concrete stream crossing over Squirrel Creek. The site has two existing access easements. The assumed primary access is an access easement which traverses the flagpole portion of Site 11 and meanders through Site 10. The easement was planned and designed to accommodate the development associated with the Penn Valley Oaks project. The second access to the site is through the existing Creekside Mobile Home Park along Ranch Road/Carrie Ann Drive and is assumed to act as the secondary access to the site. A new bridge or culvert crossing will be required for Squirrel Creek for the primary access and, at a minimum, improvements will be required to the existing concrete stream crossing for the secondary access or a new secondary access crossing will need to be constructed if improvements are infeasible.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 13 is Planned Development (PD): Urban Medium Density (UMD) (26 ac.) Open Space (OS) (8 ac.)/Interim Development Reserve (IDR)-PD. When adding the assigned designations together it equals 34-acres, which is inconsistent with the size of the property which is just over 20-acres. To determine the existing density on the site, staff calculated that approximately 76-percent of the overall PD was designated as UMD development ($26/34 = 0.7647$) which allows 6-units per acre (upa) and the remaining acreage was slated as open space. Applying this formula to the 20.1-acre property ($20.1 \times 76\% = 15.27$ -acres: $15.27\text{-ac} \times 6 \text{ upa} = 91.656$) staff determined that the site has the existing density for 91-residential units after rounding down. This logic is further supported by a 2003 letter from the Planning Department to SCO Planning & Engineering (applicant's representative for the Penn Valley Oaks Project) discussing the Penn Valley Oaks application which outlines that the site had a density of 91 units. The proposed General Plan Designation/zoning for Site 13 is Urban High Density (UHD)/R3-RH. Through the

environmental review process, it has been determined that the site has a developable footprint of 11.60-acres which at the minimum density of 16-units per acres would result in the potential density of 185-units; an increase of 94-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 46-units to a future multi-family housing project.

As a result of comments received during the public comment period for the Draft EIR, staff has developed a second density scenario that may be more acceptable by the community. Under this second density option, for which staff will be recommending, the property could be rezoned to R3-RH (91 DU) to reflect the existing allowable density on the site. This would benefit the property owner because it would remove the more onerous PD/IDR designations, and allow the site to develop subject to the environmental work that was done for this project and the applicable standards of the RH combining district. The County would benefit because it would establish 5.69-acres of R3 zoning that could assist the County with future Housing Element update cycles. The community would benefit because it would not increase the allowable density of the site above what was currently allowed. A density bonus could increase the number of units by 25% or 22 additional units.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided and the number of units that are assigned to the site. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 185-units) would be anywhere from 185-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 462-spaces (if all units were 3 bedroom units). Under the 91-unit scenario, the range of required parking spaces would be anywhere from 91-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 227-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 13 is an undeveloped parcel bordered by State Route 20 to the north, residential development to the east, Squirrel Creek, wastewater percolation ponds, a mobile home park to the south, and undeveloped land to the west. Vegetation communities onsite include annual grassland, valley oak woodland, Sierran mixed conifer, and foothill riparian. Valley oaks occur sparsely throughout the annual grassland community and likely were more uniformly distributed on the site prior to historical clearing activities. Two areas of the valley oak woodland vegetation type are mapped on the site. The eastern woodland area is comprised of a mix of oak species including interior live oak, valley oak, and blue oak. Several large oak trees occur on this parcel and likely qualify as Landmark Oak trees. The oak woodland community intergrades with the Sierran mixed conifer habitat type at the site's eastern margin where some valley oaks and interior live oaks grow in a forest dominated by ponderosa pine with a subcanopy of scattered California black oaks. A remnant walnut orchard grows in the

southeastern corner of the site. Foothill riparian vegetation occurs where Squirrel Creek runs through the southeast portion of the site. Species representative of this riparian zone include valley oak, white alder, willow, blackberry, and wild grape. Elderberry shrubs were observed near Squirrel Creek.

Topography onsite is gently rolling with a slight slope toward Squirrel Creek to the south. A wetland swale runs in a general north-south alignment within the western band of valley oak woodland and supports some wetland plant species. A small intermittent stream enters the site at the northern boundary near the edge of pavement on SR 20 and bisects the site, splitting into at least two shallowly incised channels through most of the site, and connects to Squirrel Creek at the south end of the site. Vegetation in this area is dominated by a narrow band of blackberry bushes that grow under a dense canopy of mixed oak species. Hydrophytic species grow within the intermittent stream channel in places. The only other hydrologic feature onsite is a small depression in the southwest corner of the site that supports blackberry bushes. Circular wastewater percolation ponds are located just south of Site 13, near Squirrel Creek. All vegetation is cleared around the ponds, which are surrounded by an earthen berm. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 13:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3b, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3, 4.7-1*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1a, 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: As discussed above, the draft EIR, consistent with LUDC Section L-II 2.7.11, determined that Site 13 had the potential for 185-units. In light of neighborhood concerns and to provide more realistic build-out of the site, staff would recommend that if Site 13 is to be included in the final action on the project, that is be rezoned for only 91-units, which is consistent with the sites existing density. As a result of the site access being constrained due to environmental resources and because the project objectives can be accomplished by rezoning Tier 1 sites only, this site has been

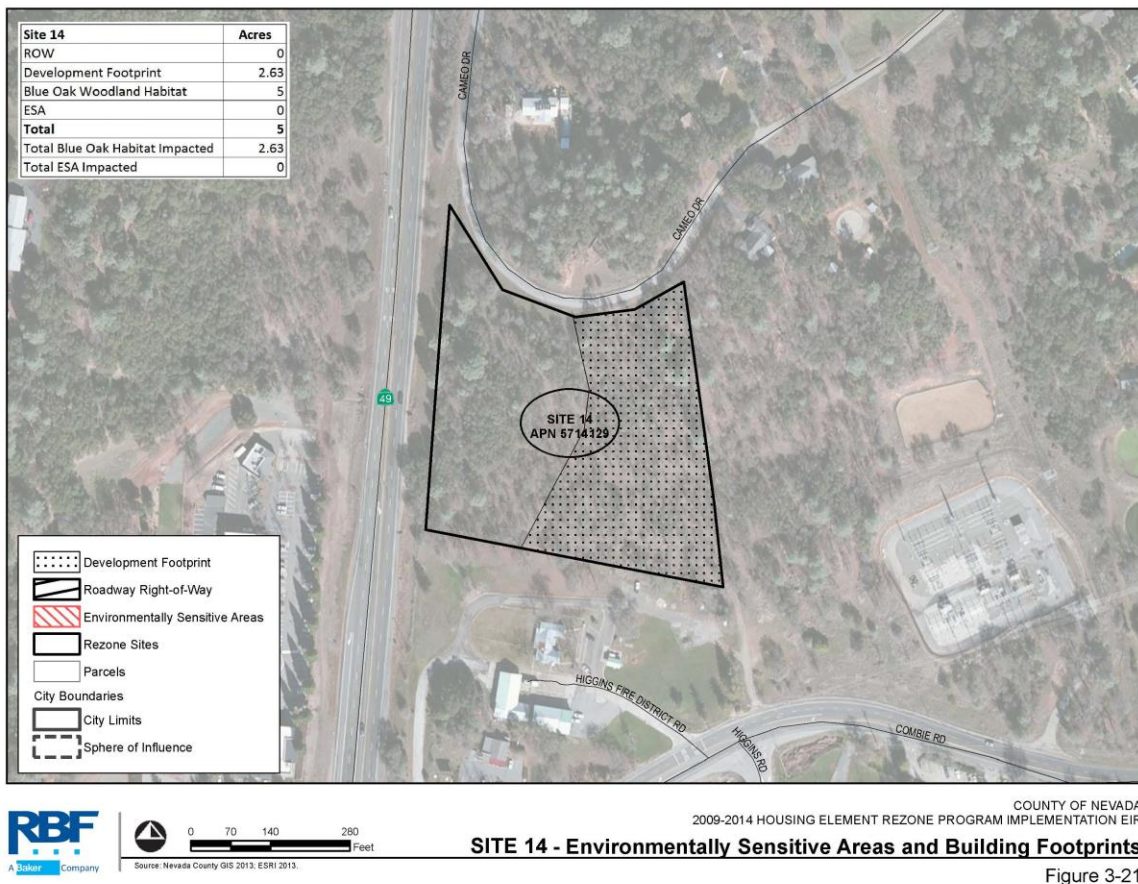
determined to be a Tier 2 site and subsequently staff is not recommended that this site be included in the final rezoning project.

Lake of the Pines

In total there are five rezone candidate sites that are located within the Lake of the Pines/Higgins Corner Area. Future multi-family projects on sites rezoned as a part of this project in Lake of the Pines Area will be required to be consistent with the Higgins Area Plan adopted in 2000 (Resolution 00-572), which will be ensured through the design review process required by the RH Combining District.

Site 14. APN: 57-141-29

Building Footprint Map:



Description/Surrounding Land Uses: Site 14 is 5.00 acres in size and is located northeast of the intersection of State Route 49 and Combie Road, on the south side of Cameo Drive. Site 14 is located in an area of other successful development, bound by State Route 49 on the west, rural residential development to the north and east, and commercial development to the south. Most of the existing development immediately adjacent to the parcel to the north is single family residential development. To the west is State Highway 49, to the east is an electrical substation and some other utility infrastructure. South of the site are some commercial businesses that include some professional office uses and retail

commercial area, including a commercial shopping center (Higgins Village) with a drugstore anchor tenant and the Higgins Fire Station.

Infrastructure: Site 14 is located on Cameo Drive, which is a County maintained roadway. Public water is provided to the site by NID and would require a mainline extension from either the existing 8” line located along/in Cameo Drive or from the existing 10” line that extends to the southern boundary of the property from Combie Road. Wastewater treatment will be provided to Site 14 at that Lake of the Pines Wastewater Treatment Plant. Prior to issuance of any permits for the development of this site, it is the responsibility of the developer to ensure that adequate capital improvements have been made through appropriate permits to connect to the treatment plant, including obtaining any necessary utility easements. The developer is also required provide documentation that adequate capacity is available at the treatment plant to serve the development or the developer is responsible for funding improvements to the treatment plant to support their development. The property is currently in the Lake of the Pine Sanitation Zone Sphere of Influence will also have to be annexed into the Zone prior to development. Basic services such as electrical, telephone, internet and cable television are available in the area but will likely need to be extended to the site.

Services: Police services are provided to the Lake of the Pines area by the Nevada County Sheriff who has an office in the Combie/Armstrong Road commercial center. Fire safety and protection services are provided by the Higgins Fire Protection District, which has a station immediately to the south of Site 14, with support from CalFire. Other basic services including power, phone and cable television are available in the Lake of the Pines Area. As documented in Table 4, there are a variety of basic support services that are available in the Lake of the Pines area. These services include but are not limited to a grocery store, a pharmacy, a limited number of eating establishments, educational and religious facilities, some limited recreational opportunities and a variety of other small businesses that serve the community. These services are not centralized and fall into three or four distinct areas in the Lake of the Pines, including the Streeter Road Industrial complex, the Higgins Corner (Wolf Road/Combing and Highway 49 intersections), at Armstrong Road and Combie and at Magnolia Road and Combie Roads. In addition, residents of this area are also regionally served by both the City of Auburn and the City of Grass Valley for more urban type services.

Access: Access to Site 14 is anticipated to be provided at the northwest corner of the property at the frontage on Cameo Drive. Sight distance at this location is highly constrained due to the tight curve and uphill grade on Cameo Drive. An alternative access to Site 14 could be achieved by securing an access easement through the Higgins Fire District property to Combie Road at the planned future signalized intersection at Combie and Higgins Road.

Land Use/Density: The existing zoning on for Site 14 is Office Professional (OP)- Scenic Corridor (SC)- Site Performance (SP) with a potential residential density of 20-units as a part of a mixed use development. The proposed zoning for Site 14 is High Density Residential (R3) with the addition of the Regional Housing Need (RH) combining district

while keeping the existing SC-SP combining districts in place. Through the environmental review process, it has been determined that the site has a developable footprint of 2.63-acres which at the minimum density of 16-units per acres would result in the potential density of 42 units; an increase of 22-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 10 units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 42-units) would be anywhere from 42-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 105-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 14 is an undeveloped parcel on moderately sloped terrain, containing two rock outcrops and vegetation consisting of grasses, shrubs, oak and pine trees. This site contains mature blue oak woodland which covers an estimated 80 percent of the site, which is considered a landmark oak grove (oak grove with a canopy closure of 33% or greater). The remainder of the site is covered with mixed interior live oak and blue oak. No hydrologic features occur on the site. Future development is anticipated to occur in the eastern half of the site with the development footprint shown in Figure 3-21 below, which will allow existing native vegetation to remain and will also provide a sound buffer from State Highway 49 for the future residents. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 14:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.41c, 4.4-2a, 4.4-2b, 4-4.2c, 4.4-5*

Air Quality: *Mitigation Measures 4.5-1a, 4.51b, 4.5-1c, 4.5-2a, 4.5-2b*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measure 4.8-1*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 5.2.14.4*

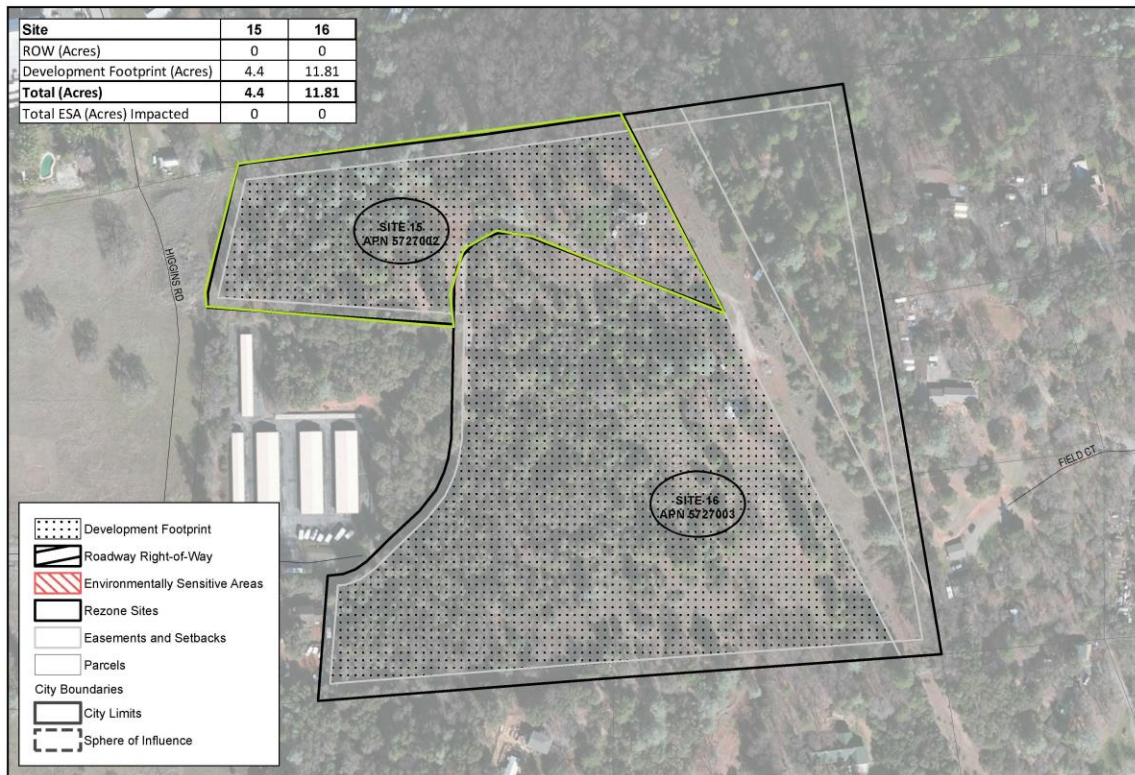
Staff Recommendation: Staff finds that Site 14 is a suitable site as a result of its location, the availability of public infrastructure, and lack of environmental impacts that cannot be mitigated. As a result this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 14 be included in the final action on this project.

Sites 15 and 16. APNs: 57-270-02 and 57-270-03

Description/Surrounding Land Uses: Sites 15 and 16 are located southeast of the intersection of State Route 49 and Combie Road and Site 14. Access to these sites is from Woodridge Drive off of State Route 49. Site 15 and 16 are contiguous parcels, occupy moderately sloping terrain, and are vegetated with grasses, shrubs, oak and pine trees. Vegetation is dense on the westerly facing slopes. Site 15 is presently developed with a single family residence. Site 16 is largely undeveloped, except for a wastewater disposal field and associated groundwater monitoring well network and pump building. The wastewater disposal field services the commercial development on the corner of State Route 49 and Combie Road to the northwest. Power transmission lines transect the eastern portion of the property.

Site 15. APN: 57-270-02

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion under Site 14 for a discussion of general infrastructure in the area. Like Site 14, Site 15 is within the Lake of the Pines Sanitation Zone Sphere of Influence and will need to be annexed prior to development. Additionally, the development of this site is contingent upon the planned extension of the Lake of the Pines wastewater infrastructure to the property immediately adjacent to the west of the property which has been approved for a large shopping center. The Draft EIR anticipates that a 10" water line will need to be extended to the property to serve the development. As with other sites in the area, basic infrastructure is available in the area and will need to be extended to the site.

Services: See Table 4 and the services discussion under Site 14 above.

Access: Access to Site 15 from State Route 49 is via Woodridge Drive, which runs along the boundary of Site 15 and 16 terminating under the powerlines near a small wastewater facilities building on Site 16. Future primary access will be required to utilize the anticipated extension to Higgins Road to minimize impacts to State Highway 49 and take advantage of existing/future improvements in this area.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 15 is Planned Development (PD): Urban High Density (UHD)/Interim Development Reserve (IDR)-Scenic Corridor (SC)- Site Performance (SP). At 5.00-acres, the UHD designation would allow a maximum of 75-units on the site. The proposed General Plan Designation/zoning for Site 15 is Urban High Density (UHD)/R3-RH-SP-SC. Through the environmental review process, it has been determined that the site has a developable footprint of 4.40-acres which at the minimum density of 16-units per acres would result in the potential density of 70-units; a decrease of 5-units below what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add 17-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 70-units) would be anywhere from 70-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 175-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 15 is moderately to steeply sloped to the northeast and east. Site 15 is partially developed with rural residential uses and a horse corral. Undeveloped portions of Site 15 are characterized by a montane hardwood woodland community dominated by California black oak. Sub-dominant species include interior

live oak and foothill pine. Trees are closely spaced and generally of small diameter. Canopy cover ranges from 80 to 100 percent and the woodland on this site qualifies as a Landmark Grove. Dominant species in the understory of the woodland area include poison oak, whiteleaf manzanita, hoary coffeeberry, and small diameter trees. No defined hydrologic features were noted on this site. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 15:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c,*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

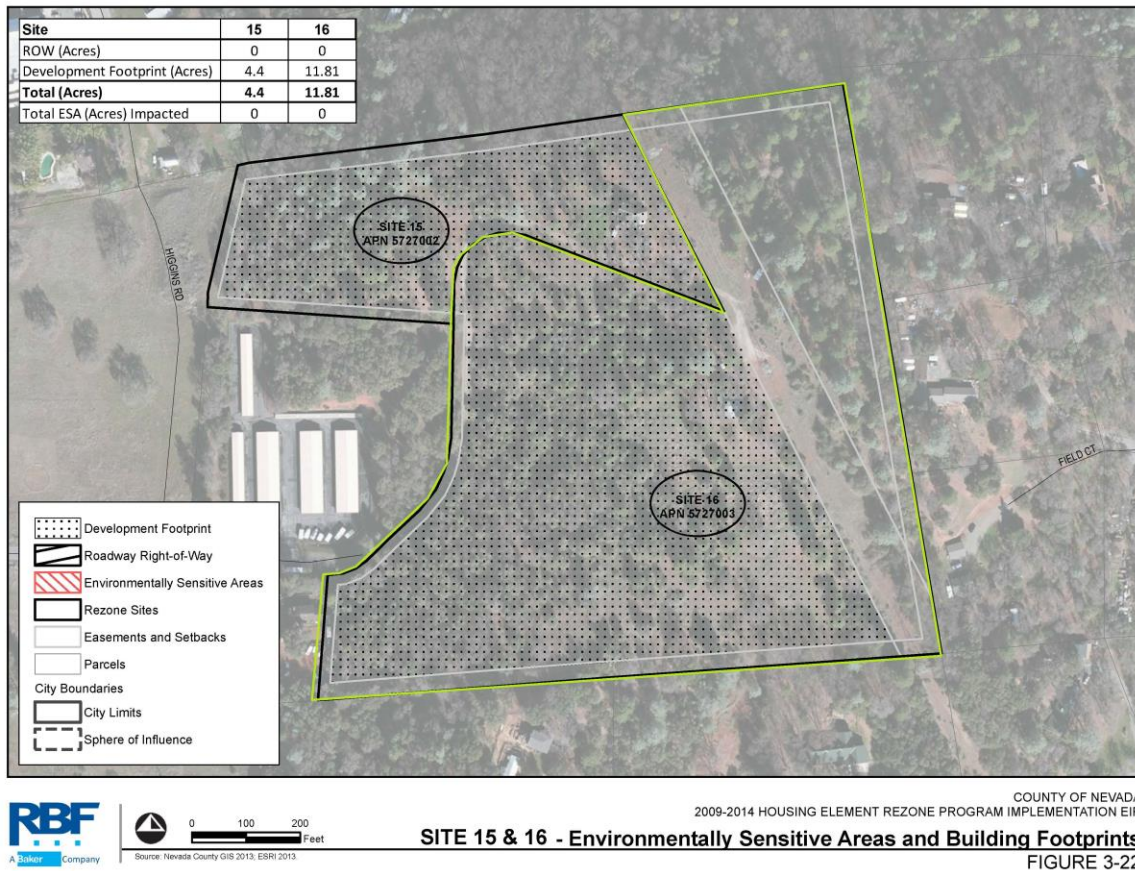
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-7, 4.15-5, 4.15-6, 4.2.14-4*

Staff Recommendation: Based on the environmental analysis prepared for this project, Site 15 is a suitable site for rezoning. As a result of the reduction in the overall unmet need for this project and staff's recommendation to include the larger Site 16, which is immediately adjacent to this property, this site has been determined to be a Tier 2 site and subsequently staff does not recommend that Site 15 for final action.

Site 16. APN: 57-270-03

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See the infrastructure discussion for both Sites 14 and 15 above. A unique feature to Site 16 is the fact that it currently acts as the sewer treatment area for the Higgins Village shopping center located at the corner of Highway 49 and Combie Road. Prior to development of Site 16, the Higgins Village shopping center will have to be tied into the Lake of the Pines Wastewater Treatment Plant, which is planned for as a part of the FHK Shopping Center project that is approved on the property located to the west of Site 16. Since the existing treatment facility is an underground system (leach field) any contaminated soil will need dealt with through appropriate state and local regulatory agencies.

Services: See Table 4 and the services discussion under Site 14 above.

Access: Access to Site 15 from State Route 49 is via Woodridge Drive, which runs along the boundary of Site 15 and 16 terminating under the powerlines near a small wastewater facilities building on Site 16. Future primary access will be required to utilize the

anticipated extension to Higgins Road to minimize impacts to State Highway 49 and take advantage of existing/future improvements in this area.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 16 is Planned Development (PD): Urban High Density (UHD)/Interim Development Reserve (IDR)-Scenic Corridor (SC)- Site Performance (SP). At 18.12-acres, the UHD designation would allow a maximum of 271-units on the site. The proposed General Plan Designation/zoning for Site 16 is Urban High Density (UHD)/R3-RH-SP-SC. Through the environmental review process, it has been determined that the site has a developable footprint of 11.81-acres which at the minimum density of 16-units per acres would result in the potential density of 188-units; a decrease of 101-units below what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add 47-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 70-units) would be anywhere from 188-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 470-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 16 is undeveloped, except for a wastewater disposal field and associated groundwater monitoring well network and pump building that serves the Higgins Corner Shopping Center. The site slopes steeply to the west along the access road, but is more moderately sloped toward the interior and eastern portions of the site. The western half of this site supports a montane hardwood woodland community dominated by interior live oak with scattered California black oaks. A mixed chaparral community occurs in the central portion of the site, likely the result of defined past disturbances on this parcel. Dominant species observed in this small chaparral community include whiteleaf manzanita, buckbrush, yerba santa, coyote brush, and coffeeberry. The remainder of the site supports a low density mixed blue-oak foothill pine community. On Site 16 this habitat is characterized by a low density mix of tree species interspersed with groups of shrubs and non-native annual grasslands. Representative tree species in this community include interior live oaks, foothill pine, and ponderosa pine. Representative shrubs include whiteleaf manzanita and poison oak. No defined hydrologic features were noted on Site 16. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

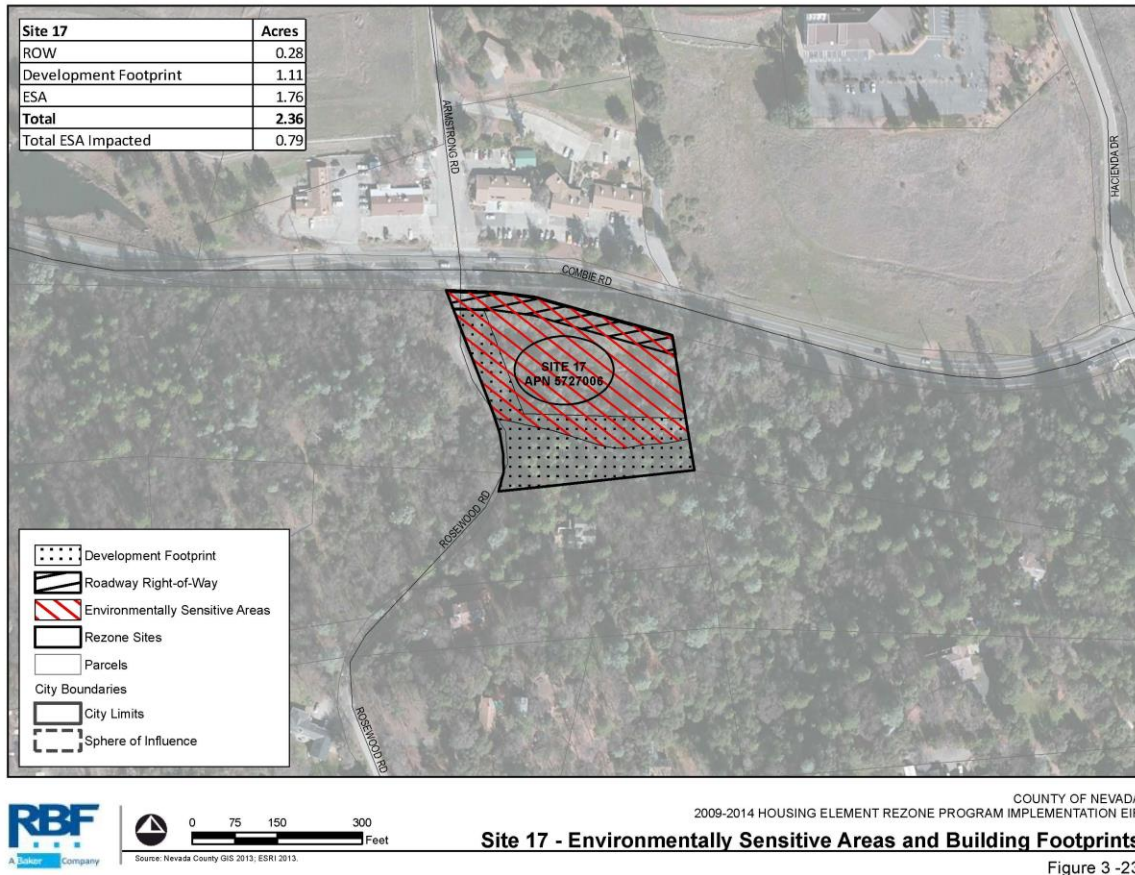
Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 16:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*
Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-5*
Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b*
Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3*
Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*
Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*
Recreation: *Mitigation Measure 4.14-1*
Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 4.2.14-4*

Staff Recommendation: The environmental review prepared for overall project determined that Site 16 is a suitable site for rezoning. Also, this site currently is designated as a Planned Development/Interim Development Reserve site that was slated for urban high density development at 15-units per acre. Through the environmental review process and consistent with the Regional Housing Need combining district is has been determined that the appropriate density for this site would be significantly less (approximately 100-units) than what could be considered under current land use designations, but still provide a robust development of much needed multi-family units that are needed in the County. For the reasons discussed above, this site has been determined to be a Tier 1 site and subsequently, staff recommends that Site 16 be included in the final project rezoning.

Site 17. APN: 57-270-06

Building Footprint Map:



Description/Surrounding Land Uses: Site 17 is a 2.36-acre undeveloped property on moderately sloping terrain with very dense vegetation. Ragsdale Creek runs along the north boundary of Site 17. Site 17 is bound by single family residential property on the south, Rosewood Road and undeveloped land to the east, undeveloped land to the west, and commercial development across Combie Road to the north.

Infrastructure: Site 17 is located at the southeastern side of the Rosewood and Combie Road intersection. Primary access is taken off of Rosewood Road which is privately maintained. Public water is provided to the site by NID via an existing 8” waterline that runs down Rosewood Road along the western property. Wastewater treatment will be provided to Site 17 at that Lake of the Pines Wastewater Treatment Plant. Prior to issuance of any permits for the development of this site, it is the responsibility of the developer to ensure that adequate capital improvements have been made through appropriate permits to connect to the treatment plant, including obtaining any necessary utility easements. The project developer would be required to provide new sewer line infrastructure from the site to tie into existing sewer line in Combie Road. The developer is also required provide documentation that adequate capacity is available at the treatment

plant to serve the development or the developer is responsible for funding improvements to the treatment plant to support their development. Additionally, provide to development Site 17 would have to be annexed into the Lake of the Pines Sanitation Zone as it is currently only in the Zone's Sphere of Influence.

Services: See Table 4 and the services discussion under Site 14 above.

Access: Primary access to the site is off of Rosewood Road, via Combie Road.

Land Use/Density: The existing General Plan Land Use Designation/Zoning for Site 14 is UMD/R2-SC-SP, with the potential for 14-dwelling units. The proposed General Plan Land Use Designation/Zoning for the site is Urban High Density (UHD)/R3-RH-SC-SP. Based on the findings of the Environmental Impact Report, the developable acreage of Site 17 is 1.11-acres, which results in an anticipated aggregate density of 17-units; an increase of 3-units over existing zoning. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 4 units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided and the type of housing provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, based on the aggregate density of 17-units the number of parking spaces would vary from 17, if all of the units were 1 bedroom units up to 42 if all of the units were 3 bedroom units. If all of the units were senior restricted units than a total of 17-parking spaces would be required.

Environmental Resources: Site 17 is an undeveloped, densely vegetated parcel. The site slopes moderately to the north down to Ragsdale Creek, and bisects the site east-west along the site's northern boundary and supports a dense foothill riparian corridor. Ragsdale Creek is the only substantial hydrologic feature on the site. Himalayan blackberry, willows, and valley oak are dominant species in the riparian corridor on this site. The remainder of the site supports a densely wooded montane hardwood community of mostly smaller diameter trees. California black oak is the dominant species in this community, with interior live oak as a subdominant species and valley oak intergrading along the riparian corridor. Canopy cover of this woodland is 90 – 100 percent, qualifying the woodland onsite as a Landmark Grove. Scattered ponderosa pine and foothill pine also occur. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 17:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4-4.2c, 4.4-5, 4.4-3b, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3,*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 4.2.14-4*

Staff Recommendation: As a result of this site being highly constrained by Ragsdale Creek and its environs and the sites oak woodlands, which provide suitable habitat for several sensitive plant and animal species, as well as the relatively low yield of units provided by this site (17), this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Site 17 be included in the final action for this project.

Site 18. APN: 11-181-03

Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Site 18 - Environmentally Sensitive Areas and Building Footprints

Figure 3 -24

Description/Surrounding Land Uses: Site 18 is located southeast of Sites 15, 16, and 17 on the north side of Combie Road. The northern portion of Site 18 is adjacent to Hole 6 green of the adjacent Darkhorse Golf Course. Site 18 is bound on the north and east by the Darkhorse Golf Course, on the west and south by single family residential development and open space. Site 18 is generally an undeveloped parcel on moderately to steeply sloped terrain with a rock outcrop in the southern portion of the site centered on the topographic high and extending southwest along the ridge. Vegetation consists of grasses, shrubs, and oak and pine trees. An ephemeral drainage transects the northwest portion of the property. As part of the Darkhorse development and the subsequent Hilltop Estates subdivision, the Site 18 property was designated for to accommodate the inclusionary housing requirements for those projects.

Infrastructure: Site 18 is located in the Darkhorse Sanitation Zone, yet treatment of domestic sewage to the site would be managed at the Lake of the Pines Wastewater Treatment. Like other sites associated with the project, the future development of the site with multi-family housing would be contingent upon the developer making the necessary capital infrastructure and capacity improvements needed to serve the site through appropriate permits. NID water is available in the area, but a water line would need to be extended to the site. The Draft EIR provides two options for an 8"-12" water line to be extended to the site. Other basic infrastructure is available in the area, but would need to be appropriately extended to serve Site 18.

Services: See Table 4 and the services discussion under Site 14 above. Site 18 is likely the most isolated of the candidate rezone sites, being approximately 2 miles from the Lake Center commercial area. Being a rural county, some reliance upon the automobile to access basic services is assumed regardless of location.

Access: Access to Site 18 would be directly off of Combie Road and would traverse through an area shown as a landmark oak grove.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 18 is Urban Single Family (USF)/R1-PD-SP. The USF/R1 zoning allows for 4-units per acres so at 11.03-acres, the site has the existing potential for a maximum of 44-units. Also worth noting, Site 18 was designated to accommodate the inclusionary housing component of both the Dark Horse and Hilltop Estates residential developments. In total 30-affordable units have been slated to this site. The proposed General Plan Designation/zoning for Site 18 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 6.81-acres which at the minimum density of 16-units per acres would result in the potential density of 108-units; an increase of 64-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 27-units to a future multi-family housing project.

Like Site 13, staff views Site 18 as a site that has the potential for some flexibility when assigning density to the site because of its existing zoning and pre-designation as Phase IV of the Dark Horse development, which was intended to accommodate the affordable housing component of both the Dark Horse and Hilltop Estates developments. The Planning Commission could elect to assign the EIR identified density of 108-units or to address potential neighborhood concerns, staff would support adding the R3-RH zoning to only 2.75-acres of the site which would establish a density of 44-units total which would be consistent with what would be allowable under the current R1 zoning designation. If the PC/Board of Supervisors elected to assign a lesser density to Site 18, it would require that those units are made up elsewhere.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided and the number of units that are assigned to the site. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 108-units) would be anywhere from 108-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 270-spaces (if all units were 3 bedroom units). Under the 44-unit scenario, the range of required parking spaces would be anywhere from 44-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 110-spaces (if all units were 3 bedroom units).

Environmental Resources: A small knoll occurs within the southern half of Site 18 and the site slopes moderately away from this high point in all directions. A rock outcrop occurs at the high point of the site. Vegetation onsite is split between two plant communities. The southern half of the site supports a montane hardwood woodland community in which blue oak is the dominant species, and interior live oak and California black oak also occur. Trees on this site are generally of larger diameter and well-spaced. Some large diameter blue and black oak specimens grow on this property and likely meet County criteria for Landmark Oak status. The canopy cover in this oak woodland is 80 to 90 percent, which exceeds the County's criteria for a Landmark Grove. Understory throughout this site is primarily non-native grasses and forbs. Species recorded in the understory include gray ripgut brome, dogtail grass, blue wildrye, mule ears, whiteleaf manzanita, arrowleaf balsamroot, crimson clover, and yellow star tulip. The northern half of the site supports a Sierran mixed forest community and is dominated by well-spaced, mature ponderosa pines. No significant hydrologic features occur on this site, though a small ephemeral drainage occurs in the northwest portion of the property. Stormwater entering this drainage traverses through the site to the northeast. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures s all be required to be met prior to development on Site 18:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*
Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-5, 4.4-3a, 4.4-3b*
Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*
Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3, 4.8-1*
Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*
Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*
Recreation: *Mitigation Measure 4.14-1*
Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 4.2.14-4*

Staff Recommendation: As discussed in the Land Use/Density section above, there are two potential options for density for Site 18. These options include 108-units as determined through the environmental review process or 44-units which is consistent with existing allowable densities under current zoning regulations. Under both scenarios, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 18 be included in the final project action, since it was originally designated as Phase IV of the Darkhorse development and was intended to provide the inclusionary housing component associated with that and a subsequent project in the area. In staff's preferred recommendation (see Table 6 below), Site 18 would have a density of 108-units and a developable footprint of 6.81-acres. The overall density for the site however, would be contingent upon which other sites the Planning Commission and ultimately the Board of Supervisors chooses for final approval.

Potential Rezone Options/Staff Recommendation

As outlined in the individual rezone candidate site discussion above, Staff's recommendation and preferred alternative includes rezoning all Tier 1 sites, which includes Sites 3, 5, 6, 11, 12, 14, 16 and 18 to address the County's unmet Regional Housing Need Allocation. There are several different combinations of sites however that would accomplish the same goal. The breakdown of each site including the proposed zoning and General Plan land use designation as well as the identified building capacity ("aggregate density") and development footprint is provided in table form below. Table 5 includes all of the eligible candidate rezone sites, Table 6 shows the Planning Department's recommended option of Tier 1 sites and Tables 7 and 8 outline a couple of other alternatives for the Planning Commission's consideration that include both Tier 1 and Tier 2 sites. The Planning Commission is not limited to staff's recommendation and it is within the Planning Commission's discretion to choose which sites the Commission determines to be the most suitable for a recommendation to the Board of Supervisors for final rezoning.

Pursuant to the state mandated Housing Element Rezone Program, the County is required to rezone sufficient land to accommodate 699 RHNA units. As the economy recovers, it is anticipated that future Regional Housing Need Allocations will increase above the historical low that was provided to the County during the 5th Housing Element cycle. Additionally, once the

rezoned sites are developed they will no longer be eligible to be considered to accommodate future very low and low income RHNA units. Anticipating that the RHNA will eventually increase overtime, it is likely that in ten to fifteen years the County could again be in a position where it is unable to demonstrate to HCD that there is a sufficient inventory of vacant high density zoning to accommodate the very low and low income RHNA units. Due to the extensive amount of staff time and financial resources that has been allocated to this particular project, including hiring a private consultant to prepare the EIR, staff would highly recommend that the Planning Commission and ultimately the Board of Supervisor's strongly considered going beyond the bare minimum of 699-units.

Through the EIR process, the County has taken the necessary steps required to rezone additional rezoned candidate sites at this time. While, recognizing that this will likely be an unpopular decision, it could end up saving the County a significant amount of financial resources in the future and it is anticipated that many of the sites not chosen as a part of this project, will likely become future candidate sites for reasons described in Section II of this staff report. Another significant benefit of going beyond 699-units at this time is the County would have the option of just rezoning the site to UHD/R3 and would not be required to add the RH Combining District. This would mean that any sites that were rezoned beyond the mandated 699-units would not be subject to the minimum density requirements nor would the County be mandated to allow the site to develop as a by-right use. Should the Planning Commission and ultimately the Board of Supervisors elect to pursue rezoning more than the minimum of 699-units, staff would recommend that Tier 2 sites be utilized for this purpose.

TABLE 5. REZONE CANDIDATE SITE DENSITY BREAKDOWN

ALL SITES										
Site	Total Acres	Existing			Rezoned				Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres		
Grass Valley Sphere of Influence										
1	1.08	OP	OP	4	OP	OP-RH	16	0.98	2.29%	2.24%
2	Site Removed by Owner 11/8/13								0.00%	0.00%
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%
4	11.35	UMD	R2-PD	68	UHD	R3-RH	181	11.35	25.89%	25.97%
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%
7	9.90	UMD	RA-1.5	6	UHD	R3-RH	68	4.26	9.73%	9.75%
8	10.43	UMD/ RES	RA-1.5	6	UHD	R3-RH	53	3.32	7.58%	7.60%
9	6.49	UMD	R2-PD	38	UHD	R3-RH	77	4.85	11.02%	11.10%
Subtotal	62.60			261			735	46.08	105.15%	105.45%
Penn Valley Area										
10	5.95	CC	C2-SP	23	CC	C2-RH- SP	77	4.85	11.02%	11.10%
11	3.10	CC	C2-SP	12	CC	C2-RH- SP	36	2.29	5.15%	5.24%
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%
13	20.10	PD: UMD (26ac) OS (8ac)	IDR-PD	91	UHD	R3-RH	185	11.60	26.47%	26.54%
Subtotal	33.52			152			343	21.56	49.07%	49.34%
Lake of the Pines Area										
14	5.00	OP	OP-SC- SP	20	UHD	R3-RH- SC-SP	42	2.63	6.01%	6.02%
15	5.00	PD: UHD (15)	IDR-SC- SP	75	UHD	R3-RH- SC-SP	70	4.40	10.01%	10.07%
16	18.12	PD: UHD (15)	IDR-SC- SP	271	UHD	R3-RH- SC-SP	188	11.81	26.90%	27.03%
17	2.36	UMD	R2-SC- SP	14	UHD	R3-RH- SC-SP	17	1.11	2.43%	2.54%
18	11.03	USF	R1-PD- SP	44 (30 approved)	UHD	R3-RH- SP	108	6.81	15.45%	15.58%
Subtotal	41.51			424			425	26.76	60.80%	61.24%
Total	137.63			837			1,503	94.4	215.02%	216.02%

**TABLE 6. REZONE CANDIDATE SITE DENSITY BREAKDOWN
STAFF RECOMMENDATION (Tier 1 Sites Only)**

Site	Total Acres	Existing			Rezoned					
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres	Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
Grass Valley Sphere of Influence										
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%
Subtotal	23.35			139			340	21.32	48.64%	48.79%
Penn Valley Area										
11	3.10	CC	C2-SP	12	CC	C2-RH-SP	36	2.29	5.15%	5.24%
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%
Subtotal	7.47			38			81	5.11	11.59%	11.69%
Lake of the Pines Area										
14	5.00	OP	OP-SC-SP	20	UHD	R3-RH-SC-SP	42	2.63	6.01%	6.02%
16	18.12	PD: UHD (15 DU)	IDR-SC-SP	271	UHD	R3-RH-SC-SP	188	11.81	26.90%	27.03%
18	11.03	USF	R1-PD-SP	44	UHD	R3-RH-SP	108	6.81	15.45%	15.58%
Subtotal	34.15			335			338	21.25	48.35%	48.63%
Total	64.97			512			759	47.68	108.58%	109.11%

**TABLE 7. REZONE CANDIDATE SITE DENSITY BREAKDOWN
ALTERNATIVE 2 (Tier 1 and 2 sites)**

Site	Total Acres	Existing			Rezoned					Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres			
<i>Grass Valley Sphere of Influence</i>											
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%	
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%	
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%	
Subtotal	23.35			139			340	21.32	48.64%	48.79%	
<i>Penn Valley Area</i>											
11	3.10	CC	C2-SP	12	CC	C2-RH-SP	36	2.29	5.15%	5.24%	
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%	
13	20.10	PD: UMD (26ac) OS (8ac)	IDR-PD	91	UHD	R3-RH	91	5.69	13.02%	13.02%	
Subtotal	27.57			129			172	10.80	24.61%	24.71%	
<i>Lake of the Pines Area</i>											
14	5.00	OP	OP-SC-SP	20	UHD	R3-RH-SC-SP	42	2.63	6.01%	6.02%	
16	18.12	PD: UHD (15 DU)	IDR-SC-SP	271	UHD	R3-RH-SC-SP	188	11.81	26.90%	27.03%	
18	11.03	USF	R1-PD-SP	44	UHD	R3-RH-SP	44	2.75	6.29%	6.29%	
Subtotal	34.15			335			274	17.19	39.20%	39.34%	
Total	85.07			603			786	49.31	112.45%	112.84%	

**TABLE 8. REZONE CANDIDATE SITE DENSITY BREAKDOWN
ALTERNATIVE 3 (Tier 1 and 2 sites)**

Site	Total Acres	Existing			Rezoned					Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres			
Grass Valley Sphere of Influence											
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%	
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%	
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%	
Subtotal	23.35			139			340	21.32	48.64%	48.79%	
Penn Valley Area											
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%	
13	20.10	PD: UMD (26ac) OS (8ac)	IDR-PD	91	UHD	R3-RH	91	5.69	13.02%	13.02%	
Subtotal	24.47			117			136	8.51	19.46%	19.47%	
Lake of the Pines Area											
14	5.00	OP	OP-SC- SP	20	UHD	R3-RH- SC-SP	42	2.63	6.01%	6.02%	
15	5.00	UHD (15	SP	75	UHD	SC-SP	70	4.40	10.01%	10.07%	
16	18.12	PD: UHD (15 DU)	IDR-SC- SP	271	UHD	R3-RH- SC-SP	188	11.81	26.90%	27.03%	
Subtotal	28.12			366			300	18.84	42.92%	43.11%	
Total	75.94			622			776	48.67	111.02%	111.37%	

SECTION III.

ENVIRONMENTAL REVIEW:

RBF Consulting Contract

In December 2011, the County entered into a contract with RBF Consulting to prepare an Environmental Impact Report and provide Planning Services to implement the Housing Element rezone programs. To date RBF Consulting has completed a Housing Element Rezone Preliminary Site Analysis Report, which performed a cursory review of each candidate rezone site and ranked those sites relative to their overall suitability to accommodate the anticipated density for each site. In late 2012, RBF Consulting/the Planning Department released a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the 2009-2014 Housing Element Rezone Program Implementation and held a public scoping meeting for the NOP on Oct. 3, 2012. Based on the comments received as a part of the NOP process, RBF Consulting prepared a draft Environmental Impact Report (EIR) that was released for public comment on September 12, 2013 for a period of 60-days, which is two weeks longer than the standard 45-day public comment period. During the public comment period, approximately 134 letters (including petitions) were received addressing both the EIR and the project. As a result the Final EIR provides a written response to these letters, an Errata to the Draft EIR to revise specific areas of the Draft EIR based on public comment, the Mitigation Monitoring and Reporting Program and the CEQA Findings including a Statement of Overriding Considerations.

The Environmental Impact Report (EIR)

The following sections will discuss the Draft EIR in more detail including outlining the purpose, process, and content of the document. It will also discuss the key impacts and identified mitigation to reduce those impacts, where the impacts cannot be mitigated and the components of the Final EIR.

Purpose

The California Environmental Quality Act (CEQA) requires the preparation of an Environmental Impact Report (EIR) prior to approving any project that may have a significant effect on the environment. County Staff determined that the scope of the proposal known as the County of Nevada Housing Element Rezone Implementation Program was such that significant environmental impacts might occur, and ordered that an EIR be prepared. Under the direction of Staff, RBF Consulting prepared the County of Nevada Housing Element Rezone Implementation Program, Draft Environmental Impact Report (State Clearinghouse No. 2009072070) in fulfillment of the state CEQA Guidelines. The entire EIR, constituting the whole of the record has been previously provided.

CEQA Guidelines Section 15121(a) defines an EIR as a public informational document that analyzes the significant environmental effects of a project, identifies ways to minimize the significant impacts, and describes reasonable alternatives to the project. As an information document the EIR neither makes a recommendation concerning the merits the project, nor whether the agency should approve or deny the proposal. The EIR is only concerned with addressing the physical environmental impacts associated with the project should the County approve the proposal.

Draft EIR

Notice of Preparation and Scoping Meeting

To determine the scope of the EIR, the County prepared and distributed a Notice of Preparation (NOP), dated September 21, 2012, for the proposed project. The purpose of an NOP is to solicit comments from public agencies and interested parties, and to identify specific environmental issues that should be considered in the EIR.

The NOP identified the following issues to be addressed in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gases
- Hydrology and Water Quality
- Land Use and Planning
- Transportation/Traffic

The NOP was sent to trustee and responsible agencies, and the State Clearinghouse for a 30-day public review period, extending from September 21 to October 26, 2012. On October 3, 2012, a public meeting on the scope of the EIR was held. A public notice of the meeting was sent to members of the public and interested parties. At the meeting, members of the public had the opportunity to identify issues of special concern and to suggest additional issues to be considered in the EIR.

Content/Components of the EIR

All of the environmental issues listed in the NOP were determined to have potentially significant impacts, and the issues identified during the NOP public review period were incorporated into the EIR. For each environmental issue, the EIR describes the environmental setting (current conditions), then discusses and analyzes the potential related impacts that could be caused by project implementation.

For each potentially significant impact, the EIR specifies ways to mitigate the impact, including implementation of one or more of the following mitigation measures:

- Existing goals, objectives, policies and programs of the General Plan
- Applicable mitigation measures of the Draft and Final EIR for the General Plan
- Project-specific mitigation measures designed to mitigate one or more project impacts, as described in this EIR

Future development must implement all mitigation measures identified in the EIR or their environmental equivalent as identified for the specific sites in the program. “Environmental equivalent” means any mitigation measure and/or timing thereof, subject to the approval of the

County, that, when compared to the mitigation measure, would have the same or superior result and would have the same or superior effect on the environment. The Community Development Agency, in conjunction with appropriate agencies or other County departments, would determine the adequacy of any proposed environmental equivalent. Any costs associated with information or environmental documentation required to determine environmental equivalency would be borne by the project developer. As with other mitigation measures, the County would ensure compliance with an environmental equivalent through the mitigation monitoring process.

Staff Review- Administrative Drafts

Prior to the Draft EIR’s release for the public review, Staff reviewed multiple administrative drafts of the document to ensure the analysis was consistent with existing County Guidelines and Regulations in addition to the approved Housing Element Rezone Programs HD-8.1.3 and HD-8.1.4 including adding the “RH” Zoning Combining District included in Program HD-8.1.5.

Upon completion of the Draft EIR, the Draft EIR was circulated for a 60-day public review period. Staff determined that a 60-day review period rather than the 45-day minimum review period was appropriate given the scope and complexities of the project. The Draft EIR review period extended from September 12 to November 12, 2013. During the 60-day public review period, the Nevada County Planning Commission held a public meeting on October 10, 2013 to take public comment and to provide feedback to staff on the Draft EIR. Also during the public comment period, evening public “town-hall” style meetings were held in each of the affected communities. These meetings included:

- Grass Valley Area Community Meeting, October 24, 2013
- Lake of the Pines Area Community Meeting, October 28, 2013
- Penn Valley Area Community Meeting, October 29, 2013

A summary of EIR milestones and the opportunities for public comment is provided in Table 9 below.

**TABLE 9
SUMMARY OF HOUSING ELEMENT REZONE EIR PROCESS**

<i>Milestone</i>	<i>Dates</i>
Notice of Preparation	September 21, 2012
Notice of Preparation Public Comment Period	September 21, 2012 – October 26, 2012
Public Scoping Meeting	October 3, 2012
Notice of Availability of Draft EIR	September 12, 2013
Public Comment Period for Draft EIR	September 12, 2013 – November 12, 2013
Public Comment Meeting on Draft EIR	October 10, 2013
Grass Valley Area Community Meeting	October 24, 2013
Lake of the Pines Area Community Meeting	October 28, 2013
Penn Valley Area Community Meeting	October 29, 2013
Final EIR	September 2014

Significant and Unavoidable Impacts

The analysis in the Draft EIR determined that implementation of the proposed project would result in the following significant unavoidable impacts even with the implementation of all feasible mitigation measures:

1. Land Use and Planning, Impact 4.2-1: The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.
2. Air Quality, Impact 4.5-1: The Proposed Project would result in temporary construction-related dust and vehicle emissions during construction within the project area.
3. Air Quality, Impact 4.5-2: The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.
4. Air Quality, Impact 4.5-5: The project may not be consistent with the air quality attainment plan (AQAP) criteria.
5. Cumulative Impact (Air Quality): The project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area classified as nonattainment for federal and State O₃ and State PM₁₀ standards.
6. Cumulative Impact (Air Quality): The Housing Element Rezone's GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would potentially hinder the intent and statewide reduction goals of AB 32.
7. Greenhouse Gas Emissions, Impact 4.6-1: Greenhouse gas emissions generated by the project would have a significant impact on the environment.
8. Population and Housing, Impact 4.12-1: The Proposed Project would directly induce population growth in the City of Grass Valley.
9. Public Services and Utilities, Impact 4.13-2: The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity to provide for the project's projected demand in addition to the provider's existing commitments.
10. Public Services and Utilities, Impact 4.13-3: Sufficient water supplies are not available to serve the Proposed Project from existing entitlements and resources; new or expanded entitlements may be required.

11. Transportation and Traffic, Impact 4.15-2: The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.
12. Transportation and Traffic, Impact 4.15-3: The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.
13. Transportation and Traffic, Impact 4.15-4: The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.
14. Transportation and Traffic, Impact 5.2.14.1: The Proposed Project would add traffic to the signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.
15. Transportation and Traffic, Impact 5.2.14.2: The proposed project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.
16. Transportation and Traffic, Impact 5.2.14.3: The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the PM Peak Hour.

Unincorporated Area vs. GV SOI

The project sites are located with the unincorporated areas of Nevada County. Sites 1 through 9 are located within the Sphere of Influence of the City of Grass Valley. Some of the impacts listed above are identified as Significant and Unavoidable based on the assumption that the project sites would be annexed into the City as part of the development process. Once annexation occurs, mitigation timing and enforcement would no longer be the responsibility of the County and would be assumed by the City. As such, for some mitigation measures, specifically items 1, 8, and 11 through 16 listed above, the responsibility of ensuring mitigation is implemented would fall outside the County, and could not be assured. For this reason, impacts were identified as significant and unavoidable.

Written Comments- Agency, Public

The County received 134 comments on the EIR. The comments consisted of 5 comments from State Agencies, 2 comments from local agencies, 7 comments from local organizations, and 120 comments from individuals. Responses to all of the comments received on the Draft EIR are provided in Section 3.0 of the Final EIR. The County received many comments on why the County is undertaking the proposed project and how the specific project sites were chosen. There were eight main topics that were common issues or questions throughout many of the comment letters received on the Draft EIR.

1. Why is the County proposing this project, and how were the proposed sites chosen?
2. Where will future residents work in the surrounding area?
3. How will the project impact commercial development in the Penn Valley?
4. What are the sewer and water infrastructure responsibilities of the developer?
5. Why doesn't the EIR discuss effect on economic impacts, property values, or crime?
6. Does the project include low income housing?
7. Why not locate high density housing in the more urban areas of the cities?
8. How many units will be on each site?

The Final EIR includes a master response that discusses the topics based on all of the comments received. By responding in this manner, the County is better able to address all aspects of the topic by:

- Simplifying the responses to comments by avoiding unnecessary repetition in individual responses, and
- Addressing issues in a broader context than might be required by individual comments. The County prepared these Master Responses to address these common comments and questions.

No new significant environmental impacts or issues, beyond those already covered in the Draft EIR for the project, were raised during the public review period for the Draft EIR. The County, acting as the lead agency, directed that responses to the comments on the Draft EIR be prepared. Responses to comments received during the comment period do not involve any new significant impacts, an increase in severity of previously identified impacts, or significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

Final EIR and Draft EIR Errata

In addition to the Draft EIR, the following components collectively compose the Final EIR:

- Chapter 1.0. Introduction
Chapter 1.0 provides an overview of the EIR process and what the FEIR is required to contain.
- Chapter 2:0. Executive Summary
This chapter summarizes the characteristics of the proposed project and provides a concise summary matrix of the project's environmental impacts and associated mitigation measures.
- Chapter 3.0. Comments and Responses to Comments on the EIR
Chapter 3.0 provides a list of commenters, copies of written comments, and the responses to those written comments made on the Draft EIR.

- Chapter 4.0. Errata

Chapter 4.0 consists of revisions to the Draft EIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or conclusions of the analysis or mitigation measures. Attachment 8 provides the revised Errata that was amended to address specific issues raised by the City of Grass Valley as a result of the City's review of the Final EIR.

CEQA Findings

Pursuant to Section 15091 of the CEQA Guidelines, environmental findings have been prepared that state that: (i) changes or alterations have been required, or incorporated into, the project which avoid or substantially lessen many of the significant environmental effects identified in the DEIR; and (ii) specific economic, legal, social, technological, or other considerations make it infeasible to substantially lessen or avoid the remaining significant impacts, as further described in the Statement of Overriding Considerations below.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the following Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, legal, social, and other benefits of the project. The following are abbreviated excerpts of the overriding considerations provided in the CEQA Findings:

1. Maintain a current and valid comprehensive General Plan.

The requirements for updating and maintaining Housing Elements in the state of California are established by the California Department of Housing and Community Development (HCD). If the (HCD) determines that a Housing Element fails to substantially comply with the State's Housing Element Law, there are potentially serious repercussions for the local jurisdiction that extend beyond conflicts in residential land use planning. When a jurisdiction's Housing Element is found to be out of compliance, its General Plan is at risk of being deemed inadequate, and therefore invalid. Another repercussion of not having a legally compliant housing element includes the possibility of legal action against the jurisdiction.

2. Maintain the County's eligibility to meet the minimal qualifications for California Strategic Growth Bonds and other important housing grant and loan programs such as Community Development Block Grant, HOME, Liheap, etc. funding.

In addition to meeting the requirements of state law, the County also seeks to have a certified Housing Element in order to be eligible for state grant funding programs such as Community Development Block Grants (CDGB), HOME, Liheap, and other programs which are used to fund a variety of public projects in the County.

3. The project will help meet the increasing demand for new housing opportunities in Nevada County.

To meet State housing requirements identified in the County's Housing Element, high-density residential zoning (R3) for an additional 699 housing units are required to meet the County's unmet housing needs.

4. The project will allow for the construction of needed affordable housing within Nevada County while ensuring that impacts on the natural environment are minimized as development occurs.

As described in the Project Summary on page 2-2 of the DEIR, the project will result in development of a Regional Housing Need Implementation Plan, as outlined in the "RH" Zoning Combining District Ordinance (Section L-II 2.7.11.C.3 of the Nevada County Land Use and Development Code). This Plan will outline site-specific development standards and any CEQA mitigation measures adopted for each site that must be adhered to in order for the site to develop consistent with the purpose of the rezone and to ensure that the development of the site does not result in a significant environmental impact.

5. The project provides regionally significant roadway and intersection improvements that would improve existing local and regional traffic operations.

The Project Developer of each site will be required to mitigate for traffic impacts through contribution to the County's Traffic Impact Mitigation Program, established through adoption of a Local Traffic Mitigation Fee (LTMF). Further, the adoption of a Regional Traffic Mitigation Fee (RTMF) recognized cross-jurisdictional traffic between western County cities and unincorporated County.

Mitigation Monitoring

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Section 21081.6 of the California Public Resources Code which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." The MMRP is included as an exhibit to Attachment 1. An MMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts. Nevada County will be the primary agency, but not the only agency, responsible for implementing the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County's role is exclusively to monitor the implementation of the measures. In those cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

SECTION IV.

GENERAL PLAN AND ZONING CONSISTENCY:

As discussed through this staff report, the proposed project includes amending the General Plan Land Use and Zoning Map Designations for a specific set of properties located in the Grass Valley Sphere of Influence, the Penn Valley Village Center and the Lake of the Pines Community Region. These two actions will be made in combination with one another and therefore the resultant underlying General Plan Land Use Designations will be consistent with the proposed zoning designations. Tables 4.2-1 and 4.2-2 of Chapter 4 of the EIR outline specific policies of both the Nevada County General Plan and the City of Grass Valley 2020 General Plan and discuss the project's consistency with those policies. In addition each impact discussion chapter/section provides an outline of the applicable goals and policies relative to the proposed project for both the County General Plan (for sites in the unincorporated area) and the City's General Plan (for sites within the SOI). The tables referenced above, as well as, the applicable policies discussed in the individual chapters are lengthy and exhaustive and since there are included as an attachment to this staff report (*Attachment 6*) to be included as a public record for the Planning Commission's consideration, they will not be discussed in detail here. The application of the standards of the RH Combining District, the Regional Housing Need Implementation Plan, and applying the applicable standards of the Land Use and Development Code as required by the RH Combining District will ensure that future project developed as a result of this project will remain consistent with a given sites Zoning and General Plan Designation.

SUMMARY:

Through the last two General Plan Housing Element updates, the State of California Department of Housing and Community Development (HCD) have identified an unmet Regional Housing Need Allocation (RHNA) of 699-units. Subsequently, HCD has required that the County include specific rezoning programs to address this unmet need. As a result the County has prepared an Environmental Impact Report (EIR) that analyzes the impacts of up zoning seventeen different sites spread out between the City of Grass Valley Sphere of Influence, Penn Valley and the Lake of the Pines area. Staff is recommending eight of these sites (Tier 1 Sites) for the Planning Commission and ultimately the Board of Supervisor's consideration. The Planning Commission, in making a recommendation to the Board of Supervisors is not limited to staff's recommendation and it is within the Commission's purview of delete, modify and add to this recommendation. HCD has given the County until June 30, 2015 to complete this rezoning, at which time there is the potential that HCD may de-certify the County's Housing Element, putting the County at risk of not being eligible for significant state and federal grant and loan programs. Prior to taking action on the project (General Plan Amendment/Rezone), the Board will be required to certify the EIR as adequate for this project, including adopting the required CEQA Findings and making the applicable Statement of Overriding Consideration for any project impacts that adequate mitigation has not been identified. The project will result in an increase in high density residential zoning with the intention of providing a variety of housing opportunities for all income categories and special needs groups in the County.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- I. Environmental Action: Recommend Certification of the Final Environmental Impact Report (EIR12-002/ SCH2009072070) subject to the recommended Mitigation Measures found in the Mitigation Monitoring and Reporting Plan provided as (*Attachment 1*).
- II. Project Action:
 1. General Plan Amendment: Recommend approval of General Plan Amendment GP12-002 to re-designate specific “Tier 1” sites to Urban High Density, including Sites 3, 5, 12, 14, 16, and 18 (*Attachment 2*).
 2. Zoning Amendment: Recommend approval of Zoning Map Amendment Z12-002 to amend specific Zoning District Maps to change existing zoning of “Tier 1” sites to High Density Residential (R3) or the equivalent of R3, including adding the Regional Housing Need (RH) Combining District to Sites 3, 5, 6, 11 (retain C2 base zoning and add the RH Combining District only), 12, 14, 16, and 18 (*Attachment 3*).

Respectfully Submitted,



Brian Foss, Director of Planning



ORDINANCE No. 2343

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE ADDING SECTION L-II 2.7.11 TO ARTICLE 2 OF CHAPTER II OF THE LAND USE AND DEVELOPMENT CODE OF THE COUNTY OF NEVADA CREATING A REGIONAL HOUSING NEED (RH) COMBINING DISTRICT AND ESTABLISHING STANDARDS FOR THE DEVELOPMENT OF AFFORDABLE AND MULTI-FAMILY HOUSING (ORD11-003)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

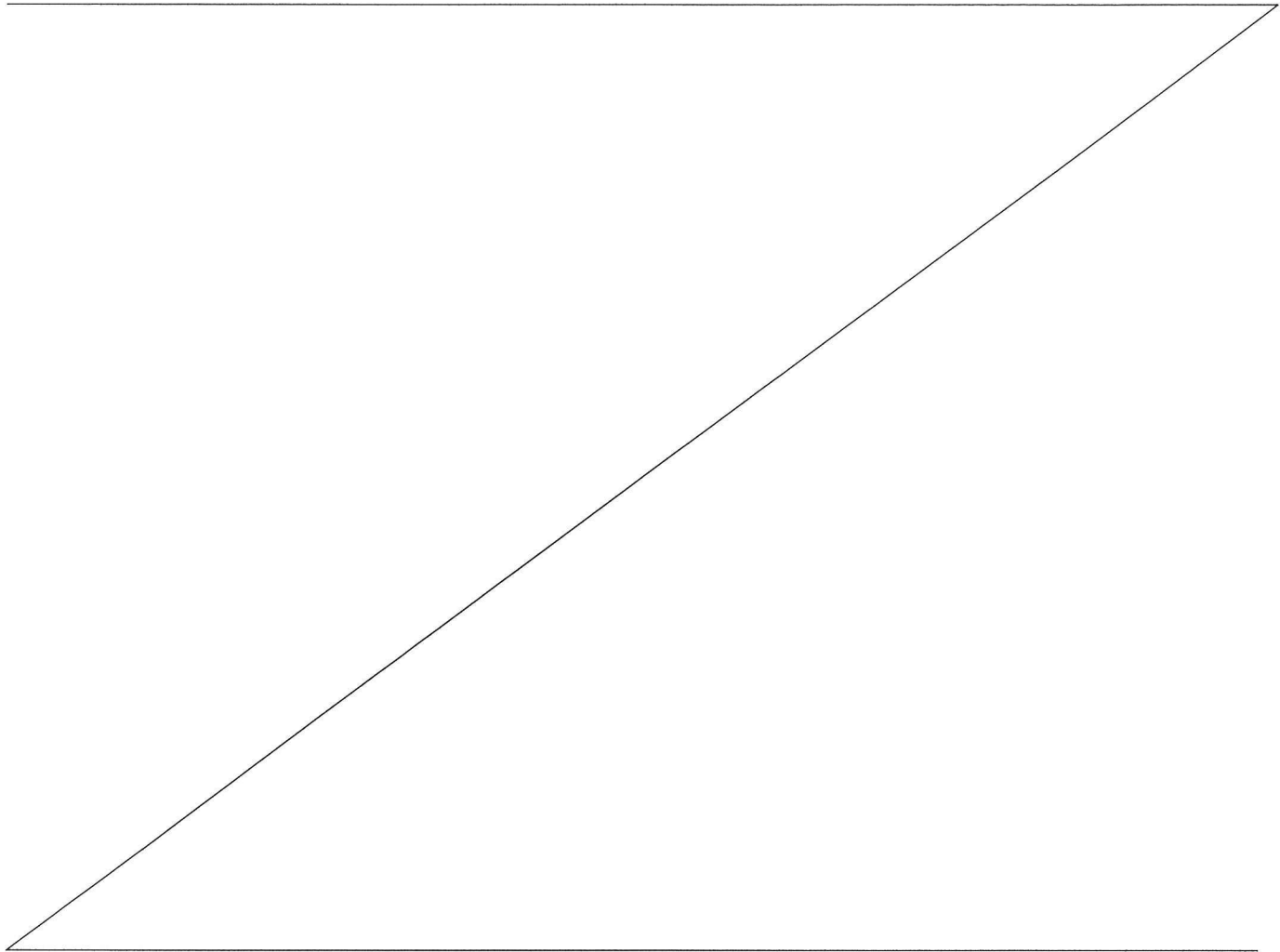
Section L-II 2.7.11 of Article 2 of Chapter II of the Land Use and Development Code of the County of Nevada, is hereby added to read as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION II:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION III:

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and shall become operative on the 27th day of Oct, 2011, and, before the expiration of fifteen (15) days after its passage a summary shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 27th day of September, 2011, by the following vote of said Board:

Ayes: Supervisors Nathan Beason, Edward Scofield, Terry Lamphier and Ted S. Owens.

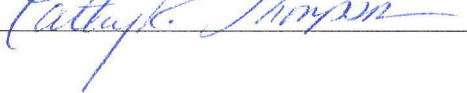
Noes: None.

ATTEST:

Absent: Hank Weston.

CATHY R. THOMPSON
Clerk of the Board of Supervisors

Abstain: None.

By: 


Edward C. Scofield, Chair

09/28/2011 cc: Planning
Counsel
Union

EXHIBIT "A"

Section L-II 2.7.11 Regional Housing Need Combining District (RH)

- A. **Purpose.** The purpose of the Regional Housing Need (RH) Combining District is to increase the supply of affordable and multi-family housing for persons and families within the extremely-low, very-low and low income categories by designating sites for development at 16 to 20 units minimum per acre in order to meet the requirements of the Regional Housing Need Allocation (RHNA) as required by State Government Code Section 65584.

- B. **Standards.** The RH Combining District allows for the following:
 - 1. **Designation of the Regional Housing Need (RH) Combining District.** The Regional Housing Need (RH) Combining District shall only be applied to those parcels designated by the Board of Supervisors in advance of the County Housing Element adoption; as a part of the Housing Element update process; as a part of the implementation of the Housing Element goals, policies and programs; or where it can be reasonably demonstrated that the rezoning of the site is necessary to meet the goals of the RHNA.

 - 2. **Site Selection Criteria.** For sites to be designated under the Regional Housing Need (RH) Combining District, the site must meet the following criteria:
 - a. Generally, the site must be identified by the County to satisfy the Regional Housing Need as outlined in L-II 2.7.11.B.1 above. A private landowner however, may apply for the RH designation if the landowner has received concurrence from the Board of Supervisors, prior to submitting an application for rezone, that the rezoning of the site to add the RH overlay is necessary to meet a Regional Housing Need.

 - b. The site is currently undeveloped or it can be demonstrated that the site is underdeveloped.

 - c. The site is of adequate size and shape to allow for the reasonable development of residential housing at the minimum densities required under Standard L-II 2.7.11.B.3 below.

 - d. The site has ingress and egress on a County maintained road or can be connected to a County maintained road pursuant to Standard L-II 2.7.11.C.8 below.

 - e. The site is in or within a reasonable walking distance to a Community Region or Village Center, as shown on the General Plan Land Use Maps, which has access to schools, services, fire protection and jobs.

- f. The site is located on or is within reasonable walking distance to a public transit route.
 - g. The site is within or can reasonably be annexed into an existing sanitary sewer district and public water district.
 - h. The anticipated residential development can be sited to avoid major environmental hazards and/or constraints including but not limited to wetlands, watercourses, floodways, steep slopes, geologic hazards, archaeological resources, sensitive habitat areas, and airport noise and safety zones that limit density. (See Section L-II 4.3: Resource Standards for a comprehensive list of protected resources).
3. **Density.** The density for the development of multi-family housing shall be determined at the time the site is rezoned to add the Regional Housing Need (RH) Combining District. This density shall be based on the State mandated 16-units minimum per acre but will allow for a maximum of 20-units per acre on sites within a City's Sphere of Influence. The minimum required density may be determined by allocating the density to the total acreage of the site or by aggregating the developable area of a site, through the environmental review process, to remove areas considered to be environmentally sensitive pursuant to Section L-II 4.3 and all areas for driveways and roadways from the developable area, whichever is more suitable for the site. The number of potential units will be determined by multiplying the developable acreage by 16. Where such calculation results in a fractional number, the number of units shall be determined by rounding down to the nearest whole number.
4. **Lesser Densities and Interim Uses.** Lesser densities and interim uses within the Regional Housing Need (RH) Combining District shall be allowed when consistent with the allowed uses shown within the Allowed Use Tables for an individual Base Zoning District subject to the standards applicable to development within that Base Zoning District. Should a site be developed with a lesser density or interim use, the site must include a plan that provides basic details on how the interim use or lesser density will not impact the sites ability to be otherwise developed at the density shown in Section L-II 2.7.11.B.3.
5. **Master Planning.** Where contiguous or adjacent parcels are designated under the Regional Housing Need (RH) Combining District, any development proposal for one parcel may be required to include a Comprehensive Site Plan for development of all contiguous or adjacent parcels which are also designated under the Regional Housing Need (RH) Combining District. The purpose of the Comprehensive Site Plan is to define interior circulation patterns, exterior site access, fire access to all parcels, infrastructure improvements, and common area locations and amenities.

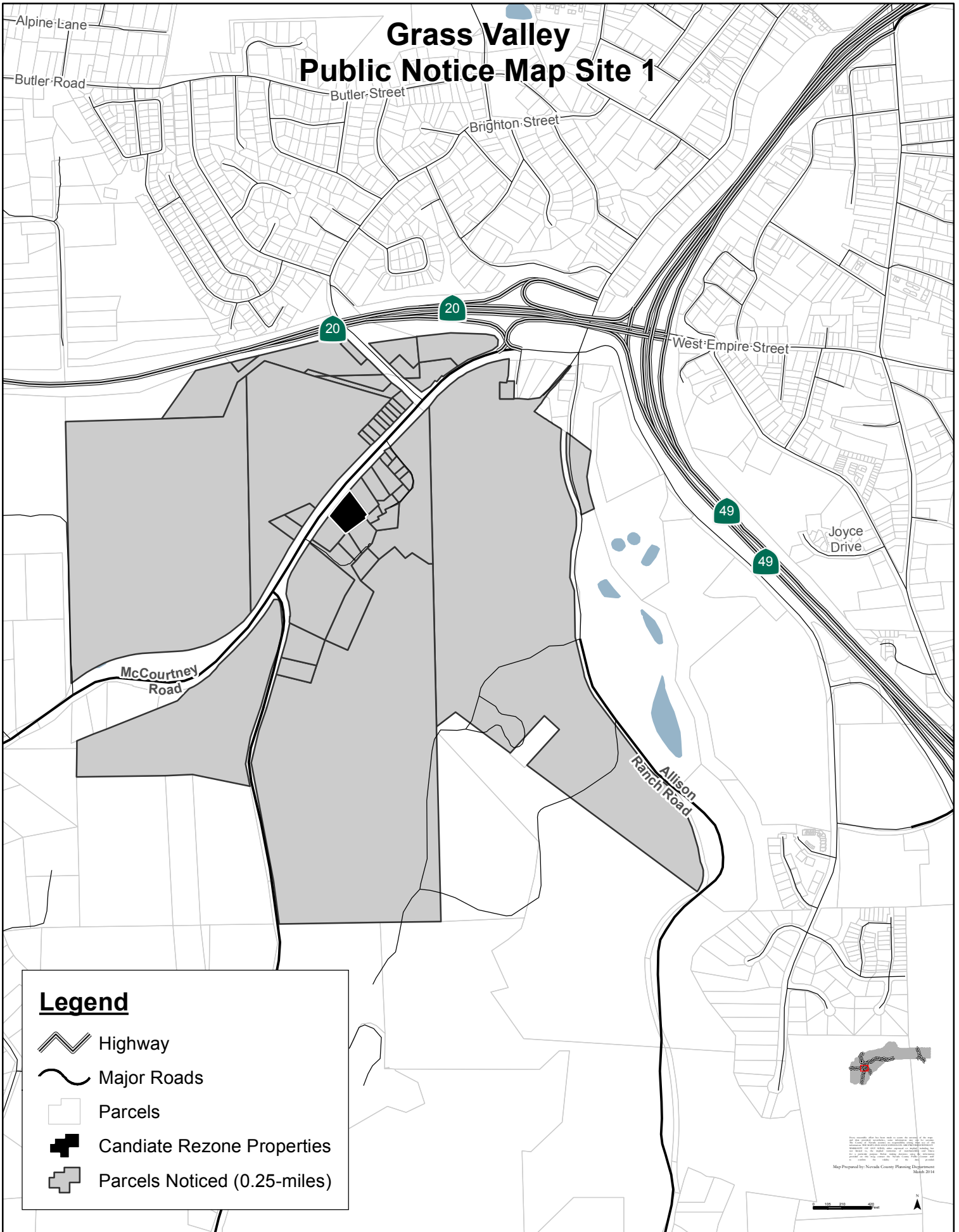
6. **Density Bonus.** Projects designed in accordance with the County's Density Bonus provisions set forth in Sections L-II 3.16 and 3.20 shall be eligible for the applicable concessions and incentives outlined within those Sections.
 7. **Energy and Environmental Efficiency.** Multi-family housing developed within the Regional Housing Need (RH) Combining District is encouraged to utilize energy efficient design techniques and environmentally sensitive design and building materials.
 8. **Management Plan.** With all development, there is the potential for the encroachment into Sensitive Environmental Resources, defined in Section L-II 4.3: Resource Standards, to ensure a development will fit onto a site. This may be allowed if a Management Plan prepared consistent with Section L-II 4.3.3.C is approved by the County prior to Building Permit Issuance.
- C. **By-Right Development.** When required by State law, notwithstanding the requirements of the residential uses shown with the Base Zoning Districts Allowable Use Tables, sites within a Regional Housing Need (RH) Combining District shall be developed by-right in that the use and density shall not require a Use Permit, Planned Unit Development Plan or other discretionary action for the use or density of that site. For these sites, the following standards and alternative process shall apply:
1. The developable acreage of the site and the required number of units will be determined as shown in Section L-II 2.7.11.B.3.
 2. Environmental review, as required by the California Environmental Quality Act, will be completed as part of the process for the rezoning of such sites into the Regional Housing Need (RH) Combining District to address the uses and minimum densities allowed by the Regional Housing Need (RH) Combining District. Subsequent environmental review may be required if, and to the extent, necessary to comply with CEQA.
 3. In addition to assigning density, the Regional Housing Need (RH) Combining District shall outline site specific development standards and any CEQA mitigation measures adopted for each site at the time the site is rezoned. All identified site specific development standards and CEQA mitigation measures shall be included within the Regional Housing Need Implementation Plan and all development of multi-family housing on a Regional Housing Need (RH) site shall be done in compliance with said Plan.
 4. All development proposals within the Regional Housing Need (RH) Combining District, which meet the by-right provision, are subject to Zoning Compliance and Building Permit issuance and the payment of all applicable building permit and mitigation fees which are otherwise applicable to the development proposal.

5. Development proposals shall undergo a Design Review process and public hearing at the Planning Commission limited to design issues only. No discretionary permit is necessary for the density or use of the site.
6. Prior to Building Permit Issuance, it shall be the responsibility of the land owner or developer to provide written documentation from the applicable public utility, water and sewer service provider demonstrating that adequate public utilities, water and sewage disposal is available to accommodate the use and minimum densities required for a site. If the property does not have direct access to adequate public utilities to serve the anticipated development of the site, it shall be the responsibility of the property owner or developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider.
7. Prior to Building Permit Issuance, it shall be the responsibility of the land owner or developer to provide written documentation from the applicable fire protection district and/or agency demonstrating that the site has adequate fire flow, emergency escape routes, fire equipment access and is designed to meet all applicable requirements of the California Fire Code.
8. If a property does not have direct access to a County maintained roadway, it shall be the responsibility of the land owner or developer to provide written documentation as to their legal right to utilize and improve the road(s) that provide ingress and egress to the site, including secondary access if required, and that the road(s) meet the County minimum standards to serve the development proposed. The land owner or developer shall also be responsible for providing an offer of dedication of the road(s) for acceptance into the County maintained road system, if required by the Department of Public Works. If roads are determined to be inadequate, in width, size, surfacing, capacity, safety or some other standard, it shall be the responsibility of the land owner or developer to bring the road up to the minimum standard required by the Department of Public Works prior to issuance of a certificate of final occupancy.
9. Subdivision. Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Land Use and Development Code Chapter IV. Where a tentative map is proposed, the public hearing may be expanded to address findings under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need (RH) Combining District will be utilized in the processing of the subdivision.






D. Mixed-Use Development. In the event that a site has a Commercial, Industrial, Office Professional or Business Park Base Zoning District and is combined with an RH overlay, the site shall be developed with a use consistent with the Base Zoning District, subject to the development standards shown within said district, prior to or in conjunction with mixed-use residential that can be either vertically or horizontally mixed. The use and minimum density of the residential portion of the site shall be exempt from discretionary

review if developed at a density consistent with Section L-II 2.7.11.B.3, but shall be subject to the above standards and Zoning Compliance and Building Permit issuance.

Grass Valley Public Notice Map Site 1



Legend

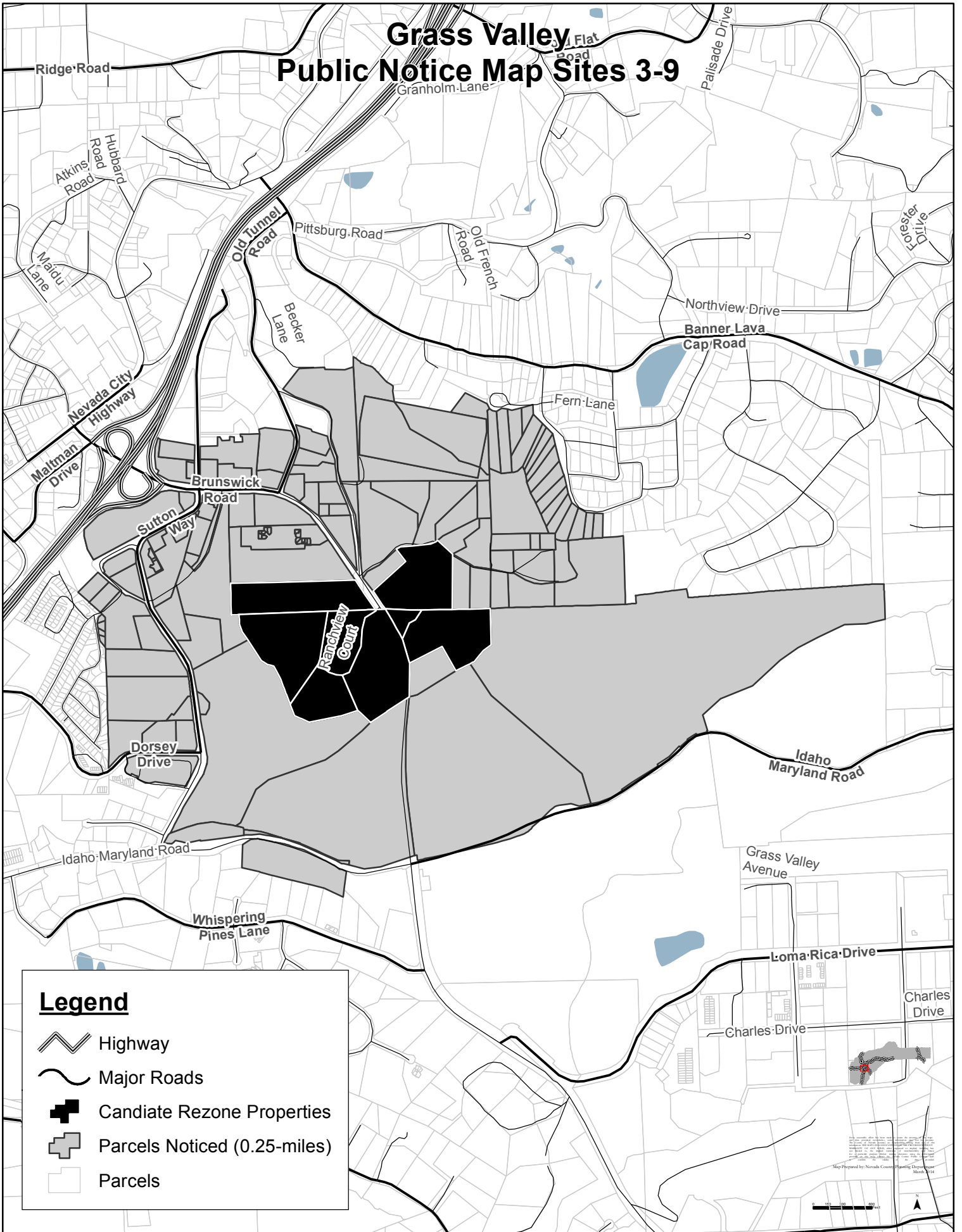
-  Highway
-  Major Roads
-  Parcels
-  Candidate Rezone Properties
-  Parcels Noticed (0.25-miles)



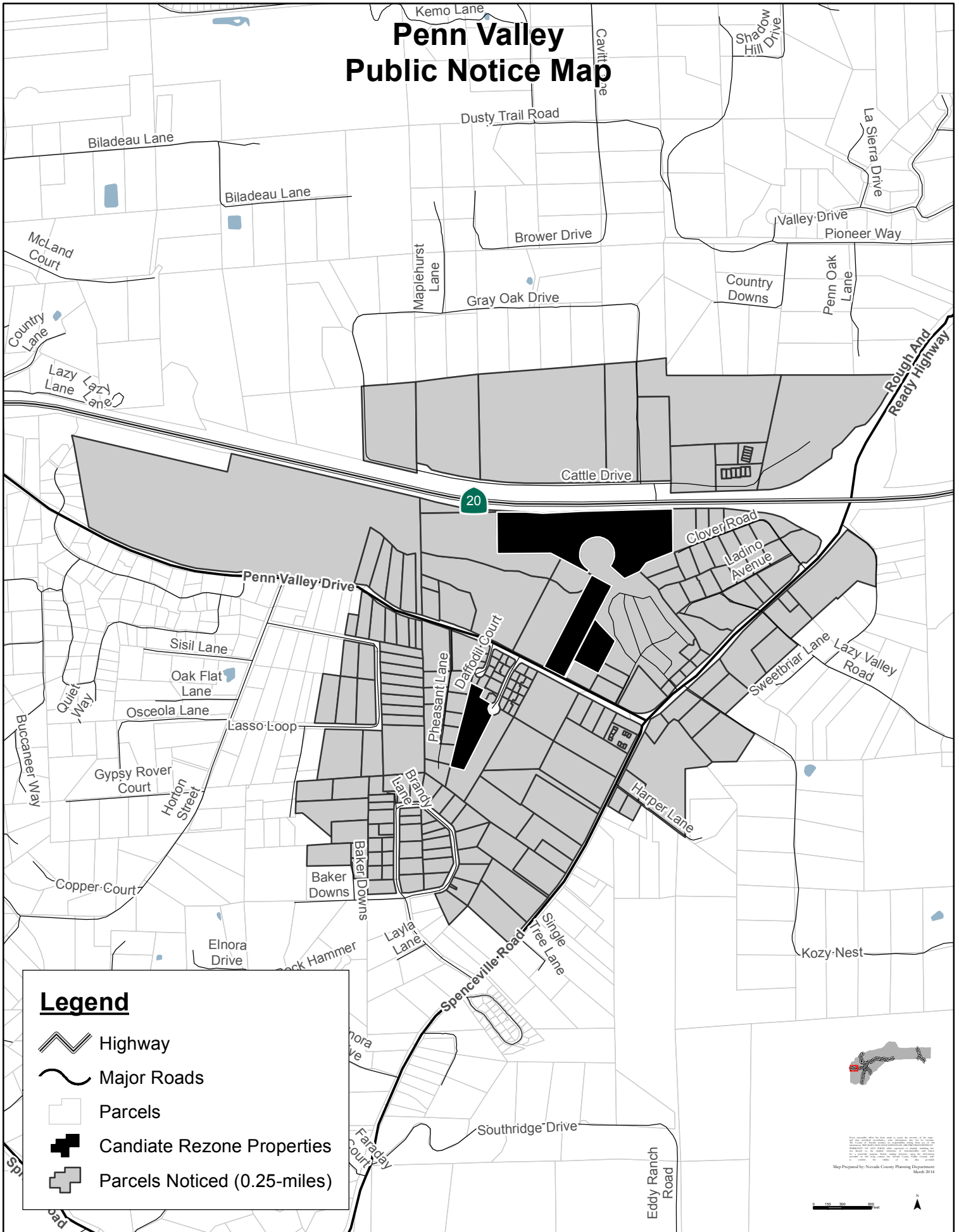
Map Prepared by Nevada County Planning Department
March 2014








Grass Valley Public Notice Map Sites 3-9



Penn Valley Public Notice Map



Legend

-  Highway
-  Major Roads
-  Parcels
-  Candidate Rezone Properties
-  Parcels Noticed (0.25-miles)



Map Prepared by: Nevada County Planning Department
March 2014



Lake of the Pines Public Notice Map

