

## **Exhibit A.**

### **NEVADA COUNTY, CALIFORNIA INITIAL STUDY**

**To:** Nevada County Building Dept., Nevada County Department of Public Works, County Fire Protection Planner, Penn Valley Fire Protection District, Native American Heritage Commission, United Auburn Indian Community, T'si-Akim Maidu, Shingle Springs Band of Miwok, Central Valley Water Quality Control Board, Caltrans, Board of Realtors, PV Municipal Advisory Council, Penn Valley Community Foundation, Penn Valley Chamber of Commerce, NSAQMD, Sierra Club, Agricultural Commissioner, County Executive Officer-Alison Lehman, NID, Ready Springs School District, FONA, General Plan Defense Fund, NCTC, Branding Iron Road Association, Lake Wildwood HOA, County Counsel\*, Nevada County Board of Supervisors. *\*receives full report; all others receive NOA only with the full report available online*

**Date:** June 19, 2020

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**File Number(s):** PLN20-0131; GPA20-0001; GPT20-0001; RZN20-0004; ORD20-3; EIS20-0007

**Assessor's Parcel Numbers:** 051-220-015 (General Plan Map and Zoning Map Amendment) and 051-120-009 and 051-120-013 (Zoning District Map Amendment); See Appendix B for parcels that will have the Site Performance Combining District added to their based zoning district as a result of the project.

**Applicant/Representative:** **County of Nevada**  
950 Maidu Avenue  
Nevada City, California 95959

**Zoning District:** N/A

**General Plan Designation:** N/A

**Project Location:** Penn Valley, California, an unincorporated community in Western Nevada County

**Project Description:** The proposed project is an Area Plan for the Penn Valley area, with land use regulations focused on the Penn Valley Village Center as established by the County General Plan, but also extending to the surrounding area to assist in establishing a connection from Penn Valley to Lake Wildwood. The project builds upon and overhauls the existing 2000 Penn Valley Area Plan as a comprehensive Area Plan that is more than just an update to the prior planning policy document. The Area Plan utilizes the 2016 Soda Springs Area Plan as the starting point and template for this Plan. The 2020 Penn Valley Area Plan (Area Plan) is a focused policy and design document that supplements the Nevada County General Plan and Zoning Ordinance. It serves as the comprehensive land use and zoning plan for the community of Penn Valley and embodies the expressed goals of residents and business owners to help shape the future of their community. The Area Plan provides long-term guidance that is intended to improve the prosperity of Penn Valley and environs in a way that supports a healthy economy, environment, and

social fabric for the residents and general public, while maintaining the rural character and charm of the area.

The Penn Valley Area Plan is comprised of the following plan components and discretionary actions:

- General Plan Text Amendment: To adopt the Area Plan.
- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.
- Zoning Ordinance Amendment: Amending Sec. L-II 4.2.3 of the Nevada County Zoning Ordinance to update the reference to the proposed Penn Valley Area Plan design guidelines and standards.

**Project Location and Surrounding Land Uses:** Penn Valley is an unincorporated community in Western Nevada County. The Village Center is located south of California State Highway 20, six miles west of Grass Valley and five miles east of the Nevada-Yuba County line (*Figure 1.1*). The Village Center is an area slightly greater than one-half square mile in size, encompassing 219 parcels. The Area Plan incorporates a larger area into the Plan boundaries with the intention of linking the Village Center to Lake Wildwood recognizing the importance the entire region has on the overall prosperity of the area and to encourage an integrated community design. An additional 136-parcels have been added to the Plan boundary (*Figure 1.2*). The Plan area is a relatively flat basin, bifurcated by State Route 20. Two perennial creeks, Squirrel Creek and Clear Creek, traverse the Plan area from east to west, converging near the northeast boundary of the Village Center. Woodlands, riparian vegetation, pastureland and floodplains occur within the boundaries of the Plan area.

In addition to individual business sites and residential sites, the Village Center contains a 125-unit mobile home park, a community shopping center, a business park, Ready Springs Elementary School, and the Penn Valley Fire Protection District headquarters. The Village Center is the cultural and functional center of the larger Community Region, containing the principal commercial uses serving the community. To the north is the Lake Wildwood a single-family gated residential community with recreational amenities.

The Village Center is currently divided into primarily commercial, medium to high density residential land uses with some parcels zoned Public, Business Park, Residential Agriculture and Interim Development Reserve. This Area Plan expands the influence and boundary of the Area Plan by adding key portals or entry points, local/regional assets such as Western Gateway Park, existing industrial and commercial business centers and the rural corridors that serve residents and visitors alike. The draft Area Plan provides a detailed review of land uses in the Plan boundary

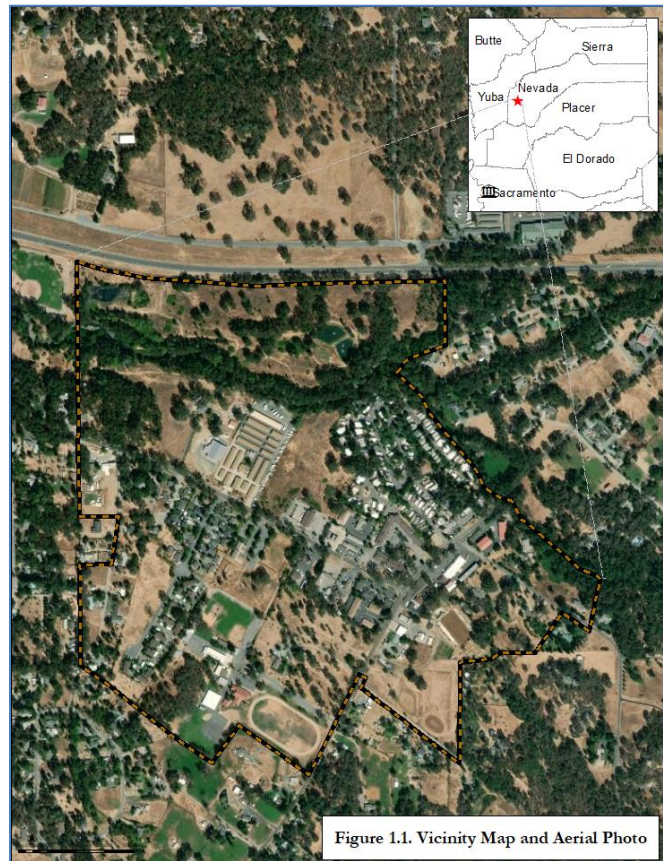
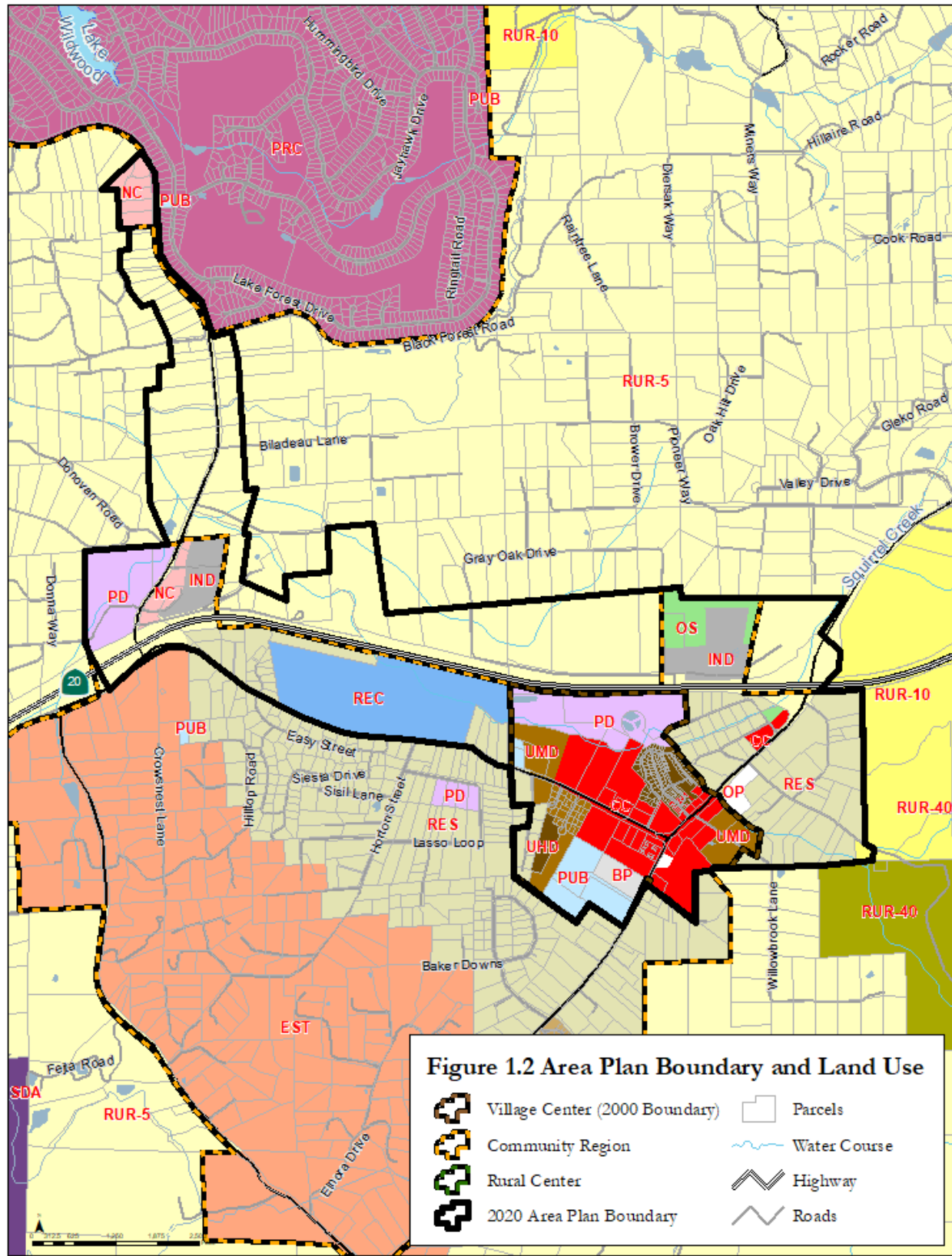


Figure 1.1. Vicinity Map and Aerial Photo

<https://www.mynevadacounty.com/DocumentCenter/View/34696/Penn-Valley-Area-Plan--June-2020-Public-Review-Draft>



**Other Permits, Which May Be Necessary:** This IS/ND is intended to provide a program-level review of the Penn Valley Area Plan and for General Plan Land Use Map amendment for the Western Gateway Park 7.11-acre parcel that is developed with passive park uses from RES to REC and the rezoning of three properties including the Western Gateway Park 7.11-acre parcel from RA-1.5 to REC and two properties owned by the Nevada County Cemetery District that have an existing use as a cemetery from RA-1.5 to Public (P). The existing General Plan designation for the two cemetery parcels is Public (PUB) and this project will make the General Plan designation and Zoning consistent with one other. The project also includes adding the Site Performance (SP) combining district to 136-parcels that have been added to the Area Plan boundaries, this action will only recognize the applicability of the Area Plan to these parcels and does not result in environmental impacts. Future project-level environmental review within the Plan boundaries would be based on consistency with the County General Plan, Land Use and Development Code, applicable local, state and federal laws and regulations and the Penn Valley Area Plan. No specific development projects are proposed at this time or analyzed herein.

All future projects within the Plan boundaries and any parcel affected with the proposed amendments would be subject to project-level environmental review and permitting by Nevada County. Project-level environmental documents would require identification of, and mitigation for any potentially significant environmental impacts.

Other potential permits and/or approvals that may be required for development of the project could include, but are not limited to, the following:

- County Road Encroachment Permits (Nevada County Department of Public Works)
- Grading and Building Permits (Nevada County Building Department)
- Sewer and Water Connection Permits (Nevada County Department of Public Works, Sanitation Division)
- Septic and Well Permits (Nevada County Department of Environmental Health)
- Storm Water Pollution Prevention Plan and National Pollutant Discharge Elimination System (Central Valley Regional Water Quality Control Board)
- Dust Control and Operations Permits (Northern Sierra Air Quality Control District)
- Section 1602 Streambed Alteration Agreement and obtaining permits associated with take and loss of habitat for California special status species (CA Department of Fish and Wildlife)
- Biological permits associated with take of federal special-status species (U.S. Fish & Wildlife Services)
- Section 404 permit (U.S. Army Corps of Engineers)

**Relationship to Other Projects:** The 2020 Penn Valley Area Plan will supersede the 2000 Penn Valley Area Plan (Board Resolution No. 00-046)

**Tribal Consultation:** On June 12, 2020, the Planning Department sent an invitation to the United Auburn Indian Community of the Auburn Rancheria (UAIC), the Shingle Springs Band of Miwok Indians, the Tsi-Akim Maidu Tribe, and the Nevada City Rancheria Nisenan Tribe to begin AB52 and SB18 consultation for the proposed Penn Valley Area Plan. On June 19, 2020 a Notice of Availability and Notice of Intent to adopt a Negative Declaration was provided to the same entities.

The project is a comprehensive update/rewrite of an existing policy document that does not result in physical change to a specific site. Subsequently, cultural surveys and records searches were not conducted for the project but are required for future development projects by the Nevada County Zoning Regulations. This project is only a legislative action that will not result in physical disturbance or negative environmental impacts, the Nevada County Planning Department will continue consultation, will send the California

Native American Tribes a Notice of Availability for public review and a Notice of Intent for all future project level environmental documents in the Plan area as required by state law.

## SUMMARY OF IMPACTS and PROPOSED MITIGATION MEASURES

### Environmental Factors Potentially Affected:

All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

—	1. Aesthetics	—	2. Agriculture / Forestry Resources	—	3. Air Quality
—	4. Biological Resources	—	5. Cultural Resources	—	6. Energy
—	7. Geology / Soils	—	8. Greenhouse Gas Emissions	—	9. Hazards / Hazardous Materials
—	10. Hydrology / Water Quality	—	11. Land Use / Planning	—	12. Mineral Resources
—	13. Noise	—	14. Population / Housing	—	15. Public Services
—	16. Recreation	—	17. Transportation	—	18. Tribal Cultural Resources
—	19. Utilities / Service Systems	—	20. Wildfire	—	21. Mandatory Findings of Significance

**No mitigation measures are required for this project.**

## INITIAL STUDY AND CHECKLIST

### Introduction

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). The information, analysis and conclusions contained in the checklist are the basis for deciding whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. If an EIR is determined to be necessary based on the conclusions of the Initial Study, the checklist is used to focus the EIR on the effects determined to be potentially significant. This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

### 1. AESTHETICS

**Existing Setting:** The aesthetic character of Penn Valley is generally rural with vistas of rolling hills and pasture lands studded with oaks and oak woodlands. Farms and ranches, rural residential to medium density residential development and nodes of commercial development make up the developed environment of Penn Valley. In 2000, the Nevada County Board of Supervisors adopted an Area Plan for the Penn Valley Village Center that included a robust set of design guidelines. These design guidelines have influenced the aesthetic character of commercial, industrial and multi-family development within the Village Center for 20 years.

Except as provide in Public Resources Code Section 21099, would the proposed project	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect on a scenic vista?				✓	A, L
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓	A, L, 28
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✓	A



Except as provide in Public Resources Code Section 21099, would the proposed project	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				✓	A, 18

### Impact Discussion:

1a-d The 2020 Penn Valley Area Plan carries forward the 2000 Area Plan design guidelines with a few additions based on community input. As a result of the expanding boundaries, the Plan incorporates the surrounding area and will influence future discretionary development with the intention of protecting the existing aesthetic character as a modern rural community with agricultural roots. The Plan's design guidelines augment the Western Nevada County Design Guidelines that apply to the Village Center and surrounding areas. It is a goal of the Area Plan to establish a cohesive community design that is focused on a western theme to assist in furthering the community's sense of place. Several specific policies of the Area Plan are intended ensure future development is consistent with the existing community rural character and complement the community setting. These policies including Land Use Policy LU-1.1- preserve the existing rural setting, LU-3.1 complement the community setting, ED-2.3- protect Penn Valley's rural identity; and ED-2.9 - improve the visitor experience by creating attractive and inviting community gateways. The proposed Area Plan is the adoption of a policy document intended to guide future development within the Penn Valley region. It is not applied retroactively nor is it a capital improvement plan that will make any immediate changes to the aesthetic character of the area. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially "clean-up" the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential



Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly a “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in aesthetic impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

The adoption of the proposed Area Plan will not grant any entitlements for development projects, and all future development projects will require site/project-specific environmental review at the time of project submittal, including design review for consistency with the Area Plan. The adoption of the Area Plan will not have any effects on scenic vistas, scenic resources, or visual character, and it will not create new sources of light or glare that would affect views in the area; therefore, ***no impact*** would result from the adoption of the Area Plan.

**Mitigation:** None required.

## **2. AGRICULTURAL/FORESTRY RESOURCES**

**Existing Setting:** Countywide, there are 6,043 acres of Farmlands of Local Importance, 1,283 acres of Farmlands of Statewide Importance, 462 acres of Unique Farmlands and 290 acres of Prime Farmlands. Important farmlands are scattered throughout western Nevada County with major concentrations occurring near Penn Valley, including Farmlands of Local Importance, Prime Farmlands, Unique Farmlands and Farmlands of Statewide Importance. A few small areas of Farmlands of Local Importance fall within the Plan boundaries primarily north of Highway 20. Much of the Village Center and surrounding Community Region is mapped as Urban Developed and Other Lands on the Important Farmlands Map. In addition, there are vast areas mapped as Grazing Lands throughout the Penn Valley region. The Plan area includes 46-parcels consisting of approximately 316-acres with a General Agriculture (AG) zoning designation with a corresponding Rural-5 (RUR-5) General Plan Land Use designation. These parcels include developed and undeveloped lands that are rural residential in nature complimented by agricultural and grazing uses. Also located in the Plan boundaries are 56-parcels consisting of approximately 98-acres that are zoned Residential Agriculture (RA) with a corresponding General Plan Land Use designation of Residential (RES). These parcels are generally smaller in size and consist of rural residential uses but allow for hobby scale agricultural activities. There are no areas mapped or designated as forest lands within the Plan boundaries.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation's Division of Land Resource Protection, to non-agricultural use?				✓	A, L, 7
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				✓	A, 18
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✓	A, L, 18
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓	L, 18
e. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓	A, L, 7

### Impact Discussion:

2a-e The Nevada County Land Use and Development Code Chapter II Section L-II 4.3.4 and General Plan Chapter 16 provide regulations and standards for the protection of agricultural resources and important farmlands. The adoption of the Penn Valley Area Plan will not result in impacts to Important Farmlands (Prime, Unique, Statewide or Local Important Farmlands), nor will it conflict with existing zoning or result in the conversion of agricultural, timberland, timberland uses, or a Williamson Act contract. The proposed Area Plan consists only of text amendments to a policy document, which is intended to guide development within the Penn Valley Area. The themes of the Area Plan focus on the rural nature of the area and promote the preservation and enhancement of agricultural activities as a primary economic driver in Penn Valley Area. Several policies of the Plan, primarily within the Land Use Chapter and Economic Development Chapter are focused on maintain the areas rural beauty and agricultural roots. These policies include but are not limited to LU-1.1-preserve the rural setting; ED-1.2- capitalize on the rural and agricultural charger of the area by focusing economic development or growing business in agriculture, agricultural technology and agritourism; ED-2.3 encourages a western theme in development consistent with the existing build environment. No physical construction or changes to the existing land uses would result from the Penn Valley Area Plan. Any future development projects would require a site/project-specific environmental review and approval.

The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to

specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:

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- APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in impacts to agricultural uses or important farmlands in the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified. For the reasons expressed above, the proposed project will have *no impact* to agricultural resources.

**Mitigation:** None required.

### 3. AIR QUALITY

**Existing Setting:** Nevada County is located in the Mountain Counties Air Basin. The overall air quality in Nevada County has improved over the past decade, largely due to vehicles becoming cleaner. State and Federal air quality standards have been established for specific “criteria” air pollutants including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and particulate matter. In addition, there are State standards for visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. State standards are called California Ambient Air Quality Standards (CAAQS) and federal standards are called National

Ambient Air Quality Standards (NAAQS). NAAQS are composed of health-based primary standards and welfare-based secondary standards.

Western Nevada County is classified as a Serious Nonattainment Area for the 2008 ozone NAAQS and Moderate Nonattainment for the 2015 ozone NAAQS. It is also Nonattainment for the ozone CAAQS. The area is also Marginal Nonattainment for the 2008 ozone NAAQS and is Nonattainment for the ozone CAAQS. Most of western Nevada County's ozone is transported to the area by wind from the Sacramento area and, to a lesser extent, the San Francisco Bay Area. Ozone is created by the interaction of Nitrogen Oxides and Reactive Organic Gases (also known as Volatile Organic Compounds) in the presence of sunlight, especially when the temperature is high. Ozone is mainly a summertime problem, with the highest concentrations generally observed in July and August, especially in the late afternoon and evening hours.

Nevada County is also Nonattainment for the PM10 CAAQS, but Unclassified for the PM10 NAAQS due to lack of available recent data. The number after "PM" refers to maximum particle size in microns. PM10 is a mixture of dust, combustion particles (smoke) and aerosols, whereas PM2.5 is mostly smoke and aerosol particles. PM2.5 sources include woodstoves and fireplaces, vehicle engines, wildfires and open burning. PM10 sources include the PM2.5 plus dust, such as from surface disturbances, road sand, vehicle tires, and leaf blowers. Some pollen and mold spores are also included in PM10, but most are larger than 10 microns. All of Nevada County is Unclassifiable/Attainment for the PM2.5 NAAQS and Unclassified for the PM2.5 CAAQS (US Environmental Protection Agency, 2015).

Ultramafic rock and its altered form, serpentine rock (or serpentinite), both typically contain asbestos, a cancer-causing agent. Ultramafic rock and serpentine are likely to exist in several areas of Nevada County. The areas mapped as more likely to contain natural occurrences of asbestos are in portions of western Nevada County (California Department of Conservation, 2000).

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with or obstruct implementation of the applicable air quality plan.				✓	A,G
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?				✓	A,G
c. Expose sensitive receptors to substantial pollutant concentrations?				✓	A,G,L
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				✓	A,G
e. Generate substantial smoke ash or dust?				✓	A,G

### Impact Discussion:

3a-e The General Plan contains an Air Quality Element (Chapter 14), which establishes specific goals, objectives and policies related to air quality in Nevada County. No amendments are currently proposed to the Air Quality Element. The implementation of the Area Plan will result in the following minor land use changes:

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The adoption of the Penn Valley Area Plan will not result in impacts to air quality in Nevada County as the project does not issue any development entitlements that would result in air quality impacts. The proposed Area Plan consists only of text amendments to a policy document, which is intended to guide development within the Plan area. The Area Plan does not revise, replace or attempt to supersede any existing air quality standards or plans adopted by the County, State, or Federal government. The text amendment does not include any physical construction or changes that would contribute to a cumulative increase of pollutants, or that would impact sensitive receptors. Any future development or projects would require a site/project-specific environmental review and approval. Due to there being no physical changes, the Area Plan would not have an impact on

emissions, and it would not generate ash or dust; therefore, there would be *no impact* to air quality from the adoption of the Penn Valley Area Plan.

**Mitigation:** None required.

#### 4. BIOLOGICAL RESOURCES

**Existing Setting:** The Penn Valley contains a wide range of plants, animals, and habitat types. The treasured oak studded landscape that is prevalent in Penn Valley hosts an incredible array of wildlife habitat, including creeks and ponds, wetlands and vast areas of open grasslands woven into areas of landmark oak groves and woodlands. The region boasts some of the most significantly sized landmark or heritage oak trees in Western Nevada County. The primary water feature in Penn Valley is Squirrel Creek which runs generally in an east/west orientation through the Village Core conjoining with Clear Creek, through Western Gateway Park where it meets up with Deer Creek west of Lake Wildwood and ultimately into the South Fork of the Yuba River. A relatively robust floodplain with areas of wetlands and significant riparian vegetation serves as a natural open space area and scenic buffer between the Village Center and State Highway 20. Lake Wildwood, while manmade, provides a large water body in the area for recreation (to residents of Lake Wildwood and their guests), but also habitat value for migratory birds and other aquatic species.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓	K,17
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓	A,K,L,17
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓	A,K,L, 10,17
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓	A,16,17
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓	A,16,17, 18
f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓	A,16,17, 18

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
g. Introduce any factors (light, fencing, noise, human presence and/or domesticated animals) which could hinder the normal activities of wildlife?				✓	A,2,16, 17,18

### Impact Discussion:

4a-g The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in biological impacts impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area



Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

The General Plan contains a Wildlife and Vegetation Element (Chapter 13), which establishes specific goals, objectives and policies related to sensitive biological resources in Nevada County. No amendments are being proposed to the Wildlife and Vegetation Element, or to any other ordinances regarding the protection of biological resources. In addition, the County's Zoning Regulations provide resource protection standards to address impacts to sensitive plant and animal species and their habitats. The Area Plan does not change the applicability of these requirements. The proposed Area Plan is a policy document, which are intended to guide development within this area of the County. Several policies of the Area Plan are intended to protect the areas sensitive environmental and biological resources including policies: Land Use Chapter, LU-3.2-natural resource protection; LU-3.3 protect open space; Historical, Cultural and Natural Resources Chapter, Goal RP-1 protect Penn Valley's Natural Resources; policies RP-1.1 to RP-1.6, all protect natural and biological resources in Penn Valley including wetlands, riparian corridors, squirrel creek, oak trees and groves and protecting water quality. The proposed Area Plan would not grant any entitlements for development projects and it does not propose any physical changes. Any future development or projects would require a site/project-specific environmental review and approval. Due to there being no physical changes, the Area Plan would not have an impact on biological resources, and it does not conflict with local policies regarding the protection of resources; therefore, there would be ***no impact*** to biological resources from the adoption of the Penn Valley Area Plan.

**Mitigation:** None required.

## **5. CULTURAL RESOURCES**

**Existing Setting:** The varied environmental zones, the geological characteristics, and the geographical position of Nevada County account for a cultural resource base, which is exceedingly rich and exceptionally complex. The territory was occupied by the Hill Nisenan, Native American peoples who are also referred to as "Southern Maidu." Economic life for the Nisenan revolved around hunting and fishing and collecting of plant foods. The first trace of Caucasian people in the area is found in a letter written by Jonas Spect in 1848, in which he "went prospecting up Deer Creek, and just remember that I came to the finest kind of valley, which I think they afterwards called Penn Valley..." The Penn Valley area is situated within the Rough and Ready Mining District and the drainages of both Squirrel and Deer Creeks, which were extensively placer-mined between 1850 and 1870. Some drift, or hard rock mining occurred in the area but most of the gold was extracted from gravels of the Tertiary Yuba River. Ranchers and farmers moved into the Penn Valley area shortly after the beginning of the Gold Rush.

The first settlement in Nevada County was made by John Rose who was engaged in trading with the miners and Indians. Rose built a large cattle corral at Pleasant Valley between Bridgeport and the Anthony House, early in 1849, north of the Penn Valley Village Center. Later he established a trading post there. Gradually, stock raisers and farmers came into the valley and built additional corrals for their livestock. 'Pen Valley' was so named from the fact that these pens or corrals were there, indicating that it was a valley of pens. The 1867 Bean's History and Directory of Nevada County describes the topography of the foothills saying there are "but few arable valleys of any considerable extent...the most extensive being Penn Valley lying three miles west of the village of Rough & Ready, containing nearly 2,000 acres of good soil, well-watered, and originally timbered with magnificently grand and giant oaks, which have been almost entirely destroyed by the vandalism of a mistaken husbandry." The valley was frequently called the "Pantry of the Northern

Mines.” Rich in agriculture, beef and dairy cattle, and lying on the main road from the Sacramento-Marysville area to the Henness Pass Road, to the mines of the Comstock in Virginia City, Penn Valley pioneers supplied the freighters with fresh vegetables, fruit, and meat upon their stop-over up the grade from Marysville. A natural rest stop with livery and blacksmithing available, Penn Valley survived even the closing of the vast hydraulic mining operations to the northeast. It wasn’t until the second half of the 20th century, however, that the surrounding residential development began, bringing more people and the need for services.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				✓	A,17,18
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				✓	A,17,18
c. Disturb any human remains, including those interred outside of formal cemeteries?				✓	A,17,18

### Impact Discussion:

5a-c The adoption of the proposed Penn Valley Area Plan would not impact cultural resources, and there are no changes being proposed to the Chapter 19 of the General Plan, which establishes policies for Cultural Resources. Chapter 6 of the Area Plan: Historic, Cultural and Natural Resources include goals and policies intended to protect and preserve the areas cultural resources and are supported by Goal RP-2 which recommends protection of sensitive cultural and historic resources in the area. Pursuant to Nevada County Land Use and Development Code as well as the Nevada General Plan, all applicable projects require an applicant to initiate a North Central Information Center (NCIC) records search to provide the most current information about the sensitivity of a particular parcel to contain cultural resources and to assess the need for a cultural resource study. As part of the review by NCIC, a recommendation will be made as to the determination if a Cultural Resource Study is required based on if there are known cultural, historical or traditional resources within the project area. If the NCIC recommendation determines that a cultural resource is recommended then a qualified professional will be required to submit an archeological survey that will review site-specific cultural resources and the proposed project’s impact to those resources, if present.

In addition, pursuant to Assembly Bill 52 (Gatto, 2014) and Senate Bill 18 (Burton, 2004), all applicable projects require will require the County to consult with traditionally and culturally affiliated California Native American tribes. The intent is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving local tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level, land use decisions are made by a local government. Furthermore, the consultation requirements of SB 18 apply to General Plan or Specific Plan processes which has been conducted for this Area Plan.

The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:

- APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in impacts to cultural resources the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Thus, future projects will be reviewed for compliance with the California Environmental Quality Act and as a general rule; any potential impacts will be mitigated through project conditioning and review. Therefore, the Penn Valley Area Plan as a policy document and a legislative action would have ***no impact*** on cultural resources.

**Mitigation:** None required.

## 6. ENERGY

**Existing Setting:** Electricity is provided by Pacific Gas & Electric Company (PG&E) in Penn Valley. Electrical service is primarily transmitted over existing overhead lines along collector and local streets. Propane is supplied by multiple providers to the Penn Valley Area.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?				✓	A
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				✓	A,D

### Impact Discussion:

6a-b The adoption of the proposed Penn Valley Area Plan would not result in an impact to energy resources. The Plan does not increase residential density or create new areas for commercial or industrial growth. The Plan does incorporate areas with the potential for development into the Plan area, but these areas are already designated for specific land uses by the Nevada County General Plan and Zoning Regulations. The Plan does not change the existing Land Use Map Designations, nor does it change the allowed or permitted uses within those zones as allowed for by the Nevada County Zoning Regulations. While there are two minor site-specific General Plan or Zoning District Map amendments proposed by the Plan, these amendments only align exiting and historical uses of these quasi-governmental properties with the appropriate Land Use and Zoning designations. Any future development of these parcels or any other in the Plan boundaries will be subject to the appropriate level of environmental review as required by the California Environmental Act Guidelines. The Penn Valley Area Plan is strictly a policy document and does not provide entitlements to any specific land use projects. The Plan includes a goal (Chapter 4, Goal RP-2) that promotes emergency efficiency and a policy (Chapter 4 Policy PS-2.1) that encouraged design techniques that reduce energy consumption and produce power through alternative renewable resources in new development and remodeled structures. Other areas of the General Plan, including the Housing Element (Chapter 8), identify energy conservation with policies regarding energy efficiency. The Penn Valley Area Plan does not propose any changes to plans or policies for energy efficiency or renewable energy. Any future development or projects would be subject to an environmental review, which will analyze energy impacts. All future development would also be subject to the California Energy Code (Title 24) requirements. Therefore, the Penn Valley Area Plan would have ***no impact*** on energy resources, or to state or local plans for renewable energy or energy efficiency.

**Mitigation:** None Required.

## 7. GEOLOGY / SOILS

**Existing Setting:** At approximately 1,400 feet above mean sea level, Penn Valley is located on the western edge of the foothills of the Sierra Nevada Mountains, a geologic block approximately 400 miles long and 80 miles wide which extends in a north-south band along the eastern portion of California. The Penn Valley area is comprised of rolling foothills with areas of vast valleys.

The geologic substructure of Penn Valley is indicative of the Western Foothill broad group, which are reflected in the surface soils. This area, extending from the Yuba County border to just northeast of the Grass Valley/Nevada City area, is generally comprised of metavolcanic and granitic formations. According to the Nevada County Soil Survey there are a wide variety of soils types in the Plan Boundary. These soil series include Ahwahnee; Aiken; Alluvial lands, Argonaut; Auberry; Auburn; Boomer; Chaix; Chaix thick solum variant; Cohasset, Dubakella; Dubakella shallow variant; Hoda; Horshoe; Hotaw; Iron Mountain; Josephine; Mariposa; Maymen; McCarthy; Musick; Rescue; Secca; Shenandoah; Sierra; Sites; Sobrante; and Trabuco. The soil types are described by topography, slope, permeability, dwelling limitations, septic limitations, erosion hazards, and agricultural and timber capacities. In general, the Penn Valley's soils are variable; the soil permeability ranges from very slow to very rapid, and the erosion hazard ranges from slight to very high. The soil erosion hazard ratings of moderate to high are typically associated with slopes that are fifteen percent (15%) or greater.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure including liquefaction? iv. Landslides?				✓	A,L,5,6,12,26
b. Result in substantial soil erosion or the loss of topsoil?				✓	D
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓	D,12
d. Be located on expansive soil creating substantial direct or indirect risks to life or property?				✓	D
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓	A,B,C
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓	A
g. Result in substantial grading on slopes over 30 percent?				✓	A,L,9,18

### Impact Discussion:

7a-g The Penn Valley Area Plan is strictly a policy document that applies to future growth in the Penn Valley area. It will not result in any physical changes or ground disturbance as it does not issue any specific development entitlements. Potential geological hazards, including avalanches, landslides, debris, mud flows, earthquakes, and subsidence are addressed in the General Plan Safety Element. The Area Plan does not propose any changes or relax any building codes or standards for any future construction. All future development projects would be reviewed on a project-by-project basis for geological hazards. Geological and seismic hazards will be analyzed in the site-specific environmental review for future development projects and will be required to meet all local and State building codes. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in impacts energy resources to the area. Finally, the project will amend the County Land

Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

The proposed project is a legislative action that in itself will not physically impact the environment. Therefore, the Penn Valley Area Plan would have ***no impact*** on Geology and Soils.

**Mitigation:** None required.

## 8. GREENHOUSE GAS EMISSIONS

**Existing Setting:** Greenhouse gases (GHGs) are those gases that trap heat in the atmosphere. GHGs are emitted by natural and industrial processes, and the accumulation of GHGs in the atmosphere regulates the earth's temperature. GHGs that are regulated by the State and/or EPA are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>) and nitrous oxide (NO<sub>2</sub>). CO<sub>2</sub> emissions are largely from fossil fuel combustion. In California, approximately 43 percent of the CO<sub>2</sub> emissions come from cars and trucks. Electricity generation is another important source of CO<sub>2</sub> emissions. Agriculture is a major source of both methane and NO<sub>2</sub>, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agents and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO<sub>2</sub>. The adverse impacts of global warming include impacts to air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and an increase in health related problems.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act, was adopted in September 2006 and requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through regulations to reduce emissions from stationary sources and from vehicles. The California Air Resources Board (ARB) is the State agency responsible for developing rules and regulations to cap and reduce GHG emissions. In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009. The Northern Sierra Air Quality Management District (NSAQMD) has prepared a guidance document, *Guidelines for Assessing Air Quality Impacts of Land Use Projects*, which includes mitigations for general air quality impacts that can be used to mitigate GHG emissions.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓		A,G,20,21
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			✓		A,G,20,21

### Impact Discussion:

8a-b Adoption of the Penn Valley Area Plan would not result in impacts to greenhouse gas emissions in Nevada County. The Area Plan is strictly to a policy document that does not provide entitlements



to any specific land use projects. The Penn Valley Area Plan does not revise, replace or attempt to supersede any existing greenhouse gas emission standards adopted by the County, the Northern Sierra Air Quality Management District or the State of California. The Plan strongly encourages the development of alternative modes of non-motorized transportation through its goals and policies including several policies found in the Public Services and Infrastructure Chapter and the Recreation Chapter. Specifically, five policies under Goal PS-1 Provide Safe and Efficient Multi-Modal Circulation encourage safe connectivity, multi-purpose paths, an integrated overall trail/path system. Shared parking facilities and bike racks. The Recreation Chapter (Chapter 5) of the Area Plan further supports a trail network via Policy REC-1.1. The Plan also includes a goal and policy in the Public Services and Infrastructure Chapter (Chapter 5) that supports the use of alternative energy sources in new development and when remodeling structures. The County General Plan Air Quality Element provides policies to reduce air quality impacts (Chapter 14) and the County's Safety Element of the General Plan (Chapter 10) provided goals and policies for climate change resiliency. The Area Plan does not change the applicability of these policies in the Plan area. Individual future development proposals will be subject to project-specific environmental review to ensure that the project will follow local and regional standards and procedures for minimizing short-term and long-term impacts related to increases in greenhouse gas emissions. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
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The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County's practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in the increased generation of greenhouse gases in the Plan area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Fro the reasons outlined above, the Penn Valley Area Plan would have ***no impact*** on greenhouse gas emissions.

**Mitigation:** None required.

## 9. HAZARDS/HAZARDOUS MATERIALS

**Existing Setting:** The interface of the natural and manmade environments creates potential safety hazards associated with avalanches, landslides, earthquakes, floods, and wildfires. Other potential safety hazards, such as airport operations and transportation of hazardous materials, arise from the potential for accidents during the transport of goods and people. Each of these hazards has characteristics that affect the future development of the County. Some of these safety hazards can be minimized with emergency planning, while other hazards are reduced by development standards and land use planning. Hazards in the Plan boundary include but are not limited to primarily wildfire and flooding along the area's waterways.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓	A,C
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓	C
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓	A,L
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?				✓	C,25
e. For a project located within an airport land use plan or, where such a plan has not been adopted,				✓	L,19

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?					
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓	H,19,23
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓	H,M,23

### Impact Discussion:

9a-g Adoption of the Penn Valley Area Plan would not result in an impact to, or the creation of, potential hazards or hazardous materials for the citizens of Penn Valley or to the environment. The Nevada County General Plan Safety Element identifies and discusses hazards in Nevada County, with the intent to create goals, policies and programs that would reduce short-term and long-term damage and injuries from natural and human-caused safety hazards. The Safety Element provides and/or references current data associated with each hazard and incorporates the Local Hazard Mitigation Plan (LHMP), which is an implementing tool of the County's Safety Element. Properties and development with the Plan boundary are subject to these regulatory documents and this Area Plan does not result in any amendments to these documents. The Plan includes policies in support of the Penn Valley Fire Protection District, who provide emergency services and fire protection for the region. Future projects will be reviewed on a project-by-project basis for hazards and hazardous materials by the Penn Valley Fire Protection District, the Office of the Nevada County Fire Marshal, the Nevada County Department of Environmental Health and other applicable state and federal regulatory agencies, such as the State Department of Toxic Substances and Control. Any future projects will undergo a project-specific environmental review to ensure that the project will follow local and state requirements for hazardous materials, and to address significant hazards to the public or the environment. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment

of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in the creation of hazards or hazardous materials or impacts thereto to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Due to the Penn Valley Area Plan only being a policy document with goals and policies to reduce hazards, and because the Area Plan does not propose any physical changes to the environment, ***no impact*** to hazards or hazardous materials are anticipated.

**Mitigation:** None required.

## 10. **HYDROLOGY / WATER QUALITY**

**Existing Setting:** Penn Valley is located within the watershed the South Yuba River. Traversing in a general east-to-west direction through the Plan boundary are Clear Creek, Squirrel Creek and Deer Creek which feed the South Yuba River. Other smaller named and unnamed streams and creeks are abundant in the area. Many natural and man-made ponds dot the landscape and located within Penn Valley are areas of seasonal and perennial wetlands.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				✓	A,D

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓	A,C
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i. result in substantial erosion or siltation on- or off-site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. impeded or redirect flood flows?				✓	A,B,D,L,9
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓	L,9,13,19,23
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓	A,D,17
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓	L,9,13
g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓	L,13

### Impact Discussion:

10a-g The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in impacts to hydrology or water quality in the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Adoption of the Penn Valley Area Plan would not result in an impact to hydrology and water quality. The General Plan contains a Water Element (Chapter 11), which establishes specific goals, objectives and policies related to water resources in Nevada County, and no amendments are being proposed to the Water Element. The County Land Use and Development Code provides for protection of water resources including watercourse, wetlands and riparian areas (LUDC Sec. L-II 4.3.18) and to reduce impacts to floodplains (LUDC Sec. L-II 4.3.10 and Chapter XII Floodplain Management Regulations). The Penn Valley Area Plan is a document that contains goals and policies to guide land use decisions that relies upon existing regulations, laws and standards to reduce impacts to water quality and hydrology. The Plan does not propose to amend any water quality control plans or sustainable groundwater management plans. The Penn Valley Area Plan does not involve any physical changes or impacts to water quality, groundwater or drainage patterns. In addition, the Plan includes specific goals and policies intended to protect water quality and minimize the impact of future develop on natural aquatic resources in the Plan area. Any future development projects would require a site-specific environmental review and would be reviewed for impacts to hydrology and water quality. Therefore, the Penn Valley Area Plan would have ***no impact*** on hydrology/water quality.

**Mitigation:** None required.

## 11. LAND USE / PLANNING

**Existing Setting:** All lands within the Area Plan boundaries are assigned to a general land use category. Eight separate land use designations are currently located in the Village Center/2000 Area Plan Boundary and six additional land use designations have been added to the 2020 Area Plan boundary based on stakeholder input. Each designation is intended to serve a specific purpose, has a defined land use theme, permits specific land uses, and has specific development standards. The individual land use categories are implemented through an associated Zoning District which are intended to be consistent and compatible with a land use designation. In total there are 355 parcels making up approximately 807-acres within the Plan area. This includes the following, shown by Land Use Designation, number of parcels, total acreage and percent of total acres in the Plan area: Business Park, 1 parcel, 6.12-acres, 0.76%; Industrial, 19 parcels, 19.30-acres, 2.39%; Office Professional, 1 parcel, 5.28-acres, 0.65%; Neighborhood Commercial, 11 parcels, 17.82-acres, 2.21%; Community Commercial, 35.5 parcels (1 split designated), 51.28-acres, 6.38%; Multi/Split: 8.5-parcels, 86.85-acres, 10.76%; Planned Development, 6 parcels, 66.74-acres, 8.27%; Public 6 parcels, 22.55-acres, 2.79%, Rural-5, 46-parcels, 316.01-acres, 39.16%, Recreation 1 parcel, 80.03-acres, 9.92%; Residential, 56 parcels, 98.73-acres, 12.23%; Urban Medium Density Residential (UMD), 36 parcels, 27.48-acres, 3.41% and Urban High Density Residential (UHD), 128 parcels, 8.64-acres, 1.07% (includes a 125 lot mobile home park). The properties within the Plan boundaries are primarily developed, but some are vacant and have the potential to support future growth as outlined in the Area Plan.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Physically divide an established community?				✓	A,L
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				✓	A,17,18

### Impact Discussion:

11a-b The General Plan contains a Land Use Element (Chapter 1), which establishes specific goals, objectives and policies related to land use planning and community development in Nevada County. As part of this Area Plan, there are no amendments being proposed to the Land Use Element of the General Plan. The Penn Valley Area Plan serves as the comprehensive land use and zoning plan for the Penn Valley region and community of Penn Valley. It embodies the expressed goals of residents, business owners, and elected officials and establishes concrete and achievable actions. The Area Plan provides long-term guidance that is intended to improve the prosperity of Penn Valley in a way that supports a healthy economy, environment, protects the rural quality of life and the social fabric for the residents and general public.

The 2020 Area Plan is designed to meet State of California requirements for specific plans and to facilitate the implementation of development goals and policies by establishing zoning districts, standards and criteria for development, and to set the distribution, location and extent of planned land uses consistent with the adopted Nevada County General Plan. The Plan makes only a very minor change to three quasi-governmental properties in Penn Valley to match the historical, existing and planned use of those properties. These properties are owned and operated by the



Western Gateway Park District and the Nevada County Cemetery District. All other existing General Plan Land Use and Zoning designations remain unchanged as a result of the Plan. The authority for preparing Area Plans is founded in California Government Code §65301(b) which allows the general plan to be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area, and in Government Code §65303 which allows the general plan to include any other elements or address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county. Local authority is founded in the goals and policies of the Nevada County General Plan. The existing 2000 Area Plan has outlived its lifespan and as a result 2020 Area Plan was prepared at the direction of the County Board of Supervisors. The Plan utilized the 2000 Penn Valley Area Plan and the Board of Supervisors adopted 2016 Soda Springs Area Plan (Board Resolution No. 16-0904) as the starting point, formatting template and guide for the 2020 Penn Valley Area Plan.

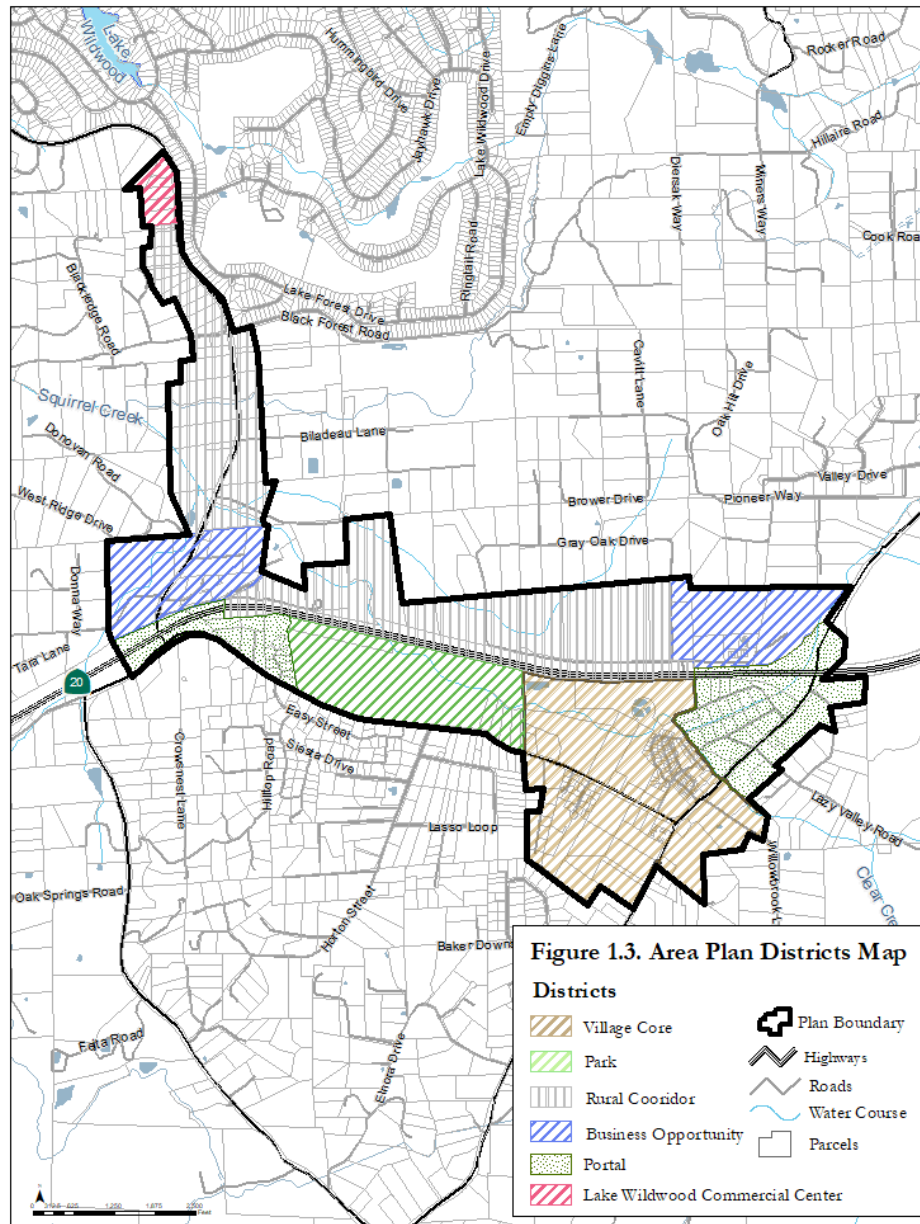
The 2020 Area Plan was developed consistent with California State law which permits cities and counties to adopt specific plans for the “systematic implementation of the general plan” (Government Code Section 65450 et. Seq.). The law requires the following:

- A specific plan shall include a text and diagram or diagrams which specify all the following in detail:
  - The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
  - The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
  - Standards and criteria by which development will proceed and standards for the conservation, development, and utilization of natural resources where applicable.
  - A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above referenced requirements.
- The specific plan shall include a statement of the relationship of the specific plan to the general plan.

California Government Code Section 65452 provides that the specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for the implementation of the general plan.

As a policy document, the Area Plan supplements and becomes part of the County General Plan, providing a comprehensive framework for making land use decisions within the Penn Valley Village Center and influencing decisions in the surrounding geographic area. The goals, policies and building and site development standards contained within this Plan reflect Penn Valley unique characteristics, support the local community’s vision, and are consistent with the overall themes and goals of the General Plan. The County’s General Plan land use maps designate Penn Valley as a Village Center contained within a Community Region, which is intended to provide for a mix of uses including residential, commercial, office, business park, industrial and public or institutional uses, grouped together and interrelated to form a functional and vibrant commercial center, and to create a visual identity related to the rural agricultural character of the region. The Penn Valley Community Region is surrounded by a larger rural region of predominately rural residential and

agricultural uses. The existing 2000 Area Plan applied to land use and development within the Village Center only. The 2020 Area Plan, once adopted, will revise the applicable official maps of Nevada County and expand the limits of the area plan boundaries using a Community Design District (“District”) concept to establish development criteria specific to the applicable district. Individual districts are depicted in Figure 1.3 and discussed in detail within the Plan. Individual districts are depicted in Figure 1.3 and discussed in detail within the Plan.



The adoption of the Area Plan will not have any physical changes or environmental impacts on a community as it does not issue entitlements for specific development that could impact the physical environment. Further, it would not conflict with land use plans, policies or regulations as it has been prepared to be consistent with existing plans and regulations. Any future development projects would require a site-specific environmental review and would be reviewed on a project-by-project basis for impacts to land use and consistency with land use plans, policies, and regulations, including the Area Plan. The Plan is intended to bring the entire community together by bridging

the gap between the Penn Valley Village Center and Lake Wildwood. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in land use impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Therefore, the Penn Valley Area Plan would have ***no impact*** on physically dividing a community or causing a significant environmental impact due to conflicts with land use plans, policies or regulations.

**Mitigation:** None required.

## 12. MINERAL RESOURCES

**Existing Setting:** Significant areas of Nevada County contain mineral deposits and between the 1850's and the early 1900's, the County's economy was mine based. These mineral resources include gold, copper, silver, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, and small amounts of limestone, asbestos, clay and mineral paint. In addition, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County. Within the County are large areas classified as Mineral Resource Zones (MRZs) that have existing deposits measured or indicated by actual site data (MRZ-2a) or inferred from other sources (MRZ-2b). Penn Valley was not within an area of known historic mining activities or significant mineral resources.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓	A, 1
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓	A, 1

### Impact Discussion:

12a-b The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-

up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in mineral impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

The General Plan contains a Mineral Management Element (Chapter 17), which establishes specific goals, objectives and policies related to mineral resources in Nevada County. There are no amendments being proposed to the Mineral Management Element of the General Plan as a part of this Area Plan update. Adoption of the Penn Valley Area Plan would not result in an impact to mineral resources. Any future development project would be assessed for potential impacts to mineral resources at the site where the project is being proposed, and it would be under the California Environmental Quality Act (CEQA) Guidelines. The proposed Area Plan does not revise, replace or attempt to supersede any existing mineral resource protection standards adopted by the County or the State of California. Therefore, the Penn Valley Area Plan would have ***no impact*** on mineral resources.

**Mitigation:** None Required.

### 13. NOISE

**Existing Setting:** The General Plan and Land Use and Development Code have established maximum allowable noise levels for land use projects and encourages future sensitive land uses to be located in areas where noise generation is limited. Given the rural character of the area, the ambient noise level is quite low. Daytime ambient noise levels are typical of rural and low-density residential areas. Significant noise sources in Penn Valley include traffic on major roadways, primarily from State Highway 20, and localized noise sources related to agricultural and residential uses.

Would the proposed project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the				✓	A,17,18

Would the proposed project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
vicinity of the project in excess standards established in the local General Plan or noise ordinance, or applicable standards of other agencies?					
b. Generation of excessive ground borne vibration or ground borne noise levels?				✓	A
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓	A,L

### Impact Discussion:

13a-c The General Plan contains a Noise Element (Chapter 9), which establishes specific goals, objectives and policies related to noise in Nevada County and the County Land Use and Development Code Sec. L-II 4.1.7 Noise provides exterior noise level limits and standards for discretionary development to minimize impacts as a result of that development. There are no amendments being proposed to the Noise Element of the General Plan, and there are no amendments to the noise standards that are identified in the Land Use and Development Code. Future development will remain subject to these standards. The Penn Valley Area Plan is strictly a policy document that addresses future development in Penn Valley focused on allowing for future development while maintaining the rural bucolic character of the area. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and

have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to create new sources of noise that would result in negative impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

The adoption of the proposed Penn Valley Area Plan would not result in the generation of any noise or violate any applicable noise standards. Any future development projects would require a site-specific environmental review and would be reviewed on a project-by-project basis for impacts to noise levels or excessive ground borne vibrations. Due to the Penn Valley Area Plan being a policy document that would not change or conflict with noise standards, and there being no physical changes or development from the Penn Valley Area Plan, there would be ***no impact*** on noise levels or ground borne vibrations.

**Mitigation:** None Required.

#### 14. POPULATION / HOUSING

**Existing Setting:** The US Bureau of Census, 2018 American Communities Survey 5-year estimate, the most current demographic data available for the area, reports that the Penn Valley Census Designated Place (CDP) had an estimated population of 1,424 people and 677 housing units and the Lake Wildwood CDP had an estimated population of 5,208 people and 2,733 housing units. Single-family residential development is the predominant housing type within the Penn Valley area, however a few pockets of medium to higher density development is located in the Plan boundaries including a 125-unit mobile home park, a 42-unit apartment compliance and a 31-unit senior apartment building that was under construction at the time of preparation of this document.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓	A,17

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓	A

### Impact Discussion:

14a-b The General Plan contains a Housing Element (Chapter 8) that lists goals, policies and programs that are focused on maintaining and improving the existing housing stock, and the Housing Element provides guidance to assist in minimizing potential environmental impacts of population growth. No amendments to the Housing Element are included as part of this project or through the adoption of the Area Plan. The proposed Area Plan is strictly a policy document, intended to guide development within Penn Valley area. Policies of the Area Plan, specifically policies LU-4.1-Housing Availability-Lifecycle, LU-4.2 Housing Availability- Choices, LU-4.3 Missing Middle (aimed at the above moderate income group), LU-4.4 Mixed-Use and LU-4.5 Disadvantaged Communities, all are intended to help support the future development of quality housing in Penn Valley that can serve all factions of the community. The Plan does not increase the residential density or development potential of the area and does not provide for upgrades to infrastructure that could be considered growth including. The project will not establish any new housing, nor will it displace people or housing requiring replacement elsewhere. The Plan only identifies growth potential of residential properties that are based on existing and longstanding General Plan Land Use and Zoning densities. The adoption of the proposed Area Plan will not grant any entitlements for development projects and any future development project would be subject to CEQA analysis and a site-specific review including for consistent with specific policies of the County Housing Element and this Area Plan. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land



donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in population or housing growth in the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Therefore, ***no impact*** to population or housing would result from the Penn Valley Area Plan.

**Mitigation:** None required.

## 15. PUBLIC SERVICES

**Existing Setting:** Public services within the Penn Valley area are provided by the County of Nevada, state and federal agencies, and numerous special districts, including the Penn Valley Fire Protection District, Ready Springs Elementary School Districts, the Western Gateway Park Districts, and the Nevada Irrigation District. Properties within the outlying areas are severed by private wells and septic systems.

Would the proposed project:	Potential y Significant t Impact	Less Than Significant with Mitigation	Less Than Significant t Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following the public services:					
1. Fire protection?				✓	H, M
2. Police protection?				✓	A
3. Schools?				✓	A, P
4. Parks?				✓	A
5. Other public services or facilities?				✓	A

**Impact Discussion:**

- 15a The General Plan contains a Public Facilities and Services Element (Chapter 3), which establishes specific goals, objectives and policies related to public services in Nevada County. No amendments are currently proposed to the Public Facilities and Services Element of the General Plan; however, the Area Plan includes a Public Services and Infrastructure Chapter that documents the public services available in the area and provides goals and policies in support of providing for future build out within the Plan area. Specific Public Services and Infrastructure goals and policies are incorporated into the Plan for providing: safe circulation and multi-modes of transportation such as an integrated path system and safe connectivity in the Plan boundaries (Goal PS-1; Policies PS1.1-1-7); Communication and information infrastructure including broadband (Goal PS-3; Policy PS-3.1); Protecting public health and safety by maintaining infrastructure and facilities that serve Penn Valley (Goal PS-4 and Policies PS-4.1 -PS4.3). The Area Plan itself is a policy document that does not propose any physical changes, new facilities, or changes to existing facilities or services in the region. It maintains General Plan densities and designations with a few very minor changes to bring the properties into compliance with the existing and planned use. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when

reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in impacts to public services in the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Any future development projects would require a site-specific environmental review and would be reviewed on a project-by-project basis for impacts to public services. Due to the project not creating any physical changes to the environment or public services and infrastructure, the Area Plan is anticipated to have ***no impact*** on adverse physical changes for new or altered facilities.

**Mitigation:** None required.

## 16. RECREATION

**Existing Setting:** The prominent recreation amenity in the Plan boundaries is the approximately 87-acre Western Gateway Park. The park is a local and regional draw for recreationists in western Nevada County. The Park hosts a myriad of amenities that provide the primary recreational outlet for locals and tourists alike. Both passive and active recreational activities exist at the park, including but not limited to: hiking and biking trails; lawns and picnic areas; tennis courts; the Hanging Oaks disc golf course; a dog park; a bike park; softball and little league fields; children's play areas; as well as several other typical park amenities. Squirrel creek traverses through the park, which creates a natural environment within this developed setting. The Penn Valley Rodeo Grounds while not a traditional recreation amenity, provides opportunities for members to utilize the facility for equestrian and other related activities. The Lake Wildwood private gated residential community serves as the primary recreational provider for residents of Lake Wildwood and their guest. Located within the Village Center is the Penn Valley Drive Bike and Pedestrian trail that connects the downtown area to Western Gateway Park. Other significant recreational amenities in the region include but are not limited to Lake Englebright, Spenceville Wildlife Preserve, and the South Yuba River State Park at Bridgeport. While these places are not physically within the Plan boundaries, they provide a recreational value for the community.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓	A
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				✓	A
c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?				✓	A, L

**Impact Discussion:**

16a-c The General Plan contains a Recreation Element (Chapter 5) which establishes specific goals, objectives and policies related to recreational uses and facilities in Nevada County. No amendments are currently proposed to the Recreation Element of the General Plan as a part of this Area Plan project. Adoption of the Penn Valley Area Plan would have a positive impact to recreational resources in Penn Valley. The Plan strongly encourages the development of a non-motorized trail to connect the Village Center to Lake Wildwood and supports other trail improvements in the area. It's goals and policies within the Recreation Chapter are intended to further support Western Gateway Park in its mission, encourage local camping, RV camping and lodging facilities, funding for recreation, and supports special events like the Rodeo. Specifically, Goal REC-1 provides direction to "provide opportunities for a range of dispersed and developed outdoor recreation activities." This Goal is supported by policies REC-1.1 through REC-1.10 which are discussed in brief above. The Penn Valley Area Plan is strictly a policy document and does not provide entitlements to any specific land use projects. All future development would be subject to the County's Recreation Mitigation Fee, which will assist in minimizing potential impacts. This fee will be applied at the appropriate timeframe when the project is being built. Additionally, all future projects will be subject to site-specific environmental review and must comply with all applicable County policies and regulations, including those contained with the Area Plan regarding recreational services. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially "clean-up" the zoning on this parcel, which should have occurred prior to the park accepting the land donation and is meant to further support the Park District's mission as a local and regional recreational resource in the Plan area. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an "clean-up" legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County's practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in recreation impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Therefore, the Penn Valley Area Plan would have ***no impact*** related to recreational resources.

**Mitigation:** None required.

## 17. TRANSPORTATION

**Existing Setting:** State Highway 20 is the major east-west highway that provides regional access to Penn Valley, connecting communities like Lake Wildwood, Rough and Ready, Grass Valley and Marysville to the Village Core. Pleasant Valley Road at Highway 20 serves as the western access point to the Village Core and also connects Penn Valley to Lake Wildwood. The eastern access into the Village Core off of Highway 20 is provided by Penn Valley Drive, which also connects the community to Rough and Ready. At the intersection with Spenceville Road entering the Village Core from the south, Penn Valley Drive runs in an east-west direction and provides access to commercial, residential and recreational (Western Gateway Park) amenities to the point where it intersects with Pleasant Valley Road. Adjacent to Penn Valley Drive is the Penn Valley pedestrian and bike trail that serves the community. Located throughout the Village Core and the Plan area are several local roads that provide access to business and residences and make up the roadway infrastructure for the greater Penn Valley region.

Nevada County Transit (Gold Country Stage) provides fixed route bus service to the Penn Valley area six days per week with six runs per day Monday – Friday and four runs on Saturday. Service is provided along Penn Valley Drive from Highway 20 and Rough & Ready Highway in the east to Pleasant Valley Road to Lake Wildwood and Highway 20 in the west. The first departure from Penn Valley towards Grass Valley is 7:01 AM and the last departure is 6:30 PM Monday – Friday.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle or pedestrian facilities?				✓	A,B
b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?				✓	A,B
c. Substantially increase hazards due to a geometric design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)?				✓	A,H,M

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. Result in inadequate emergency access:				✓	H,M
e. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic?				✓	A,H,M

### Impact Discussion:

17a-e The adoption of the proposed Penn Valley Area Plan would not result in potential impacts to transportation and circulation. Traffic and circulation specific goals and policies are integrated into the Circulation Element (Chapter 4) of the County’s General to ensure that local traffic impacts are mitigated to less than significant levels. In addition, Chapter 4. Public Services and Infrastructure includes a goal and seven individual policies that address circulation and transportation in Penn Valley, with emphasis on providing non-motorized trails and paths to encourage less dependence on vehicles and safety for the pedestrian. The proposed Area Plan does not provide any specific development entitlements, nor does it increase residential densities or intensify commercial/ industrial uses. The Plan retains existing General Plan and Zoning designations throughout the Plan area, with the two minor changes. Any future projects would be subject a review of transportation impacts, including providing an analysis of project specific Vehicle Miles Travelled as required by SB743. For projects that exceed thresholds for peak hour trips, the County’s Traffic Study Guidelines will require that a traffic analysis is prepared, and project impacts are mitigated appropriately. The traffic analysis would be reviewed for compliance with County codes and future projects will be subject to project level review as required by the California Environmental Quality Act. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
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The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and

have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly a “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in transportation impacts to the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Due to the Area Plan being policy document that does not significantly alter the Plan area’s zoning or density, issue project entitlements or require any physical changes resulting in traffic generation or traffic safety impacts, there would be ***no impact*** on transportation as a result of adopting the Penn Valley Area Plan.

**Mitigation:** None required.

## **18. TRIBAL CULTURAL RESOURCES**

**Existing Setting:** The Penn Valley area of Nevada County lies within the territory of the Nisenan, or Southern Maidu. The Nisenan occupied the upper drainages and the adjacent ridges of the Yuba River, the north, middle and south forks of the American River and at least the upper north side of the Cosumnes River. The territory is conventionally believed to extend to the crest of the Sierra to the east and the Sacramento River to the west. A number of State laws regulate the disturbance of archaeological sites and the Nevada County General Plan and Zoning Regulations establish procedures for identifying potentially sensitive sites. Tribal Cultural Resources include sites, features, and places with cultural or sacred value to California Native American Tribes. The United Auburn Indian Community of the Auburn Rancheria (UAIC), Shingle Springs Band of Miwok Indians, the Tsk-Akim Maidu and the Nevada City Rancheria Of Nieseans were sent consultant requests pursuant to SB12 and AB52 for this project.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: <ul style="list-style-type: none"> <li>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</li> <li>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</li> </ul>				✓	A,J,17

#### Impact Discussion:

18a The Cultural Resources Chapter (Chapter 19) and Nevada County Land Use and Development Code Sec. L-4.3.6, along with many state and federal laws, provide for the protection of Tribal Cultural Resources. The Area Plan only furthers the goals of the General Plan and does not conflict or propose to amend any applicable laws or regulations. The adoption of the proposed Penn Valley Area Plan, itself, will not impact Tribal Cultural Resources. The Plan is a policy document that does not change any land uses in the Plan area with two minor changes to bring properties into compliance with their existing, long-term and planned use. The Plan recognizes the importance that cultural history has on the Penn Valley region. It includes goals and policies that emphasize protection of existing cultural sites and features with the goal of protecting significant cultural and historical resources to the maximum extent possible. Any future development project submittal will be reviewed for impacts to Tribal Cultural Resources. These projects would also require future consultation of traditionally and culturally affiliated California Native American tribes on a pro. Additionally, future projects will be reviewed for compliance with the California Environmental Quality Act, and; any potential impacts will be mitigated accordingly consistent with local, state and federal laws. Therefore, the Penn Valley Area Plan would have ***no impact*** on tribal cultural resources.

**Mitigation:** None Required.

#### 19. UTILITIES / SERVICE SYSTEMS

**Existing Setting:** Public utilities serving Nevada County include the Pacific Gas & Electric Company for natural gas and electricity, and in Eastern Nevada County, the Truckee Donner Public Utility District also supplies electricity. Propane is a common fuel source used in Nevada County by individual homes and businesses.



Wastewater Collection and Treatment: The Penn Valley community is located in the Nevada County Sanitation District #1 (NCSD-1) Zone 6. The Nevada County Public Works Department, Wastewater Division administers and maintains sewage collection systems and treatment facilities for NCSD-1, which provides sewer service to approximately 5,230 accounts in western Nevada County with a total population of 14,000. Currently, there are ten zones in NCSD-1 with facilities that collect and treat approximately 1,245,000 gallons of wastewater each day.

Zone 6 is currently served by the Lake Wildwood Wastewater Treatment Plant (LWW WWTP) located northwest of the Penn Valley community on Pleasant Valley Road. The Penn Valley collection system conveys septic tank effluent from individual septic tanks through a network of force mains to Lift Station 51A near the corner of Penn Valley Drive and Spenceville Road in Penn Valley. The sewage is then pumped to the LWW WWTP. The zone currently serves 347 active connections. The sewer force main also provides service to Zone 12 (Valley Oak Court), which is expected to merge into the Penn Valley Zone in 2021. The Penn Valley WWTP located south of the village center is no longer in use and is planned to be decommissioned in 2121.

The Lake Wildwood WWTP is located at 12622 Pleasant Valley Road in Penn Valley and currently provides treatment services to a population of approximately 8,100. Treated wastewater from the plant is discharged to Deer Creek, a tributary to the Yuba River. The Lake Wildwood WWTP has a design capacity of 1.12 mgd during wet weather and 0.69 mgd during dry weather. Average dry weather flows are 0.46 mgd, well under the design capacity. A flow study conducted by Kennedy/Jenks Consultants in 2011 determined that the Lake Wildwood WWTP is sized to meet anticipated growth for the next 5 to 10 years in the Lake Wildwood and Penn Valley communities (Nevada LAFCO 2015). Growth within the zone has been much slower than what was anticipated in the Kennedy/Jenks study according to the County Wastewater Operations Manager. Should current growth rates continue, and without any sizable development, it is anticipated that, as of the writing of the 2020 Area Plan, the LWW WWTP has capacity for another 5-7 years.

Water Service: Nevada Irrigation District (NID) and private individual wells provide domestic, fire flow and agricultural water for the Penn Valley area. The Lake Wildwood Treated Water System supplies 3,206 service connections (2.83 customers per connection) in and around the Lake Wildwood/Penn Valley area. The water treatment plant has a maximum rated capacity of 4 Million Gallons Day (MGD). The historic maximum day demand at the facility was 3.952 MGD in 2008. Through conservation, consumption has decreased since that date, but the plant is nearing its total capacity. The District is currently exploring options to increase capacity. The two options include expansion of the existing water treatment plant, or an interconnection with the treated water system in Grass Valley (Elizabeth George Treatment Plant), or some form of both.

The District has multiple irrigation water canals in the Penn Valley area that support the agricultural community. A majority of the District's irrigation water customers utilize NID waters for irrigated pasture, family gardens, and hay. The District is in the process of developing a Raw Water Master Plan that will provide guidance on projected water demands and infrastructure projects District wide for the next 50 years.

The Quincy Pipe, Squirrel Creek and the Riffle Box Canals are in the vicinity, and at the time of preparing of the Area Plan, NID had the following water accounts within the 2020 Area Plan Boundary: 102 Treated Water; 11 Irrigations; and 2 Pumps.

Improvements were completed in Fall of 2019 to improve fire flow to a minimum of 1,000 gpm in Penn Valley. The boundary evaluated included NID's existing system and areas that may be served in the future.

**Solid Waste:** In Western Nevada County, the County maintains the McCourtney Road Transfer Station and contracts with independent waste haulers for curbside pickup through established Franchise Agreements. County residents can also dispose of green waste and hazardous waste at the transfer station.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?				✓	A,D
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				✓	A
c. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste goals?				✓	C
d. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✓	C

### Impact Discussion:

19a-d The adoption of the proposed Penn Valley Area Plan would not result in an impact to County utilities and service systems. The Penn Valley Area Plan is strictly a policy document that does not provide entitlements to any specific land use projects or require any physical changes to services or utilities. Likewise, project does not generate solid waste or conflict with policies or regulations regarding solid waste. Any future development projects would be reviewed for their impact to utilities and services as a part of a project-specific environmental review process at the time of project submittal. The implementation of the Area Plan will result in the following minor land use changes:

- **General Plan Land Use Map Amendment:**
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- **Zoning Map Amendment:** Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision

(County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in impacts to utilities or service systems in the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Therefore, the Penn Valley Area Plan would have ***no impact*** on utilities or service systems.

**Mitigation:** None Required.

## **20. WILDFIRE**

**Existing Setting:** The Village Center and the Community Region surrounding it are shown as within the Moderate Fire Hazard Severity Zone and outlying areas are mapped as being in the High Fire Severity Zone by the CalFIRE Fire Hazard Severity Maps. The Penn Valley Fire Protection District (PVFPD) serves the Plan boundaries with fire and life safety services. The District serves 92 square miles in Western Nevada County, including the Penn Valley, Lake Wildwood, Kentucky Flat, Mooney Flat and Big Oak areas. The District is governed by a five-member Board of Directors elected by the citizens of the District. Fire administration consists of a Fire Chief, one Finance Administrator and an Office Manager. The District employs twelve full time career fire personnel and relies on part time firefighters to augment the full-time staff.

The PVFPD has three fire stations: Station 43 located at 10513 Spenceville Road, Station 44 located at 18989 Lake Forest Drive, and Station 45 located at 12370 Bitney Springs Road. Stations 43 and 44 are staffed 24 hours a day with a minimum of two personnel, while Station 45 relies on off-duty personnel for staffing. The PVFPD is equipped with two frontline fire engines, two reserve fire engines, two frontline ambulances, one reserve ambulance, one water tender, two staff vehicles, one rescue vehicle, and one utility

vehicle. The PVFPD provides paramedic and ambulance service to the entire Penn Valley area extending well beyond the Area Plan boundaries.

If located in or near state responsibility areas or lands classified as very high fire severity hazard zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓	A,H,M,23
b. Due to slope, prevailing winds, or other factor, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?				✓	A,B,H,M, 18
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓	A,H,M
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓	A,H,M,12

### Impact Discussion:

20a-d The Safety Element of the Nevada County General Plan (Chapter 10) addresses wildfire hazards in Nevada County and has several policies to improve fire safety. In addition, the Nevada County Land Use and Development Code Fire Safety Regulations were updated in 2020 to bring the County into compliance with recent amendments to State Fire Codes. All future development will be subject to the requirements of these codes and applicable regulations. The proposed Penn Valley Area Plan does not influence these regulations or propose any specific changes. The Plan includes policies in support of the local Fire Protection District. The Area Plan does not result in increased density or the intensification of lands uses in the Plan area. The implementation of the Area Plan will result in the following minor land use changes:

- General Plan Land Use Map Amendment:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential (RES) to Recreation (REC).
- Zoning Map Amendment: Parcel rezoning to correspond with the proposed expansion of the Area Plan boundaries to add the Site Performance (SP) Combining District zoning to specific parcels to reflect the applicability of the Area Plan (136-parcels), and site-specific rezoning as follows:
  - APN: 051-220-015. (7.11-acres). Western Gateway Park property from Residential Agricultural-1.5 (RES/RA-1.5) to Recreation (REC).
  - APN: 051-120-009 and 051-120-013. (1.23 and 0.52-acres). Nevada County Cemetery District properties from RA-1.5 to Public (P). Site already has a Public (PUB) General Plan Land Use designation.

The intention of these changes is to make these properties, both owned by quasi-governmental agencies, consistent with their existing, long-term and planned land uses. APN: 051-220-015 has been a part of the Western Gateway Park since the creation of the adjacent Valley Oaks Subdivision (County File No. FM03-006) recorded in 2005. It was donated to the park in lieu of the payment

of recreation fees, has been used for park purposes since that time and is a part of the approved overall Park Master Plan last updated in 2017. Future uses that could be added to this property will require a subsequent environmental review to address any potential impacts associated with those improvements. At this time, the General Plan Amendment and Rezoning will essentially “clean-up” the zoning on this parcel, which should have occurred prior to the park accepting the land donation. No other entitlements are authorized for this parcel as a part of the rezoning. The Nevada County Cemetery District Parcels, APNs 051-120-009 and 0.52 are developed as a cemetery and have an existing General Plan Land Use Designation of Public (PUB) but are zoned as Residential Agricultural 1.5-acre minimum densities (RA-1.5), which is both inconsistent with the underlying General Plan Land Use designation as well as with its longstanding use as a public cemetery. This is strictly an “clean-up” legislative action and no expansion or land disturbance is authorized by this change that will result in environmental impacts.

The project also includes adding the Site Performance (SP) zoning combining district to 136-parcels that have been added to the Area Plan boundaries as a result of community input. It is the County’s practice to add the SP district to parcels that are subject to the standards and requirements of an Area Plan. The SP district is intended to provide direction to County Planning Staff when reviewing a development project to review and apply the policies and standards of the Area Plan. The SP combining district does not change any permitted land uses, relax any laws or regulations applicable to development and land uses nor does it change the base zoning for a particular parcel. In addition, the SP combining district will not result in any physical disturbance that could be foreseen to result in increased wildfire risks in the area. Finally, the project will amend the County Land Use and Development Code Section L-II 4.2.3: Design Guidelines to add a reference to the Area Plan and its applicable specific design guidelines of the Plan. This action will essentially only change the applicable date of the Area Plan as a specific reference to the 2000 Penn Valley Area Plan is already codified.

Therefore, the Area Plan Element would have *no impact* on increasing risks of wildfires, exposing people and structures to significant risks, the installation of facilities that would impact the environment, nor would it impair emergency response or evacuation plans.

**Mitigation:** None required.

## 21. MANDATORY FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECT

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California's history or prehistory?				✓	A, M
b. Does the project have environmental effects that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of the project are				✓	A, M

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
considered when viewed in connection with the effects of past, current, and probable future projects.)					
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				✓	A, M

### Impact Discussion:

- 21a,c The proposed Penn Valley Area Plan is strictly a policy document, intended to guide development in the Plan area to ensure an integrated community design and promote a sense of place for the community of Penn Valley as a modern rural community. The adoption of the proposed Penn Valley Area Plan would not grant any entitlements for development or any physical changes. Implementation of the plan will align three properties with their long-term existing and planned uses, as discussed throughout this document. These amendments will not result social, physical or other negative environmental impacts. Additionally, all future development projects would require a site/project-specific environmental review at the time of project submittal. Therefore, the Penn Valley Area Plan would have ***no impact*** related to these issues.
- 21b A project's cumulative impacts are considered significant when the incremental effects of the project are "cumulatively considerable," meaning that the project's incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. Reasonably foreseeable projects that could have similar impacts to the proposed project include other anticipated projects within the project vicinity that could be constructed or operated within the same timeframe as the project. The proposed Penn Valley Area Plan is strictly a policy document, intended to guide the County when reviewing development projects and to support the overall vision of the community as it grows in the future. The document does not change residential densities or intensify any land uses in the Plan boundaries, nor does it approve any site-specific projects. It does make very limited land use and zoning amendments to three properties explained throughout this document, but since these changes only align those properties General Plan Land Use Map and Zoning Designations with longstanding land uses on those properties and does not expand or intensify those land uses, a negative environmental impact will not result from this action. Further all environmental impacts and cumulative impacts would be reviewed through the permit process of each project. Therefore, the adoption of the Penn Valley Area Plan, would have ***no impact*** on environmental effects that are individually limited but cumulatively considerable.

**Mitigation:** None required.

### RECOMMENDATION OF THE PROJECT PLANNER

On the basis of this initial evaluation:

- X   I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or a "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Tyler Barrington*

June 19, 2020

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Tyler Barrington, Principal Planner

\_\_\_\_\_  
Date

## **APPENDIX A – REFERENCE SOURCES**

- A. Planning Department
  - B. Department of Public Works
  - C. Environmental Health Department
  - D. Building Department
  - E. Nevada Irrigation District
  - F. Natural Resource Conservation Service/Resource Conservation District
  - G. Northern Sierra Air Quality Management District
  - H. Penn Valley Fire Protection District
  - I. Regional Water Quality Control Board (*Central Valley Region*)
  - J. North Central Information Service, Anthropology Department, CSU Sacramento
  - K. California Department of Fish & Wildlife
  - L. Nevada County Geographic Information Systems
  - M. California Department of Forestry and Fire Protection (Cal Fire)
  - N. Nevada County Transportation Commission
  - O. Nevada County Agricultural Advisor Commission
  - P. Ready Springs Elementary School District
  - Q. Nevada County Department of Public Works- Transit Division
1. State Division of Mines and Geology. *Mineral Classification Map*, 1990.
  2. State Department of Fish and Game. *Migratory Deer Ranges*, 1988.
  3. State Department of Fish and Game. *Natural Diversity Data Base Maps*, as amend.
  4. Cal Fire. *Fire Hazard Severity Zone Map for Nevada County*, 2007. Adopted by CalFire on November 7, 2007. Available at: <[http://www.fire.ca.gov/wildland\\_zones\\_maps.php](http://www.fire.ca.gov/wildland_zones_maps.php)>.
  5. State Division of Mines and Geology. *Geologic Map of the Chico, California Quadrangle*, 1992.
  6. State Division of Mines and Geology. *Fault Map of California*, 1990.
  7. California Department of Conservation, Division of Land Resource Protection. 2016. *Nevada County Important Farmland Data*. Available at: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/nev16.pdf>.
  8. State Dept. of Forestry & Fire Protection. *Nevada County Hardwood Rangelands*, 1993.
  9. U.S.G.S, 7.5 *Quadrangle Topographic Maps*, as Area Pland.
  10. U.S. Fish and Wildlife Service. *National Wetlands Inventory*, December 1995.
  11. Natural Resources Conservation Service. 2007. *Official Soil Series Descriptions (OSD) with series extent mapping capabilities*. Available at [http://soildatamart.nrcs.usda.gov/manuscripts/CA619/0/nevada\\_a.pdf](http://soildatamart.nrcs.usda.gov/manuscripts/CA619/0/nevada_a.pdf).
  12. U.S. Geological Service. *Nevada County Landslide Activity Map*, 1970, as found in the Draft Nevada County General Plan, Master Environmental Inventory, December 1991, Figure 8-3.
  13. Federal Emergency Management Agency. *Flood Insurance Rate Maps*, as Area Pland.
  14. Northern Sierra Air Quality Management District. *Guidelines for Assessing Air Quality Impacts of Land Use Projects*, 2000.
  15. County of Nevada. *Nevada County General Plan Noise Contour Maps*, 1993.
  16. Nevada County. 1991. *Nevada County Master Environmental Inventory*. Prepared by Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
  17. Nevada County. 1995. *Nevada County General Plan: Volume 1: Goals, Objectives, Policies, and Implementation Measures*. Prepared with the assistance of Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
  18. Nevada County. *Nevada County Zoning Regulations*, adopted July 2000, and as amended.
  19. Nevada County. *Safety Element*, adopted 2014.
  20. California Attorney General's Office. "Addressing Climate Change at the Project Level." January 6, 2010.



21. US Environmental Protection Agency. *Current Nonattainment Counties for All Criteria Pollutants*. January 31, 2015. [www.epa.gov/oaqps001/greenbk/ancl.html](http://www.epa.gov/oaqps001/greenbk/ancl.html).
22. California Department of Conservation, Division of Mines & Geology. "Report 2000-19: A General Location Guide for Ultramafic Rocks in California -- Areas More Likely to Contain Naturally Occurring Asbestos." 2000.
23. Nevada County. *Local Hazard Mitigation Plan Area Plan*. August 2017.  
[https://www.mynevadacounty.com/DocumentCenter/View/19365/Nevada-County-LHMP-Area Plan-Complete-PDF?bidId=](https://www.mynevadacounty.com/DocumentCenter/View/19365/Nevada-County-LHMP-Area-Plan-Complete-PDF?bidId=)
24. Nevada County. *Land Use and Development Code Section 5, Article 13, Grading*.
25. California Department of Toxic Substances Control.
26. USDA Soil Conservation Service. "Soil Survey of Nevada County Area, California." Soil Survey, Reissued 1993.
27. California Department of Conservation, California Geological Survey. 2010. Accessed January 25, 2019. <https://www.conservation.ca.gov/cgs/Pages/Earthquakes/affected.aspx>
28. California Department of Transportation. *California Scenic Highway Mapping System*. September 7, 2011. [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)

## **Appendix B**

List of Assessor's Parcels that will have the Site Performance Combining District added to their base zoning.

051-020-077 10334 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-030-002 11300 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-030-011 9519 CUMMINGS RD DURHAM, CA 95938
051-030-015 11196 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-040-005 10941 BLACKLEDGE RD PENN VALLEY, CA 95946	051-040-016 11054 PLEASANT VALLEY RD PENN VALLEY, CA 95946
051-050-002 10716 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-050-006 2101 BOULTON WAY MARYSVILLE, CA 95901	051-050-010 2101 BOULTON WAY MARYSVILLE, CA 95901
051-060-013 10546 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-060-014 10546 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-060-034 POB 2006 PENN VALLEY, CA 95946
051-110-006 POB 171 UPPER LAKE, CA 95485	051-120-003 17296 CLOVER RD PENN VALLEY, CA 95946	051-120-004 17296 CLOVER RD PENN VALLEY, CA 95946
051-130-005 12144 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-130-009 17139 CLOVER RD PENN VALLEY, CA 95946	051-130-016 17195 CLOVER RD PENN VALLEY, CA 95946
051-130-021 17232 LADINO AVE PENN VALLEY, CA 95946	051-130-025 17259 CLOVER RD PENN VALLEY, CA 95946	051-130-026 17045 CLOVER RD PENN VALLEY, CA 95946
051-130-028 17204 LADINO AVE PENN VALLEY, CA 95946	051-131-003 POB 8308 REDLANDS, CA 92375	051-131-008 POB 295 PENN VALLEY, CA 95946
051-131-014 10263 QUINCY LN PENN VALLEY, CA 95946	051-131-015 POB 1586 PENN VALLEY, CA 95946	051-131-019 POB 1272 PENN VALLEY, CA 95946
051-140-006 10525 LAZY VALLEY RD PENN VALLEY, CA 95946	051-140-009 10514 LAZY VALLEY RD PENN VALLEY, CA 95946	051-140-011 10438 LAZY VALLEY RD PENN VALLEY, CA 95946

051-140-019 17230 SWEETBRIAR LN PENN VALLEY, CA 95946	051-140-036 POB 1375 PENN VALLEY, CA 95946	051-220-011 18130 CATTLE DR ROUGH AND READY, CA 95975
051-220-015 POB 597 PENN VALLEY, CA 95946	051-230-015 10450 MCLAND CT PENN VALLEY, CA 95946	051-240-009 230 E EMPIRE ST GRASS VALLEY, CA 95945
051-240-013 12957 GOLDEN TROUT WAY PENN VALLEY, CA 95946	051-240-014 POB 514 PENN VALLEY, CA 95946	051-290-016 2331 RITCHIE CT CHICO, CA 95926
051-290-059 1300 NATONAL DR STE 100 SACRAMENTO, CA 95834	051-440-007 POB 106 PENN VALLEY, CA 95946	051-440-010 4120 DOUGLAS BLVD STE 306-524 GRANITE BAY, CA 95746
051-440-012 10817 ALTA HILL MINE RD GRASS VALLEY, CA 95945	051-450-005 10111 VALLEY OAK CT PENN VALLEY, CA 95946	050-320-040 11464 PLEASANT VALLEY RD PENN VALLEY, CA 95946
051-030-001 11300 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-040-006 10908 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-040-009 10880 BLACKLEDGE RD PENN VALLEY, CA 95946
051-040-010 10920 BLACKLEDGE RD PENN VALLEY, CA 95946	051-040-015 11076 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-050-003 10652 PLEASANT VALLEY RD PENN VALLEY, CA 95946
051-050-004 17690 SILVER PINE RD PENN VALLEY, CA 95946	051-060-016 POB 213 NEVADA CITY, CA 95959	051-110-004 441 WASHINGTON ST NEVADA CITY, CA 95959
051-110-008 16510 SOUTHRIDGE DR PENN VALLEY, CA 95946	051-120-005 17250 LADINO AVE PENN VALLEY, CA 95946	051-130-006 451 COLLEGE AVE SANTA ROSA, CA 95401
051-130-011 17098 CLOVER RD PENN VALLEY, CA 95946	051-130-018 17280 CLOVER RD PENN VALLEY, CA 95946	051-130-020 17190 LADINO AVE PENN VALLEY, CA 95946

051-130-024 POB 1225 PENN VALLEY, CA 95946	051-130-027 17110 LADINO AVE PENN VALLEY, CA 95946	051-130-030 17108 PENN VALLEY DR PENN VALLEY, CA 95946
051-140-002 POB 241 PENN VALLEY, CA 95946	051-140-013 POB 2684 GRASS VALLEY, CA 95945	051-140-023 POB 332 PENN VALLEY, CA 95946
051-140-030 10581 WILLOWBROOK LN PENN VALLEY, CA 95946	051-210-007 POB 1226 PENN VALLEY, CA 95946	051-240-007 18590 LAZY LANE PENN VALLEY, CA 95946
051-240-016 7090 WELLS AVE LOOMIS, CA 95650	051-250-023 140 NEW MONTGOMERY ST SAN FRANCISCO, CA 94105	051-250-026 POB 283 PENN VALLEY, CA 95946
051-250-027 18904 PENN VALLEY DR PENN VALLEY, CA 95946	050-320-039 11376 PLEASANT VALLEY RD PENN VALLEY, CA 95946	050-320-041 11408 PLEASANT VALLEY RD PENN VALLEY, CA 95946
051-030-014 POB 3621 INCLINE VILLAGE, NV 89450	051-050-005 2101 BOULTON WAY MARYSVILLE, CA 95901	051-050-011 2101 BOULTON WAY MARYSVILLE, CA 95901
051-440-009 POB 325 CEDAR RIDGE, CA 95924	051-440-016 POB 106 PENN VALLEY, CA 95946	051-440-017 POB 106 PENN VALLEY, CA 95946
051-450-004 POB 843 NEVADA CITY, CA 95959	051-130-012 17179 CLOVER RD PENN VALLEY, CA 95946	051-130-014 POB 1084 PENN VALLEY, CA 95946
051-130-023 2348 W HEDDING ST SAN JOSE, CA 95128	051-130-029 17126 PENN VALLEY DR PENN VALLEY, CA 95946	051-131-016 3859 FENWAY CIR ROCKLIN, CA 95677
051-140-001 POB 241 PENN VALLEY, CA 95946	051-140-016 10318 LAZY VALLEY RD PENN VALLEY, CA 95946	051-140-018 10341 QUINCY LN PENN VALLEY, CA 95946

051-140-024 POB 8308 REDLANDS, CA 92375	051-140-035 10654 WILLOW BROOK LN PENN VALLEY, CA 95946	051-210-013 18038 PENN VALLEY DR PENN VALLEY, CA 95946
051-220-012 18074 CATTLE DR ROUGH & READY, CA 95975	051-220-014 1120 13TH ST STE C MODESTO, CA 95354	051-240-005 18468 LAZY LN PENN VALLEY, CA 95946
051-240-017 7090 WELLS AVE LOOMIS, CA 95650	051-250-025 18804 PENN VALLEY DR PENN VALLEY, CA 95946	051-250-028 18828 PENN VALLEY DR PENN VALLEY, CA 95946
051-290-011 2331 RITCHIE CT CHICO, CA 95926	051-290-060 1020 WINDING CREEK RD #100 ROSEVILLE, CA 95678	051-440-004 13515 PLEASANT LN GRASS VALLEY, CA 95945
051-440-014 POB 106 PENN VALLEY, CA 95946	051-450-003 89061 STELLAR LN WARRENTON, OR 97146	051-450-007 10145 VALLEY OAK CT PENN VALLEY, CA 95946
051-450-008 10167 VALLEY OAK CT PENN VALLEY, CA 95946	051-030-005 11300 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-030-013 11134 PLEASANT VALLEY RD PENN VALLEY, CA 95946
051-040-003 9522 PALOMINO TRL BROWNS VALLEY, CA 95918	051-040-004 10988 PLEASANT VALLEY RD PENN VALLEY, CA 95946	051-040-008 10838 PLEASANT VALLEY RD PENN VALLEY, CA 95946
051-050-007 2101 BOULTON WAY MARYSVILLE, CA 95901	051-050-018 2101 BOULTON WAY MARYSVILLE, CA 95901	051-050-023 POB 1477 PENN VALLEY, CA 95946
051-060-012 8840 MINNIE CIR ELK GROVE, CA 95624	051-110-007 POB 1203 CORVALLIS, OR 97339	051-130-003 17150 LADINO AVE PENN VALLEY, CA 95946
051-130-010 2110 PYRAMID CT ROCKLIN, CA 95765	051-130-017 17180 CLOVER RD PENN VALLEY, CA 95946	051-130-031 17210 CLOVER RD PENN VALLEY, CA 95946

051-130-032 17242 CLOVER RD PENN VALLEY, CA 95946	051-131-007 POB 1445 PENN VALLEY, CA 95946	051-131-012 10217 QUINCY LN PENN VALLEY, CA 95946
051-131-017 POB 8308 REDLANDS, CA 92375	051-140-003 POB 241 PENN VALLEY, CA 95946	051-140-008 3104 MINNESOTA ST LOS ANGELES, CA 90031
051-140-010 10474 LAZY VALLEY RD PENN VALLEY, CA 95946	051-140-012 10380 LAZY VALLEY RD PENN VALLEY, CA 95946	051-140-020 POB 633 SAN MARTIN, CA 95046
051-140-025 10474 LAZY VALLEY RD PENN VALLEY, CA 95946	051-210-005 17968 PENN VALLEY DR PENN VALLEY, CA 95946	051-210-014 18930 SIESTA PENN VALLEY, CA 95946
051-220-009 POB 1203 CORVALLIS, OR 97339	051-220-010 230 E EMPIRE ST GRASS VALLEY, CA 95945	051-220-016 POB 597 PENN VALLEY, CA 95946
051-240-006 22467 QUEEN ST CASTRO VALLEY, CA 94546	051-240-015 7090 WELLS AVE LOOMIS, CA 95650	051-240-018 7090 WELLS AVE LOOMIS, CA 95650
051-440-005 13515 PLEASANT LANE GRASS VALLEY, CA 95945	051-440-006 POB 970 PENN VALLEY, CA 95946	051-440-008 POB 106 PENN VALLEY, CA 95946
051-440-011 POB 106 PENN VALLEY, CA 95946	051-440-013 POB 106 PENN VALLEY, CA 95946	051-440-015 POB 106 PENN VALLEY, CA 95946
051-440-018 18563 PENN VALLEY DR PENN VALLEY, CA 95946	051-440-019 POB 430 CEDAR RIDGE, CA 95924	051-450-001 10204 VALLEY OAK CT PENN VALLEY, CA 95946
051-450-002 10176 VALLEY OAK CT PENN VALLEY, CA 95946	051-450-006 12888 SPENCEVILLE RD PENN VALLEY, CA 95946	051-450-009 10167 VALLEY OAK CT PENN VALLEY, CA 95946