



NEVADA COUNTY PLANNING COMMISSION

STAFF REPORT

HEARING DATE: September 24, 2020

OWNER/ APPLICANT: Penn Valley Community Church

REPRESENTATIVE: Andrew Cassano / Nevada City Engineering, Inc.

FILE NO: PLN19-0022; GPA19-0001; RZN19-0001; CUP19-0002; EIS19-0003

PROJECT: A General Plan Amendment, Zone Change and Comprehensive Master Plan/Use Permit to allow use of the former Pleasant Valley Elementary School campus by the Penn Valley Community Church who proposes to occupy portions of the site and, as the owner, will also serve as property manager for the entire campus, managing tenants in other buildings and the sports fields as an office/professional and recreational complex. A General Plan Amendment and Zone Change proposes two Zoning and General Plan designations: Recreation; and Office-Professional to replace the current Public designations. The Recreation designation will overlay the existing field areas and gymnasium on the site (roughly 11.1-acres), the remainder of the site will carry the Office-Professional designation (roughly 6.4-acres). Both zoning designations will carry a Site Performance Combining District requiring compliance with the proposed Comprehensive Master Plan (CMP).

PROJECT LOCATION: Located at the north side of the Lake Wildwood community at 14567/14685 Pleasant Valley Road.

ASSESSOR'S PARCEL NUMBER: 050-020-032 & 050-020-072

PROJECT PLANNER: Janeane Martin, Associate Planner

Existing General Plan:	Public		
Existing Zoning:	Public		
Proposed General Plan:	Office-Professional (6.4-acres) & Recreation (11.1-acres) (OP / REC)		
Proposed Zoning:	Office-Professional (6.4-acres) & Recreation (11.1-acres), both with the Site Performance Combining District (OP-SP / REC-SP)		
Water:	NID	Sewage:	Sanitation District #1
Flood Map:	0350 Zone X	Fire:	Penn Valley Fire Protection Dist.
ZDM #:	14a	Schools:	Penn Valley Union/NJUHS D-3
Lot Size:	2.63 & 14.84 acres	Recreation:	Western Gateway Park & Rec.
Farmland Designation:	Urban & Built-Up	Sup. Dist.:	Hoek, District IV
Prev. File #s:	PRE18-0005	Date Filed:	3/1/19; 8/19; 10/29/19; 3/13/20

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Initial Study/Mitigated Negative Declaration
3. Draft Mitigated Negative Declaration Resolution
4. Draft General Plan Amendment Resolution

5. Draft Rezone Ordinance
6. Draft Conditional Use Permit / Comprehensive Master Plan Resolution
7. Vicinity, Zoning & Public Notice Map & Site Photos
8. Comprehensive Master Plan
9. Site Plan, Building Elevations, Landscaping Plans

RECOMMENDATION:

- I. Environmental Action: Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program (EIS19-0003).
- II. Project Action: Recommend that the Board of Supervisors adopt the Resolution for the General Plan Amendment (GPA19-0001) changing the site (APN: 050-020-032 & 050-020-072) designation from Public (PUB) to Office-Professional (6.4-acres) & Recreation (11.1-acres) (OP & REC).
- III. Project Action: Recommend that the Board of Supervisors adopt the Ordinance amending Zoning District Map (ZDM) #14a to rezone APN: 050-020-032 & 050-020-072 from Public (P) to Office-Professional (6.4-acres) & Recreation (11.1-acres), both with the Site Performance Combining District (OP-SP / REC-SP).
- IV. Project Action: Recommend that the Board of Supervisors adopt the Resolution to approve the Use Permit application (CUP19-0002) to establish a Comprehensive Master Plan for the project site.

Project Site & Surrounding Area Details:

The subject property is made up of two parcels totaling approximately 17.47-acres located in western Nevada County, at the north side of the Lake Wildwood community. This property is the former Pleasant Valley Elementary School campus. The site takes direct access from Lake Wildwood Drive a private roadway, via Pleasant Valley Road, a county-maintained roadway. This portion of Lake Wildwood Drive is outside of the gated Lake Wildwood Community, though the majority of Lake Wildwood Drive is within the gated community. Emergency access to Sun Forest Drive, also a private roadway, would remain gated as Sun Forest Drive is solely within the Lake Wildwood community and would not be available for daily use of the project site.

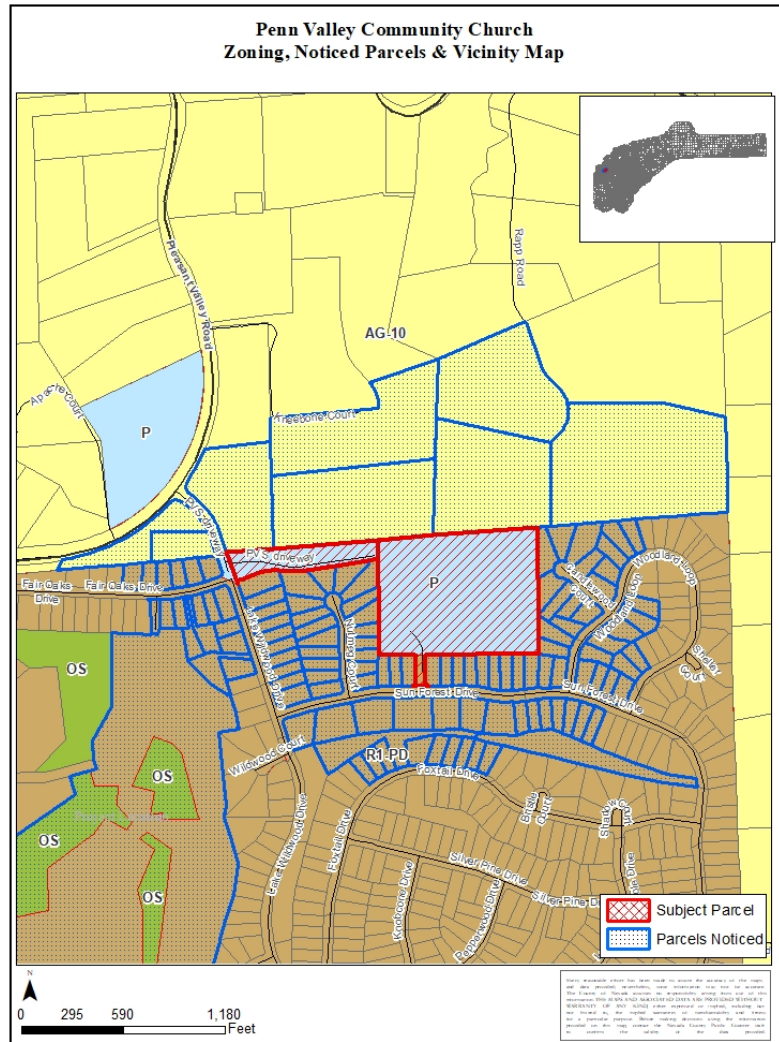
Figure 1

Figure 1, right shows the developed site which has eight buildings, an access drive, parking lot, sports/play fields and landscaped areas. There is little undisturbed native vegetation, although there is an oak woodland located along the access road at the northwest side of the property. The topography of the site is fairly flat, with an elevation of approximately 1,340 feet mean sea level.



Figure 2, right, shows the zoning and configuration of the subject properties and surrounding parcels. Northerly adjacent properties are zoned General Agricultural with density at one primary unit per 10 acres (AG-10). The General Plan of the northerly adjacent properties is Rural (RUR-10). These parcels range in size, being roughly 1.2 to 15-acres; they are developed with residential and/or agricultural improvements and uses.

Easterly, southerly and westerly adjacent properties are within the Lake Wildwood community. These properties are zoned Single-Family Residential with a Planned Development Combining District (R1-PD). The General Plan designation for these properties is Planned Residential Community (PRC). All of these adjacent properties are developed with single-family residential development and uses.



PROJECT DESCRIPTION:

The project is a General Plan Amendment, Zone Change and Comprehensive Master Plan/Use Permit to allow use of the former Pleasant Valley Elementary School campus by the Penn Valley Community Church who proposes to occupy portions of the site, and, as the owner, will also serve as property manager for the entire campus, managing tenants in other buildings and the sports fields as an office/professional and recreational complex.

The General Plan Amendment and Zone Change proposes two Zoning and General Plan designations: Recreation; and Office and Professional to replace the current Public designations. The Recreation designation will overlay the existing field areas and gymnasium on the site (roughly 11.1-acres), the remainder of the site will have the Office-Professional designation (roughly 6.4-acres). Both zoning designations will carry a Site Performance Combining District, requiring compliance with the proposed Comprehensive Master Plan (CMP). The Site

Performance Combining District, through the proposed CMP/UP, seeks to customize uses within the two proposed zoning districts by prohibiting certain uses that would otherwise be potentially allowable in those districts to ensure overall site and neighborhood compatibility. The CMP designates both potentially allowable future uses of the site and, seeks approval of specific uses now, through the proposed Use Permit.

Specific uses proposed for approval with the current CMP/UP include church, office and professional uses, elementary and/or junior high school uses, church and sports league use of the fields and gymnasium, and a watchman/caretaker's unit. Office and professional uses proposed for approval with the CMP/UP include such things as non-profit or for-profit offices, financial institutions, insurance and real estate offices, business services such as duplicating, mailing, blueprinting and photocopying, janitorial services, and employment agencies. Other uses not proposed with the current project may be allowable through a future Development or Use Permit, as outlined in the CMP Land Use Table.

The church is proposed to serve a variety of functions including regular church services on Sunday mornings, weddings, funerals and other community type activities such as occasional food distribution for the Nevada County Food Bank or 4-H Club meetings. Although these activities can vary, typical weekly use would include: Sunday morning and evening church services; weekday office hours for staff and volunteers; small group Bible Study sessions for approximately 10 to 25 people Monday through Friday with times varying; children and teen ministry programs in the evenings several times per week and weekly music practice. Board and other similar type meetings would be held either monthly or quarterly on a weekday evening. The church would also hold monthly Saturday group meetings of approximately 50 people and Vacation Bible School would be held annually. Social functions would vary throughout the year according to holidays. Church use areas are proposed to occupy several parts of the site to include a sanctuary, office, Sunday School classrooms, storage building and multi-purpose room. Initially, the church proposes to utilize the site as follows: Sanctuary, Building D; church office, Building E; church classrooms, Building F; multi-purpose gathering space, Gymnasium (Building F); and, storage, Building H. However, church use would not be limited to these buildings nor would other uses be prohibited in these buildings. Outdoor playfield areas will be used by church members and may also be leased to sports leagues.

Full proposed site uses trigger the need for 215 parking spaces which would require minor grading, paving and gravel. Parking improvements, parking lot landscaping islands and required lighting modifications are proposed incrementally, with implementation tied to tenant occupancy of the complex. A monument sign is proposed at the project entrance and a directory sign is proposed onsite to direct visitors to appropriate buildings.

Nevada Irrigation District provides treated water to the site and Pacific Gas & Electric provides power to the site. The property is connected to Nevada County Sanitation District #1 for sewage disposal.

ANALYSIS OF ISSUES

General Plan Amendment & Rezone

The project requests a General Plan Amendment and a Zone Change. The project proposes to use the Pleasant Valley Elementary School campus which was closed due to low enrollment after the

2015/2016 school year. Attempts by the school district to find another public user to purchase the site were unsuccessful which lead to the eventual sale of the property to the Penn Valley Community Church. In order to allow private use of the campus, both a General Plan Amendment and Zone Change are necessary to replace the Public designations. The project proposes to replace the Public designations with Office/Professional & Recreation General Plan and zoning designations. The Recreation (REC) designation will overlay the existing field areas and gymnasium on the site (roughly 11.1-acres), the remainder of the site will carry the Office-Professional (OP) designation (roughly 6.4-acres). The entire site will carry the Site Performance Combining District, a zoning designation, requiring compliance with the project Comprehensive Master Plan. See the exhibits to Attachments 4 and 5 which demonstrate where proposed designations will be applied.

The Nevada County Land Use & Development Code (LUDC) describes the OP district as providing areas for the development of professional and administrative offices and related uses and structures that complement other commercial centers. These uses are further described by the LUDC as being compatible with adjacent residential and related land uses. The LUDC describes the REC district as providing for a wide range of active and passive recreation uses and supporting services.

Use types that are allowable in the proposed zoning districts are not only anticipated to be compatible with adjacent uses, but also with the developed site. Existing buildings would require little modification in order to suit the church and potential office/professional tenants. Existing utilities and infrastructure such as the connections to the sanitation district and Nevada Irrigation District and the access drive will all adequately serve the project. Similarly, the Recreation zoning designation would allow use of the existing gymnasium and sports/play fields with little or no modifications needed. Both zoning designations will carry a Site Performance Combining District requiring compliance with the proposed Comprehensive Master Plan (CMP). The Site Performance Combining District, through the proposed CMP, seeks to customize uses within the two proposed zoning districts by prohibiting certain uses that would otherwise be potentially allowable in those districts; this is intended to ensure overall site and neighborhood compatibility. The Site Performance Combining District only relates to potentially allowable uses of the site, it does not include modifications to other standards of the Office-Professional or Recreation zoning districts. All standard site development requirements such as setbacks and maximum building height will remain in effect. The SP will be enforced through the application of the requirements of the CMP for all future proposed uses. The CMP is discussed in detail below.

Economic Analysis / Justification

Nevada County General Plan Policy 2.6 requires General Plan Amendment projects to include an economic analysis to address the impact of the proposal on the short and long-term jobs/housing balance, and the land use designations of the General Plan. Andrew Cassano of Nevada City Engineering, the project representative, prepared this analysis for the project as part of the project CMP. As discussed in the analysis, schools are tax exempt and thus do not pay property taxes. The analysis notes that when the school was active, it funneled tax money into the community in the form of salaries and through the purchases of supplies and services. As an inactive school, no such salaries exist, and no supply or service purchases are being made. If the project is approved, the previous school site would be used as a church and office/professional and recreational complex. The Penn Valley Community Church is exempt from property taxes

under welfare exemption rules. However, the church will only occupy portions of the property. Any non-tax-exempt entities that occupy the site as tenants will be taxed proportionally based on their use area. Additionally, as an office/professional and recreational complex, the site is anticipated to support employees and result in local spending for supplies and services which will generate tax revenue. Taxes generated by an active site may be somewhat offset by public services needed in response to an active site; however needs for public services such as fire and police protection are anticipated to be lower than that potentially needed for an abandoned site with no onsite presence to deter vandalism and/or which could detect issues prior to the need for public service attention. Further, the project is likely to have a positive effect on the jobs/housing balance for the County. In the short-term there may be opportunities such as for contractors to perform minor tenant improvement tasks and landscape installation. In the long-term, as an office/professional and recreational complex, the site will provide space for businesses creating local employment opportunities for County residents. The church also employs administrative and other staff. Additionally, employment opportunities may be created for a caretaker, landscaping and cleaning personnel to maintain the property.

The General Plan Amendment and Zone Change request is justified in several ways. With no public user willing to purchase the site, the property is not usable under the current Public designations and would therefore be subject to continued vandalism and decay, creating a blight and potential hazard for surrounding property owners. The conversion of the site from a public school to church, office, professional and recreational complex is anticipated to require very little modification allowing re-use of existing improvements. Use of the existing site as it is, would reduce the potential for solid waste and reduce the need for new materials. Because re-use of the site under the changed designations as proposed does not require wholesale demolition of buildings and all new development, project related impacts to the neighborhood due to the changes in use will also be minimized. These are anticipated to include reduced impacts in both the short and long-term such as short-term construction noise and dust and a change in overall aesthetics of the site in the long-term. Lastly, the project is anticipated to have a positive effect on both the short and long-term jobs/housing balance by providing many employment opportunities.

Comprehensive Master Plan / Use Permit

Prior to any site development on property with a Recreation zoning designation, Nevada County LUDC Section 5.17 requires a Comprehensive Master Plan for the whole site to be processed and adopted through a Use Permit (UP). Further, Nevada County LUDC Section L-II 2.7.8 allows for the adoption of Site Performance Combining Districts (SP) through an ordinance that shall establish the permitted and prohibited uses of the land and include site development standards, provided that the land usage provisions of the SP are not less restrictive than the base zoning district. These may be specified in the Ordinance or may be appended to the ordinance as a development plan. In the case of this project, the Comprehensive Master Plan is designed by the church to allow cohesive use of the site in accordance with their wishes and in compliance with proposed zoning and General Plan designations. No modifications are proposed to the site development standards that are specified in the LUDC.

The CMP Allowable Land Use Table, Figure 3 below, will be included in the Ordinance as an exhibit. The Office and Professional designation is proposed in order to allow church uses onsite and to allow the existing buildings to be used for other office/professional type uses outlined in the LUDC use tables and the corresponding CMP Allowable Land Use Table. The CMP

designates a range of potentially allowable future uses of the site and seeks approval of specific uses now, through the approval of the proposed Use Permit. Specific uses proposed as part of this Use Permit are shown with an asterisk (*) in the Table and are discussed in the next section.

Figure 3

TABLE 1		
ALLOWABLE LAND USES	OP-SP	REC-SP
Key to Land Use Permit Requirements: A Allowed subject to applicable building permits DP Development Permit required, if not initially approved with this Comprehensive Master Plan UP Use Permit required, if not initially approved with this Comprehensive Master Plan NP Not Permitted NA Not Applicable *Certain Approvals with current project		
Residential		
Community care facilities for more than 6 people including, but not limited to, residential care and social rehabilitation facilities, and alcoholism and drug abuse recovery or treatment facilities	NP	NP
Community care facilities for more than 6 people including, but not limited to, residential care and social rehabilitation facilities, and alcoholism and drug abuse recovery or treatment facilities. Such facilities shall be self-contained and provide on-site educational facilities	NP	NP
Emergency shelter or transitional/supportive housing	NP	NP
Dwelling, single family (including transitional and supportive housing)	NP	NP
Dwelling units as a part of a mixed-use development where residential is not the primary use, and is an integral part of the nonresidential use, not to exceed 4 units per acre. Integral shall mean that all uses are designed and located so as to be visually and functionally related.	UP	UP
Commercial Uses		
Medical clinics and medical support services (i.e. ambulance services or laboratory or similar)	DP	NP
Offices and services, including, but not limited to, financial institutions, insurance, and real estate offices, business services such as duplicating, mailing, blueprinting, photocopying, and stenographic services, janitorial services, and employment agencies.	DP*	NP
Farm Stands	DP	DP
Certified Farmers Market	DP	DP
Cemetery	NP	NP
Funeral home, mortuary	NP	NP
Hospitals and convalescent homes	UP	NP
Hotels, motels	NP	NP
Bed and Breakfast Inns	NP	NP
Fitness Centers	UP	UP
Museum	UP	NP

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Recreation facilities, including but not limited to, video arcades, bowling alleys, skating rinks, pool halls, miniature golf, skateboard or BMX facilities, racquetball and tennis clubs	NP	NP
Industrial Uses		
Hazardous waste management facilities for waste produced on-site	NP	NP
Agricultural, Resource, and Open Space Uses		
Crop and tree farming	A	A
Stables, commercial	NP	NP
Mining, subsurface	NP	NP
Mining, surface (must include ME District)	NP	NP
Mining, surface access to subsurface mining	NP	NP
Mining, surface vent and escape shafts (subsurface mining)	NP	NP
Institutional and Public Uses		
Antennae, minor and certain non-commercial	A	A
Churches	UP*	UP*
Schools, not trade schools	UP*	NP
Schools, trade schools	UP	UP
Community meeting and social event facilities	UP*	UP*
Communication towers	UP	UP
Emergency services (including fire and ambulance stations)	UP	UP
Public utility uses and structures	UP	UP
Temporary staging areas for public road projects	NP	UP
Recreational Uses		
Trails, non-motorized, except equestrian	A	A
Parks and playgrounds	NP	UP*
Accessory and support uses related directly to a primary recreational use, including but not limited to, restaurants, retail facilities, administrative offices, sales offices, laundromats	NP	UP
Campgrounds (including recreational vehicle parks) at a density not to exceed 10 sites per acre	NP	NP
Campgrounds (including recreational vehicle parks) at a density not to exceed 10 beds per acre)	NP	NP
Recreational activities, including but not limited to, destination and day use resorts, ski runs and facilities, golf courses and driving ranges, country clubs, marinas, sports fields and stadiums, arenas and gyms, guest and dude ranches, shooting ranges, gun clubs, skeet shooting, recreational structures, motorized recreational facilities, and exhibition, convention, conference, and sporting facilities	NP	UP
Watchman/Caretaker's Unit (one)	NP	A

Specific uses proposed for approval with the current UP include church, office and professional use, elementary and/or junior high school uses, church and sports league use of the fields and gymnasium and a watchman/caretaker's unit.

The church is proposed to serve a variety of functions including regular church services on Sunday mornings, weddings, funerals and other community type activities such as occasional food distribution for the Nevada County Food Bank or 4-H Club meetings. Although these activities can vary, typical weekly use is anticipated to include: Sunday morning and evening church services; weekday office hours for staff and volunteers; small group Bible Study sessions for approximately 10 to 25 people Monday through Friday with times varying; children and teen ministry programs in the evenings several times per week and weekly music practice. Board and other similar type meetings are anticipated to be held either monthly or quarterly on a weekday evening. Monthly Saturday group meetings of approximately 50 people are anticipated. Vacation Bible School is anticipated annually. The project also proposes social functions that would vary throughout the year according to holidays. Church use areas would occupy several parts of the site to include a sanctuary, office, Sunday School classrooms, storage building and multi-purpose room. Currently, these are planned as follows: Sanctuary, Building D; church office, Building E; church classrooms, Building F; multi-purpose gathering space, Gymnasium (Building F); and, storage, Building H. However, it should be noted that to allow flexibility over time as site needs may change and evolve, church use is not limited to these buildings nor are other uses prohibited in these buildings. Outdoor playfield areas may be used by church members and may also be leased to sports leagues.

In order to occupy the site as currently planned, the church would modify Building D into a sanctuary and support space. This work would include adding a drop-off lane to the sanctuary front entrance, four disabled parking spaces, and a canopy porte-cochere over the entry. Additionally, minor extensions and restriping of existing paved areas will be required to achieve 130 parking spaces (see Parking discussion below).

Office and professional uses of the site include businesses such as administrative offices, attorneys, engineers, architects, realtors, call centers, or similar uses, and for elementary and/or junior high school uses. While the current project anticipates these uses, other various land uses may require that a separate Development Permit or Use Permit be obtained for the occupancy and use as outlined in the Comprehensive Master Plan Allowable Use Table, along with prevailing County zoning standards. For instance, medical and dental clinics/offices or high-school, community college or trade schools, could be proposed under a future Development Permit process as shown in the Allowable Use Table of this Comprehensive Master Plan. This allows those particular uses that may require a higher level of review, such as those with higher parking space ratios per square footage, to be reviewed in relation to the other uses currently on site and parking availability. In addition to specifying what review level would be required for the different potential uses, the CMP also prohibits some uses that would otherwise possibly be allowed by the zoning designations. These prohibited uses include those that the LUDC specifically prohibits within the designation and are those that the church determined would not be compatible with their vision for the complex such as a Bed & Breakfast Inn or a funeral home.

The LUDC describes the REC district as providing for a wide range of active and passive recreation uses and supporting services. The Recreation designation is proposed to overlay the existing field areas and gymnasium as shown on the exhibits included as Attachments 4 and 5. The project would allow church use of the gymnasium and play/sports field areas and would also allow these to be leased to sports leagues. League use of the sports fields and/or the gymnasium is anticipated to supplement the existing facilities at nearby Western Gateway Park in order to help meet current recreational demands of the area.

Site Development Compatibility & Existing Utilities

Existing buildings conform to site development standards of the proposed zoning districts including allowable setbacks, maximum impervious surface coverage and building height limits. Three small buildings shown on the site plan have been demolished already as their condition was rough; these are shown on the project site plan as Building I, Greenhouse and Concessions Stand, see Figure 4, below.

Figure 4



No new buildings are proposed, however, if in the future, any were proposed through a new Use Permit or other action, the development would be subject to the standards outlined in the Land Use & Development Code in affect at that time. Nevada Irrigation District provides treated water to the site; sewage disposal is provided by Nevada County Sanitation District #1. PG&E provides electricity to the site.

Access & Traffic

The site takes direct access from Lake Wildwood Drive a private roadway, via Pleasant Valley Road, a county-maintained roadway. This portion of Lake Wildwood Drive is outside of the

Lake Wildwood residential community, though the majority of Lake Wildwood Drive is within the gated community. There is a gate from the existing parking lot on the subject property at Sun Forest Drive. Sun Forest Drive, also a private roadway, is solely within the Lake Wildwood Community and would not be available for daily project use, however it does provide an emergency access route that could be used by people at the project site and/or by people within the Lake Wildwood community in an emergency as an additional route of egress. This route also provides an additional means of ingress for emergency personnel. The gate will have a Knox Box to allow emergency personnel to open the gate, while securing the gate from daily use (COA D.3).

The Nevada County Department of Public Works (DPW) determined that the project is anticipated to generate fewer trips than the previous school use of the site. The school's student population in 2013 resulted in 620 Average Daily Trips (ADT). At 487 ADT, as calculated by the Department of Public Works, the proposed use does not generate more traffic than that already accounted for in the current Traffic Model. The Department of Public Works found that this project would generate approximately 44 new peak hour trips. Further, the project is anticipated to be a local serving project which could result in a positive affect relative to Vehicle Miles Traveled (VMT) in the County. The project church uses would serve the existing Penn Valley Community Church membership. Use of the play/sports fields and the gymnasium is anticipated to supplement existing league use of the facilities at nearby Western Gateway Park, predominantly serving the existing sports community. While sports typically include both home and away teams, this use is anticipated to be supplemental to existing league use of the facilities at nearby Western Gateway Park, especially in light of the limited space onsite to accommodate the use. Due to this, it is not anticipated to result in a substantial increase in teams or leagues that are already traveling to and from the area. And, similarly, the complex is anticipated to provide an opportunity to satisfy some business/service needs of the existing surrounding homes in a more convenient, nearby location which may reduce the need to drive to town and thus potentially result in an overall reduction of total travel mileage. DPW has proposed a standard condition of approval (COA C.1) that would require the project to pay current traffic impact fees, prior to use of the site and/or building permit issuance. While the site is a previously developed and used site, the previous user was a public entity that was not required to pay traffic impact fees. With the payment of the traffic impact fees, DPW determined that the project would not change the off-site transportation system or exacerbate any hazards and be in compliance with required standards.

Parking

The existing parking lot has 53 spaces and, in general, meets County standards relative to aisle width and parking spot sizing. Nevada County LUDC Section L-II 4.2.9 specifies required onsite parking ratios based on proposed uses and the square footage thereof. Based on this parking space ratio, the full, highest use, occupancy of the complex as proposed will trigger the requirement for 215 parking spaces as shown on the site plan. Parking improvements required to achieve this number will be incrementally implemented, required as part of tenant improvements permits for building usage (COA A.5.b). Minor extensions and restriping of existing parking is proposed which would result in 130 parking spaces prior to church occupancy of the site (COA A.5.a). Paved parking will be implemented first for all in-building land uses. Gravel parking will be used for the playfields and to meet any other parking requirements that cannot be met on existing paved or concrete surfaces through striping of the areas. Proposed COA A.5.c is specific to league use of the sports/playfields, because a building permit for a tenant improvement permit

is not appropriate. COA A.5.c requires the league to submit an application for Design Review to the Planning Department demonstrating that adequate gravel parking has been added to accommodate this use. Creation of, and changes to existing parking will result in minor grading and paving. The Department of Public Works proposes COA C.3 which requires grading and drainage plans prepared by a registered civil engineer prior to improvement and building permit issuance to ensure the work will not change drainage patterns and to ensure the work meets code requirements.

The CMP for the project outlines other possible uses that may be allowable onsite such as medical and dental clinics/offices or high-school, community college or trade schools. These are not proposed for approval with this action however, the CMP provides for potential approval through a future Development Permit or Use Permit process as shown in the Allowable Use Table of the CMP. This will allow a higher level of review than a tenant improvement for occupancy would have, such that the use can be reviewed in relation to the other uses that exist at that time within the complex to ensure adequate onsite parking availability. With the application of the proposed conditions of approval, the project will be in compliance with Nevada County parking regulations.

Landscaping & Wildfire

While much of the site is already landscaped, additional landscaping is required (COA A.6 / MM1A) to satisfy both screening and parking lot landscaping requirements. As outlined in the Condition, final landscaping plans must be in substantial conformance with the approved landscaping plans and must include sufficient irrigation to maintain healthy plants. Required landscaping includes additional trees and shrubs along property lines to provide the required buffer between the subject site and adjacent properties to filter views of the site from adjoining properties, and also includes parking lot landscaping islands. Plants specified for the project are drought tolerant with low maintenance needs. The majority of the plants specified for the project are on the Nevada County Fire-Wise Plant List. The design included plant placement to avoid creating ladder fuels. It is also noted that properly irrigated plants are less susceptible to ignition than non-irrigated plant materials.

Landscaping will be incrementally implemented as tenants start to move into the complex. Prior to final church occupancy of the site, the landscape architect shall verify that all screening plant materials are established pursuant to the approved plan (COA A.6.f&g / MM1A). This will also include verification that all plant materials associated with the parking areas required with church use (130 spaces) are established pursuant to plan. Prior to occupancy of future additional tenants/users of the complex, the landscape architect shall verify that all plant materials relative to new interior parking lot landscaping areas as required for each additional tenant are established pursuant to the approved plan (COA A.6.h / MM1A).

Plant installation in accordance with proposed COA A.6 / MM1.A will ensure that the project is consistent with applicable County regulations governing landscape requirements. Use of fire-wise plant choices and required irrigation will help ensure the project does not exacerbate wildfire risks.

Noise

In general, church and office and professional uses of the site are not anticipated to result in noises that would be disruptive of the area. However, a comprehensive noise study was required

for the project because the application seeks to allow the existing sports/play fields to be used occasionally by church members and also to be leased to sports leagues and because amplified sound is anticipated in both the sanctuary and the gymnasium. The applicant provided an Environmental Noise Assessment prepared by J.C. Brennan & Associates, Inc. which analyzed the project components. Section L-II 4.1.7 of the Nevada County Land Use & Development Code establishes maximum noise levels for projects. These regulations include a provision that limits new exterior noises to 10 dBA more than the ambient noise level when the ambient noise level of an area is less than that allowed by the standards. In the case of this site, ambient noises are 10 dBA less than the standard. With the application of the allowed increase of 10 dBA over the ambient, the following noise levels are applicable to the project:

R1/AG (applicable to all property lines)

7:00 a.m. to 7 p.m.	54 Leq	71 Lmax
7:00 p.m. to 10 p.m.	44 Leq	57 Lmax

AG (applicable to North line) R1 (applicable to E, S, W lines)

10:00 p.m. to 7:00 a.m.	40 Leq	55 Lmax
	45 Leq	60 Lmax

The noise assessment notes that amplification within the sanctuary and gymnasium would not exceed noise standards at any property line (20 dBA predicted) and therefore no measures are needed for these uses. Similarly, the assessment notes that the LUDC noise standards are not applicable to temporary construction noises. Further, with little modification needed to accommodate proposed uses, no measures are proposed relative to construction noise, however COA A.11 is proposed to limit construction hours to Monday through Saturday 7:00 a.m. to 7:00 p.m. to further reduce potential disturbance to the surrounding area.

The noise assessment found that league use of the fields could result in noises, measured at the nearest property lines, that would be in excess of allowable standards. The report notes that league use noise generation is analyzed with an anticipated crowd of approximately 100-people. Due to the potential to exceed allowable noise standards, the assessment prescribed several measures to ensure noise levels would remain in compliance with Nevada County noise standards. These are prescribed by COA A.10 / MM13A which includes limiting league and other field uses with large crowds to daytime hours (between 7:00 a.m. and 7:00 p.m.), limiting league use to specific areas delineated in the report (not allowing full use of the existing fields which extend to property lines); and prohibiting outside use of amplified sound. Any change in field area would require approval of a modified Use Permit which would include a new Environmental Noise Analysis prescribing appropriate noise attention measures such as earthen berms or masonry walls to ensure a revised field location would comply with required noise standards. With the implementation of these measures, the project is anticipated to be in compliance with County Noise Standards.

Lighting & Signage

As a former school campus, the site has parking lot lighting and existing exterior building lighting. Many of these lights do not meet County standards, potentially exceeding height limits in the parking lot, and/or having inefficient and/or unshielded lamps. Proposed COA A.8 /

MM1B will require all outdoor light fixtures to be modified and/or replaced to meet all requirements of LUDC Section L-II 4.2.8 including being fully shielded to eliminate glare and prevent light trespass onto neighboring properties, with high efficiency bulbs and with a maximum height of 15-feet. Proposed COA A.8 / MM1B requires existing parking lot lighting to be modified prior to final building occupancy for the church but allows building lighting to be modified prior to occupancy of each building, allowing incremental modification as tenants of the site complete individual tenant improvement permits through the Nevada County Building Department. Additional outdoor lighting is not proposed as part of this project. Modifications to existing lighting as required by the proposed Conditions of Approval will ensure that the project does not result in substantial light or glare that could adversely affect day or nighttime views.

The project proposes two signs, see Sheet 6, Attachment 9. A 3' tall by 4' wide monument sign on two 2' tall stone pedestals with a total height of 5' is proposed at the southwest side of the onsite access road. A 3'9" tall by 7' wide directory monument sign on a low-profile concrete base is proposed at the north side of the existing parking lot, westerly of Building A. The size, height and locations of the signs are compliant with the sign standards found in the Nevada County Land Use & Development Code. However, the proposed lettering size must be changed from 4" to 2" to meet the Code requirements. A standard condition of approval (COA A.9) will require installed signage to be in substantial compliance with the proposed signs with the exception of the lettering height which will be required to be reduced accordingly; therefore signage is anticipated to be in conformance with Nevada County Sign Standards.

Expiration Date

To allow ample time for the church to occupy the site and to find suitable tenants for the complex, additional time is proposed as part of the conditions of approval (COA A.3). This would require all Conditions of Approval such as incremental parking, landscaping and lighting additions/modifications, to be completed within seven (7) years from the effective date of the approval of the project. This is the typical three-year approval period plus the four years of discretionary extensions of time as provided for in Nevada County Land Use & Development Code L-II Section 5.10.

GENERAL PLAN AND ZONING CONSISTENCY:

The Penn Valley Community Church project is consistent with the goals and policies of the Nevada County General Plan and Land Use & Development Code as outlined below:

Land Use Element Goals & Policies:

- Policy 1.2.3 describes the General Plan as intended to provide for the development of a balanced community with adequate amounts of land in each land use category to achieve the balance. With no public user willing to purchase the site, the property is not usable under the current Public designation such that a General Plan Amendment is appropriate. Further, the new designations will allow use of the site as an office/professional and recreational complex helping balance the jobs to housing ratio.
- Policy 1.7.17 requires that individual General Plan Amendments be found to be in the public interest, and should encourage compact, balanced growth within Community Regions. This project is located within the Lake Wildwood Community Region. An amendment is in the County interest as a whole because without an amendment the site will continue to be subject to decay and vandalism as no private use of the site is currently allowed.

- Goal 1.2 is to recognize and allow for a range of uses that preserve the qualities of each region and place. Policy 1.2.4.1 states that the Office-Professional (OP) designation is intended to provide for office and other professional and supporting business services at development intensities that complement other commercial centers and are compatible in scale with nearby residential neighborhoods. The policy goes on to state that these designations shall only be located in Community Regions or Rural Centers and that they shall have convenient controlled access to arterial or collector roads. This project is located in a Community Region, and the developed site is suitable for the types of uses allowable in the OP and has adequate access onto Pleasant Valley Drive, a major collector roadway.
- Policy 1.2.4.p. states that the Recreation (REC) is intended to provide for a wide range of recreation uses and supporting services and should be in proximity to a major highway or arterial road, with controlled or indirect access. The proposed Recreation designation will allow portions of the site to be used by sports leagues to supplement the existing facilities at nearby Western Gateway Park in order to help meet recreational demands of the area. The project is roughly five miles from Highway 20 via Pleasant Valley Drive.

Economic Development Policies:

- Policies 2.5 and 2.7 seek a balanced community, with an adequate supply of land designated for commercial, business and industrial use and land designated for residential development to provide for a County-wide jobs to housing ratio at building of 1.2 jobs per dwelling unit. Further, review of this balance is to be part of the consideration of all General Plan Amendments. This project considered this ratio and finds that the proposed amendment from Public to Office-Professional & Recreational will allow uses that will positively affect the jobs to housing ratio by providing space for new businesses which will create employment opportunities.
- Policy 2.6 requires an economic analysis as an integral part of all General Plan Amendments. The Comprehensive Master Plan prepared for the project includes an economic analysis and a discussion regarding anticipated positive effects to tax generation and to the jobs to housing balance.

Public Facilities & Services Element:

- Policies 3.2 & 3.3 encourages development within Community Regions where higher density development can more efficiently be provided with a full range of public facilities and services and require all General Plan Amendments to show that these facilities and services are available to serve the site. As a previous school campus in a Community Region, the site is already hooked up to services; adequate existing police and fire services are in the area.

Circulation Element:

- Goal LU-4.4 seeks to maintain desired levels of service that support the circulation system (current and future) by balancing development of the circulation system with land use and development in the County. The Department of Public Works reviewed the project and found that it would not affect levels of service within the existing circulation system, and that the proposed use would not generate more traffic than the current Traffic Model for the site. Further, as a school, the site was not subject to traffic fees to contribute to the circulation system however, traffic fees will be applied to the Penn Valley Community Church project.

Recreation Element Goals & Policies:

- The project furthers many of the goals and policies of the Recreation Element. Goal 5.1 is to provide a variety of active and passive recreation opportunities. Policy 5.12 encourages joint use of facilities, including private open spaces, for the joint location of park sites to efficiently use all areas offering recreation potential. The project furthers this goal and policy by proposing the Recreation designation in order to allow existing sports/playfields and the gymnasium to be used to help meet recreational demands of the area.

Noise Element Goals & Policies:

- The project furthers many of the goals, objectives and policies of the Noise Element. Goal 9.1 and Policies 9.1.2 and 9.1.4 provide for the health, safe and welfare of the County by encouraging an environment free of unnecessary and annoying noise and providing design controls to assist in mitigating impacts such as through increased setbacks. An acoustical analysis was prepared for the project and mitigation has been applied to ensure project noises are within established noise limits.

Safety Element:

- The project furthers many of the goals and policies of the Safety Element. Goal SF-10.6 and Policies SF-10.6.1 through 10.6.3 seek to ensure adequate public safety services and facilities through development standards, development fees and land use patterns. Existing lighting enhances the ability of law enforcement personnel to protect the complex. Additionally, the project includes provisions for secondary access that will be available for emergency ingress/egress. Wildfire safety will be enhanced through project landscaping requirements.

Wildlife & Vegetation Management Element Goals & Policies:

- Goal 13.3 is to provide for the integrity and continuity of wildlife environments. Policies 13.2 and 13.2.A includes standards to minimize removal of existing vegetation and require installation and long-term maintenance of landscaping in setback and buffer areas and requirements for biological inventories to determine if sensitive resources are found onsite. The project includes requirements for protection of the onsite Landmark Oak Grove and also includes landscaping requirements in setback and buffer areas.

Zoning Districts – Office & Professional (OP) & Recreation (REC):

The Nevada County Land Use & Development Code (LUDC) Section L-II 2.4 describes the Office & Professional (OP) zoning designation as providing areas for the development of professional and administrative offices and related uses that complement other commercial centers and are considered compatible with adjacent residential and related land uses. The REC District, described in LUDC Section L-II 2.6, is intended to provide for a wide range of active and passive recreation uses and supporting services. As discussed throughout this document, the existing school campus is anticipated to be converted to a church, office and professional and recreational complex with little modifications to the existing development. Existing structures conform to site development standards of the proposed zoning districts including allowable setbacks, maximum impervious surface coverage and building height limits. Further, the project as proposed and conditioned will be compatible with landscaping, lighting, parking and signage regulations.

SUMMARY:

The project proposes a General Plan Amendment, Zone Change and Comprehensive Master Plan/Use Permit to allow use of the former Pleasant Valley Elementary School campus by the Penn Valley Community Church as a church and office/professional and recreational complex. The General Plan Amendment and Zone Change proposes to eliminate the Public General Plan and zoning designations, replacing them with Recreation and Office-Professional designations. Both zoning designations will carry a Site Performance Combining District requiring compliance with the proposed Comprehensive Master Plan (CMP). The Site Performance Combining District, through the proposed CMP/UP, would customize uses within the two zoning districts by prohibiting certain uses that would otherwise be potentially allowable in those districts to ensure overall site and neighborhood compatibility. The CMP includes potentially allowable future uses of the site, and approval of certain specific uses now, through the proposed Use Permit. Specific uses proposed for approval with the current CMP/UP include church, office and professional use, elementary and/or junior high school uses, church and sports league use of the fields and gymnasium and a watchman/caretaker's unit. Office and professional uses considered for approval with the CMP/UP include such things as non-profit offices, financial institutions, insurance and real estate offices, business services such as duplicating, mailing, blueprinting and photocopying, janitorial services, and employment agencies. Other uses not considered with the current project may be allowable through a future Development or Use Permit, as outlined in the CMP Land Use Table. Utilities and other services are already available onsite. The proposed complex and uses thereon are consistent with the Nevada County Land Use & Development Code. Based on the project's consistency with the County General Plan and Zoning Ordinance, Staff recommends the Planning Commission take the project actions described below which are recommendations to the Board of Supervisors.

RECOMMENDATIONS:

- I. After reviewing and considering the proposed Mitigated Negative Declaration, recommend that the Board of Supervisors adopt the Resolution (*Attachment 3*) for the proposed Mitigated Negative Declaration (EIS19-0003) (*Attachment 2*) and Mitigation Monitoring and Reporting Program (*Attachment 1*) pursuant to Section 15074 and 15097 of the California Environmental Quality Act Guidelines making Findings A through C:
 - A. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned (including mitigation for potentially adverse impacts to aesthetics, air quality, biological and cultural/tribal resources, geology/soils, greenhouse gas emissions, noise, utilities/service systems and wildfire) might have any significant adverse impact on the environment;
 - B. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Planning Commission; and that the mitigation measures attenuating potential impacts to aesthetics, air quality, biological and cultural/tribal resources, geology/soils, greenhouse gas emissions, noise, utilities/service systems and wildfire, will reduce potentially significant impacts to less than significant levels; and
 - C. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.

- II. Recommendation that the Board of Supervisors adopt the Resolution for the General Plan Amendment (GPA19-0001) changing the site designation from Public (PUB) to Office-Professional (6.4-acres) & Recreation (11.1-acres) (OP & REC) pursuant to Section L-II 5.9 of the Land Use and Development Code, and making findings A through E:
 - A. That the proposed amendment to the General Plan is consistent with and furthers the goals, objectives, policies, and implementation measures of the General Plan and provisions of the Nevada County Land Use and Development Code Chapter II Zoning Regulations; and
 - B. That the project site is physically suitable for the Office & Professional (OP) and Recreation (REC) General Plan Land Use Designations, in that the site does not contain significant areas of excessively steep slopes or other sensitive environmental resources, which cannot be avoided through appropriate site planning. The property has adequate access to a County maintained road, adequate provisions for public facilities and utilities; and
 - C. That the project Office & Professional (OP) and Recreation (REC) General Plan Land Use Designations are compatible with other surrounding residential and agricultural uses; and
 - D. That the project Mitigated Negative Declaration (EIS19-003) is adequate for this General Plan Land Use Map Amendment and rezoning pursuant to CEQA Section 15074 and 15097; and
 - E. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the County.
- III. Recommend that the Board of Supervisors adopt the Ordinance amending Zoning District Map (ZDM) #14a to rezone APN: 050-020-032 & 050-020-072 from Public (PUB) to Office-Professional (6.4-acres) & Recreation (11.1-acres) both with the Site Performance Combining District (OP-SP/REC-SP) making findings A through D:
 - A. That the proposed amendment is consistent with and furthers the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Land Use and Development Code Chapter II Zoning Regulations, including Land Use and Development Code Section L-II 2.4, 2.6 and 2.7; and
 - B. That the project site is physically suitable for the requested "OP-SP / REC-SP" zoning districts for Penn Valley Community Church to occupy and operate a church, office/professional and recreational complex; and
 - C. That the proposed amendment for the project site will not conflict with uses and zoning that surround the subject parcels as the proposed zoning is consistent with those established uses; and

- D.
 - E. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.
- IV. Recommend that the Board of Supervisors adopt the Resolution to approve the Use Permit application (CUP19-0002) to establish a Comprehensive Master Plan for the project site subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, or as may be modified at the public hearing, pursuant to Nevada County Land Use and Development Code Section L-II 5.6.G, 5.5.2.C and 5.17, making findings A through K:
- A. That the project is consistent with the Goals and Policies of the Nevada County General Plan, and specifically with the General Plan Land Use Maps, including the OP-SP and REC-SP land use designations; and
 - B. That the proposed church, office/professional and recreational complex is considered an allowed use, subject to the approval of a use permit, and is consistent with the purposes of the OP-SP and REC-SP zoning districts, in which this project site located; and
 - C. That the uses and facilities, existing, proposed and as conditioned, will meet all applicable provisions of the Land Use and Development Code or a same practical effect of those provisions, including design and siting to meet the intent of the Site Development Standards mitigating development impact on environmentally sensitive resources; and
 - D. That the proposed improvements are consistent with the intent and design goals of the County General Plan and Zoning Ordinance, which will ensure the future project will be compatible with the surrounding areas; and
 - E. That the site (Assessor's Parcel Numbers 050-020-032 & 050-020-072) is adequate in size, shape and location to accommodate the proposed project and to make appropriate transitions to nearby properties and permitted uses thereon, without compromising Nevada County site development standards; and
 - F. That the uses and facilities, existing, proposed and as conditioned, are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding neighborhood or area; and
 - G. That adequate provisions exist for water and sanitation for the proposed use; and
 - H. That adequate provisions exist for emergency access to the site as conditioned by the Penn Valley Fire Protection District; and
 - I. That based on the comments received and conditions applied from the Nevada County Departments of Public Works, Planning, Environmental Health, Building Department and the Penn Valley Fire Protection District, adequate public services

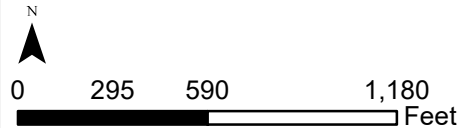
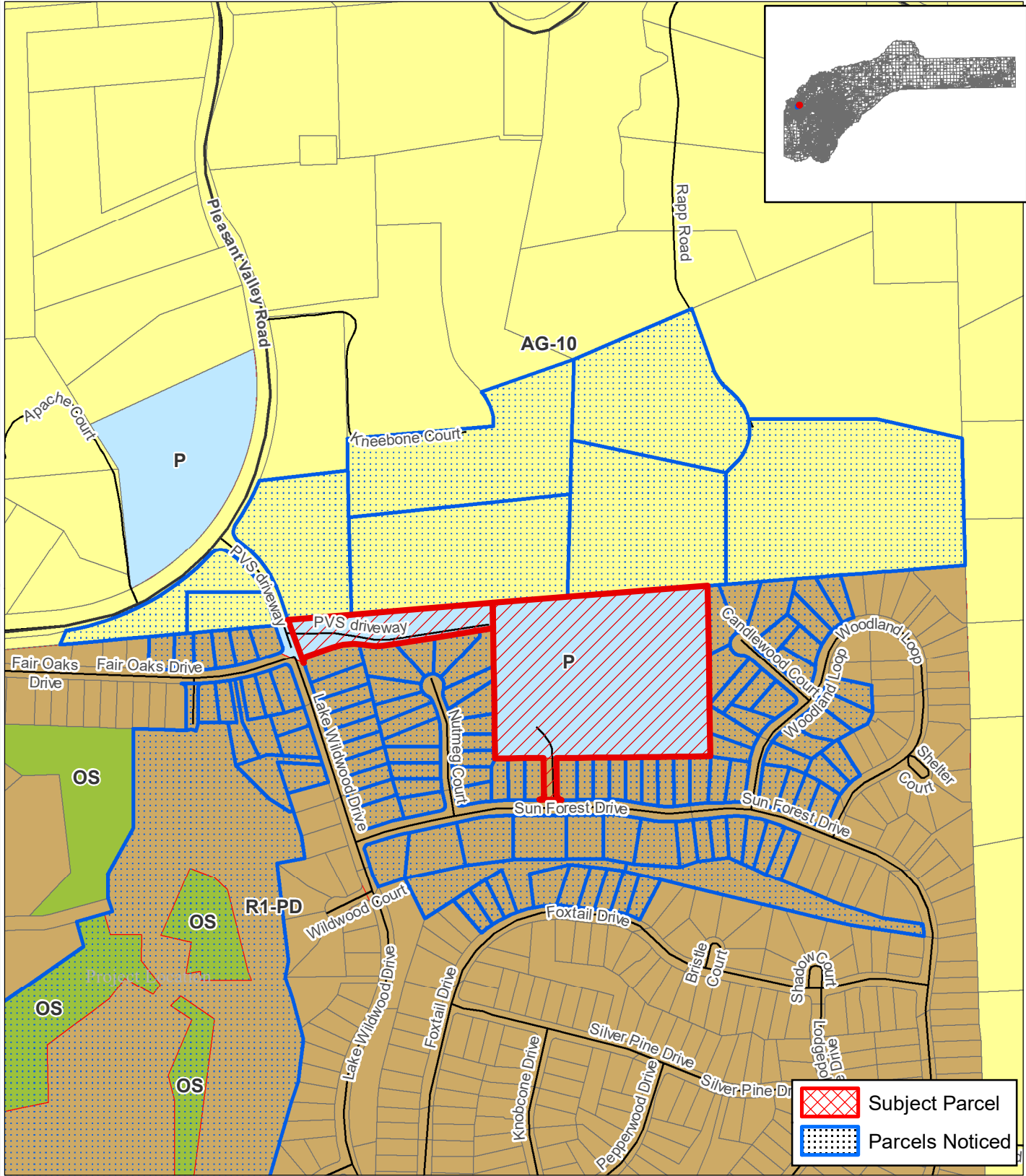
exist in the immediate area to support the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare; and

- J. That all feasible Mitigation Measures and Conditions of Approval (*Attachment 1*) have been imposed upon the project to offset the impacts this project may have on aesthetics, air quality, biological and cultural/tribal resources, geology/soils, greenhouse gas emissions, noise, utilities/service systems and wildfire, and the applicant has agreed to those measures; and
- K. That the conditions listed are the minimum necessary to protect the public health, safety and general welfare.

Respectfully submitted,

Brian Foss, Director of Planning

**Penn Valley Community Church
Zoning, Noticed Parcels & Vicinity Map**



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