

**NEVADA COUNTY PLANNING COMMISSION
NEVADA COUNTY, CALIFORNIA**

MINUTES of the meeting of April 24, 2025, 1:30 p.m., Board Chambers, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California.

MEMBERS PRESENT: Chair Milman and Commissioners French, Foley, and McAteer

MEMBERS ABSENT: Commissioner Garst

STAFF PRESENT: Planning Director, Brian Foss; Principal Planner, Tyler Barrington; Associate Planner, David Nicholas; Associate Planner, Zachary Ruybal; County Counsel, Sims Ely; Clerk to the Planning Commission, Jodeana Patterson

PUBLIC HEARINGS:

1. A proposed Development Agreement requesting to extend the expiration date of the South Woodlands Vesting Tentative Final Map, which was approved for 30 lots, that would otherwise expire on September 10, 2026.
PLN24-0199; MIS24-0015

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2. A proposed General Plan Amendment (GPA) and Zoning District Map Amendment (Rezone), Tentative Parcel Map (TPM), Management Plans for both Oak Resources and Watercourses (MGT), and Petition for Exceptions to Driveway Standards (PFX).
PLN24-0060; GPA24-0002; RZN24-0002; TPM24-0003; MGT24-0019; MGT24-0020; PFX24-0009; EIS24-0006

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STANDING ORDERS: Salute to the Flag - Roll Call - Corrections to Agenda.

CALL MEETING TO ORDER: The meeting was called to order at 1:31 p.m.

Vice-Chair McAteer introduced new District Two Commissioner Steve French.

Roll call was taken.

CHANGES TO AGENDA: None.

PUBLIC COMMENT: Members of the public shall be allowed to address the Commission on items not appearing on the agenda which were of interest to the public and were within the subject matter jurisdiction of the Planning Commission, provided that no action shall be taken unless otherwise authorized by Subdivision (6) of Section 54954.2 of the Government Code.

Chair Milman opened public comment at 1:31 p.m.

Seeing and hearing no public comments coming forward, Chair Milman closed public comment at 1:31 p.m.

COMMISSION BUSINESS: None.

PUBLIC HEARINGS:

55
56 **1:30 p.m. PLN24-0199; MIS24-0015: A proposed** Development Agreement requesting to extend the
57 expiration date of the South Woodlands Vesting Tentative Final Map, which was approved for 30 lots, that
58 would otherwise expire on September 10, 2026. **LOCATION:** 13955 Toby Trail, Grass Valley CA 95945,
59 14473 Lava Cap Mine Road, Nevada City CA 95959, and 15648 Greenhorn Road Grass Valley California
60 95945. **APNs** 039-170-091, 039-160-014, 039-170-010. **RECOMMENDED ENVIRONMENTAL**
61 **DETERMINATION:** Recommend that the Board of Supervisors find that the original Mitigated Negative
62 Declaration (EIS14-010) is adequate review for the proposed project pursuant to Section 15162 of the
63 California Environmental Quality Act. **RECOMMENDED PROJECT ACTION:** Recommend that the
64 Board of Supervisors approve the proposed Development Agreement (MIS24-0015), to provide the total
65 potential of none (9) additional years beyond the original expiration date. **PLANNER:** David Nicholas,
66 Associate Planner.

67
68 *[minutes follow as direct transcript]*
69

70 Planner Nicholas: Thank you, Commissioner Millman. My name is David Nicholas. I'm an associate
71 planner for Nevada County, and this project brought before you today is a proposed Development
72 Agreement for the South Woodlands Tentative Final Map. This project is a request by the Shad Skikos
73 Trust to enter into a Development Agreement with the County of Nevada with the intention of extending
74 the expiration date of the already approved South Woodlands Vesting Tentative Final Map. This
75 Development Agreement does not propose to modify the map and only proposes to extend the expiration
76 date. So, although this project is not rehearing this map that has already been approved, I'd like to provide
77 some background about the map that this project is associated with. The South Woodlands Tentative Final
78 Map was a project to subdivide 152 acres into 30 residential lots, ranging in size from 1.7 acres to 20.3
79 acres in size. All but two of the lots would be served by public water provided by NID [Nevada Irrigation
80 District], while the remaining two would be provided with water from a well. All of the lots would be served
81 by individual septic systems. The subdivision is three miles east of the intersection of Brunswick and
82 Greenhorn, and the access would be to the north of Greenhorn Road. Due to the project being beyond the
83 dead-end road standards, it was also required that the project has secondary access, so it includes a gated
84 secondary access from Sierra Sky Circle, which would be a road within the subdivision, out to Lee Lane
85 and eventually to Idaho Maryland Road. This map was originally approved on March 10th, 2016, by the
86 Nevada County Planning Commission. Condition A2 of that approval included a condition that states the
87 final map must be recorded within 36 months unless an extension is filed, and that's a typical condition in
88 the County Code that the County imposes upon subdivisions such as South Woodlands. The first three-year
89 extension was applied for and then approved by the Planning Commission on March 10th, 2022, and a
90 second extension for three years was again applied for and approved by the Planning Commission, which
91 extended the life of the map until March 10th, 2025. In addition to the two discretionary extensions
92 discussed, the California Government Code also includes automatic extensions for projects such as this one,
93 which increase the length of the expiration date for 18 months, which results in the current expiration date
94 for this South Woodlands map being September 10th, 2026. Now that we've talked a bit about the
95 background of this project associated with the Development Agreement, I'd like to provide some
96 information about the Development Agreement itself. So, these Development Agreements: the primary
97 purpose is to ensure some clarification about the various aspects of a project. It helps understand the
98 different phasing, the infrastructure, fees, and approval timelines. It creates some assurance and an
99 environment of consistency for the developer to develop within. Typically, these Development Agreements
100 are approved concurrently with a project, and then negotiation for the terms of the Development Agreement
101 is done while the project is being processed. Typically, a Development Agreement incorporates some sort
102 of public benefit in exchange for the assurance provided by that Development Agreement. Typically, that
103 public benefit has to go beyond the minimum standards required by the County Code in order to justify the
104 Development Agreement. While we were working on this South Woodlands Development Agreement,
105 County staff worked with the developer's representative, but the developer's representative declined to
106 provide the County any additional public benefit in exchange for the Development Agreement and states
107 that the original benefit provided by the project is adequate. So, the County has five other Development
108 Agreements; on the screen is some discussion about four of them. This is just to provide some background

about the public benefit brought about by other Development Agreements. Boca Quarry, Ananda, and Harmony Ridge all had Development Agreements that were processed concurrently with the project approval, and Deer Creek Park II was the first project with a Development Agreement that was approved after the fact, as the South Woodlands Development Agreement is proposed. Boca Quarry included additional payment from the applicant, Teichert Aggregates, for each ton of aggregate sold. The Ananda Comprehensive Master plan included things such as secondary and emergency access, additional easements to neighbors for fire engine access, a designation of open space for oak habitat mitigation, a recycling drop-off point, development of a garage to store a fire engine for North San Juan, the maintenance of a helicopter landing pad, maintenance of 30,000 gallons of water, and the use of their community village center as a Red Cross emergency and evacuation center. Harmony Ridge, another project approved concurrently with a Development Agreement, included the dedication of multiple trail easements and trail improvements, open space lots, and development of future secondary access routes. Deer Creek Park II, like I mentioned previously, did have a Development Agreement that was approved after the original project was approved, but Deer Creek Park II included payment of special mitigation fees to the City of Nevada City for Boulder Street impacts, gift deeding over 40 acres of watershed property to the City of Nevada City, a donation of 330 acres of a timber management conservation easement to the Bear Yuba Land Trust, and additional donation of an endowment fund with the construction of public access trails. Due to that public benefit of Deer Creek Park II, that is how that after-the-fact Development Agreement was justified. So now that we've provided some background about Development Agreements in the County, I'd like to provide some information about why maps expire. When a subdivision is approved, it's vested with certain standards, and so that way, the developer is able to have that consistency while they're planning for their development, so the regulations don't change [out] from under them while they're developing their subdivision. These expiration dates for maps are built into the Subdivision Map Act and the County Subdivision ordinance because these vested requirements keep those maps in "to older" standards, and the expiration date allows those maps to eventually expire so that the developer is incentivized to act within a reasonable time frame to develop the project, and also so that those maps have to comply with up-to-date rules, including road and fire safety standards. As we discussed, although the developer has not followed staff's recommendation to provide public benefit for entering into the Development Agreement, there's still merit to extending the life of this map. As we know, there's a housing shortage in Nevada County, and if we approved a map today in the same location, the sort of development from that map would likely be the same as the South Woodlands map, because the zoning hasn't changed. Additionally, the standards the project is vested to are similar to the standards that would be held to today, if it were approved today. The main difference is that the secondary access to Lee Lane is vested to an old standard that allows that emergency access road to be four feet narrower than the current standards. Additionally, the South Woodlands project underwent environmental review and public input during the Planning Commission hearings, which is substantially in alignment with environmental review and the Planning Commission process that's in place today. Additionally, the South Woodlands Map includes development of an important emergency access connection between Greenhorn Road and Idaho Maryland Road. Since the release of the staff report, the Nevada County Planning Department has received additional information from the applicant's representative, the Nevada County Consolidated Fire District, and a neighbor. In the staff report, there's a mistake that mentions that the map is vested to nine-foot-wide lanes when it has actually vested to 10-foot-wide lanes. However, that emergency access road still does not meet the current requirements, and this does not change the analysis or staff recommendation for this project. We also received a second letter on April 17th, 2025, from the applicant's representative. That letter doesn't provide any additional information that wasn't analyzed, considered, and discussed in the staff report. On April 23rd, 2025, the Nevada County Consolidated Fire District provided a letter expressing a lack of support for the additional 19-year extension due to unknowns about how conditions or regulations may change within that period of the 19 years of potential extensions. And finally, on April 24th, 2025, a comment was provided by a neighbor expressing concerns about the map being vested to older standards and requested the developer be required to meet current standards. When the South Woodlands Map was originally approved by the Planning Commission, it was associated with an initial study and mitigated negative declaration. That original environmental document fulfills the environmental review requirements of this current project pursuant to CEQA Guidelines 15162. Due to this Development Agreement not including any previously undisclosed significant environmental impacts or a substantial increase in severity of the previously disclosed impacts.

163 So, here's just a brief summary [references overhead slide]. In order to approve a Development Agreement,
164 a finding must be made that entering into the Development Agreement is in the public interest. Historically,
165 this has been achieved by providing public benefits beyond the minimum standards to approve the project
166 initially. County Staff recommended to the developer's representative that additional public benefit should
167 be provided to justify entering into the developer agreement. The developer's representative declined, but
168 Staff still recommends extending the life of the map. Due to the conditions of the map being substantially
169 similar to a map that would be approved today. Because of that, Staff recommend that the Development
170 Agreement extend the life of the South Woodlands Map for 36 months, with up to six years of extensions,
171 which would be the time period that would be consistent with what a map would have if it were approved
172 today. Any greater extension, such as the applicants proposed 10-year extension with the possibility of three
173 three-year extensions, would potentially conflict with the reasoning for maps to expire in the first place
174 under the Subdivision Map Act and the County Subdivision Ordinance, as previously discussed in the
175 presentation. So, therefore, Staff's recommendations are as follows. The recommended Environmental
176 Action is to recommend that the Board of Supervisors find their original Mitigated Negative Declaration is
177 adequate review for the proposed project, and the recommended Project Action is to recommend that the
178 Board of Supervisors adopt an ordinance approving the Development Agreement to allow for an additional
179 three years with two potential three-year extensions of time. That concludes my presentation. Thank you.

180
181 Chair Milman: Thank you. Does the project have a presentation?.

182
183 Mr. Cassano: Good afternoon, Madam Chair and Commissioners. My name is Andy Cassano. I'm a
184 professional planner and a land surveyor with Nevada City Engineering. I'm here today representing the
185 Shad Skikos Trust in their application for this Development Agreement. I was musing on the way over here
186 that my first project presentation to the Nevada County Planning Commission was in 1979. It was the 6B
187 Ranch Estates project on McCourtney Road that I'm still pretty proud of. I'll tell you that I didn't rehearse
188 today's presentation as much as I did that first one, but I'm going to try and do the job anyway. I wanted to
189 just show you that I can remember 46 years back in case any of you are concerned about whether I still
190 have all my marbles are not. First of all, I highly respect the County's Planning Staff. It's been great working
191 with Tyler and David, and I respect their point of view. Not sure how they came to see this application the
192 way they did, but that's what we've got here today. We always try to work out any disagreements between
193 the applicant and the Staff before we ever get here, but unfortunately we weren't able to do that today, so
194 we're going to have to throw it up to you guys and let you make a recommendation to the Board of
195 Supervisors. I guess, is this project worthy? It is. The reason it's worthy is, so much time has gone in on it.
196 I worked on it personally, so it had a good project planner. The Planning Department and all the other
197 agencies that worked on this spent a lot of time on it, and if you had a chance to see the tentative map, it
198 has a lot of extra work in there on access, proving how everything's going to work and making sure the
199 intersection of Greenhorn Road could work. Then the Planning Commission, your predecessors (I don't
200 think any of you were there in 2016), but your predecessors spent a lot of time with this. They heard public
201 comment. They went through the Staff recommendations and had all the questions, and they developed an
202 approval that came out of the county with 68 Conditions of Approval, 32 of which were from the Planning
203 Department and include all the mitigation measures from the CEQA review. So, I tried to argue to the
204 Planning Department that they should be proud of their work on this. It's a good approval. If you go
205 through the 68 conditions, I don't think you're going to find anything in there that we missed. I think that
206 the Planning Commission should be proud of this project and the time that was put in on it and the work
207 that came around to approving it in the first place. It's interesting that a slide went up that explored the
208 public benefit of other Development Agreements, but didn't have a slide to talk to ours, so I guess I'm going
209 to have to talk to that myself. The main public benefit of this project? Well, first of all, its setting is on kind
210 of on a hillside or on a plateau that is between Greenhorn Road and Banner Mountain. Everybody's probably
211 familiar with that hillside. It drops off from the airport level down to Greenhorn. This project is an infill
212 project that would be in a plateau between those two areas, and by doing that, there's some things that the
213 project design and conditions do. The most important one is, it would develop through-emergency access
214 from Greenhorn Road up to Banner Mountain. Now, Greenhorn Road is considered the longest, probably,
215 cul-de-sac in the county. I think this is 3 miles out, so if you live on Greenhorn Road, your aspects for
216 escape during a fire are limited. I think you could probably try to get out to the Diggins area and maybe

217 something like that, but this emergency access route is a huge benefit. There's one section of this route that
218 traverses a very steep hillside, and I cannot meet the 24 feet of grading on that. It's just too steep. I can meet
219 the 20 feet of grading that was in place when the map was proposed, and that standard was in place in the
220 County for many decades and considered appropriate up until very recently. The rest of the roads, we were
221 planning to widen anyway to accommodate pedestrian traffic. So, the standard of what we were required to
222 do in the 68 conditions and what the current requirements are pretty much the same. I guess when you think
223 about developing an area: right now, that's a wildland area with no real decent access. When you think
224 about developing that area, well, you say, "Should we move people into a fire-prone area?" Well, maybe
225 not such a great idea, but on the other hand, the development would create a lot of access in that area. This
226 is a rare rural project that has treated public water, NID treated public water; there are fire hydrants in parts
227 of that property already. Then, the clearing required for the roads: the conditions required 30 feet of
228 vegetation clearance for the roads, which is higher than the current standard. Just the clearing that would
229 take place as the property developed would result in a lot of fuel removal that would be good. And then,
230 when you think about some of the worst fires here or in other locations, they've started in areas that are
231 completely inaccessible, and so having eyes on the woods and great access, I think, is actually a bonus to
232 that Never-Neverland in between Greenhorn Road and Banner Mountain. It just puts more eyes there. Our
233 fire services have done a great job where they can get access to really stomping these things out, which I
234 greatly appreciate. I did not see the Fire Department's letter or the letter from this neighbor, so I can't address
235 those. I'm sorry I didn't get those in advance. I guess the biggest thing on my mind right here, and that I
236 want to stress, is fairness. When this client came to me and asked me about a Development Agreement, I
237 said, "Well, you know, we just processed two Development Agreements. One was a Development
238 Agreement extension for Ridgetop, which was mentioned, and the other one was a Development Agreement
239 for Deer Creek Park II. Now, those went through a 10-year initial terms and three three-year extensions
240 provided for. So naturally, I told my client, "That's what the County has been approving and that's what
241 you can expect." Now the Staff presentation suggests that during the Development Agreement processes
242 for Deer Creek Park and Ridgetop that new Conditions of Approval were negotiated, and that's simply not
243 true. There was no change whatsoever to the Conditions of Approval that were originally applied to those
244 projects, and that's what the Development Agreement calls for. So, there was no new stuff added. Now,
245 coming to me to ask me to add new stuff to the Development Agreement: the purpose of the Development
246 Agreement is, it's not really feasible to do this project right now, because the value of lots like this has never
247 really returned since the Great Recession. So, the hope of the Development Agreement is to give us some
248 breathing room so that we have time to see some market changes. I do think that land values are improving
249 somewhat, but, you know, three years is not enough. In my memo, which I think was in your packet, I
250 pointed out that if we had wanted to complete this in three years, we really need to start tomorrow, and
251 they're definitely not going to start tomorrow. So, I'm having a hard time explaining to my client how come
252 Lance Amorel and gang got 10 years plus three threes, and how come Mark Smith and gang got 10 years
253 plus three threes, and how come all of the sudden this is seen under a different eye and being held to a
254 different standard. I'm concerned about that in a lot of ways, so I would appreciate... I hate to ask you to
255 overturn the Staff recommendation, but that's what I'm asking you to do. I want to be shown the same
256 fairness and the same consideration as the projects that came through before us. So, with that I'd like to
257 answer any questions you have, and I appreciate your time to work on this today. Thank you.

258
259 Chair Milman: Thank you. Let's take public comment now. Is there anybody in the room that would like
260 to address this issue? I see nobody running to the stand. If you would like to address this, please approach
261 the front speakers' podium and you'll have three minutes to do so.

262
263 Chair Milman: opened public hearing comment at 1:56 p.m.

264
265 Seeing and hearing no public comments coming forward, Chair Milman closed public hearing comment at
266 1:56 p.m.

267
268 Chair Milman: OK. I think this concludes public comment. Yes, public comment is concluded since there
269 is none. So, let's move then to questions from the Commissioners. Or, did you have something to add?

271 Planner Barrington: I just wanted to add... Tyler Barrington, Principal Planner, for the record. I just want
272 to clarify for the record, pursuant to Condition D5 in the Nevada County Consolidated Fire District
273 Containment Attachment 5, the wildland clearing is 10 feet from the road, not 30 as indicated by the
274 applicant.

275
276 Mr. Cassano: The Conditions of Approval we agreed to were 30 feet.

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278 Planner Barrington: That's not the way the Conditions read.

279
280 Chair Milman: Sorry I'm not understanding what we're...

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282 Planner Barrington: The applicant indicated that their defensible space clearance for the roadways was 30
283 feet, which is above and beyond the minimum standard. But the Conditions of Approval from the original
284 approval of the map and Condition D5 on page 52 of Attachment 5 of your staff report state that the fuel
285 modification area is 10 feet from the side of the road, so I just want to clarify that for the record.

286
287 Chair Milman: Thank you.

288
289 Mr. Cassano: And I think if you reviewed the minutes, she'd find out it was 30 feet agreed to.

290
291 Chair Milman: Yeah, I don't have the minutes of that meeting. So, at this point, what is the issue here?
292 We're talking about 30 feet total, or we're talking about an 18-foot-road with 10 feet on either side, which
293 then is 38?

294
295 Planner Barrington: So, what I'm trying to clarify for the record, regardless of what was agreed to in the
296 minutes, is the final Conditions of Approval for this map indicate that they're required to provide 10 feet of
297 fuel modifications on both sides of the road, where the applicant indicated that they would be doing 30.

298
299 Chair Milman: And so, this road is nine feet for each lane, plus 10 feet on either side?

300
301 Planner Barrington: We're talking about the defensible space area on the sides of the roads. The roads
302 themselves, what was approved were a 10-foot-wide roadway. The firesafe road portion of it is two nine-
303 foot-wide travel lanes with one-foot shoulders. What I'm trying to clarify, for the record, is the applicant
304 indicated that they agreed to 30 feet of defensible space on both sides of the road, and the Conditions reflect
305 that they're only required to provide 10 feet on both sides of the road. So, I just want that to be clear.

306
307 Mr. Cassano: Well, we'd be happy to add the 30-foot requirement in the Development Agreement if it's
308 unclear, because we certainly are understanding.

309
310 Chair Milman: All right, let's do Commissioner questions. Would you like to start, Commissioner
311 McAteer?

312
313 Commissioner McAteer: I would. So, I'd like to begin with what Mr. Cassano ends with. I mean, that's
314 what the crux of this is, is that Mr. Cassano says, "You've been doing X all of these years, and all of a
315 sudden, we're now at Y." So, can you explain to me why we're at Y and not at X?

316
317 Planner Barrington: Sure. As the planner explained in his presentation, it was our impression that the
318 Harmony Ridge Subdivision that Mr. Cassano references, as well as the Deer Creek Park II, went above
319 and beyond the requirements of just the Conditions of Approval. Several trails were donated as a part of
320 the Harmony Ridge Subdivision, and that Development Agreement was agreed to and negotiated as a part
321 of the approval process for that subdivision. For Deer Creek Park II, as David explained, they provided a
322 large endowment of funds to the city of Nevada City to pay for improvements to Boulder St.

Commissioner McAteer: I understand all that. So, my question then is, are those... did those conditions, were they add-ons after the Planning Commission approved them initially? Were these sorts of add-ons to say, "Hey, give us some more time, so we'll throw some more perks in there," or not?

Planner Barrington: So, the Harmony Ridge one is kind of not the same as what we're dealing with, but the Deer Creek Park II is the same. Those weren't add-ons, but they were recognized as, "You went above and beyond with the original map, and so therefore, we agree to go to that length." What is being requested is that the County enter into a contract with the developer to allow them to have an additional 19 years when they've had - I guess it'd be almost nine at this point - and then, plus the additional 18 months, so 10 years consistent with the Subdivision Map Act to approve and meet their Condition of Approval and record their map. They're now requesting an additional 19 years on top of that, and what Staff is saying is, because of their unwillingness to provide additional public benefit pursuant to the County statute related to Development Agreements for making findings for approval, is that we feel a reasonable compromise is to effectuate...essentially, to provide them the full timeline of doing a refiling of a new map is what would be required if their map would have expired.

Commissioner McAteer: OK, I'm still a little need a little more clarification. So, Mr. Cassano's project here, at this point, comes to an end, it's coming to an end, and you're saying to Mr. Cassano, "Gee, Mr. Cassano, please add on a few... throw us some crackers and cheese so we can continue, we can recommend for a longer period." Is that what you're saying? Let me just make that clear. Yes?

Planner Barrington: To a certain extent, Commissioner McAteer. The findings of a Development Agreement require that you make a finding that entering into this Development Agreement is in the public benefit. So, what Staff is saying is, we see the benefit of this project, not only for providing additional residences, but also for that regional emergency access road. So, we are feeling comfortable with recommending, let's give the developer a full timeline of a final map as they would get if they had refiled because the map had expired, which is pretty reasonable, without adding any additional public benefit. With the Deer Creek Park II subdivision, the developer through out their project provided additional public benefit above meeting the minimum conditions of approval in order to get their project approved.

Commissioner McAteer: That's what I'm... that's the crux of my questioning. Let's take Deer Creek Park, because that's Mr. Cassano's agency also. In Deer Creek Park, since it was given extensions, at the end of their timeline, did they give more?

Planner Barrington: They did not.

Commissioner McAteer: They did not.

Planner Barrington: But they had done more ahead of time.

Commissioner McAteer: I see. But isn't that part of the problem here? It feels like maybe there's a punishment because they didn't give enough initially. So, if they'd given enough initially, we'd be in a happier state here today than we currently are. Is that what you're saying?

Planner Barrington: I mean, I think to a certain extent, if the project would have went above and beyond the minimum requirements originally, then we would probably end up in a better place. What they're requesting is to meet their original Conditions of Approval, and to get an additional potentially 30 years to record their map, when the map act allows for nine.

Commissioner McAteer: OK. Mr. Cassano, could you tell us what you believe are the things that are above and beyond that your client and you were providing that would be similar to some of these other projects? Are there public benefits that you would like to note to the Commission here?

Mr. Cassano: Well, Commissioner McAteer, in my testimony, I talked about the public benefits that I saw that were inherent in the project. Now, the other Development Agreement sites handled: they weren't things that the developer said, "I want to do these as a part of the Development Agreement." These were things that were hammered out in the public process, you know. Deer Creek Park development has tough conditions. You were in town when that was going on; it was... everybody was attacking it, so it had extra tough conditions and they weren't volunteers, they were just supplied by the County. And that's exactly what's in the Development Agreement – nothing, more, nothing less. And the same with Harmony Ridge Estates.

Commissioner McAteer: So, I'll go back to the County again. What items did you want from Mr. Cassano, that Mr. Cassano said "no?" What was your wish list?

Planner Barrington: Some of our wish list, if you .. or, our recommendations, were: Would they consider going through the current standard for the fire safe road? Would they consider, as a recommendation of the Consolidated Fire District, providing fire hydrants or additional water storage? Would they consider providing affordable housing as part of their proposal? Would they consider dedicating some lands for conservation easement, similar to Deer Creek Park II? Things like that.

Commissioner McAteer: OK. Mr. Cassano, your view of that was, "It's just adding on cost to my...the project," and the person doesn't want to put out \$100,000 or so, up front, now, or whenever.

Mr. Cassano: It hasn't been built yet because it doesn't pencil out, so adding stuff is not good. You know, I think we could agree to the current fire safe road standards, except on the steep slope section where it can't really feasibly be built, and if I was applying for the project today, I'd apply for a Petition for Exceptions on that.

Commissioner McAteer: Andy, since I've known you a long time. How far is it until that Banner Mountain connection occurs? How much of how much of plowing is there to get to that? Because I know from the Banner Mountain community and Cascade Shores community that Greenhorn is the goal to be able to get out of town when a fire is coming from the northwest. And so, my question is, how much grading has to occur to be able to connect Banner Mountain to Greenhorn?

Mr. Cassano: Let's see, the graphic on the wall would give you an idea of the very southern part, where it says, "See detail." That's where a connection to Greenhorn Road would occur. And then, the first part of the road is not constructed at all at this point in time. The part that goes through lots - can't quite read those two first lots - to the point where it says A in the road...

Commissioner McAteer: Yeah. 2021.

Mr. Cassano: Yeah, that's all not...no construction.

Commissioner McAteer: So, there's no grading there that's occurred at this point?

Mr. Cassano: Right. From there on out, there's one lane, one lane roads that go all the way out to Banner Mountain. So, there's a part that would need to be constructed. Brand new construction.

Commissioner McAteer: And so how...Andy, tell me how far is the northern part here, since there is a road there, how far is that to... where does it come out on Banner?

Mr. Cassano: It actually comes out on Lee Lane.

Commissioner McAteer: On which lane?

Mr. Cassano: Lee Lane.

Commissioner McAteer: Lee Lane. OK.

Mr. Cassano: ...which is kind of near the Wawona Madrona.

Commissioner McAteer: Oh, sure.

Mr. Cassano: Yeah. See if I can get some distance...

Commissioner McAteer: So, I think the greatest public benefit that could occur, Andy, is some type of grading to make that connection. I don't know what the County thinks about this, but from my perspective, evacuation is number one topic in this county. If we can do something to be able to help those Banner people and Cascade Shores people have some access,... and Greenhorn people to have at least a dirt road, would be an incredible benefit.

Mr. Cassano: Well, of course, the Conditions of Approval establish all of that as being built.

Commissioner McAteer: I understand that. I'm just saying that, at the current... how far is it, Andy, from the bottom of that map to wherever that dirt road is?

Mr. Cassano: I'd say 3/10 to 4/10 of a mile.

Commissioner McAteer: OK. And I'm turning to you as a means to try to strike some kind of deal. Is there any willingness of you and the developer to be able to grade 3/10 of a mile so that people from Greenhorn and Banner could use that dirt road?

Mr. Cassano: So, you're talking about the developer doing that in advance of any other work on the project?

Commissioner McAteer: Yes, Sir.

Mr. Cassano: I think that'd be very tough.

Commissioner McAteer: OK. Well, that's honest. And that's what we're looking for. OK.

Mr. Cassano: It's my specialty.

Commissioner McAteer: OK. I'll stop asking right now and listen to the rest of my Commissioners.

Chair Milman: OK. Let's go for some other questions. Who...? *[To Commissioner Foley]* Sorry, I don't even know your last name.

Commissioner McAteer: Irish!

Chair Milman: Carry on, Commissioner.

Commissioner Foley: Thank you. And Commissioner McAteer, thank you for your good line of questioning there. You asked a lot of questions that I was kind of thinking. I guess my question is, I agree with Commissioner McAteer that it seems like this access road would be is a big part of the public benefit. I'm curious. You said there's a few sections in the road where you cannot meet the fire safe, the 24-foot-wide road. I'm curious - how long, how far of a section is it where you cannot meet that?

Mr. Cassano: That's an offsite section. I think it's about 500 feet.

Commissioner Foley: Have you worked with Consolidated Fire, the fire districts at all, to work with some kind of mitigating effort to work with some kind of exemption for that 500 feet? Is that a possibility?

Mr. Cassano: Well, we haven't worked with... I didn't know they were concerned about it before today, but we worked that out, you know, in the original project. And right now, on the side of that hill, there's a roadbed that's probably 14 or 15 feet wide, and in that roadbed there's an NID water main and fire hydrants along the way. There have been already installed, which would be a public benefit. So, the trouble is, I don't know how familiar you are with grading, but there would have to be some probably downhill retaining walls to make the grade the same, so the pipe stays buried appropriately and, you know, we can demonstrate that to anybody - the fire department or County staff or anybody that wants to go out and take a look at it with me. So, it's kind of like, can't meet the new standard, but we could definitely improve what's there now.

Commissioner Foley: OK. Yeah, I just, I agree with Commissioner McAteer again that, you know, fire evacuation routes are just of the utmost importance, so I would think if there's any way to work with the fire department and the County to mitigate some of those efforts to make that road considered fire safe to just today's standards, while taking into account the topographical, you know, obstacles that are in place, I would hope that that could be explored to try to complete that road, because I think that road would be a tremendous public benefit. I'm also curious, have any of the Conditions of Approval been attempted to be met during this preliminary 9-10-year period that the project has...that this Tentative Parcel Map has been submitted?

Mr. Cassano: No, nothing has been started on it.

Commissioner Foley: OK, and so, you don't feel that another potential nine years is enough time to get the ball rolling on this project, essentially?

Mr. Cassano: Well, you're asking me to predict the future economy, real estate, and I just can't do it. I don't know for sure. I know that these lots are extraordinary. They're, you know, being served by treated public water and having fire hydrants within 500 feet of the lots. That's huge. So,...and then the other benefits I talked about, so I would like to think that it would be useful over this period of time that we're asking for. You know, I look at Deer Creek Park. We followed that project. They're just now...I think they have a buyer for the first seven lots that have been built and there's 50-something lots out there that there's been no action on already, and I'm wondering if we're going to be back here asking for one of the three-year extensions to be added on to the 10-year extension, trying to salvage what's been done. You know, the entitlement process and the ability to get a map approved in California has really become an extraordinary effort. You know, there's probably years of work in this and \$200,000 in County and public and all kinds of fees. And so, it's a huge asset to this property to be able to have the option to go ahead with the project, and it's very difficult to see it expire or think of having to start over from square one.

Commissioner Foley: Understood. Those other projects, the Deer Creek Park and the Harmony Ridge - did those projects have a timeline similar to yours, where they submitted a Tentative Parcel Map, those maps were extended out, and then they applied for a Development Agreement after the fact? Or did they apply for the Development Agreement from the "get go?"

Mr. Cassano: Well, Harmony Ridge had an initial Development Agreement, because they didn't have secondary access. So, one of the Development Agreements said, well, you can't do certain things until you secure that. And in Deer Creek Park, the original approval was 2007, and the recession came along and there were state-granted extensions of time. So, they had a huge window of extensions of time before there was nothing left, and we applied for the Development Agreement, I think in 2020 or 2022 or something like that.

Commissioner Foley: So, they had...how much time exactly did they have during their development process?

Mr. Cassano: Well, they...from the time of the original approval, it's been something like 17 years or 18 years.

Commissioner Foley: I'm just trying to, you know, square what you said about fairness about the time frame that these other projects were allotted, and it sounds like they were somewhat similar to what is being proposed for this one too. If you take into account the possible extensions that are possible with this Development Agreement.

Mr. Cassano: I appreciate that. I think fairness is a big deal for me and my client as well.

Commissioner Foley: OK. I think that's all I have at this point.

Chair Milman: Thank you. Commissioner?

Commissioner French: Yes, thank you. So, County Staff mentioned a few items that they would look for as additional benefits from this project, and the road's kind of at a standstill here. Any of the other items they mentioned, you'd be willing to work with them on?

Mr. Cassano: Well, we could take them one at a time and talk about them. The road standard: I'm saying here today that for the internal roads, notwithstanding the steep section there, we could agree to the current road standard. It's two feet wider. Let's see. Another part was a conservation easement. I'm not sure that... I'm kind of a Bear Yuba Land Trust veteran, and I'm not sure that I see anything in there that has too much value as a conservation easement. It's never been discussed with the Land Trust. You know, possibly something in those larger lots, but in general the Land Trust looks for larger parcels to get conservation easements on.

Commissioner McAteer: I do know your knowledge base in that since we were both on the original Land Trust together, Andy, on that board.

Mr. Cassano: We were indeed. Let's see. Can you help me, Tyler, with some of the other items that we... oh, affordable housing. Well, affordable housing, building new affordable housing, is not possible. I think you all would understand that. I don't have to explain how that works. You know, the modest-sized houses in Grass Valley that have been being built are in the \$500,000, \$550,000, and that's not affordable for anybody that came from here. Might be affordable for an equity immigrant from the Bay Area, which is mostly what drives prices around here. You know, we talked a little bit about, well, maybe all of the houses could be required to have an ADU or a junior ADU. I think we could probably agree to a junior ADU. The County's made a lot of progress in setting forth standards for accessory dwelling units and junior accessory dwelling units, and most recently, tiny houses on wheels. So, notwithstanding the project, there's quite a few options for property owners to try to develop some accessory housing. But to try to say, well, we'll build it, we'll build brand new houses that are affordable to moderate income: it's not possible. Just not possible. All the affordable housing that's been built into our area has been done through a subsidy, a government subsidy program, Cashin's Field being one of the most recent ones that has really been a super benefit to workforce housing. But, you know, those units were built at prevailing wage. It cost a fortune to build that place, and the rents are covering the cost of it. Government subsidy.

Commissioner French: So, you mentioned Junior ADU, which from my understanding is attached to some of the original housing.

Mr. Cassano: Yes.

Commissioner French: Is that something that County would be interested in?

Planner Barrington: I think our recommendation was, if they be willing to give a percentage of units to deed-restrict those to either moderate or above moderate or even middle income, which is considered 125 or 180 of the area median income. So yes, a junior ADU may be something that would fit that need.

Commissioner French: OK. So, I'm just trying to work... this is what I do for a living - try and put deals together. So, they said they kind of are willing to do some sort of modification for junior ADUs and they increase the road standard; is that something that would help their project?

Planner Barrington: Yeah, and I just want the Commission to know that we're not here recommending denial of their Development Agreement. We're here recommending that we give them additional time, and we do see the benefit of the fire emergency access road, certainly.

Commissioner French: OK. And then the last thing regarding the fire access road: we mentioned doing it in advance. Is that something that could be added on as a necessary condition at time of construction, to be done?

Planner Barrington: It's certainly within the purview of the Planning Commission to recommend that we do have some discussions about it, but we didn't have them with the applicant about whether we could require, say, a certain time frame for that road to go in in order to get a longer time frame. There wasn't a discussion we had because we kind of hit a wall, if you would.

Commissioner French: OK, so back to you. So, we've got fire road extensions, junior ADU, and increasing the road standard. If your applicant was willing to do those things, perhaps you could...?

Mr. Cassano: Yeah, I think we...back to the junior ADUs: I think it probably would make the most sense to just to require a junior ADU for all units. The trouble with providing for a percentage is, who keeps track of that? Who decides which ones they are? And it's a headache to keep track of. So, you know, requiring a junior ADU or an ADU with each lot probably is something we could work with. The building in advance: I'm having a hard time understanding exactly how I could stage that.

Commissioner French: Well, I believe he just said it wouldn't be required to be done in advance.

Planner Barrington: Generally, the map would have to meet all the Conditions of Approval, and so because it's beyond the dead-end road limit, they would have to construct that road in order to record the map themselves. But what we were suggesting as a potential option would be to require the developer to construct that road in advance prior to meeting all their conditions in order to achieve the timeline that they're requesting. There could be some sort of agreed upon time frame for the developer of - whether it's five years or seven years - to give them the 19 years total to do all the other conditions, so they wouldn't be able to sell lots, but they potentially could put that road in.

Mr. Cassano: I don't think I can do that one. Can't figure out how to make that work. You wouldn't want to do that unless you knew you were going to do the whole project, and if you're going to do the whole project, then it would just come out as a part of the project. So, you know, going out with a bulldozer and grading in a road of some kind... I don't know. I've never done that before, so I'm inclined to be concerned about it.

Commissioner French: OK. I think that's it for me. Thank you.

Chair Milman: Thank you. If this were coming to us new today, what would the timeline be?

Planner Barrington: It would be three years with two three-year extensions of time.

Chair Milman: Which is what you're recommending?

644 Planner Barrington: Correct. Essentially, we are recommending that we essentially issue a brand-new
645 approval for this applicant without any new Conditions of Approval, without meeting the current standards,
646 to allow them to continue to meet their Conditions of Approval, versus the 19 years that they're requesting
647 on top of the 10 years they've already had.

648

649 Chair Milman: And just to clarify: the access at Lee Lane - that works for fire access both directions, right?
650 It's not just for the...?

651

652 Planner Barrington: Correct. It would be gated, however.

653

654 Commissioner McAteer: It would be what?

655

656 Planner Barrington: Gated.

657

658 Commissioner McAteer: Gated? It's not...there's nothing there currently?

659

660 Planner Barrington: No, not that I'm aware of.

661

662 Commissioner McAteer: There's some kind of dirt road?

663

664 Mr. Cassano: There's a dirt road there.

665

666 Commissioner McAteer: Dirt road that's just open, Andy, that you can just drive down?

667

668 Mr. Cassano: It's gated.

669

670 Commissioner McAteer: Oh, it's gated.

671

672 Mr. Cassano: Yeah.

673

674 Chair Milman: Why does it need to be gated?

675

676 Planner Barrington: That was the request of the development at the time of approval.

677

678 Mr. Cassano: Well, the only way to make a demarcation between a general access and an emergency access
679 is an unlocked gate with some signage on it. You know, otherwise, why wouldn't people just use it every
680 day?

681

682 Commissioner McAteer: Well, I know in Morgan Ranch, they have bollards that you bump up against, and
683 they sort of go down then. You know, that means that you gotta get out. So, you hit the bollard, and it
684 cracks the... whatever is there.

685

686 Mr. Cassano: Most of the standards have been an unlocked gate, and the sign says, "no parking, fire access
687 only."

688

689 Commissioner McAteer: OK. I've got another question. Sorry. Hang on.

690

691 Chair Milman: OK, we have a couple more questions.

692

693 Commissioner McAteer: Let's... so, I'm going to go back to me again, if you don't mind. Tell me, Tyler,
694 just use Deer Creek Park, since we all know that. So, let's use Deer Creek Park. When Deer Creek Park was
695 approved, could you just tell me the years that Deer Creek Park got? Because I'm trying to understand this
696 fairness issue a little better.

697

Planner Barrington: And you're referring to their approval of the Development Agreement or the original map?

Commissioner McAteer: Original map.

Planner Barrington: OK. I don't know all the specifics of that; I didn't work on it, but I believe it was improved in 2007. It was probably originally approved for either two or three years, two two-year extensions of time (that may have changed). There was a whole bevy of automatic extensions of time from the State due to the downturn in the economy at that time. So, they took advantage of those, and then after they got towards the end of that, they came to the County and requested the Development Agreement and through the processing of that Development Agreement, which gave them the time that Mr. Cassano was indicating - the 10 years with the three extensions of time - Staff looked at that project and determined there was additional public benefit at the time of the approval, including a payment of fees to the city of Nevada City for the Boulder Street intersection. Excuse me, I'm out of a voice. The 330 acres of wildland preserve area, and then I believe it was an endowment of land that David has up on the screen here. So, those are some of the things that are above and beyond what was originally required of a map. For some background, that map was originally proposed at 200 units, and then through the approval process got down to about 50. Those are smaller lots in closer proximity to town and probably serve for a better purpose of providing slightly more affordable [housing] than these larger lots out at the end of Greenhorn.

Mr. Cassano: Again, all of those conditions were in the original approval after the final County inspection.

Commissioner McAteer: Say that one more time, Andy.

Mr. Cassano: All of the public benefits that Tyler has stated that Deer Creek Park... they were all Conditions of Approval from the original project.

Commissioner McAteer: Initially?

Mr. Cassano: Initially.

Commissioner McAteer: In 2007?

Planner Barrington: Correct.

Mr. Cassano: So, at the point the Development Agreement was entered into, nothing was added. Nothing was subtracted. It just was what was approved in 2007, period.

Planner Barrington: And those were...pardon me, Commissioner McAteer...

Commissioner McAteer: Yeah, go ahead.

Planner Barrington: Those were concessions offered by the developer to get their map approved in 2007, and so Staff recognize that those concessions were made at that time.

Commissioner McAteer: OK, but the point Mr. Cassano is saying, that I think is really important to understand, is that when Deer Creek Park was initially proposed, the Development Agreement said XY and Z, and they were given three-three-two, or two-two-three, or whatever it was, and then it came to the end, and then there was another 10 plus three plus three. Is that what I'm understanding? But there was nothing...

Planner Barrington: No.

Commissioner McAteer: No, it's not? OK.

752 Planner Barrington: Well, I mean, to a certain extent. The original map was approved without a
753 Development Agreement. It went through all those timelines. They didn't get their map recorded. They
754 didn't meet their conditions, and so they came to the County and said, "Hey, can we get into this
755 Development Agreement?" And through the Planning Commission and the Board of Supervisors, the Board
756 and the Planning Commission agreed that those concessions that they made originally were enough public
757 benefit in order for us to enter in that 19-year time frame. This map provided a few concessions in order to
758 get their map approved. One was a fence to block out one of the neighbors, but everything else was standard
759 Conditions of Approval. That's the difference between those two maps.

760
761 Chair Milman: But in that...for the Deer Creek Park, some of these things were done in advance of any
762 development happening, right? Like the deeding of 40 acres, that happened right up front, right?

763
764 Planner Barrington: Correct. Yes. And the payment of the endowment to the City for the street impacts.

765
766 Chair Milman: And that would be the difference between what we're looking at currently and some of
767 these others?

768
769 Planner Barrington: Correct, Commissioner, that's one of the differences.

770
771 Chair Milman: Where if the applicant were saying, "Yes, I would grade that...could basically make the
772 road connection, that would be more, in your mind, similar to these other cases?"

773
774 Planner Barrington: If they were going to make the connection, like, now or within five years, yes, that
775 would be that. Or if they were to say, you know, "We were only required to do an 18-foot-wide road back
776 then, but now we'll do 20 because that's the current standard." Or...so recently, the Planning Commission
777 approved the Paye Subdivision Map, and I don't know if you recall it or not, but there was a 30-foot shaded
778 fuel break at one of the parcels to provide for fire safety; that was one of the suggestions we made as a way
779 to provide something in addition, because if the map sits fallow for 19 years, it continues to be in the same
780 state of overgrown and so on and so forth. So, those are some things we offered up to the developer as ideas
781 that he could come back to us for us to feel comfortable saying, "Yes, let's enter into this contract for 19
782 years with no guarantee at the end of the day that you're going to perform and provide this map."

783
784 Chair Milman: OK, that makes sense to me. Thanks.

785
786 Commissioner French: So, I guess getting back to my original question - we're at the point: would the
787 addition of a requirement for junior ADUs us on each unit and the increasing road standard be enough to
788 sway County to...? I guess that's what he's saying they will agree to, so would that...?

789
790 Planner Barrington: Actually, it's your decision as the Planning Commission to make a recommendation
791 to the Board. And so, if that's the purview of the Planning Commission, to say the developer will do these
792 following things and we want you to recommend the 19 years, then that's what Staff will carry forward.

793
794 Commissioner McAteer: So, let's talk about this, since I know this is your project.

795
796 Chair Milman: If this came before us today, it would be three and two three-year extensions, and I'm ready
797 to...

798
799 Commissioner McAteer: ...to go along with the Staff.

800
801 Chair Milman: ...to go along with the Staff.

802
803 Commissioner McAteer: OK. And I'm trying to...I think Steve and I and even John are on the same page
804 here about this. I mean, I think the ADU thing, it's nice, the junior [ADU] thing, but that's, you know, this
805 is rural Nevada County; to put a little unit on or whatever else. I still believe the road is the biggest issue.

Chair Milman: And he said twice that they're not going to do that in advance.

Commissioner McAteer: Well, I understand that. I'm going to go back one more time. If I don't go back one more time, I'd be negligent. So, Andy, I'm willing to...my view is, I'm willing to vote for these extensions, which you say is fairness, with something coming forward that within the next five years, that a road be, you know, ...

Chair Milman: Three. Three years. There's no reason to leave that hanging.

Commissioner McAteer: OK, well, I'm trying to get some kind of help here, Andy, for you. The Chairman is saying three. Is there anything that, within three years, that you could put that road extension through to be able to allow Greenhorn community and Banner Mountain to be able to use it as evacuation route?

Mr. Cassano: Well, I can see how much everybody wants that, but I just don't see how to do it. I mean, there's no future in putting that road in unless you're going to do the project, and if you're going to do the project, then the road's going to go in as a part of the project. So, I don't know how to do it.

Commissioner McAteer: I understand that, and I'm just trying... you know, you can see me...you've been in these situations before, trying to be able to do something, to be able to get County Staff, you, the Commission, to be able to say, you know, "We want to have an extension, but gee, a little perk would go a long way towards us, especially knowing that evacuation's the number one item in the County, so that's OK. Thank you, as always, for your honesty.

Mr. Cassano: The junior ADUs and the road standard: that's fine.

Chair Milman: All right. Can we get the recommendation up on the screen please? Yes, sir. Certainly.

Mr. Tellam: Good afternoon, Commissioners. Thank you for hearing me.

Chair Milman: Sir, can we get your name?

Mr. Tellam: I'm Robert Tellam. I'm a fire prevention officer with the Nevada County Consolidated Fire District. I just felt that I should come up and give the position of the fire department and the reason behind why we were not able to support the plan as requested by the applicant. I'm sorry I didn't get a chance to discuss this with you. I'm very new to this project, and this looks like it was started back when we had another fire marshal, and I'm new to the project. There were a couple reasons that we were not in support of it, and it had little to do with some of the things that have been discussed today. It was more for the time frame. Does the applicant have the ability to petition the Commission again in the future for other extensions?

[Unknown speaker] Yes.

Mr. Tellam: Yes? OK. So, the reason that the time was an issue for us was because the building codes and fire codes change every three years. Especially as of recently, we've been learning a lot in the fire service, and we've had a lot of changes, not just in the building codes, but in state laws, in County ordinances, 2477, which we've been talking about with the 10 feet of clearance. But the building materials that are involved, parcel sizes, a lot of that has changed, the five-foot clearance with the defensible space, all that stuff changes very often. So, with adding ADUs and things like that, there's also concerns about the available water that we have. We do have water lines, I believe they do go out there close to the parcel, but within 20 years, who knows what the development could look like out there with the available water that we have. So, a lot of the fires that we've been having, with those factors in thought, is what the fires that we've been having that have been spreading house to house. So, this could change the landscape of how we do subdivisions in the future, things like that. The roads, that's generally a County standard as far as the grades go and when you were required to have an all-weather surface, things like that, road width. The state also has a lot of

input on that with state laws. So that's why we didn't support it. I would support it as recommended by the Staff, just because they have that every three years to look at it, and I'm probably going to retire in about five years, so that could potentially put it out with somebody else that might have more experience and knowledge than I do. Thank you for your time.

Chair Milman: Thank you. Well, so I think let's start with the recommendations, starting with this first one. We can at least get this one out of the way. So, would you like to make that motion?

Motion made by Commissioner McAteer to recommend to the Board of Supervisors that we find the original Mitigated Negative Declaration is adequate review for the proposed project and therefore further environmental review is not required pursuant to Section 15162 of the California Environmental Quality Act guidelines making finding A.

Second by Commissioner French. Motion carried on a 4/0 vote.

Chair Milman: I'm going to hand the chair over to Commissioner McAteer.

Commissioner McAteer: We'll turn to the Commissioner that...it's within her district.

Motion made by Chair Milman to recommend that the Board of Supervisors adopt an ordinance approving the Development Agreement MIS24-0015 to allow for an additional three years, with two potential three-year extensions of time pursuant to Nevada Code County Code Section 1205180E making findings A through E.

Chair Milman: And do we need to add anything to that in order to incorporate the one edit or some...?

Planner Barrington: Will you be making any changes to the Staff's recommendation in terms of any modifications to the Development Agreement. I did not hear any.

Chair Milman: No.

Planner Barrington: Yep, then no.

Second by Commissioner French. Motion carried on a 4/0 vote.

Mr. Cassano: Thank you, Commissioners. Appreciate your time.

Chair Milman: Thank you for coming in.

Commissioner McAteer: Thank you, Andy. We'd love to get that road in, Andy.

Mr. Cassano: Maybe when I retire I'll buy a bulldozer.

1:40 p.m. PLN24-0060; GPA24-0002; RZN24-0002; TPM24-0003; MGT24-0019; MGT24-0020; PFX24-0009; EIS24-0006: A proposed General Plan Amendment (GPA) and Zoning District Map Amendment (Rezone), Tentative Parcel Map (TPM), Management Plans for both Oak Resources and Watercourses (MGT), and Petition for Exceptions to Driveway Standards (PFX). The General Plan Amendment (GPA24-0002) proposes to change the land use designation for the project parcel from Rural with a minimum parcel size of 20.00 acres (RUR-20) to Rural with a minimum parcel size of 10.00 acres (RUR-10) and includes a corresponding Rezone (RZN24-0002) to amend Zoning District Map No. 37 from General Agriculture with a minimum parcel size of 20.00 acres (AG-20) to General Agriculture with a minimum parcel size of 10.00 acres (AG-10). Pending approval of the proposed GPA and Rezone, the Tentative Parcel Map (TPM24-0003) proposes to subdivide the approximately 21.41-acre parcel into two parcels of approximately 11.36-acres (Parcel 1) and 10.05-acres (Parcel 2). A Steep Slopes Management

Plan (MGT20-0041) was previously approved in July of 2020 for the grading of an access road constructed on slopes exceeding 30% slope. The Planning Department recognizes this Steep Slopes Management Plan, and the mitigation measures associated with the approved Steep Slopes Management Plan, which will be carried forward as a part of this proposed project to protect and reduce the potential risk of erosive impacts as a part of the project. **LOCATION:** 12100 Scenic Drive, Nevada City, CA, 95959. **APN:** 060-150-063. **RECOMMENDED ENVIRONMENTAL DETERMINATION:** Recommend that the Board of Supervisors adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (EIS24-0006) pursuant to Sections 15074 and 15097 of the California Environmental Quality Act Guidelines. **RECOMMENDED PROJECT ACTION:** Recommend that the Board of Supervisors deny the proposed General Plan Amendment (GPA24-0002), Rezone (RZN24-0002), Tentative Parcel Map (TPM24-0003), Watercourse Management Plan (MGT24-0019), Oak Resources Management Plan (MGT24-0020), and Petition for Exceptions to Fire Safe Driveway Standards (PFX24-0009). **PLANNER:** Zachary Ruybal, Associate Planner.

[minutes follow as direct transcript]

Chair Milman: OK, this brings us to the next public hearing item on our..., oh, I guess I'm reclaiming the Chair.

Commissioner McAteer: Yes you are.

Chair Milman: OK. Brings us to the next item. And can we get a staff report on this one please?

Planner Barrington: Madam Chair, can you give the staff just a second to set up?

Chair Milman: Of course.

Planner Barrington: Thank you.

Chair Milman: OK, we're going to quit chatting up here about the last one and let you give your report for this next project. Thank you.

Planner Ruybal: Good afternoon, everyone, and thank you for being here today. My name is Zachary Ruybal, and I'm an Associate Planner with the Nevada County Planning Department and the project planner for the Gabelman project in front of the Planning Commission for review today. So, the project parcel is approximately 21.41 acres in size and is located at 12100 Scenic Drive in an unincorporated area of Nevada City and is approximately 1.8 miles southeast of downtown North San Juan and approximately 6.8 miles northwest of downtown Nevada City. The project parcel is accessed via Scenic Drive, a private road, from Tyler Foot Crossing Road, which is approximately 2.2 miles northeast of State Highway 49. The project site is located in a rural area and a number of the surrounding parcels are developed with residential, rural, and accessory uses. However, the majority of the parcels to the north are mostly undeveloped. In November of 1977, the original Tentative Parcel Map (PM76-132) was approved and recorded in Book 12 of parcel maps at page 33, which created the original subject parcel. In 2014, a setback easement was approved to allow for the expansion of an existing structure in the southeastern region of the parcel encumbering the parcel directly adjacent to the east. In August of 2020, the Nevada County Planning Department approved an application for a commercial cannabis administrative development permit with an associated Oak Resources Management Plan at the project site for the previous property owner. In addition to the commercial cannabis ADP and the Oak Resources Management Plan. In July of 2020, the Nevada County Planning Department approved a Steep Slopes Management Plan for the proposed grading of an access road and commercial cannabis cultivation area within 30% slopes associated with the project. On July 26 of 2023, the current property owner and project applicant, Mr. Michael Gabelman, requested to withdraw the previously approved cannabis ADP in order to move forward with this current project application in front of you today. A pre-app review letter from the Planning Department was completed on July 13th of 2023, which provided information regarding the potential feasibility of the proposed project. Within the

pre- application review letter, the Planning Department indicated that there are concerns that a General Plan Amendment, a rezone, and a Tentative Parcel Map may be non-compatible with the surrounding zoning and the character of the area, and that the Nevada County Planning Department would be unlikely to support the General Plan Amendment rezone and Tentative Parcel Map without compelling evidence to support the findings that are required to be made for approval. As a part of the official project submittal for this current project, there is no new compelling evidence that was provided that further demonstrated that the proposed project would be consistent with the findings required for approval. The project is an application for a General Plan Amendment and a zoning district map amendment (or rezone), Tentative Parcel Map, management plans for both oak resources and watercourses, and a Petition for Exceptions to driveway standards. The General Plan Amendment proposes to change the land use to a designation for the project parcel from rural with the minimum parcel size of 20 acres, or Rural-20, to rural with the minimum parcel size of 10 acres, or Rural-10, and includes a corresponding rezone to amend the zoning designation from General Agricultural with the minimum parcel size of 20 acres, or AG-20, to General Agricultural with a minimum parcel size of 10 acres, or AG-10. Pending approval of the proposed General Plan Amendment and rezone, the Tentative Parcel Map proposes to subdivide the approximately 21.41-acre parcel into two parcels of approximately 11.36 acres and 10.05 acres in size. The proposed Watercourse Management Plan has been developed for seeking approval to develop within the 50-foot non-disturbance buffer to the center line of the existing drainages being crossed by the access road as a part of the proposed project. The proposed Oak Resources Management Plan has been developed for the proposed total area of landmark oak grove canopy to be potentially removed by the upgrades to the existing, and for the new proposed, access roads. Additionally, the project proposes a Petition for Exception to fire safe driveway standards, for the proposed grading will cut into areas that are currently in excess of 16%. While the proposed design and driveway layout for the project would avoid areas in excess of 30% slope in all areas possible, the proposed driveway will need to increase to a maximum of 20% slope in order to minimize site disturbance, large cut and fill areas, and to minimize the impact to oak trees. A Steep Slopes Management Plan was previously approved in July of 2020 for the grading of an access road constructed on slopes and excess of 30% slope. The Planning Department recognizes this Steep Slopes Management Plan and the mitigation associated with the approved Steep Slopes Management Plan as well. So, the project parcel is currently zoned AG-20 and has a Rural 20 General Plan designation, and currently on the parcel, there's an existing single-family residence, a garage, a detached residential accessory structure, two private wells, on-site septic, and PG&E for electricity. The project parcel, or farmland, is designated as grazing land and is located in area best characterized as blue oak/Foothill pine woodland, and the site slopes up from approximately 2,100 feet elevation at the southern portion of the parcel and goes up to approximately 2,500 feet of elevation at the northern end of the partial. The project parcel is directly bordered by five parcels zoned AG-20 with a Rural Land Use designation to the north, east, and west, and three parcels directly south are zoned AG-10 with a Rural 10 Land Use designation. Eight of the parcels directly surrounding the project parcel have been developed with residential, rural, and accessory structures. So, the project parcel is designated as Rural 20, as mentioned earlier, and rural General Plan designations are intended to provide for development of compatible uses within rural areas. The proposed amendment is not consistent with the goals, objectives, policies, and implementation measures of the General Plan, because the proposed change to the General Plan designation would create an inconsistency with the general surrounding parcels and has the potential to set a precedent for the surrounding parcels to the east, west, and north to modify their General Plan designations as well, which has the potential to significantly alter the existing character of the neighborhood and increase the overall density in the area if those surrounding parcels were to apply to achieve the same desired results as this proposed parcel. The proposed amendment is not in the public interest and has the potential to adversely impact the health, safety, convenience, and welfare of the county because the project parcel is in a remote area that has challenging topography and would increase the density in an area that is already designated as very high fire severity and is located on a dead-end road where evacuation capabilities in the case of a natural disaster have not been improved but would be further impacted negatively as a part of the proposed project. The project site is not physically suitable for the requested General Plan designation and anticipated land use developments, and the factors considered to evaluate the suitability included access, compatibility with nearby land uses, and presence and absence of resources and constraints found within the Nevada County Resource Standards. The natural setting would be adversely impacted by the proposed amendment due to the additional density that it would allow for, which would then open up

potential development in areas designated as environmentally sensitive areas, which would all be avoided if the proposed amendment were to be denied. Due to the fact that this proposed project would have a very minor impact on the ability to provide additional property taxes, sales taxes, and other discretionary revenues due to only one additional parcel being proposed that could allow for one additional residence, there would be no real positive impact from an economic standpoint, and numerous environmentally sensitive areas would be impacted to receive such a minor increase of potential tax revenue. The recorded parcel map found in Book 12 of Parcel Maps at page 33 demonstrates that the previously approved parcel map created parcels of relatively the same size and same configuration, and that the intent of providing parcels that are all relatively similar in size with the same configuration and same General Plan designation was to keep the character of the surrounding area same and consistent with one another. Throughout the past few decades, the Nevada County General Plan has been updated a handful of times, and each time an update was completed, the General Plan designation of the general project area, including the project parcel, was not modified due to the conclusion that the existing General Plan designation of Rural 20 was accurate and the correct designation for the overall area due to the remoteness of the area, the difficult topography, and presence of environmentally sensitive resources. The proposed project would disrupt those similarities and consistencies that have already been achieved as a part of the previous land use map completed, which would be completely avoided if the proposed amendment were to be denied. The project parcel is located in a rural district, in General Agricultural with a minimum parcel size of 20 acres, where the purpose is to preserve the existing open and pastoral character of rural areas. Agricultural uses are of the primary importance and all other uses are secondary. The proposed rezone is not consistent with the provisions of the Nevada County Code, because the proposed change of the zoning district designation would create an inconsistency with the general surrounding parcels and has the potential to set a precedent for those surrounding parcels to the east, west, and north to modify their zoning district designations as well, which, as mentioned earlier, has the large potential to alter the existing character of the neighborhood if those parcels were to apply for the same entitlements and achieve the same desired result as this proposed parcel. So, while the parcels directly south are... (there are a few that are zoned AG-10), these parcels directly connect to Tyler Foot Crossing, a County-maintained road, and the majority of all the parcels to the south are between one and three acres in size, which is significantly smaller than the project parcel. The proposed rezone is not in the public interest and has the potential to create adverse impacts to health, safety, convenience, and welfare of the county, because as mentioned earlier, the project parcel is in a very remote area and has a lot of challenging topography, and it would increase the density in an area that's already designated as a very high fires severity zone and is located on a dead-end road that where evacuation capabilities have not been improved and would be further impacted negatively if the project were to be approved. Throughout the past few decades, similar to the General Plan, the Nevada County Zoning District Map designations have been updated a handful of times as well, and we're including the project parcel, and the zoning district designations were not modified due to the conclusion made that the existing zoning designation of AG-20 was accurate and the correct designation for the overall project area, due to the remoteness of the area the difficult topography, and the large presence of environmentally sensitive resources. The proposed project would disrupt those similarities and consistencies that have already been achieved as a part of the previous County zoning efforts, as the existing 20-acre minimum parcel size was deemed appropriate for the project parcel and for the surrounding area. Due to the numerous exceptions and variations to the current standards identified in the Nevada County Code that would need to be made to make the project compliant with the Nevada County Code standards, the proposed project has the potential to create further adverse impacts that would not be present with denial of the project. The Tentative Parcel Map proposes to subdivide the approximately 21.41-acre parcel into two separate parcels of approximately 11.38 acres and 10.05 acres, and due to the minimum parcel size for both the current general land designation and zoning district designation requiring a minimum parcel size of 20 acres, the 21.41-acre project would not be eligible for subdivision. As mentioned earlier, reported Parcel Map 76-132 demonstrates that the previously approved parcel map created parcels of relatively the same size and the same configuration, and that the intent of providing parcels that are all relatively similar in size with the same configuration and with the same both General Plan designation and zoning district designation is to keep the character of the surrounding area to be consistent with one another and has been in place through numerous General Plan and Zoning Ordinance updates. The project site is not physically suitable for the land division and the proposed density, evidenced by the proposed parcel only being 21.41 acres in size

when the current General Plan and zoning district designations require the parcels be a minimum of 40 acres to be eligible. Additional evidence that the project site is not physically suitable for the land division is that the project site is located in a very remote area on a dead-end road, contains challenging topography which would not allow for Fire-Safe Standard access roads to be constructed without the approval of a Petition for Exceptions to Fire Safe Driveway Standards. It increases the density in the area where evacuation capabilities are already challenging, provides very minimal positive economic impact, and would impact multiple environmentally sensitive areas and protected resources such as steep slopes, drainage channels, and landmark oak grove. Additionally, the design of the proposed subdivision and its improvements could cause substantial environmental damage, because the proposed project proposes construction activities to occur in multiple areas that contain designated ephemeral drainage channels and landmark oak grove, which would all be completely avoided by denying the project. There are aquatic resources within the project area, including natural drainage areas within the southern and central sections of the subject parcel that would be considered ephemeral drainages. Given the ephemeral drainages do contain a defined bed and bank and signs of flow, they are subject to the 50-foot non-disturbance requirements of the Nevada County Code for disturbance related to protected aquatic resources. Upgrades to culverts will be required, and the existing access roads will need to be widened as a part of the proposed project and require grading of the access roads to provide access to these areas, which will cross these drainage channels that contain that 50-foot non-disturbance buffer. So, drainage channels are considered environmentally sensitive areas, and while the Watercourse Management Plan has been prepared to attempt to limit the potential impacts to these drainage channels, due to the topography, vegetation, and presence of other existing environmentally sensitive areas, crossing these drainages would be inevitable to provide access to the proposed building envelopes and M.U.S.D.A areas. All of which impacts would be completely avoided if the project were to be denied. The project area is located, as mentioned earlier, in an area best characterized as blue oak/Foothill pine woodland within a greater area dominated by mid-elevation mountain coniferous woodland plant communities. The parcel includes protective oak resources, including multiple areas of landmark oak grove, and a single landmark oak tree, which are considered environmentally sensitive areas, and potential impacts to such protected resources include removal of or encroachment within the drip lines of these protected oak resources. A total of 6.8 acres of landmark oak grove occurs within the project area, and a total area of landmark grove canopy to be potentially removed by the upgrades to the access roads would be relatively close to a maximum of 0.3 acres. The project area does not contain suitable area for the onsite plantings of oak saplings or acorns, given the steep slopes and shading within the general greater part of the project area, and therefore the Oak Resource Management Plan recommended that a 0.3-acre compensatory mitigation credit be purchased through the Bear Yuba Land Trust program. Additionally, while all proposed building envelopes and M.U.S.D.A areas ensure that the development areas associated with each of the newly created parcels will be located outside of these environmentally sensitive areas. The proposed grading activities required for the access roads would cut directly through multiple areas of designated landmark oak grove, which, as I mentioned earlier, would be completely avoided if the proposed project were to be denied. The proposed project proposes a Petition for Exceptions to Fire Safe Driveway Standards for driveway slopes exceeding 16% for the proposed improvements for the access roads due to the topography of the project site being steep in nature with slopes ranging from up to 50%. pursuant to the resource standards of the Nevada County Code, steep slopes are considered to be environmentally sensitive areas as well, and therefore require the approval and implementation of a Steep Slopes Management Plan in order to perform any grading or construction activities within that ESA. A Steep Slopes Management Plan was previously approved in June of 2020 for the grading of an access road and cultivation area for a previously approved cannabis project that has now been withdrawn within areas where the slopes exceeded 30%, and this Steep Slopes Management Plan provided best management practices and mitigation for construction activities within slopes of an excess of 30%, which the Nevada County Planning Department has recognized as a part of this application. The proposed driveway improvements are required to be consistent with Nevada County standards, and while the proposed design and driveway layout for the project avoid areas of 30% slope as much as possible, the proposed driveway will still need to be increased to a maximum of 20% slope in order to minimize site disturbance, large cut fill areas, and impact to oak trees. While a Petition for Exceptions for Fire Safe Driveway Standards and a previously approved Steep Slopes Management Plan are being utilized in order to provide the best attempt to prevent negative impacts to the existing soil conditions, slope stability, and

erosion due to the grading of areas that exceed 30% slope, these potential impacts, as mentioned earlier, would be completely avoided if the proposed project were to be denied. The Planning Department prepared an initial study and a proposed mitigated negative declaration for the proposed project and was available for public review for a period of 31 days from March 21st to 2025 through April 21st of 2025. The initial study identified potential impacts associated with this project to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation, tribal cultural resources, utilities and service systems, and wildfire. All of the potential impacts that were identified have been mitigated below levels of significance and therefore a mitigated negative declaration is the appropriate environmental document for this project. So, there are a number of General Plan policies that the proposed project is inconsistent with, and I'm laying out a few of them right here. So, the proposed project is inconsistent with General Plan Policies 1.1.2 and 1.6.1 because, as mentioned earlier, the project would create an inconsistency with the general surrounding parcels and has the potential to set a precedent for the surrounding parcels to modify the General Plan designations as well, which has the potential to significantly alter the existing character of the neighborhood and increase the overall density in that area, and the project would disrupt those similarities and consistencies that have already been achieved as a part of the previous land use mapping completed, which would be avoided if the proposed amendment were to be denied. Additionally, General Plan Policies EP-10.1.4 and SF-10.6.3: because the project parcel is located in a remote area and is accessed off of a dead-end road that has very limited evacuation capabilities, and therefore the amendment would increase the density without providing any benefit to evacuation routes and capabilities in the case of a natural disaster. Additionally, the grade of the project site alone requires a Petition for Exceptions to Fire Safe Driveway Standards, as the parcel's topography ranges up to 50% in some areas, and as a part of the project, a good majority of all the area would be over 16% grade, and that would be required to be paved due to this area receiving very harsh weather conditions that would prohibit emergency vehicle access to the proposed building envelopes. Lastly, General Plan Policy 13.9 it would be inconsistent with, because the natural setting would be adversely affected and impacted by the proposed amendment due to the additional density it would allow for, which would then open up the potential for development in areas designated as environmentally sensitive areas, all of which could be avoided. Therefore, the Planning Staff recommends that the Planning Commission take the following Actions 1 through 7, as shown on the screen, subject to the findings shown in the staff report. Thank you. That's the end of my presentation. If you have any questions, please feel free to let me know.

Chair Milman: Does the applicant have a presentation?

Mr. Goodman: Yes, we do have a presentation. I'll give staff a moment to pull it up. Hello, Commission. My name is Theodore Goodman with Millennium Planning and Engineering. I am the representative of the applicant today. The applicant's son is with me today as well to answer any questions after our presentation, if they may arrive. I'd first like to open by thanking the Commission for the opportunity to present today and thanking Staff. While we may disagree on some of the interpretations within the code, we certainly respect the efforts and dedication that they put into this project and all other projects. We find that the proposed General Plan Amendment and rezone from 20 acres to 10 acres aligns with the Board of Supervisors' stated objectives, the Nevada County General Plan's goals, zoning regulations, and the community's needs. The proposal is consistent with the policies that promote balanced development and housing opportunities, and addresses the need for housing in our area. While also improving the existing roadway, increasing fire safety and upholding the county's commitment to addressing the challenges of today without compromising the rural quality of an area like this. Staff is recommending approval of the IS/MND, based on extensive 2-year review of the CEQA process that determines that there are no significant impacts associated with this project that can't be mitigated for. We are respectfully requesting that the Commission provide favorable recommendation for this rezone General Plan Amendment and two-lot parcel split. Next slide please. This, as Staff already described very well, the project location. This is a quick aerial from 2016 that shows the project site with the red boundary, Scenic Drive, Tyler Foot Crossing, and Shady Creek Drive, just for some situational context. Next slide please. I would like to speak to the General Plan policies that were presented to you just a few moments ago and our interpretation around our consistencies with said policies. Starting with Policy 1.1.2, which you can see on the screen has language

saying that rural regions consistent with the open rural lifestyle, pastoral character, and natural setting is the goal of this policy. While the Rural General Plan designations are all followed by a number between five and, I think, 160 is the maximum, I believe it's important to note, with that core determination, is of the base designation, which is Rural. Rural areas are characterized within the General Plan as providing for uses that are compatible with rural lifestyles, such as small-scale agricultural operations, management of natural resources, and of course, low-density residential. The change in density that we're discussing today is to transition from 20 to 10, which still falls within that threshold of the General Plan of five to 160. We feel that it very much aligns with still maintaining the character of an area being low residential, without inhibiting or restricting both the project area and the neighboring parcels from being able to be afforded the same benefits and privileges that come with rural living. The following Policy of 1.6.1: "To establish land uses which protect, enhance, and complement existing communities and neighborhoods." Specifically speaking about land uses as the context for this General Plan policy, the base designation remains as Rural. Therefore, all of the resultant land uses of this transition would be identical to what's existing, just on the smaller parcel. Furthermore, I think it's important to note that a modern concern of rural living, as Commissioner McAteer mentioned earlier, is fire safety. That's the front of everyone's mind, and I think that projects of this nature are the opportunity for someone to provide improvements to road safety and do fuel management that enhances the safety of a rural area at a neighborhood level. Moving on to EP-10.1.4: "To provide for adequate evacuation routes in areas of high fire hazard." This project, we believe, increases fire safety in this region by doing improvements to the evacuation routes of the existing neighborhood, which is Scenic Drive. Scenic Drive, as it exists, is 14 feet wide, approximately, and the improvements would bring the portion of Scenic Drive that's about over 900 feet, connecting Scenic Drive from this parcel to Tyler Foot Road, would bring it up to a 24-foot-wide road standard, allowing for an increased quality for both evacuation and emergency response for the eight parcels that currently use Scenic Drive. That would otherwise not happen if the project didn't get approved. Moving down to the next policy that I have on the screen there, SF-10.6.3: "Land use patterns and development standards shall minimize hazards resulting from wildfire." That policy goes on to mention other natural disasters as well. On a similar note to my previous comment, the project contributes to minimizing the hazard of wildfire as all new residential development is required to develop 100-foot vegetation management buffers around any new residential development or any new home. This means that areas of the property that are currently challenging to maintain would now have increased fire safety by creating these buffers, these pockets of where people would be living. Simply put, with a reduction in parcel size like this, it's easier for one person to maintain 10 acres than it is for one person to maintain 20, especially in a site like this. And lastly on the screen: "The preservation of trees and the integrity of their natural setting." This General Plan policy specifically speaks to the protection of oak groves and oak species in the area. As we work through the process of the [California] Environmental Quality Act, we retained a registered professional biologist, who very thoroughly inspected the site and the proposed building envelopes included on the map, and found that we do not provide any significant impacts to the protected oak resources on this site as supported by Staff's recommendation for approving the environmental document. Next slide please. Thank you. Zooming out a little bit to set aside all the particulars of individual General Plan policies, I wanted to talk about the current objectives expressed by the Board of Supervisors, beginning with housing. So, we believe that projects like these are aligned with the intent of the General Plan, and that the General Plan policies should be used as guidelines to achieve the current needs of the county and its residents. Two objectives that are within the Board of Supervisors current listed objectives are housing and emergency preparedness that I'd like to talk about today. The County objective for housing is clearly stated that it's to coordinate with local jurisdictions and developers to create housing. In the letter from the Chair that was written by Supervisor Hall this year, she stated that we're in a full-blown housing crisis. Recently, the County has taken some really proactive and creative initiatives towards finding other housing solutions, including the adoption of Title 25, which encourages rural residential development by reducing building standards, the development of the ADU guidelines and guidebook to encourage people to develop small, individual, additional dwelling units that provide a new style of housing option, and more recently, just earlier this week, the Board of Supervisors greenlit the development of the Alternative Housing Work Plan once again with that intent to create a volume and variety of different housing options in our county. We believe that all three of these and more initiatives by the County are consistent with the idea of developing housing at a per-unit basis, recognizing that the contributions we can make to the housing crisis that we have are solved at a cumulative level in

rural regions like ours. It's much easier to have a lot of people do a little. For example, someone building an ADU, than it is to sponsor large development projects that create tons of workforce housing and change large swath of land. So, we believe that the Board has given clear direction that they're looking for housing options wherever we can get them so that we can realize the benefits of cumulative development. Next, on emergency preparedness, the Board objective states that partnering closely with residents in emergency preparedness, defensible space, and fire safe land stewardship is a goal that they have. Being in a rural community, this is always front of mind, as I'm sure it's no surprise to everyone in this room. Throughout Nevada County, there are significant portions of residential properties that are accessed via dirt and gravel roads that likely do not meet the County's current Fire Safe Road Standards. With many of these roads being private, it's really challenging to ensure that the quality of these roads is going to be sufficient in the event that there is an emergency. So Scenic Drive, as I mentioned before, is the primary access for a number of parcels in this area, and it's existing width is approximately 14 feet wide. The approval of this project would lead to the widening of Scenic Drive to be 24 feet wide, which would provide for a really efficient emergency egress in the event of a wildfire and the ability for heavy equipment to respond - dozers, fire engines, whatever it needs to get out there quickly. And there has been, I've heard firsthand accounts from residents who live in that area, that there was a fire out there in the last couple of years that had everyone very concerned. Additionally, as I mentioned before, we're under the belief that a subdivision of this nature creates residences that would create vegetation management buffers around the homes, so that individuals could have a sense of stewardship and ownership and responsibility for maintaining their portions of land. So, to quickly summarize the benefits that we believe this project provides to the county: firstly, achieving that housing goal. We, to put it frankly, we got to get housing where we can. The County currently has ambitious housing goals of creating 1,300 new housing units by 2031, and with the challenges that we have living in rural mountainous region, a lot of properties are not sufficiently developable to meet those goals, and it's hard to find ones that really check all the boxes, especially from a private development standpoint. This is one of those parcels that checks the boxes, on meeting...well, as Staff had mentioned, has its steepness we can design and mitigate accordingly to generate some cumulative level of housing. Additionally, it increases fire safety and improves the emergency access to this area. I think that it's something that is a really great benefit to the members of that neighborhood specifically, and being able to see improvements at a neighborhood level, I think goes a long way for people. Additionally, this development and these improvements would be at no cost to the County. This is something that is privately funded and constructed and follows the timelines that would be consistent with the Conditions of Approval. And finally, we do believe that this is consistent with the rural character while still addressing the modern needs of our county. That concludes my presentation. The applicant's son is here today to speak and answer any questions. I think he has something prepared, and there are a couple of neighbors in the room as well that I think would like to speak at public comment. Thank you for your time.

Chair Milman: Thank you. Did the applicant want to speak?

Mr. Gabelman: Good afternoon, Commissioners. My name is James Gabelman. I'm the son of property owner and applicant Michael Gabelman, and here basically just to read a personal statement from him and express regret he couldn't be here in person today. "Good afternoon, Commissioners. I serve as a smokejumper pilot with the US Forest Service currently in the middle of spring recurrent training in Redding to prepare for another fire season. I deeply regret that I am not able to attend today. My wife has been fighting bone marrow cancer for the last 14 years and undergoes regular treatment and appointments in Southern California. She took a turn for the worse last January, and we almost lost her again. But as she keeps fighting, she pulled up and out of that valley and is now responding well to a new trial. Oddly enough, I was also diagnosed with leukemia and lymphoma last year, which put me out of work for a while as a pilot, but thankfully I'm also doing much better now and recently received my FAA medical back and recently got back to work with the Forest Service. So, there is hope. And why do I share this with you? My wife and I deeply love the North San Juan Ridge area and plan to retire here. Subdividing this property would enable my family to retain 10 acres for our retirement home while selling the other 10 acres to manage medical debt. We understand the Staff's recommendation for denial is based on General Plan Rural Policies. However, we believe this rezone aligns with the General Plan goals, including promoting limited low-density development that supports housing needs while protecting rural landscapes. The proposed AG-

10 zoning maintains large lot sizes, ensuring low density and consistency with the General Plan's emphasis on rural preservation. This zone offers tangible benefits, including housing, infrastructure improvements, and fire safety, without compromising the rural nature of the neighborhood. All these benefits come at no cost to the County or to the taxpayers, no significant risk to the environment, and no risk to the rural nature of the surrounding neighborhood. Ten acres of paradise is plenty for our family and will be easier to manage and maintain. Ten acres for one family still protects the serenity of the sacred area, preserving peace, quiet, and privacy. AG-10 is an established rural land use designation in the county and is applied to similar rural areas, including the adjacent property right next door to us. I've spoken with two of my next-door neighbors and they are both in favor of the lot split. So, we respectfully urge the Planning Commission to recommend approval of this rezone to the Board of Supervisors. It aligns with the County's General Plan goals, supports state and local housing policies, enhances fire safety, and preserves the rural character of the North San Juan Ridge. Thank you for your time and consideration.” And I’m happy to answer any questions that I can. Thanks.

Chair Milman: Thank you. At this time, let's go ahead and open up public comment. If you'd like to comment, go ahead and approach. Go ahead and state your name and where you live, and you'll have 3 minutes for your comments.

Chair Milman opened public hearing comment at 3:21 p.m.

Mr. Haney: Good afternoon, Commissioners, and thanks for the opportunity to speak here. My name is Doctor James Haney and I'm a resident here in Nevada City. I want to compliment the Planning and Building Departments of Nevada County in that I think we did the perform the very first ADU in Nevada City. My son also has purchased property in Grass Valley. He's now undergoing a junior ADU, so we're savvy in that area of how that all works out for providing affordable housing. My daughter just survived the Eaton Fire in Southern California, and my son, my other son, who's a Volunteer Fire Department person up in Camptonville, came down. We fought the fire for three days in that neighborhood. We are very aware of the need for evacuation. Eighteen people died in Eaton Canyon, so these comments that are coming up and the concerns are very valid and I'm glad that more stringent standards are being required here. Mr. Gabelman, I know him because I fly with him. He started a nonprofit medical dental clinic in Mexico, and now it's grown to doing eye surgeries, dental care, medical care. He has a passion for serving the needy, and we may need his help one day as a smoke jumper pilot based in Redding for fires in this area. I want you just to speak to his character, which should not weigh into your decision, but his character is of highest value. He's not a developer. He's a civil engineer by education and a pilot by passion. He has a wonderful family, as expressed here by his son. Everything's been covered already, I think on both sides. I think that the Staff has been a little aggressive. We all know North San Juan can use some upgrades, and if you looked at the satellite image...by the way, Mr. Gabelman did not apply for the marijuana grow. He actually purchased the property and took away that application for the marijuana grow. And if you want to talk about marijuana and its usefulness in society, ask me on the sidebar, I'll tell you my opinion on it. Anyhow, I see that this project will only improve the situation in this particular area of North San Juan, not only bringing in more affordable housing, but also improving safety in terms of fire mitigation and ingress and egress for fire. So, I respectfully make the request that you think outside the box and think about what would be the trade up? That's what we're all thinking about in Altadena. What's the trade up now? We have a clean slate. How are we going to make this new community, and how can this project that they bring before you, the proposed project, improve that particular area? Thank you.

Chair Milman: Thank you.

Ms. Moore: My name is Biatta (*sp?*) Moore, and I'm the next-door neighbor to Mike. I've lived on the property for probably about 20 years, and I've owned also three other properties in Nevada County. And the place was empty for quite some time, which made, of course, people move in. And there was even a fire a couple years ago. As a property owner and being right next to it, I would just so love to have more people there, especially people who are conscientious and, you know, improve the land. And I myself now in my 80s, I know I can't take care of 20 acres all by myself, and it would be lovely if I could at least have

the option, so I might not go for it at this point in my life, to divide something. I think I was actually one of the people in the 1970s who wanted to have the 40 acre limit even, because I wanted to have that land with less people and more rural. But things have really changed. So many of my elder friends who have property, especially bigger parcels, are in a real bind now, as the fire insurances are so high, and there's a limit, you know. Either you sell and you move out and it's harder to sell these bigger parcels, too. So, my feeling is maybe as a whole community, the Supervisors should reconsider if certain areas couldn't be made ten-acre parcels. I literally have, like, a minute to get into Tyler Foote. There's a fire department right there. There's Mother Truckers right there. I do not live in a remote area. It's an easy 15 minutes to Nevada City, and I also owned a five-acre parcel on the Ridge and another 10-acre parcel above and under, so I know parcels have been... and the 10-acre parcel was three miles down a dirt road and very remote. And right now, I'm just about nearly in town, for me at least. So, I would like you to consider making an exemption, especially to some to people who really seem to deserve it. So that's all I have to say.

Chair Milman: Thank you.

Mr. Berardi: Hello everyone. Sean Berardi. I am the neighbor to the south. My land borders Mr. Gabelman's parcel. Some of the information the County guy was saying: the parcels to the south do not actually touch Tyler Foote Road at all. I'm in support of letting this guy split his 10 acres, his 20 into two 10's because, like Mr. Goodman has said, Scenic Drive is only like one to two blocks long, and making that road better is definitely better for the whole neighborhood, the public at large, fire access and all that. Most of all the parcels, at least from Scenic Drive West towards Highway 49, are five acres or less. You know, there's very there are some 20, 40, 100's, but there are many actually parcels that are like two, five, and that, you know, we're on the edge of that where Mr. Gabelman would like to split, and that would be...10 acres is still very large. I think it's considered..., I mean, w-hat you're saying is kind of a blanket statement about oak trees and you don't have to make the road all the way to the top. They could have two houses right at the bottom, I'm sure of that. And there's already a road there, which was marijuana guy's road, and it's, I mean, it's all back now, but it's still there. People can walk there, and I would urge you to consider letting this Mr. Gabelman...like he stated, he's a good person, conscientious. I spoke with him on the phone, and I liked his attitude and his approach, and I don't know how much money he's going to make by splitting it and I was kind of asking that, but at the same time, I would encourage you to consider his application and give him a yes. Thank you.

Chair Milman: Thank you. Any other comments?

Seeing and hearing no further public hearing comments coming forward, Chair Milman closed public comment at 3:29 p.m.

Chair Milman: Let's turn to Commissioner questions. Commissioner McAteer?

Commissioner McAteer: I only have one. Brian, can you explain to us the process when you are in this, you know, you're proposing a denial? I've never asked that question as to how does that...do you all get together, do all the Planners get together in a room and sort of discuss it? How does this happen? Or does Tyler or... I don't know, so I'm turning it over to you to tell me how the process occurs that you come forward with the Planning Department's recommendations?

Director Foss: Commissioner McAteer, exactly the same way we come forward with a recommendation for approval. We review an application, we work with the applicant to explain what needs to be done to be compliant with our rules and regulations, the zoning. The rezone: we tried to provide guidance in order to get a project to meet the codes and policies to bring it forward for approval. In a situation where there is an inconsistency, and a project is not found to be in compliance with the zoning, then Staff makes a recommendation. There is not a separate process. There's not another group of people that are involved. This is similar to all Planning Department decisions. It's analyzed by Staff, and a recommendation is made by Staff.

Commissioner McAteer: So, I got that. I want to know, is this a solely Zach's view, or do you all get in a room and sort of say, "Here's..." Zach makes a presentation to all of you? I'm just trying to understand. Who "we" is, so if you could, explain that to me.

Director Foss: "We" is the Planning Department as a whole. So, every decision that comes out of the Planning Department is made by the Planning Department as a whole.

Commissioner McAteer: OK. So, Zach...this isn't Zack's recommendation. You've seen it and approved it, and Tyler's been involved in it all?

Director Foss: Correct. We're all aware of the recommendations, yes.

Commissioner McAteer: OK. Great. Thank you very much. That's my question.

Chair Milman: Commissioner, do you have a question?

Commissioner Foley: I have a question, Zachary. During the background presentation, you mentioned that the applicant went through kind of a pre-application process, and that you determined...the Planning Department determined that this would be an unlikely project without some kind of compelling evidence, and that that compelling evidence was not provided. I'm curious - what type of evidence could they have presented to make a better case for this project?

Planner Ruybal: Thank you, Commissioner Foley. So, for this one, the additional compelling of evidence that it could have been provided, or that we could have utilized, was something that identifies that the parcel is in a unique situation or that it's an anomaly. For example, if the surrounding parcels all around it were zoned AG-10 or AG-5 or something smaller, and this was the last parcel that was this size and of this configuration with these designations, then in order to be, I guess, fair to that parcel in comparison to the other parcels' surrounding zoning and General Plan designations, then we would, I guess, more or less support that one, because then it would be creating a more consistent neighborhood area if the surrounding parcels are zoned and have a General Plan designation of, let's just say it was AG-10, for everything surrounding it. Then the evidence would be that this one parcel is basically unique and an anomaly in the sense that it's the only one that isn't granted basically the same allowable zoning and General Plan designation as the surrounding. Just unfortunately for this one, it's just not the case due to the surrounding parcels all directly east, west, and north all being of similar size and similar configuration. So, there was no unique situation for this parcel that would require that we would, or might, need to make that determination.

Commissioner Foley: And then basically, concern of precedent being set if this would be allowed on this one parcel, that potentially the precedent is then that other surrounding parcels could kind of achieve the same thing, and we're looking at a more dense housing situation in a very rural area?

Planner Ruybal: That's correct, Commissioner Foley. If...let's just say that the project was approved and then the other parcels were to try to complete a very similar type project, overall we would really be doubling the density in that whole entire area, and with this parcel being on a private road that is a dead-end road, and with only the 1st approximately 900 feet of the road to be improved to the road standards, the rest of it would all remain the same as it is, and so therefore... and with no, I guess, improvements to evacuation capabilities, really, where we would be creating a lot of extra density in an area without providing adequate evacuation and for fire safety reasons.

Commissioner Foley: OK. On the property itself, though, there was a bunch of mitigating efforts. There was the oak tree, the waterways, the driveway standards. On the parcel, specifically, mitigations could be met. Like, for instance, the Steep Slope Management Plan was approved previously for a different project. You know, in the light of...I'm just trying to think of, like, outside the box solutions, I guess. You know, in light of the need for additional housing, and with the County's stance on ADUs, would... since that Steep

Slope Management Plan is in place, would a grading permit, say, be able to be issued for one of those proposed building sites for, like, an ADU unit without having to go through a General Plan Amendment and a rezone and a subdivision? I'm assuming that all the, you know, compaction reports and geotechnical reports and everything that goes along with grading would be the same whether it's a cannabis project going up on the hill or whether it's a housing unit.

Planner Ruybal: That's correct, Commissioner.

Commissioner Foley: I think that's all the questions I have at this time.

[off-microphone speaker: unintelligible].

Chair Milman: No, public comment's closed. Staff, I'm curious. Given the seven different recommendations, and most of these are "deny," why are you recommending that the Mitigated Negative Declaration be approved?

Planner Barrington: Commissioner Milman, members of the Planning Commission. The reason we're recommending the environmental report be approved is because Staff feels that we did an adequate job to provide full disclosure of the potential impacts of the project, and that those impacts were mitigated to the level of less than significance, and therefore it's an appropriate document. Where the project stalls, in the Planning Department's view, is the fact that there is a General Plan Amendment required, there's a rezone, and there's all these other variances that are requested through the Management Plans, the Petition for Exceptions...there are all these special considerations that have to be made in order to increase the density. To Commissioner Foley's point, if an ADU did come in, it's a little bit different situation because that's something that's allowed by law and it wouldn't be increasing the density in the area and therefore would likely get a favorable determination by the Planning Department, similar to how the Steep Slopes Management Plan was approved as part of the cannabis project in the past.

Commissioner McAteer: So, you're saying that they could... what? I'm sorry, I'm trying to understand what he said. Go ahead.

Chair Milman: OK, I think that does answer my question. So, I'm going to cede back to you.

Commissioner McAteer: Thank you. So therefore, Mr. Gabelman, if he doesn't split the lot, he could apply for an ADU; that would fall within the guidelines and not have to go through this extensive process. Is that correct?

Planner Barrington: That's correct.

Commissioner McAteer: OK. Thank you.

Chair Milman: OK, one last question here. For the Watercourse Management and the Oak Resources Management, it says, "Deny the proposed plan." But you're saying that the proposed plan actually requests some sort of variance or exceptions?

Planner Barrington: Commissioner Milman...unless you want to answer it *[to Planner Ruybal]*? Essentially, a Management Plan is an exception to the County's resource protection standards, and it's a process developed in the Zoning Ordinance that allows for these things to occur as long as those can be mitigated, but the first standard is to avoid that resource, and then next would be to mitigate for it or do some replanting on site. So, in a way, it's a mini variance that's worked into the County Zoning Regulations. So, with three, technically four - because we're honoring the Steep Slope Management Plan that's already been approved, plus a Petition for Exception - those four variances, plus the rezone in the General Plan Amendments, which are also variances from the existing zoning and General Planning designation, those are a lot of things to gain one lot.

Chair Milman: Thank you. Any other Commissioners have questions?

Commissioner French: Yeah. I just want to clarify: the main reason for doing this is to obtain funds to pay off medical debt with the sale of the second lot. Is that correct?

Mr. Goodman: Yeah, that is the personal motivator for the existing property owner. However, as members of the public have expressed, there is interest in this neighborhood for these kinds of projects.

Commissioner French: OK. Thank you.

Chair Milman: Commissioner, would you like to make a motion on this, since this is in your district?

Commissioner Foley: Sure, I guess I just had one more question as it relates to fire. I understand that the road, Scenic Drive, that that would be improved as a requirement by this, but on the proposed parcels, the building sites, I mean, they're at the very back of the property. You said you're over a 30% slope. I'm curious: maybe Marshal Collins could speak to whether or not accessing those sites would even be possible with fire apparatus or not?

Fire Marshal Collins: Good afternoon, Commissioners. Yeah, that's what the Petition for Exceptions is for, and it is a variance allowance on certain types of fire engines to get in there. So, anything over 16% grade is required to be paved or concrete. It does restrict access to certain transports and certain water tenders that would be delayed getting in there. So, it does restrict access into those certain slopes, and that's why we don't approve anything over 20% on driveways and slopes like that. Does that answer your question?

Commissioner Foley: Yeah, thank you.

Fire Marshal Collins: No worries.

Chair Milman: OK, looking at you for a recommendation.

Commissioner Foley: I guess I got my work cut out for me on this one.

Motion made by Commissioner Foley to, after reviewing and considering the proposed Mitigated Negative Declaration (EIS24-0006), recommend that the Board of Supervisors adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan pursuant to Sections 15074 and 15097 of the California Environmental Quality Act Guidelines, and make Findings A through C as shown in the staff report.

Second by Commissioner French. Motion carried on a 3/1 vote.

Motion made by Commissioner Foley to recommend that the Board of Supervisors deny amending the General Plan Land Use designation of APN 060-150-063, based on the Findings A through C as shown in the staff report.

Second by Commissioner French. Motion carried on a 4/0 vote.

Motion made by Commissioner Foley to recommend that the Board of Supervisors deny the rezone of APN060-150-063 based on the Findings a through C, as shown in the staff report.

Chair Milman: Can these be grouped together? No? OK

Second by Commissioner French. Motion carried on a 4/0 vote.

Motion made by Commissioner Foley to recommend that the Board of Supervisors deny the proposed Tentative Parcel Map TPM24-0003, based on the Findings set forth in Title 13, Subdivisions of the Nevada County Code, as shown in the staff report.

Second by Commissioner French. Motion carried on a 4/0 vote.

Motion made by Commissioner Foley to recommend that the Board of Supervisors deny the proposed Watercourse Management Plan, making Findings A through B, as shown in the staff report.

Second by Commissioner French. Motion carried on a 4/0 vote.

Motion made by Commissioner Foley to recommend that the Board of Supervisors deny the proposed Oak Resources Management Plan, making Findings A through B, as shown in the staff report.

Second by Commissioner French. Motion carried on a 4/0 vote.

Motion made by Commissioner Foley to recommend that the Board of Supervisors deny the proposed Petition for Exemptions to Fire Safe Driveway Standards, based on the Findings A through E, as shown in the staff report.

Second by Commissioner French. Motion carried on a 4/0 vote.

Chair Milman: I know this is disappointing for you guys. I want to thank you for coming in, and best wishes to your family.

Chair Milman closed public hearing at 3:46 p.m.

INFORMATIONAL ITEMS & ON-GOING PROJECT UPDATES:

Chair Milman: What else do we have here today? I think that concludes the public hearings?

Director Foss: Yes, and as far as upcoming hearings, we don't have anything scheduled in stone at this point in time, so we will most likely not be meeting in two weeks, probably not in the next 30 days either. As projects come together, we will reach out and let you know of upcoming hearings. We probably won't have one on the next two regular Thursdays.

Chair Milman: So, the month of May at this point is clear?

Director Foss: Yes, I believe that is correct. The month of May is clear. To give you a brief update on the Board meeting that occurred yesterday or two days ago, on Tuesday (it was alluded to earlier), regarding the Alternative Housing Ordinance, that was given direction by the Board for Staff to work on: something similar, but a little bit different, to the Tiny Homes on Wheels Ordinance that came before your Commission not too long ago. This would look at potentially expanding the use and allowance for RVs to be permitted as home structures. We're at the very beginning of that process. We don't have any standards or parameters of what that permanent or long-term temporary housing would look like. We are going to have some public meetings, public workshops, to get input from people that are interested in the subject, and then we'll start developing an Ordinance and then bringing it through the process, and it'll come through your Planning Commission, but that will likely be toward the end of summer, type of a time frame. Then that will go on to the Board of Supervisors. Secondly, the Board of Supervisors did approve the Paye Tentative Final Map that was recommended for approval by your Commission a couple of months ago, and so I don't believe there are any significant changes made by the Board, so that project was approved based on your recommendations.

Commissioner McAteer: So that was appealed, is that correct?

Director Foss: No, because it had a rezoning...I'm sorry.

Planner Barrington: It had a rezone component with it, so it required it to go to the Board.

Commissioner McAteer: OK.

Director Foss: It was the rollout of the TPZ. Sorry, I forgot that part. And that's all the updates I have, unless you have any specific questions or if you had anything, Tyler.

Commissioner McAteer: So, Brian, you know, I'm looking at your sheet here, and it's getting less and less. Shorter and shorter, and half of these have an "incomplete" associated with it. So, could you define what "incomplete" means? Does that mean that nothing's essentially happening, and we're waiting for them to do something? That's sort of my question.

Director Foss: Sure, Commissioner McAteer: Yeah, "incomplete" means that an application has been submitted, we've routed it to other departments, and we've got input from the Planning Department and other departments like Public Works or Environmental Health or the Fire Department, that is requesting additional information in order to do the full review, the environmental review, or to make the determination whether it is consistent with policies. So, that correspondence has been given back to the applicant, and they are working on compiling that requested information to resubmit. Once it's resubmitted and it's deemed to be complete, if a project is complete, that means it'll be going through the process for environmental review and scheduled for hearing shortly thereafter. So, an "incomplete" means it's kind of in the applicant's court; it's on hold. If it's complete, then we're likely to see it before your Commission.

Commissioner McAteer: So, some of these could be that they're just not moving forward? They've learned a little more, and they sort of say, "Well, that's that."

Director Foss: Yeah, there's varying degrees. Sometimes the project applications aren't very complete when they come in. We need additional studies or better traffic analysis, and those additional studies can take some time. Some of them are potentially a result of a code compliance case, so the motivation to move those forwards can be a little bit less when it's something that they're just trying to rectify through the process rather than trying to...if they're already up and running, rather than trying to get a new project approved.

Commissioner McAteer: And finally, the cannabis two new stores, or whatever, in North San Juan and up on the summit: where is that process at this point?

Director Foss: So currently, County Staff, mostly through the Cannabis Division, is putting together kind of the requirements of the selection committee that will be brought to the Board of Supervisors for input and approval. Then they will be convening that group of individuals, as appointed by the Board of Supervisors, kind of the bylaws for how that group would operate. Then, kind of concurrently with that time, the County will open up a solicitation period to receive applications to be reviewed by that committee and recommended for going through the Use Permit process to get actual entitlements to do the business. In short, we're kind of still at the early stages of setting up the review selection committee, and the selection committee will help define some of the scoring criteria to score the applications against. So, they are kind of still in the early process of the setup for that whole process.

Commissioner McAteer: Does that come back to us at some point for this Use Permit, or no?

Director Foss: A Use Permit would come back to the Planning Commission, and that would be treated like any other entitlement. It's gone through a selection committee process to identify the best applicant based on kind of their business model and, to some degree, potentially the site, but then it would be the Planning

Commission that would approve or not approve the Use Permit and would have control over, you know, the design of the building, parking, landscaping, and hours of operation.

Commissioner McAteer: Thank you very much.

Director Foss: Any other questions?

Chair Milman: Any other questions? All right. I think we've had another perfectly good meeting.

Chair Milman adjourned the meeting at 3:52 p.m.

There being no further business to come before the Commission, the meeting was adjourned at 3:52 p.m. to the next meeting, to be held at a date to be determined, in the Board Chambers, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California.

Passed and accepted this day of , 2025.

Brian Foss, Ex-Officio Secretary