

Paye Immediate Rezone and Tentative Final
PLN23-0021; RZN23-0002; TFM23-0001; EIS24-0008

**14344 Banner Quaker Hill Road at the intersection of
Banner Lava Cap Road/Red Dog Cross Road.**

Nevada County Board of Supervisors:
April 22, 2025
Project Planner: David Nicholas



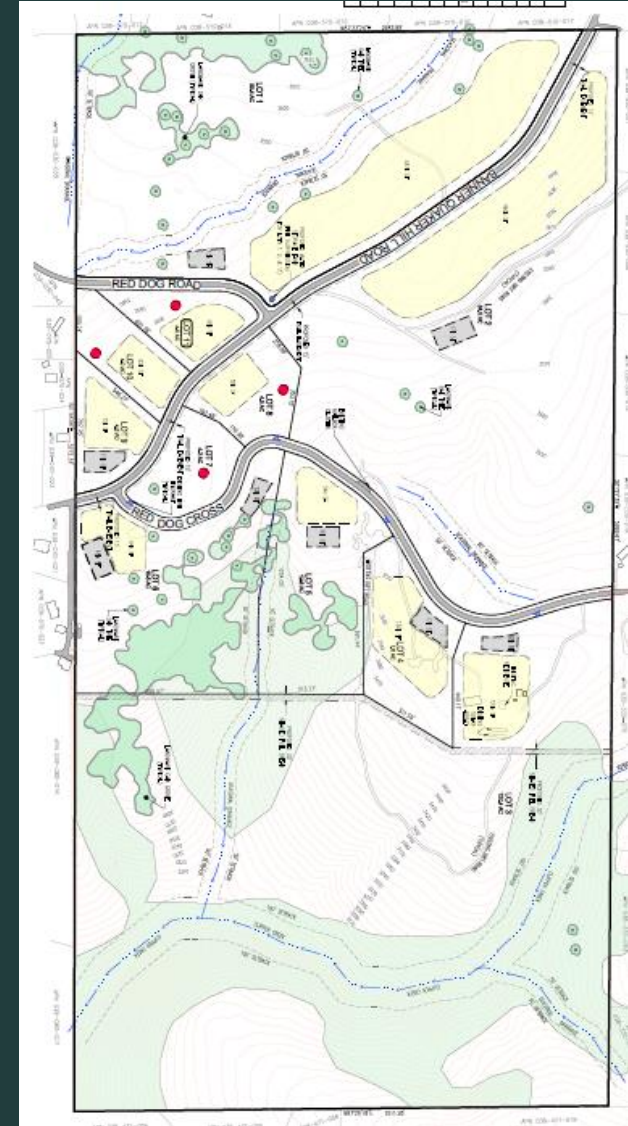
Background

- On June 26, 2018, the Nevada County Board of Supervisors approved Ordinance 2453 which rezoned the two project parcels from Timber Production Zone-40 to Residential Agriculture-10 and General Agriculture-30.
- The rezone initiated a ten-year roll-out process.



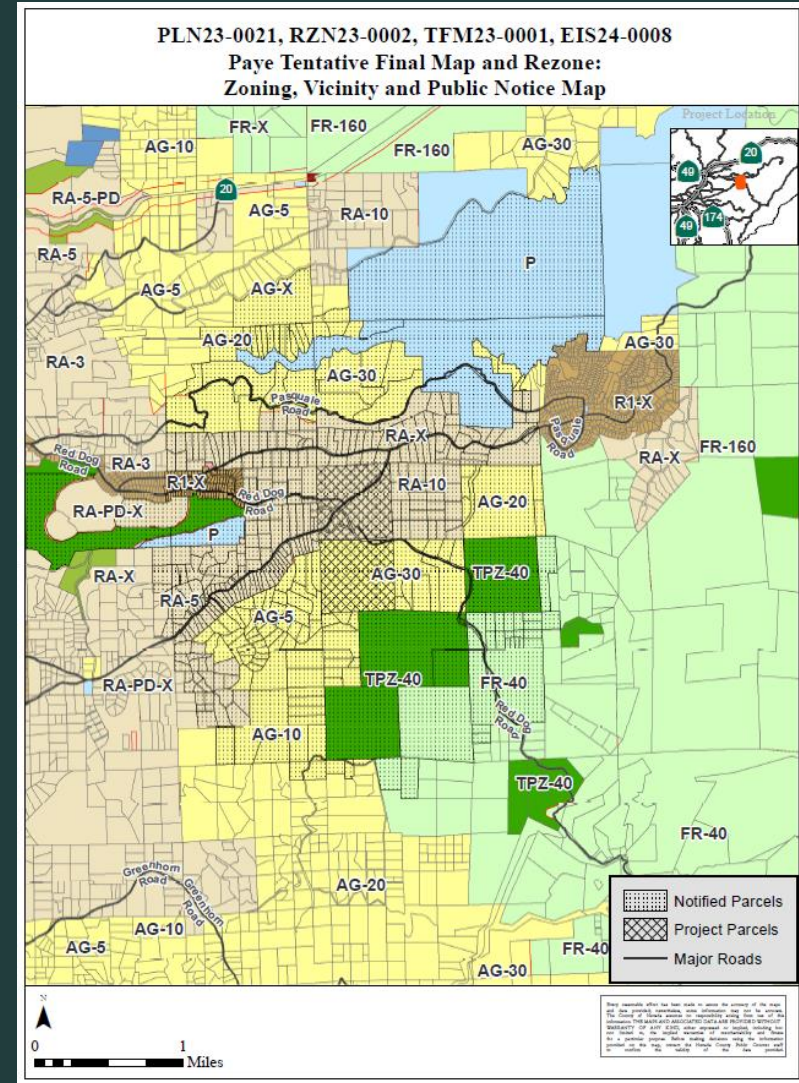
Project Description

- A proposed Immediate Rezone from a Timberland Production Zoning District to the new zones (RA-10 (157 acres) & AG-30 (150 acres)) approved through Ordinance 2453 in 2018.
- A proposed Tentative Final Map to subdivide 2 legal parcels with six APNs, totaling approximately 307-acres, into eleven (11) lots ranging in size from 4-acres to 127.4-acres.
- All 11 lots would be served by individual septic systems for sewage disposal.
- Seven (7) of the eleven (11) lots will have metered connection to the Nevada Irrigation District's treated water system and the remaining 4 lots will be served by private wells.



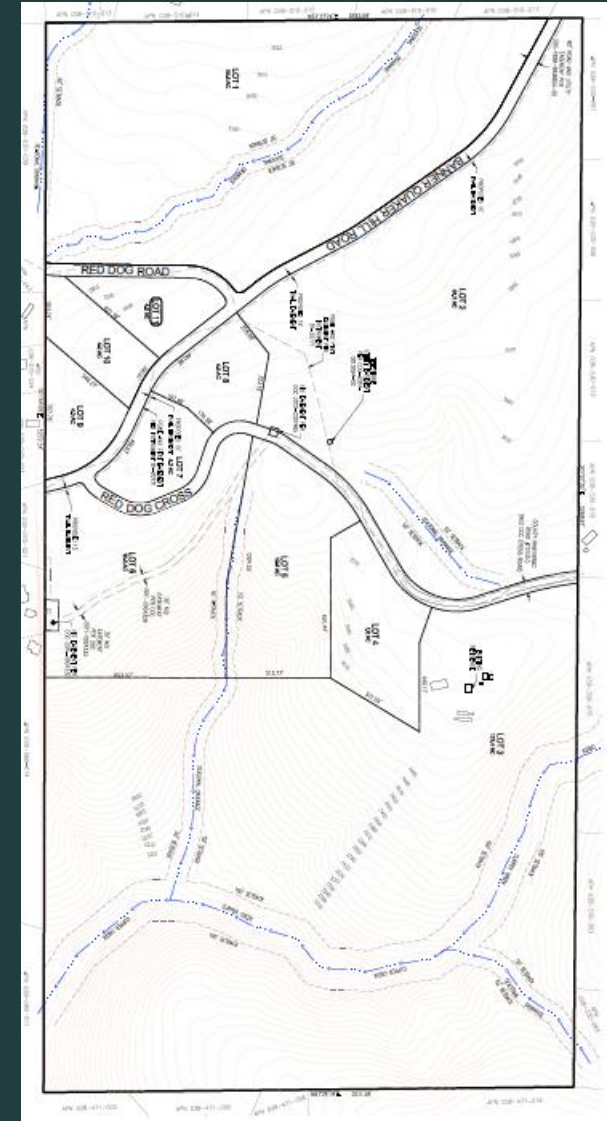
Existing and Surrounding Land Uses:

- The project parcels are bordered by Residential Agricultural, Timber Production Zone, and Agricultural Zoning Districts.
- The project parcels are transected by the County maintained roads Banner Lava Cap Road, Red Dog Road, and Red Dog Cross Road.
- The northern portion of the project area is surrounded by 1.5 acre to 13 acre lots that are mostly developed with residential units and accessory structures. The southern portion that is bordered by the AG and TPZ zoning is comprised of larger low-density parcels that are mostly undeveloped.



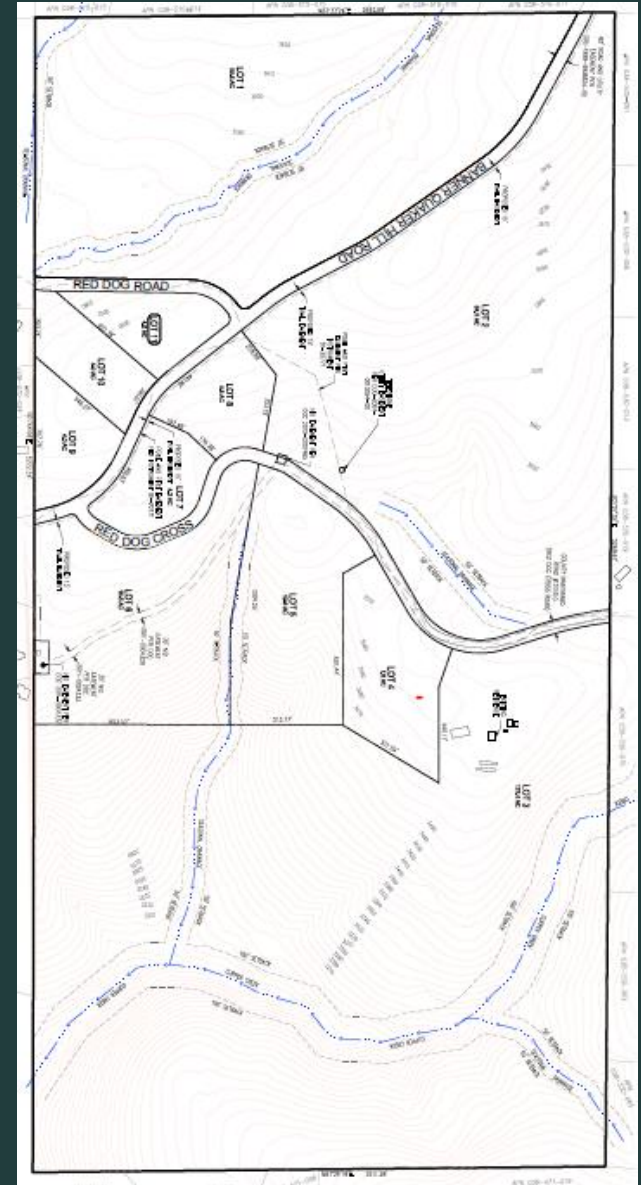
Site Development Standards

- The density of required by the zoning will not be exceeded. Available density for 20 lots and only 11 proposed.
- No new structures are proposed so impervious surface standards or building height limits will not be exceeded.
- The land division will not affect compliance with required setbacks due to the building envelopes being designated outside of the setbacks which are 30 feet on the side and rear property lines and 20 feet from the edge of the Right of Ways.
- All parcels have at least 200 feet of road frontage.



Density Detail and Lot 3 Restriction

	Zoning	Acres In Zoning	Possible Lots	
	RA-10	157	15	
	AG-30	150	5	
Possible Lots			20	
Proposed Lots			11	
Density Remaining			9	
Lots with Potential for Future Subdivision	Zoning	Acres	Potential Future Parcels	Potential Net Lots of Future Subdivision (If Lots 1 and 2 are divided, then they are not lots anymore)
Lot 1	RA-10	55.5	5	4
Lot 2	RA-10	64	6	5
Lot 3	AG-30	127.4	4	3
Total Lots			15	12



Traffic & Access

- The parcels are bisected by the county-maintained roads Red Dog Road, Red Dog Cross Road, and Banner Quaker Hill Road.
- The proposed lots would be accessed from these existing roads and new roads will not need to be constructed.
- The existing roads are not beyond dead end road standards and will be verified by an engineer to ensure they are consistent with County Standards.
- The 11-lot subdivision would result in an estimated 104 trips per day which is low enough to be below the screening threshold determined by the Nevada County Transportation Commission.



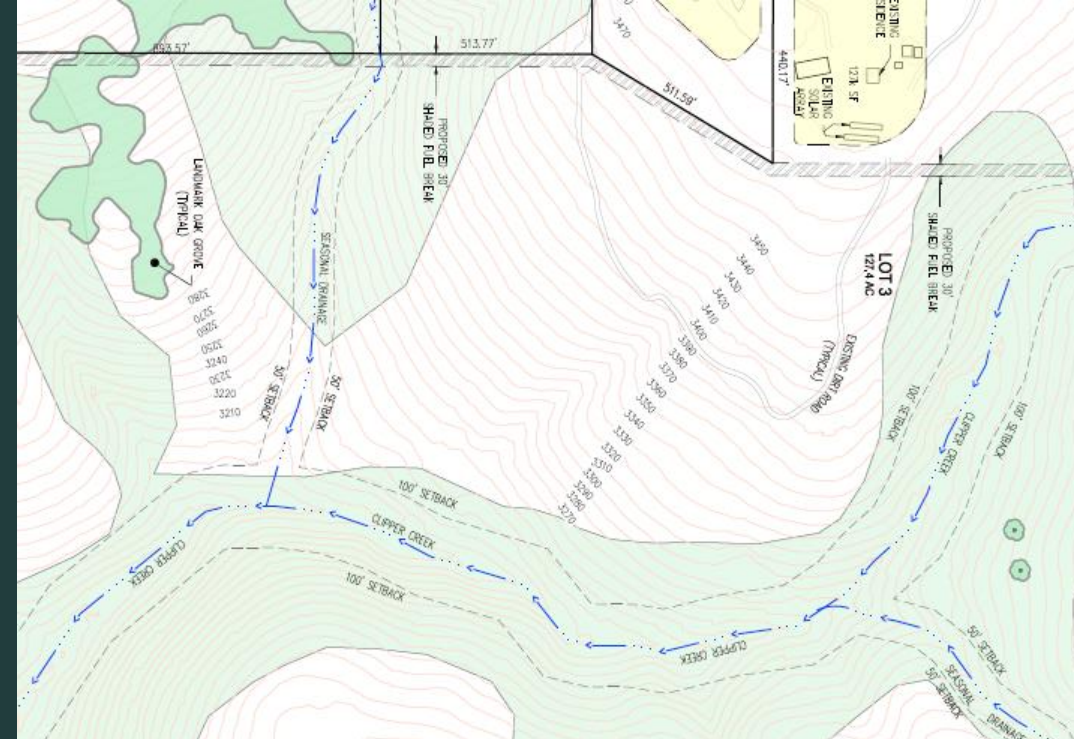
Wildfire

- The project parcel is within the Nevada County Consolidated Fire District and is in a Very High fire severity zone as designated by CalFire.
- The Nevada County Consolidated Fire Marshal is requiring Lot 1 to have water storage for emergency fire suppression purposes which will serve lots 1, 2, and 11.
- There are four existing Nevada Irrigation District fire hydrants along Red Dog Cross Road which would help provide water in case of an emergency to lots 3-10.



Wildfire Continued

- **A shaded fuel break is proposed on parcel 3 that follows along the southern property line of parcels 4, 5, and 6 that will be required to be maintained. This is meant to reduce the hazard of wildfire moving up the walls of the Clipper Creek Canyon.**
- **All existing and future residences will be required to maintain defensible space.**



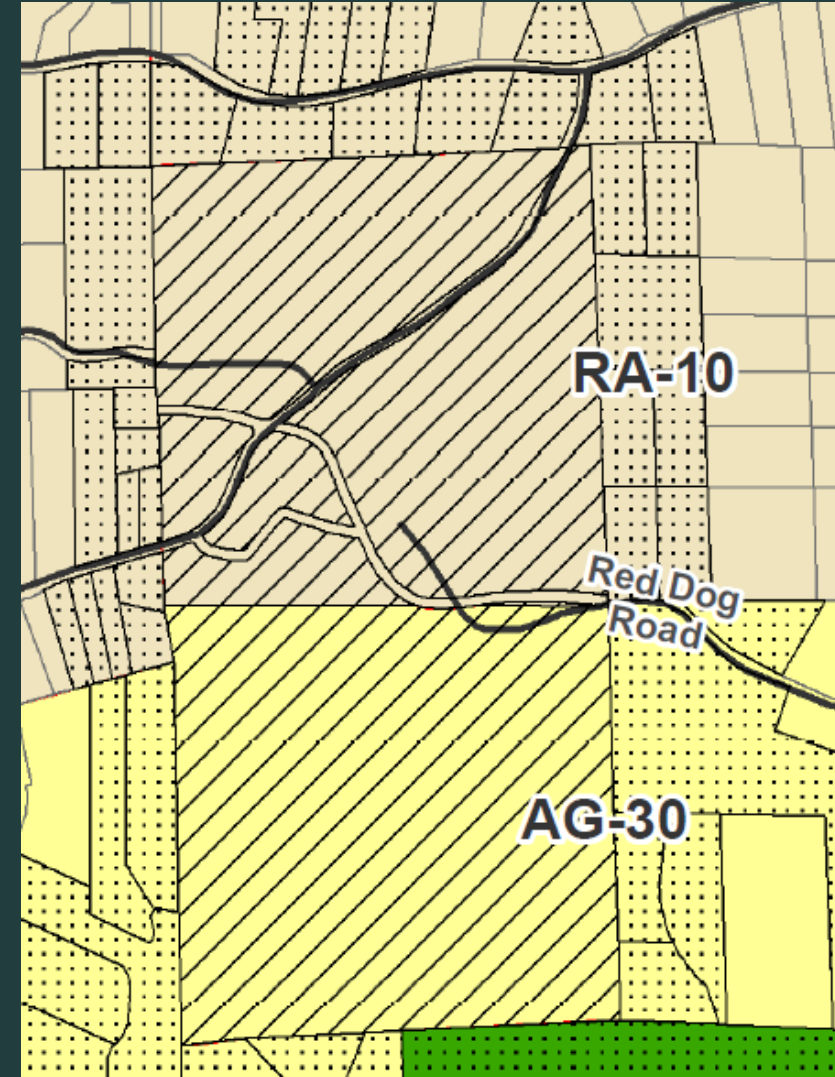
Environmental Resources

- All proposed building envelopes and access to the building envelopes have been designed to avoid the 50-foot setback of the intermittent streams and seasonal drainages; and the 100-foot setback of Clipper Creek. This buffer is in alignment with the Nevada County Code and should be adequate for the protection of riparian areas. All building envelopes avoid slopes steeper than 30%.
- The subject parcels contain landmark blue oak woodlands and landmark oak trees as shown on sheet C1.1 of the parcel map. The building envelopes were designed around existing development and avoid protected oak groves.
- No Special Status plants or animals were identified by the project biologist and preconstruction surveys are required to avoid any special status specie that has potential to occur.



Immediate Rezone

- Previously the rezone from Timber Production Zone to RA and AG was approved in June of 2018. The rollout process typically takes ten years.
- The project includes an immediate rollout out of Timber Production Zone.
- To approve an immediate rezoning out of TPZ, it must be demonstrated that it is in the public interest.
- Therefore, Lot 7 is proposed to be dedicated to the Nevada County Consolidated Fire District for the future development of a new fire station or another use deemed suitable by the fire district.
- The proposed project includes a 15-foot wide trail easement along Banner Quaker Hill Road.



Environmental Review

- The Planning Department prepared a draft Initial Study and proposed Mitigated Negative Declaration (IS/MND) for the proposed project (EIS24-0008).
- Based on the technical information submitted with this application, review of pertinent policy and regulatory documents, and consultation with appropriate local, state and federal agencies, all of the potential impacts that were identified have been mitigated below levels of significance.
- The Initial Study was available for a public review period of 30-days (February 15, 2025 through March 17, 2025 at 5:00 p.m.).
- Three public comments expressing concerns about traffic, fire, and evacuation were received

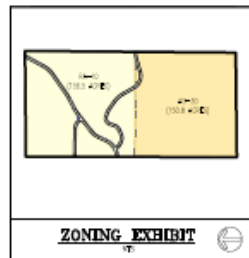


Planning Commission Action

- **On March 27, 2025, the Nevada County Planning Commission held a duly noticed public hearing to consider the Paye Immediate Rezone and Tentative Final Map project.**
- **Members of the public expressed concerns about the projects impacts on evacuation. Nevada County Consolidated Fire District Fire Chief Jason Robitaille spoke on behalf of NCCFD in support of the project which alleviated some of the evacuation concerns. Planning Commission directed Planning staff to include evacuation discussion in staff reports. Accordingly, staff included the evacuation analysis contained in the Mitigated Negative Declaration and included it in the Board of Supervisors staff report.**
- **The Commission unanimously (3-0 Vote), two absent, recommended that the Board of Supervisors approve the project.**

Recommendations

- I. **Environmental Action:** Adopt the Resolution adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Plan in connection with the adoption of an Ordinance amending Zoning District Map No. 077 to rezone assessor's parcel numbers 038-330-001, 038-330-002, 038-330-003, 038-330-004, 038-330-086, and 038-330-087 from Timber Production Zone-40 (TPZ-40) to Residential Agricultural-10 (RA-10) and General Agricultural -30 (AG-30); and a Tentative Final Map to create eleven lots (project).
- II. **Project Action: Zoning District Map Amendment (RZN23-0002):** Introduce, waive further reading, and adopt the Ordinance immediately enacting a rezone that was previously approved by Ordinance 2453 to occur over a 10 year roll out period. The immediate rezone enacts an amendment to Zoning District Map No. 077.
- III. **Project Action: Tentative Final Map (TFM23-0001):** Adopt the resolution approving a Tentative Final Map to subdivide 2 legal parcels with six APNs, totaling approximately 307-acres.



JUNE 2007

1. PROGRAMS AND DOCUMENTS HEREIN PROVIDED BY DUNN & BRIDGES, INC.
2. PROGRAMS ARE NOT TO BE REPRODUCED FOR RECORD KEEP AND FUTURE REFERENCE.
3. ALL SUBJECTS NOT MENTIONED ON THIS REPORT WHO ARE ORIGINALLY LISTED AS SUBJECTS OR DO NOT MENTIONED PROPERTY. ALL DATA AND PROCEEDINGS ARE TO BE KEPT AND THE SUBJECTS SHALL BE KEPT ON THE ROLL UNDER ONE.

LEGEND	
	DIRECT PROJECT BOUNDARY
	PROPOSED LOT LINE
	DIRECT BOUNDARY OF THE CORNER
	DIRECT LINE

OWNER/APPLICANT

JH PHE
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HOLLYWOOD, CA 90008

PLANNING & ENGINEERING

WILSON Planning & Design
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ORANGE VALLEY, CA 92668
525-446-6765
CONTRACT DESIGN BOB WOOD, M.P.

SURVEYING & BOUNDARY

DUNN & BROS. INC.
 740 DROWN POINT ST. S.E.
 CRAWFORD, GA 30535
 508-374-4515
 CREDIT IS GOOD ROBERT L. WHEELER, P.L.

APNs

LAND AREA

LAND AREA
1000000 ACRES

ZONING/GENERAL PLAN
CITY OF ALBUQUERQUE, NM—C / RMA, 2014-15
ALBUQUERQUE, NM—C / RMA, 2014-15

WATER

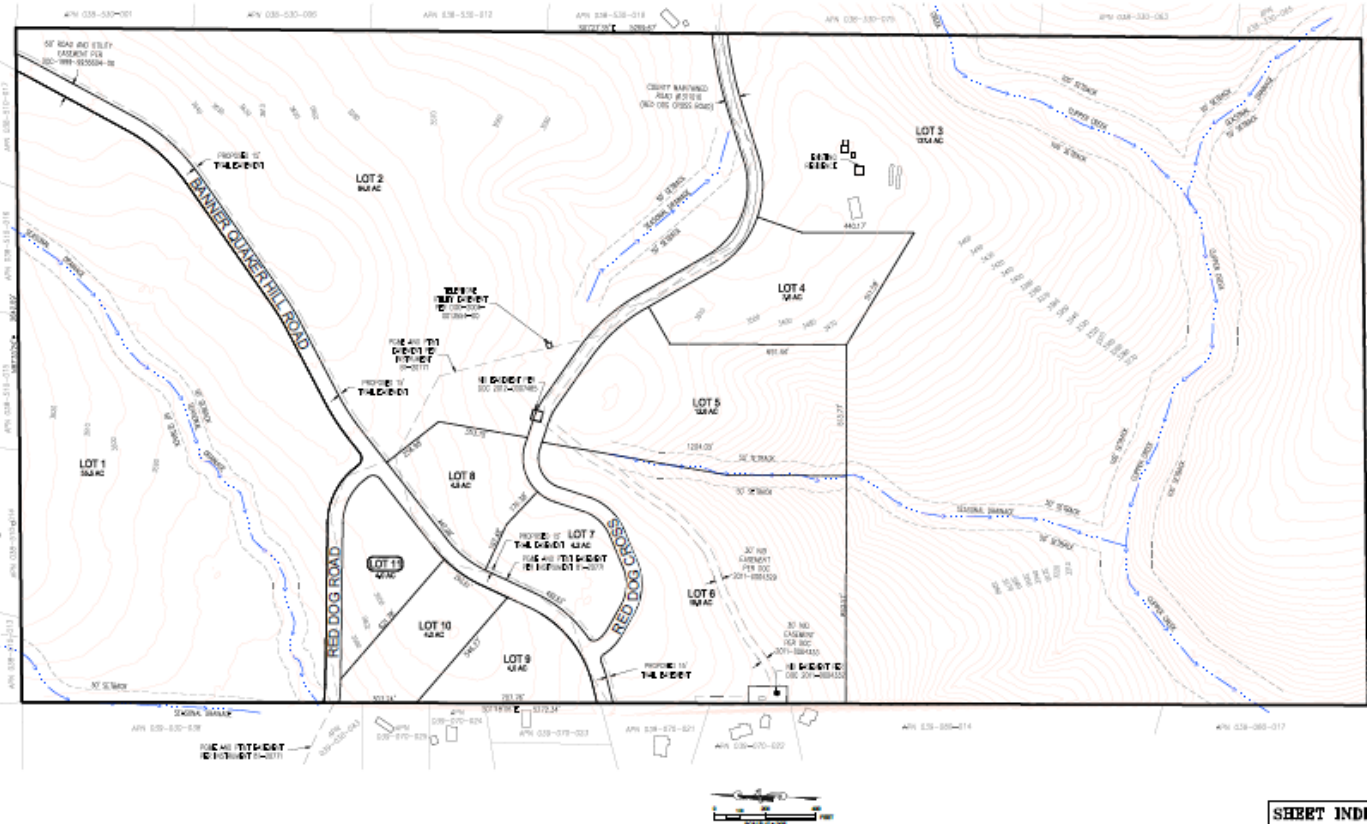
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SEWER

INDICATOR OF THE EFFECTS OF

FIRE PROTECTION

ELECTRIC UTILITIES



SHEET INDEX

SHEET 0.0 - TITLING SHEET
 SHEET 0.1 - SUPPLEMENTAL DATA SHEET

DATE	DESCRIPTION	RECEIVED FOR
		CHAS. T. CO.
		PRIN. NO. 10-03-15
		CHAS. T. CO. PRINTING
		DATE: 10-03-15

C1.0

PAYE SUBDIVISION
BANNER QUAKER HILL ROAD / RED DOG CROSS ROAD
TENTATIVE MAP

MILLENNIUM
PUBLISHING • PUBLISHING
100 • 100 • 100
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