



NEVADA COUNTY PLANNING COMMISSION
STAFF REPORT

HEARING DATE: May 26, 2022

FILE NO: PLN21-0281; RZN21-0003; CUP21-0005; PFX21-0006; EIS22-0003

APPLICANT/OWNER: AAB Property Management

REPRESENTATIVE: Kevin Nelson, Nelson Engineering, Inc.

PROJECT: A Rezone from Highway Commercial (CH) to Neighborhood Commercial (C1) to allow for the proposed self-storage use, 2) a Use Permit to allow for the development and operation of a self-storage facility with 17 permanent buildings and 7 storage containers, as well as the formal approval of the existing Alta Sierra Family Automotive auto repair facility, and a 3) a Petition for Exceptions from Road Standards to allow for a reduced easement width on Johnson Place.

LOCATION: 15638 Johnson Place in Grass Valley, CA, approximately 600 feet North of Alta Sierra Drive and State Highway 49.

ASSESSOR'S PARCEL NO(s): 025-220-054

PROJECT PLANNER: Kyle Smith, Associate Planner

General Plan:	HC	Water:	Well
Region:	Rural Center	Sewage:	Septic
Zoning:	CH	Fire:	NCCFD
Flood Map:	0650	Schools:	Pleasant Ridge Union
ZDM #:	43	Recreation:	Bear River
Parcel Size:	4.70 acres	Sup. Dist.:	Supervisor Scofield, District II
Date Filed:	10/25/21	Farmland:	Urban and Built Up
Prev. File #(s):	SP85-022; Z95-009; U95-015; PA05-014; PM08-006; PRE21-0006; PLN21-0165		

ATTACHMENTS:

1. Draft Resolution: Initial Study/Mitigated Negative Declaration
Exhibit 1: Initial Study/Mitigated Negative Declaration
 2. Draft Ordinance: Zoning Map Amendment and Exhibit
 3. Draft Resolution: Petition for Exceptions to Road Standards and Conditional Use Permit
Exhibit 1: Draft Conditions of Approval/Mitigation Monitoring and Reporting Program
 4. Project Vicinity, Zoning and Public Notice Map
 5. Site Plan
 6. Comments Received
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RECOMMENDATION:

- I. Environmental Action: Recommend Approval of the Draft Resolution for the project Initial Study/Mitigated Negative Declaration (EIS22-0003) to the Nevada County Board of Supervisors.
- II. Project Action: Recommend Approval of the Draft Ordinance for the proposed Rezone (RZN21-0003) to the Nevada County Board of Supervisors.
- III. Project Action: Recommend Approval of the Draft Resolution for the proposed Petition for Exceptions to Road Standards (PFX21-0006) and Conditional Use Permit (CUP21-0003) to the Nevada County Board of Supervisors.

Site Description, Project Location and Surrounding Land Uses: The subject 4.7-acre property is located approximately 500 feet north of the Alta Sierra Drive and SR 49 intersection in Alta Sierra, with access from Johnson Place off Alta Sierra Drive. Johnson Place forms the eastern boundary and SR 49 the western boundary. The parcel is situated at an elevation of approximately 2,120 feet above mean sea level (MSL) at the northern end to 2,020 feet above MSL at the southern end, in the Rattlesnake Creek basin of the Bear River watershed.

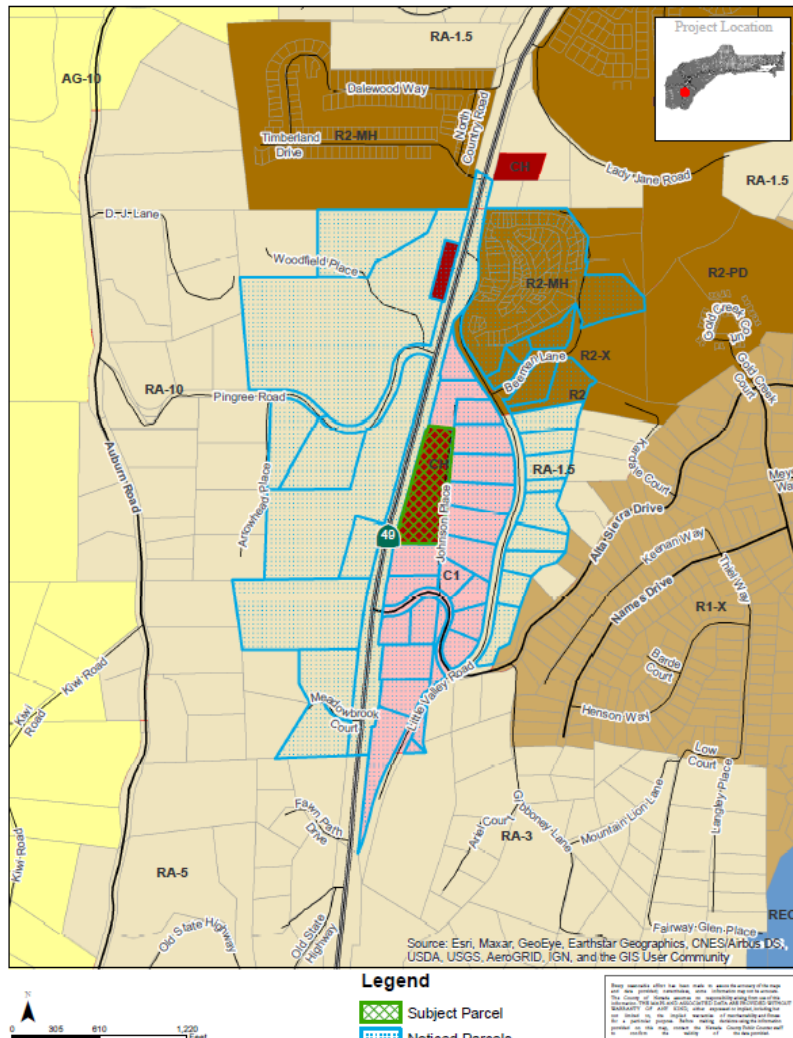


Figure 1: Zoning and Notification Map

The project site is zoned Commercial Highway (CH) and it has a Highway Commercial (HC) General Plan Designation. Nearby zoning is largely residential with RA-3 (Residential Agricultural with 3-acre minimum densities) to the west across SR 49, RA-1.5 (Residential Agricultural with 1.5-acre minimum densities) across Little Valley Road to the east, and higher density R1-X (Single Family Residential with a Subdivision Limitation Combining District) and R2-X zoning (Medium Density Residential with a Subdivision Limitation Combination District) farther to the north and east. Immediately adjacent parcels are smaller in size than the subject parcel, ranging from 1.5 to 2 acres in size. Surrounding uses include retail and office uses to the south, the existing auto repair shop on the subject property, Forever Flowering Greenhouses to the north, and single-family residences in the C1 zoning on the east side Johnson Place.

PROJECT DESCRIPTION:

The project is a proposed Rezone from Highway Commercial (CH) to Neighborhood Commercial (C1) to allow for the proposed self-storage use, 2) a Use Permit to allow for the development and operation of a self-storage facility with 17 permanent buildings and 7 storage containers, as well as the formal approval of the existing Alta Sierra Family Automotive auto repair facility, and a 3) a Petition for Exceptions from Road Standards to allow for a reduced easement width on Johnson Place.

Rezone: The project proposal includes a Zoning Map Amendment request from Highway Commercial (CH) to Neighborhood Commercial (C1) in order to accommodate the proposed use of self-storage facilities. Mini-storage buildings are not permitted in the CH zoning district, but are permitted in the C1 district, per Table L-II 2.4.D of the Nevada County Land Use and Development Code. The subject parcel was previously zoned C1, along with all surrounding zoning in the immediate project vicinity on the east side of State Route 49, but was rezoned to CH in 1996 to accommodate a proposed home, garden, and construction equipment rental business, which no longer exists. The proposed rezone would return the parcel to the original C1 zoning to support the development of the new self-storage facility and bring the existing auto repair facility on the site into compliance with the Nevada County Land Use and Development Code. The Rezone would also be consistent with the Nevada County General Plan because Table 1.2 of the Land Use Element defines both CH and C1 zoning districts as compatible with the HC General Plan designation. Existing and proposed zoning is shown in Figure 2 below.

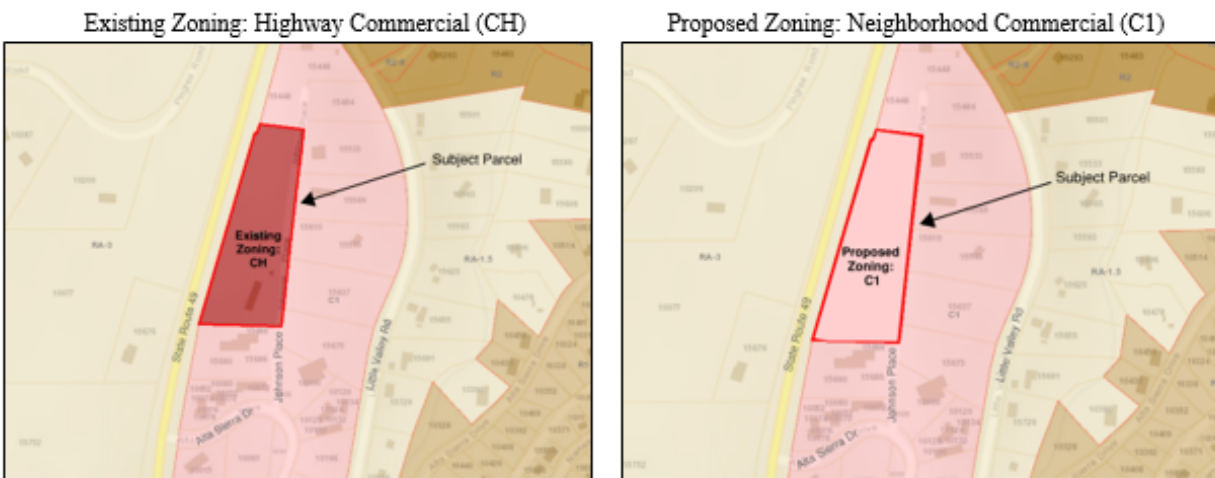


Figure 2: Existing and Proposed Zoning

Conditional Use Permit: The project proposal includes a Use Permit to allow development and use of 3.5 acres of the 4.7-acre site as a self-storage facility, and to formally permit the existing Alta Sierra Family Automotive on the remaining 1.2 acres of the site. The subject parcel has a Conditional Use Permit approved in 1996 which allowed a proposed home, garden, and construction equipment rental business in the CH zoning district, which no longer exists and has since transitioned into an auto repair facility. The Alta Sierra Family Automotive has been operating in this location for over 21 years, according to the project applicant. Due to the lack of a previous formal approval for an automotive repair facility, the Use Permit application includes a request to formalize the auto repair shop.

The self-storage project includes 17 permanent storage structures and 7 metal storage containers. A breakdown of building type, stories, units, and square feet is shown in Table 1 below.

Table 1: Building Area and Unit Analysis

Building No.	Story	Units	Square feet
Permanent Buildings			
1	1	13	1,685
2	Removed to accommodate 40' road		
3	1	27	1,400
	2	7	2,100
4	1	23	1,600
	2	8	2,400
5	1	33	1,800
	2	9	2,700
6	1	21	2,000
7	Removed		
8	1	22	2,200
9	1	24	3,600
10	1	32	4,500
11	1	8	320
12	1	9	450
13a	1	11	550
13b	1	11	550
14	1	23	2,200
15	1	7	900
16	1	8	900
17	1	7	750
18	1	10	1,575
Metal Containers			
Bldg 6 End – 20' x 8' (x3)		12	480
Bldg 9 End – 20' x 8' (x2)		8	320
Bldg 10 End – 20' x 8' (x1)		4	160
Bldg 15 End – 20' x 8' (x1)		4	160
Totals		341 units	35,300 sf

The project is proposed to develop incrementally in two phases if needed for financing purposes. The southern area, comprised of Buildings 6 through 18, would be developed first, and the northern area, comprised of Buildings 1 and 3 through 5, would be developed second. All

construction is anticipated to occur within the standard approval timeline of three years from project approval. Building elevations are varied depending on the location of the unit and visibility from the public right of way. Typical elevations for the interior buildings not visible from SR 49 are architecturally unadorned but consistent in colors, siding and roofing materials with other structures.



Figure 3: Site Plan

The Use Permit proposal also proposes to formalize an existing non-conforming use on the project site. Alta Sierra Family Automotive includes approximately 3,225 gross square feet (sf) structural space, including shop, office, and storage. Three automotive service bays are located within the main shop building. The facility has 15 parking spaces, including one handicapped space. Alta Sierra Family Automotive has two existing access points from Johnson Place. In order to minimize the overall number of encroachments onto Johnson Place from the subject parcel, Alta Sierra Family Automotive would keep the existing northern driveway gate regularly closed. The current hours of operation are 8AM to 5PM, Monday through Friday. The auto repair shop has an established septic system from the original equipment rental facility that was permitted on July 29, 1996, and a repair field has been identified as part of the Use Permit application to serve in the event of a leach field failure.

Petition for Exceptions to Road Standards: Access to the site is via Johnson Place, a private road, from Alta Sierra Drive and State Route (SR) 49, publicly maintained roads. Johnson Place is a 30-foot wide right of way that extends from Alta Sierra Drive to the northern end of the subject parcel. The segment of Johnson Place south of the storage facility entrance is currently used by several Alta Sierra commercial businesses, and Johnson Place traverses through a parking lot in this area. Land Use and Development Code Sec. L-XVII 3.4.A requires a 50-foot

right of way width for Local Class 1 roads, which will be required for this project. The current easement width for Johnson Place is 30 feet. The applicant has obtained a 10-foot fuel modification easement from the neighboring parcel APN 025-430-005 to the east to meet fuel modification requirements for the only portion of the road that is not in a parking lot from Alta Sierra Dr to the entrance of the self-storage facility. On the applicant's parcel (APN 025-220-054), a 40-foot-wide Offer of Dedication to the County for Johnson Place is proposed along the western property line of the parcel. This section of Johnson Place would consist of the proposed 40-foot offer plus an additional 10 feet of fuel modification easement adjacent to the APN 025-220-054, meeting the intent of the 50-foot required easement in Land Use and Development Code Sec. L-XVII 3.4.A.

STAFF COMMENT:

The subject 4.7-acre property is located approximately 500 feet north of the Alta Sierra Drive and SR 49 intersection in Alta Sierra, with access from Johnson Place off Alta Sierra Drive. Johnson Place forms the eastern boundary and SR 49 the western boundary. The parcel is situated at an elevation of approximately 2,120 feet above mean sea level (MSL) at the northern end to 2,020 feet above MSL at the southern end, in the Rattlesnake Creek basin of the Bear River watershed. The majority of the property is described by the project biologist as being early successional ponderosa pine forest. The area colonized mostly by ponderosa pine (*Pinus ponderosa*) and typically associated species (e.g., *Ceanothus* spp.), as well as Scotch broom (*Cytisus scoparius*) in patches. Surrounding land uses include commercial and residential, along with the highway at the western boundary. Rattlesnake Creek lies approximately 750 feet east and 1,250 feet south of the project site.

Rezone: The project proposal includes a proposed rezone from CH (Highway Commercial) to C1 (Neighborhood Commercial). Currently, all surrounding zoning in the immediate project vicinity to the north, east, and south of the subject property is zoned C1 (Neighborhood Commercial) within the Alta Sierra Rural Center. The subject parcel was also originally zoned C1. In 1996 the previous owner of the subject parcel requested and was granted a zoning map amendment to change the zoning district from C1 to CH in order to support a proposed home, garden, and construction equipment rental business, which no longer exists. Land Use and Development Code Sec. L-II 2.4 defines the purpose of the CH district as “to provide highway-related and tourist services along State highways [. . .] with convenient, controlled access to Interstate, freeway, or primary arterial routes. Such facilities should be designed and located to provide a broad range of services to the traveler and not to impede traffic.” The subject parcel does not have direct access to SR 49. In addition, Johnson Place does not have an access easement in place to serve more traffic-intense uses such as highway-and tourist-related uses, with only an existing 30-foot-wide easement. CH-zoned uses are also generally more intense uses than are found in the C1 district. As such, the proposed rezone to C1 is more compatible with the surrounding zoning. The Rezone would also be consistent with the Nevada County General Plan because Table 1.2 of the Land Use Element defines both CH and C1 zoning districts as compatible with the HC General Plan designation.

Conditional Use Permit: The project proposal includes a Use Permit to allow development and use of 3.5 acres of the 4.7-acre site as a self-storage facility, and to formally permit the existing Alta Sierra Family Automotive on the remaining 1.2 acres of the site. The subject parcel has a Conditional Use Permit approved in 1996 which allowed a proposed home, garden, and construction equipment rental business in the CH zoning district, which no longer exists and has

since transitioned into an auto repair facility. The Alta Sierra Family Automotive has been operating in this location for over 21 years, according to the project applicant. Due to the lack of a previous formal approval for an automotive repair facility, the Use Permit application includes a request to formalize the auto repair shop. The existing auto shop use as well as the proposed self-storage facility use would be compatible with the proposed zoning district of C1.

Alta Sierra Family Automotive has two existing access points from Johnson Place. In order to minimize the overall number of encroachments onto Johnson Place from the subject parcel, Alta Sierra Family Automotive would keep the existing northern driveway gate regularly closed. Alta Sierra Family Automotive includes approximately 3,225 gross square feet (sf) structural space, including shop, office, and storage. Three automotive service bays are located within the main shop building. The facility has 15 parking spaces, including one handicapped space. The current hours of operation are 8AM to 5PM, Monday through Friday. The auto repair shop has an established septic system from the original equipment rental facility that was permitted on July 29, 1996, and a repair field has been identified as part of the Use Permit application to serve in the event of a leach field failure.

Petition for Exceptions to Road Standards: The project proposal includes a Petition for Exceptions to Road Standards to allow for the development of the proposed self-storage facility because Johnson Place does not currently meet standards for road width. Access to the site is via Johnson Place, a private road, from Alta Sierra Drive and State Route standards described in Land Use and Development Code Sec. L-XVII 3.4.A. Johnson Place is a 30-foot wide right of way that extends from Alta Sierra Drive to the northern end of the subject parcel. The segment of Johnson Place south of the storage facility entrance is currently used by several Alta Sierra commercial businesses, and Johnson Place traverses through a parking lot in this area. The current easement width for Johnson Place is 30 feet. The applicant has obtained a 10-foot fuel modification easement from the neighboring parcel to the east to meet fuel modification requirements recommended by the Nevada County Department of Public Works and Nevada County Fire Marshal for the only portion of the road that is not in a parking lot from Alta Sierra Dr to the entrance of the self-storage facility. A 40-foot-wide Offer of Dedication to the County for Johnson Place is proposed along the western property line of the subject parcel. This section of Johnson Place would consist of the proposed 40-foot offer plus an additional 10 feet of fuel modification easement adjacent to the parcel to the east, providing a similar practical effect to the 50-foot required easement in Land Use and Development Code Sec. L-XVII 3.4.A. In combination, the Nevada County Department of Public Works is willing to grant the exception because the additional easement width and right of way dedication provide the same practical effect as a 50-foot easement width.

Pursuant to the Nevada County Land Use and Development Code Section L-IV 2.6 and Section L-XVII 3.12, the Nevada County Department of Public Works have determined that the reduced easement widths reflect a special circumstance affecting the subject parcel, that the exception is necessary to preserve a substantial property right of the applicant, that the granting of the exception will not be detrimental or injurious to other property, and that the granting of the exceptions will not constitute a grant of special privileges inconsistent with the limitations upon similar properties. The Nevada County Fire Marshal and the Nevada County Consolidated Fire District have also reviewed the project application and concur the petition should be granted because the additional easement width and right of way dedication provide the same practical effect as a 50-foot easement width.

Design: Building elevations and designs are varied depending on the location of the unit and visibility from the public right of way. Typical elevations for the interior buildings not visible from SR 49 are architecturally unadorned but consistent in colors, siding and roofing materials with other structures. As shown below, permanent interior buildings at the northern end of the parcel would be stepped into the hillside and have charcoal-colored ribbed metal siding, galvalume-colored (grey) ribbed metal roofing, and white doors. The Western Nevada County Design Guidelines generally discourage the use of intense white colors so Condition of Approval A.5 has been included to require the building design to utilize earth tones or muted soft colors as encouraged by the Western County Design Guidelines.



Figure 4: Buildings 3, 4, and 5 Elevations

The remaining interior storage structures would have the same building materials and colors and would likewise be unadorned architecturally, but would be single story as shown below. SR 49-fronting and select entryway permanent structures would be modified with a barn door-type façade and false windows, as shown in Figures 5 and 6 below. Building 10 will have storage doors on both sides of the building. Note that on these elevations, “Rear Elevation” is the west or freeway-facing side. The “49 Self Storage” wall sign is proposed on Building 16 only.

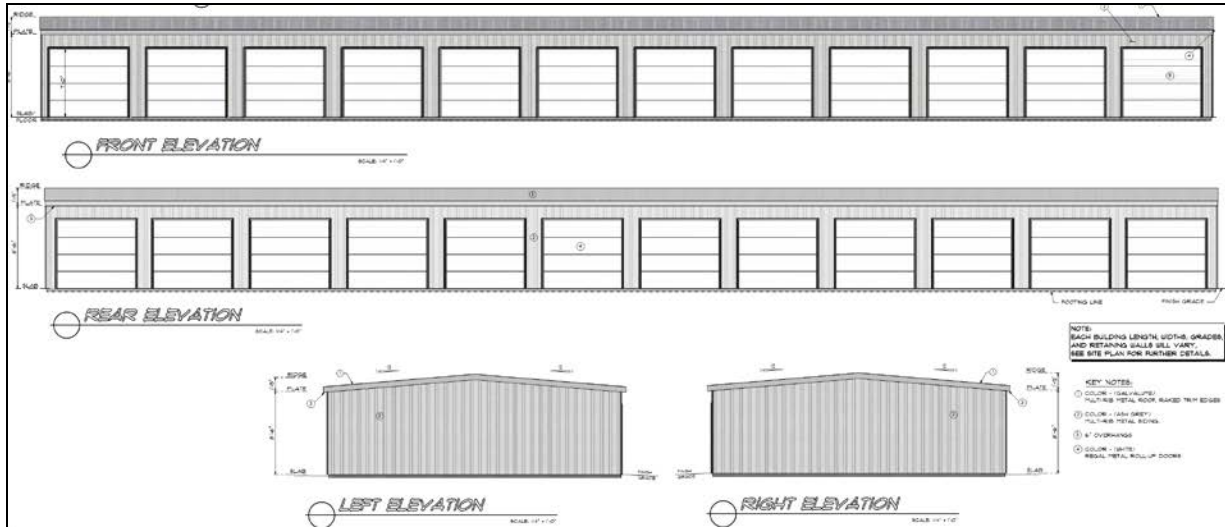


Figure 5: Buildings 1, 2, 6, 8, 9, and 14 Elevations

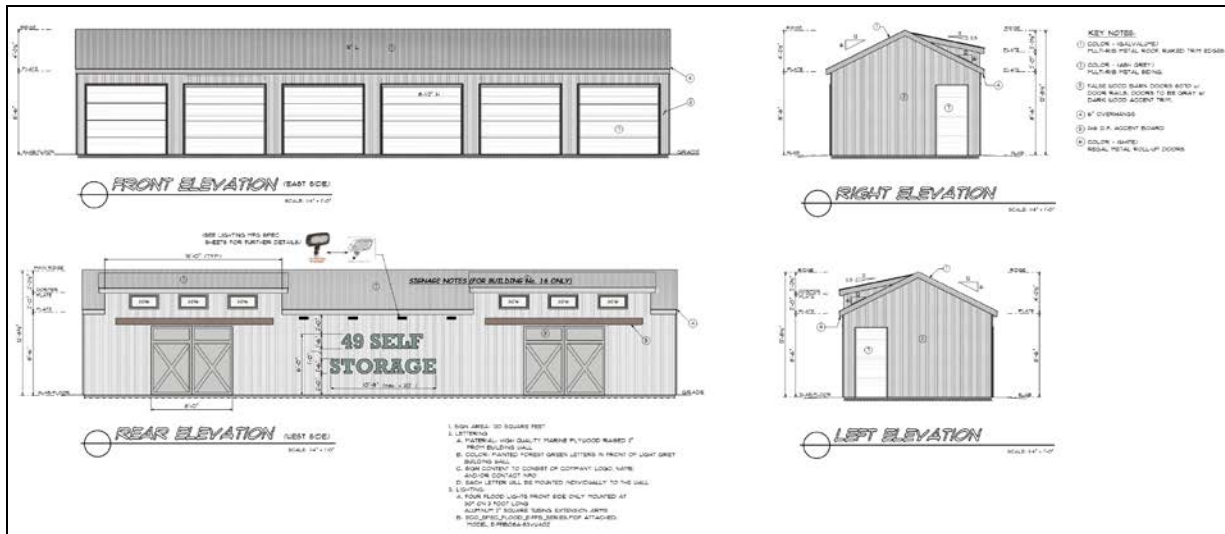


Figure 6: Buildings 10, 15, 16, and 17 Elevations

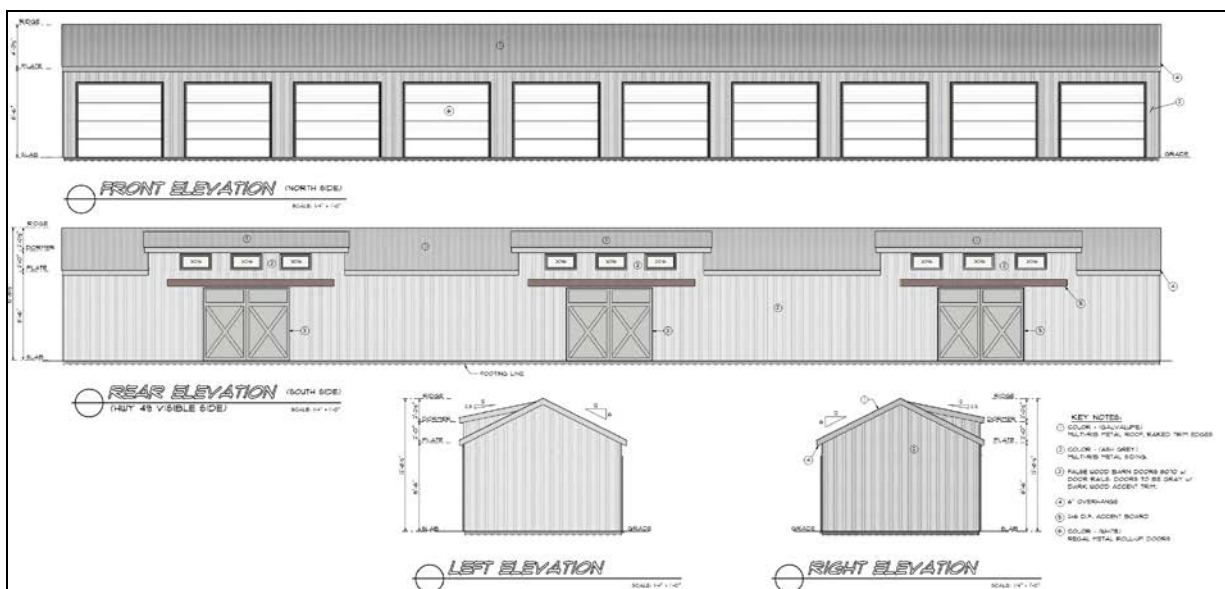


Figure 7: Building 18 Elevations

Signage: The project proposes three signs: one (1) wall sign on Building 16 facing State Route 49 with a total of 120 square feet, one (1) monument sign 50 square feet in size with both the automotive repair tenant and self-storage facility advertised on the sign, and one (1) 25-foot-tall pole sign 70 square feet in size. The wall sign material is proposed as marine plywood or HardiePanel letters raised 2 inches from the building and painted white, grey, maroon or forest green against the dark gray building siding. Each letter would be mounted individually on the wall. Four flood lights mounted on 2-foot-long extension arms are proposed above the wall sign. The monument sign is proposed to be constructed on a frame of rustic timbers milled from trees onsite, with an interior sign on marine plywood using a white, gray, maroon, black, and forest green color palette. The monument sign would be dual-sided, with two downcast and shielded lights on 2-foot arms mounted on each side. The pole sign is proposed with the same materials and color palette as the monument sign, but would be single-sided and south-facing only. Two flood lights are also proposed on the south side of the pole sign for nighttime visibility.

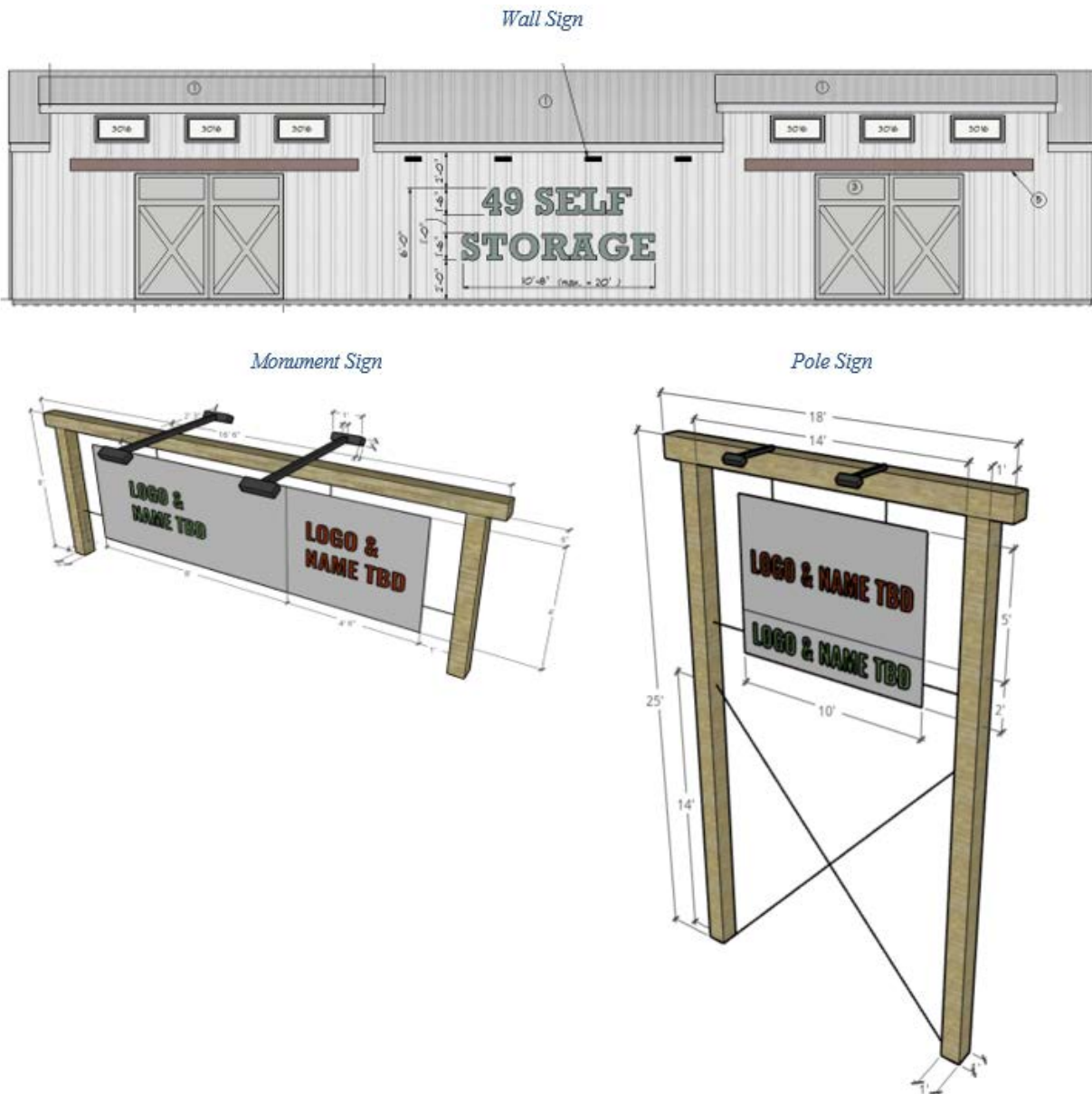


Figure 8: Proposed Signage

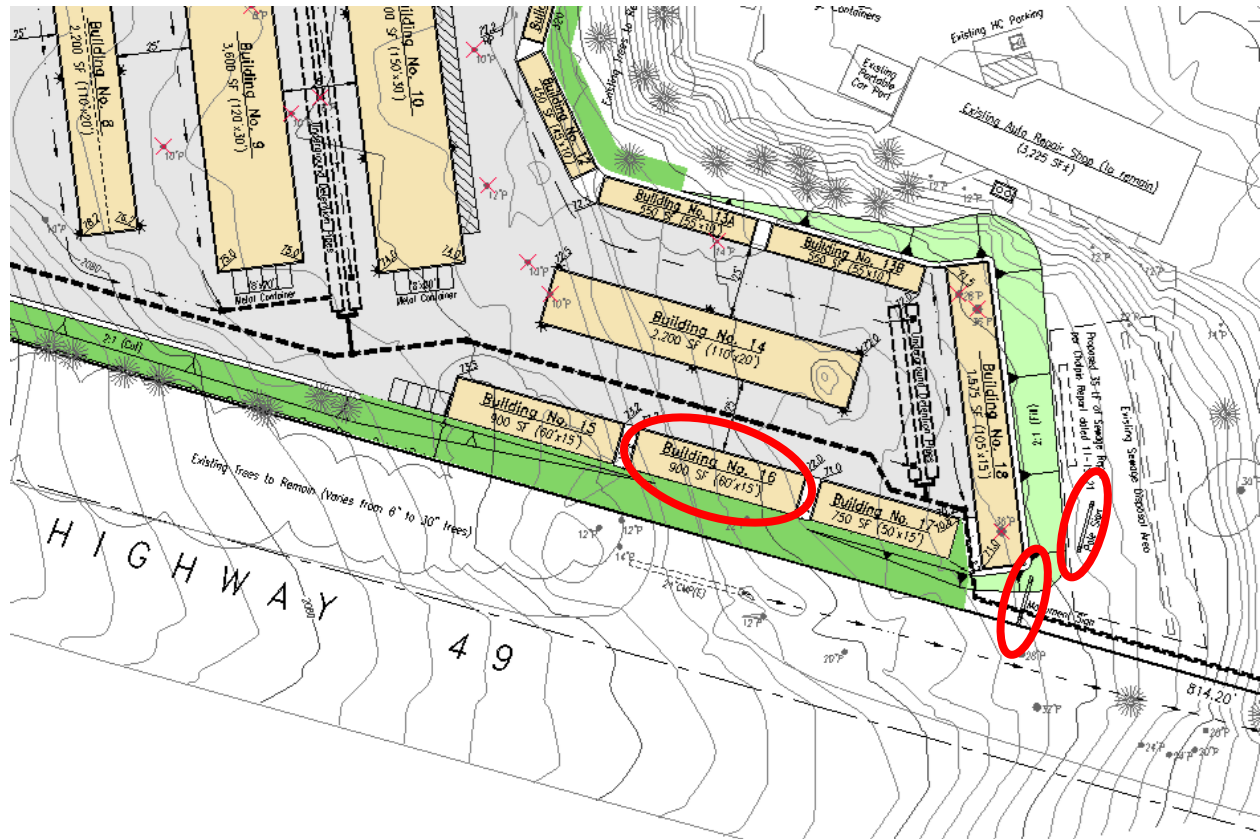


Figure 9: Proposed Signage Locations

The proposed signage is all located in the southwest area of the site. The new siting of multiple signs as proposed in the Comprehensive Sign Plan may result in cluttering of signage along SR-49, however all signs will be in compliance with the Nevada County Land Use and Development Code and the Western County Design Guidelines regarding sign design and lighting as described by the project specific conditions of approval. Planning Department staff recommend approval of only the proposed monument sign and wall sign. The 25-foot-tall pole sign may not be in compliance with the Nevada County Land Use and Development Code regarding sign height because the self-storage facility is not a highway-related use. As a result, staff does not recommend approval of the pole sign, unless the project specific conditions of approval include requirements to reduce the overall sign height to no more than 10-feet tall and relocate the monument sign to the Johnson Place frontage to reduce aesthetic impacts along SR-49.

Access and Parking: The property takes access from Johnson Place, a private road. The applicant has a 30-foot access and utility easement on Johnson Place and proposes to offer an additional 10 feet to the County on the Johnson Place frontage with the subject property, for a total of 40 feet of easement along the property frontage. The project does not include a 40-foot access easement on the remainder of Johnson Place to the south where it meets with Alta Sierra Drive. This portion of Johnson Place traverses a parking lot, where there is not a clear delineation between the parking lot surfacing and Johnson Place. This ambiguity allows for the full width and use of the road through the lot. The project will be conditioned to meet the County’s Local Class 1 standards, which require an asphalt-concrete surface 20 feet in width, plus shoulders.

However, the applicant is requesting a Petition for Exception to Road Standards as part of the project to reduce the required easement width from 50 feet to 30 to 40 feet along Johnson Place.

downcast and shielded so as to comply with the Land Use and Development Code standards regarding lighting. Existing lighting at the auto repair shop includes two pole lights measuring 15 feet tall and six building-mounted lights at heights ranging from approximately 8 feet (five lights) to 15 feet tall (one light on the south elevation). Light fixture types at the auto repair shop vary and include unshielded LED lights, spotlights, and one mercury vapor fixture on one of the pole lights. Four building-mounted lights and one pole light are on from sunset to sunrise as a security precaution. Mitigation Measure 1A has been included to comply with current standards and minimize impacts to aesthetic resources by ensuring that all outdoor light fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways. This will include the use of shielding devices to orient the light downward and reduce glare. In addition, all external light fixtures shall utilize low-pressure sodium lamps, or other similar low intensity lights, to reduce light spillage. This condition shall be shown on all improvement/building plans prior to permit issuance.

Landscaping, Screening, and Fencing: The project has submitted a preliminary landscaping plan that incorporates shade trees (6 Pineapple Guava, 16 Coast Live Oaks, and 1 Western Redbud), shrubs (8 Lavender French, 72 Mexican Sage, and 127 Huntington Carpet Rosemary), as well as existing ornamental and shade trees located throughout the project site. In addition, the project will utilize a 15-foot wide landscaping buffer along SR-49 to screen the self-storage facility. The landscape buffer along Johnson Place consists of alternating areas of landscaping at the property line and in front of the self-storage buildings to provide screening from Johnson Place.

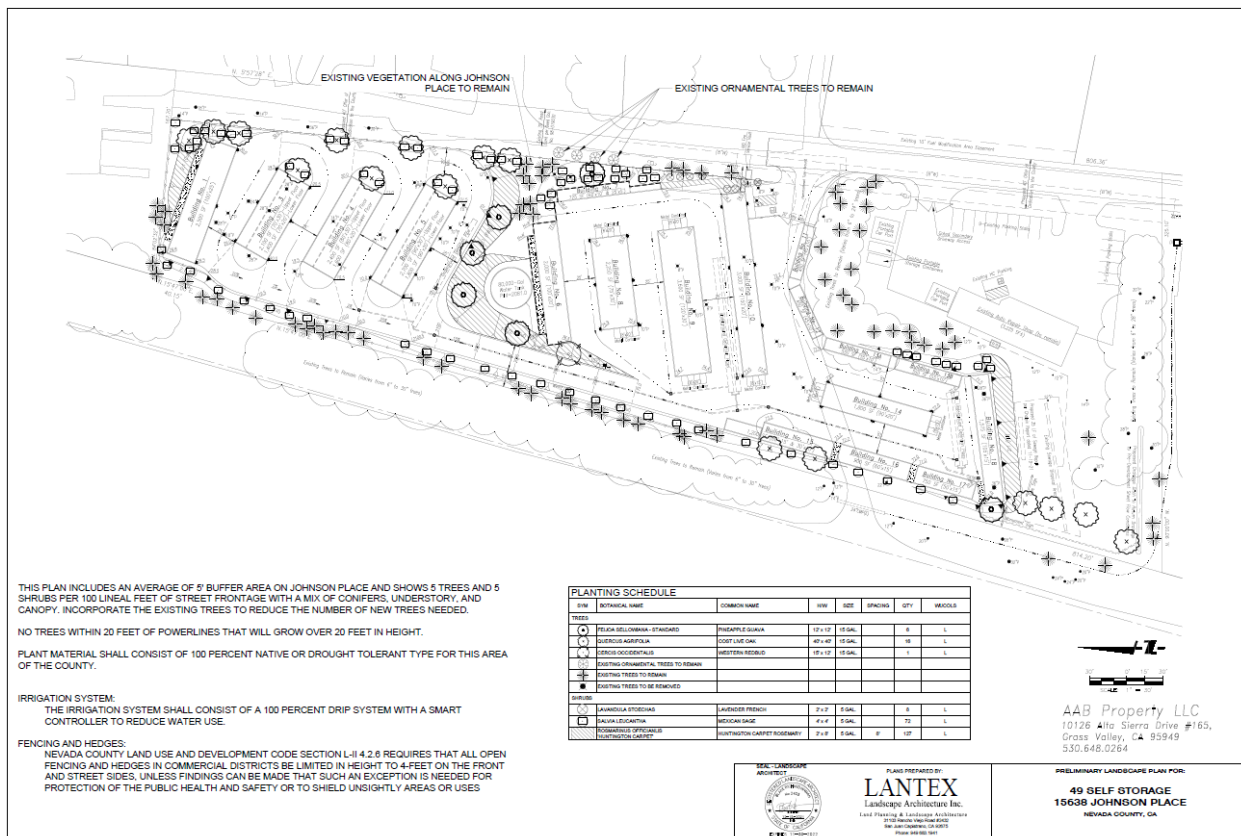


Figure 11: Landscaping Plan

The Nevada County Land Use and Development Code Section L-II 4.2.7 describes the standards and requirements. The project utilizes drought tolerant plantings and a variety of planting types to provide visual interest and complement structures. Overall, staff has determined that the landscaping proposed as described in the Preliminary Landscaping Plan submitted with the project application and shown below is consistent with Land Use and Development Code Section L-II 4.2.7, the Western Nevada County Design Guidelines, and the Design Guidelines of the Penn Valley Area Plan.

An existing chain link fence and gates are situated along the perimeter of the auto repair facility. The self-storage facility proposes a 6-foot-high fence of wrought iron fence or similar fencing in all areas except the northern perimeter (inner yard) which would be fenced using chain link fencing, and the western perimeter north of Building 15, which will be fenced with chain link fencing. Pursuant to proposed Mitigation Measure 4B, all project fencing shall be designed and constructed in coordination with a County-approved biologist to minimize impacts to deer and deer movement through the site.

Traffic and Trip Generation: The proposed project would improve emergency access by widening and improving Johnson Place to the project driveway. The project plans also include adequate turning radii and access widths for emergency vehicles. The existing automotive repair shop and the proposed self-storage facilities would take access via Johnson Place to Alta Sierra Drive. Although there is no existing right or left turn lane into Johnson Place, the project would not contribute substantially to traffic that would result in the need for turn lanes, and the Public Works Department has not conditioned the project to provide turn lanes. Additionally, the speed limit at Johnson Place and Alta Sierra Drive is 25 miles, which is below the speed limit at which AASHTO provides guidance for turn lane warrants.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th ed. (2017), the proposed self-storage uses would be categorized under Land Use Category 151, “Mini-Warehouse (Storage Units).” This use type generates 1.95 trips per 1,000 square feet (sf) of gross floor area (gfa). With 35,300 sf of gfa, the project would result in 69 additional Average Daily Trips (ADT). The project’s ADT impacts would be mitigated with traffic impact fees that would be applied to the project as a condition of approval from the Public Works Department. The potential increase in traffic resulting from the proposed self-storage project would be insignificant in nature and there would therefore be less than significant impacts relative to conflicts with traffic and non-motorized transportation.

Stormwater/Drainage: The proposed project is not anticipated to negatively affect water quality standards or waste discharge requirements, nor is it anticipated to contribute amounts that could exceed drainage system capacity or alter existing drainage patterns. While the project would result in grading on the site as well as road improvements to Johnson Place, the project would be required to obtain a Construction Storm Water Pollution Prevention Plan (SWPPP) with the Central Valley Regional Water Quality Control Board, and standard erosion control measures will be required under Mitigation Measure 4C, to ensure that this work does not result in offsite erosion or deposition of sediment into water features. Additionally, the project is required to detain all stormwater runoff to pre-construction levels under State and County regulations and has provided an onsite underground stormwater detention area to comply with these requirements.

Pursuant to General Plan Policy 3.19C, the applicant will be required to maintain all drainage facilities including the bio-retention basin and associated drainage system constructed as part of the project through a permanent, legally enforceable mechanism. Specifically, a Condition of Approval B.4 has been included, requiring that: “, the applicant shall provide final grading and drainage plans with an accompanying analysis prepared by a registered civil engineer that demonstrate no net stormwater runoff from the proposed project.”

ZONING AND GENERAL PLAN CONSISTENCY:

The subject parcel is zoned Commercial Highway (CH) and has a Highway Commercial (HC) General Plan Land Use designation. Should this project be approved, the property’s Zoning would be changed to be consistent with the current zoning of much of the surrounding area in terms of the Neighborhood Commercial (C1) zoning. The Rezone would also be consistent with the Nevada County General Plan because Table 1.2 of the Land Use Element defines both CH and C1 zoning districts as compatible with the HC General Plan designation. As discussed above, the proposed project will require satisfactory completion of the Conditions of Approval and Mitigation Monitoring and Reporting Program to ensure it can meet current development standards in the CH Zoning and HC General Plan Land Use designations, but overall, the use of the property as a self-storage facility and automotive repair facility is compatible with the area.

ENVIRONMENTAL REVIEW:

The Planning Department prepared a project specific draft Initial Study for the project and found that this project will not result in a significant physical change to the environment. The draft Initial Study made a good faith effort to disclose anticipated future impacts of the redevelopment of this site. The draft initial study/proposed Mitigated Negative Declaration was circulated for public comment between April 8, 2022 and May 9, 2022 (*Attachment 1*). The Notice of Availability/Notice of Intent to adopt a Mitigated Negative Declaration was sent to several local and state responsible agencies as well as surrounding property owners. As of this writing, no adverse comments were received as a result of this outreach. Since this project will not result in the significant impacts to the environment and will make the Zoning designation for the subject property consistent with other surrounding land uses, staff has determined that a Mitigated Negative Declaration is the appropriate document for this project. Staff therefore recommends that the Planning Commission provide a recommendation to the Board of Supervisors to adopt the draft Initial Study/proposed Mitigated Negative Declaration for this project.

COMMENTS RECEIVED:

As part of the Initial Distribution and environmental review comment period, staff received four (4) comment letters from two (2) interested parties. For the consideration of the Planning Commission, staff has included a summary of these comments and response is provided below.

Patricia “Charisse” Lolli, Little Valley Road Resident:

Two comments were received from this individual which expressed concern with the proposed Rezone, Conditional Use Permit, and Petition for Exceptions to Road Standards and the potential use of the subject parcel for a self-storage facility. The first comment received November 6, 2021, following the project Initial Distribution expressed the following concerns: 1) Access and traffic safety impacts to Alta Sierra Drive and Johnson Place, and 2) Size of the proposed self-storage facility. The second comment letter received May 9, 2022, during the environmental

review comment period expressed the following concerns: 1) The existing nonconforming automotive repair facility on the subject parcel, 2) Roadway erosion and damage to Little Valley Road, 3) Existing hydrology and stormwater collection on Alta Sierra Drive and Johnson Place, 4) Lighting and light trespass to other properties, and 5) Future traffic increases to Alta Sierra Drive and fire evacuation.

Planning Department staff have determined that the proposed self-storage facility does not necessitate infrastructure improvements on Alta Sierra Drive due to the relatively low volume of induced travel, and the requirement to pay applicable traffic impact fees would mitigate the potential traffic impacts. In addition, the proposed project would bring a currently non-conforming use into compliance, and project-specific conditions of approval are designed to ensure drainage, lighting, and other aesthetic issues are compliant with the Nevada County Land Use and Development Code.

Laurie Oberholtzer, Community Environmental Advocates Foundation Board Member:

Two comments were received from this individual which expressed concern with the proposed Rezone, Conditional Use Permit, and Petition for Exceptions to Road Standards and the potential use of the subject parcel for a self-storage facility. The first comment received July 26, 2021, following the Initial Distribution for the pre-application for this project expressed the following concerns: 1) Project location on the Highway 49 corridor, and 2) Inconsistency with the General Plan goals and policies relating to aesthetics, biotic resources, and land use compatibility. The second comment letter received November 15, 2021, following the project Initial Distribution expressed the following concerns: 1) Inconsistency with the General Plan goals and policies relating to aesthetics, biotic resources, and land use compatibility, 2) Significant Impacts to aesthetic and land use compatibility which should require a full Environmental Impact Report.

Planning Department staff have determined that the proposed project is consistent with the Nevada County General Plan and would bring a currently non-conforming use into compliance. In addition, the Initial Study and Mitigated Negative Declaration analyzed potential impacts to aesthetic and biotic resources and determined the project-specific Mitigation Monitoring and Reporting Program is designed to ensure any impacts to aesthetic and biological resources issues are reduced to a less than significant level.

SUMMARY:

The applicant is seeking a Rezone from Highway Commercial (CH) to Neighborhood Commercial (C1) to allow for the proposed self-storage use, a Use Permit to allow for the development and operation of a self-storage facility with 17 permanent buildings and 7 storage containers, as well as the formal approval of the existing Alta Sierra Family Automotive auto repair facility, and a Petition for Exceptions from Road Standards to allow for a reduced easement width on Johnson Place. The Planning Department has reviewed the proposed changes and found that no significant physical environmental impacts would occur as a result of this action and that the proposal to go to Neighborhood Commercial (C1) Zoning Designation would be consistent with the Nevada County General Plan and other similar surrounding uses of the subject parcel. Therefore, the Planning Department is recommending that the Planning Commission make a recommendation to the Board of Supervisors to approve the Zoning District Map amendments, Conditional Use Permit, and Petition for Exceptions to Road Standards as provided for below.

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

- I. Recommend that that Board of Supervisors adopt the attached Resolution for the Negative Declaration (EIS22-0003), pursuant to Section 15074 of the California Environmental Quality Act Guidelines, based on the findings contained with the draft Resolution (*Attachment 1*).
- II. Recommend the Board of Supervisors adopt the attached Ordinance approving the Rezone to amend Zoning District Map No. 43 to rezone Assessor Parcel Number: 025-220-054 (from Commercial Highway (CH) to Neighborhood Commercial (C1) (RZN21-0003) based on the findings contained within the draft Ordinance (*Attachment 2*).
- III. Recommend the Board of Supervisors approve the Petition for Exceptions to Road Standards (PFX21-0006) and Conditional Use Permit (CUP21-0005) based on the findings contained with the draft Resolution (*Attachment 1*).

Respectfully Submitted,

Brian Foss
Director of Planning