



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

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**NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo**

MEETING DATE: October 27, 2020

TO: Board of Supervisors

FROM: Nevada County Planning Department

SUBJECT: Public Hearing to consider the Nevada County Planning Commission's September 24, 2020, (5-0 Vote) recommendation for the Penn Valley Community Church Project for a General Plan Amendment, Zone Change and Comprehensive Master Plan/Use Permit to allow use of the former Pleasant Valley Elementary School campus by the Penn Valley Community Church who proposes to occupy portions of the site and, as the owner, will also serve as property manager for the entire campus, managing tenants in other buildings and the sports fields as an office/professional and recreational complex. A General Plan Amendment and Zone Change proposes two Zoning and General Plan designations: Recreation; and Office-Professional to replace the current Public designations. The Recreation designation will overlay the existing field areas and gymnasium on the site (roughly 11.1-acres), the remainder of the site will carry the Office-Professional designation (roughly 6.4-acres). Both zoning designations will carry a Site Performance Combining District requiring compliance with the proposed Comprehensive Master Plan (CMP).

RECOMMENDATION: The Planning Commission, on September 24, 2020, voted 5-0 to recommend that the Board of Supervisors take the following actions:

- I. **Environmental Action:** Adopt the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program (EIS19-0003).
- II. **Project Action:** Adopt the Resolution for the General Plan Amendment (GPA19-0001) changing the site (APN: 050-020-032 & 050-020-072) designation from Public (PUB) to Office-Professional (6.4-acres) & Recreation (11.1-acres) (OP & REC), based on the findings contained within the Ordinance.
- III. **Project Action:** Adopt the Ordinance amending Zoning District Map (ZDM) #14a to rezone APN: 050-020-032 & 050-020-072 from Public (P) to Office-Professional

(6.4-acres) & Recreation (11.1-acres), both with the Site Performance Combining District (OP-SP / REC-SP).

IV. Project Action: Adopt the Resolution to approve the Use Permit application (CUP19-0002) to establish a Comprehensive Master Plan for the project site.

ATTACHMENTS:

1. Resolution for the Mitigated Negative Declaration
2. Resolution for the General Plan Amendment
3. Ordinance for the Rezone
4. Resolution for the Conditional Use Permit / Comprehensive Master Plan
5. Planning Commission Staff Report
6. September 24, 2020 Draft Planning Commission Meeting Minutes

PROJECT SITE & AREA DETAILS: The subject property is made up of two parcels totaling roughly 17.47-acres in western Nevada County, at the north side of the Lake Wildwood community. This property is the former Pleasant Valley Elementary School campus. Direct access is from Lake Wildwood Drive, via Pleasant Valley Road. This portion of Lake Wildwood Drive is outside of the gated Lake Wildwood Community. Emergency access to Sun Forest Drive would remain gated as Sun Forest Drive is solely within the Lake Wildwood community and would not be available for daily project use.

Figure 1, below, shows the developed site which has eight buildings, an access drive, parking lot, sports/play fields and landscaped areas. There is little undisturbed native vegetation, although there is an oak woodland located along the access road at the northwest side of the property.

Figure 1

Northerly adjacent properties have General Agricultural General Plan and zoning designations, with density at one primary unit per 10 acres (AG-10).

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



PROJECT DESCRIPTION:

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

The General Plan Amendment and Zone Change proposes two Zoning and General Plan designations: Recreation; and Office and Professional to replace the current Public designations. The Recreation designation will overlay the existing field areas and gymnasium on the site, the remainder of the site will have the Office-Professional designation. Both zoning designations will carry a Site Performance Combining District, requiring compliance with the proposed Comprehensive Master Plan (CMP). The Site Performance Combining District, through the proposed CMP/UP, seeks to customize uses within the two proposed zoning districts by prohibiting certain uses that would otherwise be potentially allowable in those districts to ensure overall site and neighborhood compatibility. The CMP designates both potentially allowable future uses of the site and, seeks approval of specific uses now, through the proposed Use Permit.

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

The church is proposed to serve a variety of functions including regular church services on Sunday mornings, weddings, funerals and other community type activities such as occasional food distribution for the Nevada County Food Bank or 4-H Club meetings. Although these activities can vary, typical weekly use would include: Sunday morning and evening church services; weekday office hours for staff and volunteers; small group Bible Study sessions for approximately 10 to 25 people Monday through Friday with times varying; children and teen ministry programs in the evenings several times per week and weekly music practice. Weekday evening Board and other similar type meetings would be held either monthly or quarterly. The church would also hold monthly Saturday group meetings of approximately 50 people and Vacation Bible School would be held annually. Social functions would vary throughout the year according to holidays. Church use areas are proposed to occupy several parts of the site to include a sanctuary, office, Sunday School classrooms, storage building and multi-purpose room. Initially, the church proposes to utilize the site as follows: Sanctuary, Building D; church office,

Building E; church classrooms, Building F; multi-purpose gathering space, Gymnasium (Building F); and, storage, Building H. Church use would not be limited to these buildings nor would other uses be prohibited in these buildings. Outdoor playfield areas will be used by church members and may also be leased to sports leagues.

The church would modify Building D into a sanctuary. This work would include adding a drop-off lane to the sanctuary front entrance, four disabled parking spaces, and a canopy porte-cochere over the entry. Additionally, minor extensions and restriping of existing paved areas will be required to achieve 130 parking spaces (see Parking discussion below). Full proposed site uses trigger the need for 215 parking spaces which would require minor grading, paving and gravel. A monument sign is proposed at the project entrance and a directory sign is proposed onsite to direct visitors to appropriate buildings.

ANALYSIS OF ISSUES

General Plan Amendment & Rezone

As discussed in the Planning Commission Staff Report, Attachment 5, in order to allow private use of the campus, both a General Plan Amendment and Zone Change are necessary to replace the Public designations. The project proposes to replace the Public designations with Office/Professional & Recreation General Plan and zoning designations. The Recreation (REC) designation will overlay the existing field areas and gymnasium on the site (roughly 11.1-acres), the remainder of the site will carry the Office-Professional (OP) designation (roughly 6.4-acres) (as shown on Attachment 2, Exhibit A). The entire site will carry the Site Performance Combining District, a zoning designation requiring compliance with the project Comprehensive Master Plan.

Use types that are allowable in the proposed zoning districts are anticipated to be compatible with adjacent uses, and with the developed site.

Economic Analysis / Justification

As discussed in the Planning Commission Staff Report, the project is likely to have a positive effect on the jobs/housing balance for the County while providing for re-use of the existing campus buildings and infrastructure. In the short-term there may be opportunities for tradesmen/women such as for contractors to perform minor tenant improvement tasks and landscape installation. In the long-term, as an office/professional and recreational complex, the site will provide space for businesses creating local employment opportunities for County residents.

Comprehensive Master Plan / Use Permit

Prior to any site development on property with a Recreation zoning designation, Nevada County LUDC Section 5.17 requires a Comprehensive Master Plan for the whole site to be processed and adopted through a Use Permit (UP). Further, Nevada County LUDC Section L-II 2.7.8 allows for the adoption of Site Performance Combining Districts (SP) through an ordinance that shall establish the permitted and prohibited uses of the land and

include site development standards, provided that the land usage provisions of the SP are not less restrictive than the base zoning district. In the case of this project, the Comprehensive Master Plan is designed by the church to allow cohesive use of the site in accordance with their wishes and in compliance with proposed zoning and General Plan designations. The CMP Allowable Land Use Table, is included in the Site Performance Combining District Ordinance for the property as an exhibit (Attachment 4). No modifications are proposed to the site development standards that are specified in the LUDC.

Site Development Compatibility & Existing Utilities

Existing buildings conform to site development standards of the proposed zoning districts including allowable setbacks, maximum impervious surface coverage and building height limits. No new buildings are proposed, however, if in the future, any were proposed through a new Use Permit or other action, the development would be subject to the standards outlined in the Land Use & Development Code in affect at that time.

GENERAL PLAN AND ZONING CONSISTENCY:

General Plan:

The Penn Valley Community Church project is consistent with and furthers many of the goals and policies of the Nevada County General Plan and Land Use & Development Code. With no public user willing to purchase the site, the property is not usable under the current Public designation such that a General Plan Amendment is appropriate. Further, the new designations will allow use of the site as an office/professional and recreational complex helping balance the jobs to housing ratio. This individual General Plan Amendment is in the public interest, and encourages compact, balanced growth as it will allow reuse of an existing site within the Lake Wildwood Community Region. An amendment is in the County interest as a whole because without an amendment the site will continue to be subject to decay and vandalism as no private use of the site is currently allowed. Individual goal and policy consistency is detailed in the Planning Commission Staff Report.

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

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

proposed and conditioned will be compatible with landscaping, lighting, parking and signage regulations.

ENVIRONMENTAL REVIEW: The Planning Department prepared an Initial Study for the project. The Initial Study/proposed Mitigated Negative Declaration was circulated for public comment between August 21 through September 21, 2020. 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 to applicable interested parties. No adverse comments were received as a result of this outreach. The California Department of Fish & Wildlife recommended the addition of a bird protection requirements which have been added to the project condition of approvals; the Department confirmed that at Mitigated Negative Declaration was an appropriate document for this project.

PLANNING COMMISSION ACTION: On September 24, 2020, the Nevada County Planning Commission held a duly noticed public hearing to consider the Penn Valley Community Church project. At that hearing, the applicant sought to add clarification to the Conditions of Approval. The Commission agreed such that parking, landscaping and lighting implementation conditions were modified to specifically tie initial church occupancy requirements to occupancy of the sanctuary, not requiring the improvements prior to other church uses of the site such as their office uses. A similar clarification was added to a Department of Public Works condition, modifying the condition to add “if required” relative to grading and drainage plans. With these minor modifications and because no adverse issues identified, the Commission unanimously (5-0 Vote) recommended that the Board of Supervisors approve the project.

SUMMARY: The project proposes a General Plan Amendment, Zone Change and Comprehensive Master Plan/Use Permit to allow use of the former Pleasant Valley Elementary School campus by the Penn Valley Community Church as a church and office/professional and recreational complex. The General Plan Amendment and Zone Change proposes to eliminate the Public General Plan and zoning designations, replacing them with Recreation and Office-Professional designations. Both zoning designations will carry a Site Performance Combining District requiring compliance with the proposed Comprehensive Master Plan (CMP). The Site Performance Combining District, through the proposed CMP/UP, would customize uses within the two zoning districts by prohibiting certain uses that would otherwise be potentially allowable in those districts to ensure overall site and neighborhood compatibility. The CMP includes potentially allowable future uses of the site, and approval of certain specific uses now, through the proposed Use Permit. Specific uses proposed for approval with the current CMP/UP include church, office and professional use, elementary and/or junior high school uses, church and sports league use of the fields and gymnasium and a watchman/caretaker’s unit. Office and professional uses considered for approval with the CMP/UP include such things as non-profit offices, financial institutions, insurance and real estate offices, business services such as duplicating, mailing, blueprinting and photocopying, janitorial services, and employment agencies. Other uses not considered with the current project

may be allowable through a future Development or Use Permit, as outlined in the CMP Land Use Table. Utilities and other services are already available onsite. The proposed complex and uses thereon are consistent with the Nevada County Land Use & Development Code.

RECOMMENDATION: The Planning Commission recommends the Board of Supervisors take the following actions:

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

Item Initiated by: Janeane Martin, Associate Planner

Approved by: Brian Foss, Director of Planning