



NEVADA COUNTY PLANNING COMMISSION STAFF REPORT

FILE NOs: PLN24-0089; GPA24-0003;
RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007

HEARING DATE: December 2, 2025

APPLICANT/OWNER: North State Grocery, Inc. (Holiday Market)

REPRESENTATIVE: Richie Morgan

PROJECT: A proposed General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5 acre parcel. The proposed grocery store will employ a total of 75 employees, with 30-35 employees being onsite at one time. The grocery store will be open seven (7) days a week from 6:00 am to 11:00 pm.

The subject parcel currently has a General Plan designation of both Neighborhood Commercial (NC) and Industrial (IND) and corresponding zoning of Neighborhood Commercial, Site Performance Combining (C1-SP) District and Light Industrial, Site Performance Combining (M1-SP) District. The General Plan Amendment (GPA24-0003) proposes to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Site Performance Combining (M1-SP) District.

The Development Permit (DVP24-2) is required for review and approval of the proposed 30,711 square foot grocery store building including an approximate 750 square foot interior area for a Starbucks Coffee restaurant and outdoor seating area, and other related site improvements. The project will be served by public sewer and will be annexed into the Nevada County Sanitation District No. 1, Penn Valley, Zone 6. The Management Plan (MGT24-0011) is required due to the removal of 4.64 acres of Landmark Groves including five (5) Landmark Oak Trees on the subject property.

LOCATION: 18805 and 18807 Pine Shadows Lane, Penn Valley, CA 95946. Project parcel is located along the south side of Pine Shadows Lane and the east side of Pleasant Valley Road, approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection.

ASSESSOR'S PARCEL NUMBER: 051-240-014

PROJECT PLANNER: Steve Geiger, Senior Planner

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|-----------------------|---|-----------------------------|--|
| General Plan: | Neighborhood Commercial (NC)/Industrial (IND) | Supervisor District: | District 4 |
| Region: | Penn Valley Community | Recreation: | Western Gateway |
| Zoning: | C1-SP; M1-SP | Schools: | Penn Valley USD/NJUHSD |
| Parcel Size | 5.50-acres | Fire: | Penn Valley Fire |
| ZDM: | 16a | Sewage: | Currently individual septic system; Proposed public sewer (Nevada Co. Sanitation Dist. No. 1, Penn Valley, Zone 6) |
| Farmland: | Urban and Built-Up; Grazing | Water: | NID |
| Flood Map: | 0604 | Flood Zone: | X |
| Previous File: | None | | |

ATTACHMENTS:

1. Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program
 2. Initial Study/Mitigated Negative Declaration
 3. Architectural Site Plan
 4. Floor plan, Elevations, Lighting Details
 5. Landscape Plan
 6. Existing and proposed General Plan and Zoning Exhibit Map
 7. Existing Traffic Counts (2025 vs. 2022)
 8. Comments Received
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RECOMMENDATIONS:

1. Environmental Action: Recommend the Board of Supervisors adopt Mitigated Negative Declaration EIS24-0007.
 2. Project Action: Recommend the Board of Supervisors approve the General Plan Amendment (GPA24-0003), Rezone (RZN24-0003); Development Permit (DVP24-0002); and Management Plan (MGT24-0011), to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5 acre parcel, subject to the Conditions of Approval and Mitigation Monitoring & Reporting Plan (MMRP) contained in Attachment 1 of this Staff Report.
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BACKGROUND

The applicant (Holiday Market) currently operates an existing grocery store located at 11324 Pleasant Valley Road, within the commercial area directly across from the entrance to the Lake Wildwood Subdivision. The existing store is located approximately one mile north of the proposed project site. The applicant indicates they would like to expand the size of their store to provide more products and services to customers but are constrained by the existing location and are not able to expand the existing store.

This proposed project has been in the planning, discussion, and review stages for the last few years. On October 19, 2023, the applicant made a presentation on the project to the Penn Valley Municipal Advisory Council (PVMAC). According to the meeting minutes, the applicant addressed both public and council member comments and questions regarding issues such as: traffic congestion, delivery routes, closing the current store location, possibility of including a walking trail or bike path, changes to access/egress from Pleasant Valley Road, Caltrans approval of new road accesses/intersections, amenities of the new grocery store, pace of construction, and golf cart access. At the end of the presentation, the PVMAC Chair stated since the project had not yet been submitted to the County, the PVMAC could not make a motion for approval or disapproval to Supervisor Susan Hoek.

On May 20, 2024, the applicant formally submitted this project to the Planning Department. Staff conducted its initial review of the project and on June 20, 2024, issued an Application Incomplete letter to the applicant which contained questions and required items still needed for further processing of the application to occur. The items required included the following:

- Revising plans to address setback issues with proposed retaining walls;
- Submittal of a Noise and Vibration Assessment;
- Submittal of a Transportation Demand Management Plan;
- Revision of the proposed Landscape Design Plan;
- Revisions to the Lighting Plan;
- Screening of a proposed trash compacter/recycling area;
- Submittal of an Air Quality and Greenhouse Gas Modeling analysis;
- Submittal of a Vehicle Miles Traveled (VMT) analysis;
- Clarification of Traffic Mitigation Measures;
- Submittal of a site distance analysis and a truck turning exhibit;
- Conducting a tribal survey for the presence of unrecorded Tribal Cultural Resources.

On February 28, 2025, the Planning Department received a resubmittal of the project with additional information related to the Application Incomplete letter. The original project submittal had included a Tentative Parcel Map application proposing to divide the subject property into two parcels: one proposed for the C1-SP zoning and the other for the M1-PD-SP zoning. With the resubmittal, the applicant is no longer proposing the Tentative Parcel Map. After reviewing the resubmittal, Planning staff determined the requested information had been provided and

issued a Notice of Completeness letter to the applicant on April 24, 2025, allowing for processing and review of the application to continue.

On October 8, 2025, the applicant presented the project at a town hall meeting held at the community of Lake Wildwood. County staff was present at the meeting and provided information on the processing and status of the project. The meeting was well attended with many residents expressing concerns over potential traffic and traffic safety impacts. The applicant's presentation included a discussion of the traffic analysis and its findings by the applicant's traffic consultant.

PROJECT LOCATION, SITE DESCRIPTION, AND SURROUNDING LAND USES:

The project site is located within the central portion of a small Neighborhood Commercial (NC) and Industrial (IND) corridor that extends approximately 0.35 mile north of State Highway 20, located on the east side of Pleasant Valley Road, and within the Penn Valley Community Region. The site is located approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection and approximately one mile south of the entrance to the Lake Wildwood residential subdivision. Access to the site is from Pine Shadows Lane, which extends east from Pleasant Valley Road along the northern boundary of the site. A secondary access is provided from Commercial Avenue which extends east from Pleasant Valley Road to the south and currently ends near the southern boundary of the site.

The subject parcel is approximately 5.5-acres in size comprised of sloped terrain located along the east side of Pleasant Valley Road and south side of Pine Shadows Lane. Pleasant Valley Road serves as the main gateway to the Lake Wildwood Community Region from Highway 20 and Penn Valley. The parcel is located approximately 0.25 mile north of the Pleasant Valley Road/State Route 20 intersection, within the northwest edge of the Penn Valley Community Region, in a partially developed commercial and industrial area along the east side of Pleasant Valley Road. The parcel is currently developed with a residence and accessory buildings which will be removed to allow construction of the proposed project.

Directly north of the project site is a parcel with the same split zoning as the subject parcel (C1-SP/M1-SP) that is developed with a mini-storage light industrial use, parcels to the east are zoned AG-5-SP and AG-5 and are developed with rural residential uses, to the south is C1-SP/M1-PD-SP split zoning with parcels developed with multiple commercial and industrial uses, and directly to the west across Pleasant Valley Road is a vacant parcel zoned IDR-SP (Interim Development Reserve, Site Performance Combining) with rural residences on parcels zoned AG-5 located further west.

Holiday Market: Project Zoning and Notification Map



Figure 1. Project Zoning, Vicinity and Public Notice Map

PROJECT DESCRIPTION:

The project proposes an application for a General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5-acre parcel. The proposed grocery store will employ a total of approximately 75 employees, with 30-35 employees being onsite at one time. The grocery store will be open seven (7) days a week from 6:00 am to 11:00 pm.

The subject parcel currently has a General Plan designation of both Neighborhood Commercial (NC) and Industrial (IND) and corresponding zoning of Neighborhood Commercial, Site Performance Combining (C1-SP) District and Light Industrial, Site Performance Combining (M1-SP) District. The General Plan Amendment (GPA24-0003) proposes to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Site Performance Combining (M1-SP) District. The Development Permit (DVP24-2) is required for review and approval of the proposed 30,711 square foot grocery store building including an approximate 750 square foot interior area for a Starbucks Coffee restaurant and outdoor seating area, and other related site improvements. The Management Plan (MGT24-0011) is required due to the removal of 4.64 acres of Landmark Groves including five (5) Landmark Oak Trees on the subject property.

Existing on-site improvements to be removed for the project include a residence and accessory building. Proposed project improvements include: a 30,711 square foot Holiday Market grocery store building including an approximate 750 square foot interior area and outdoor seating area for Starbucks Coffee; 158 paved parking spaces located both in front (west side) and behind (east side) of the proposed grocery store building; paved two-way accessways to the project site located along the north and south sides of the subject parcel; freestanding outdoor parking lot lighting; a loading dock, trash compactor, and recycling area with enclosure located on the rear (east) side of the proposed grocery store building; retaining walls; landscaping; and a monument sign located along the Pleasant Valley Road property frontage. Figure 2 shows the proposed site plan for the project.

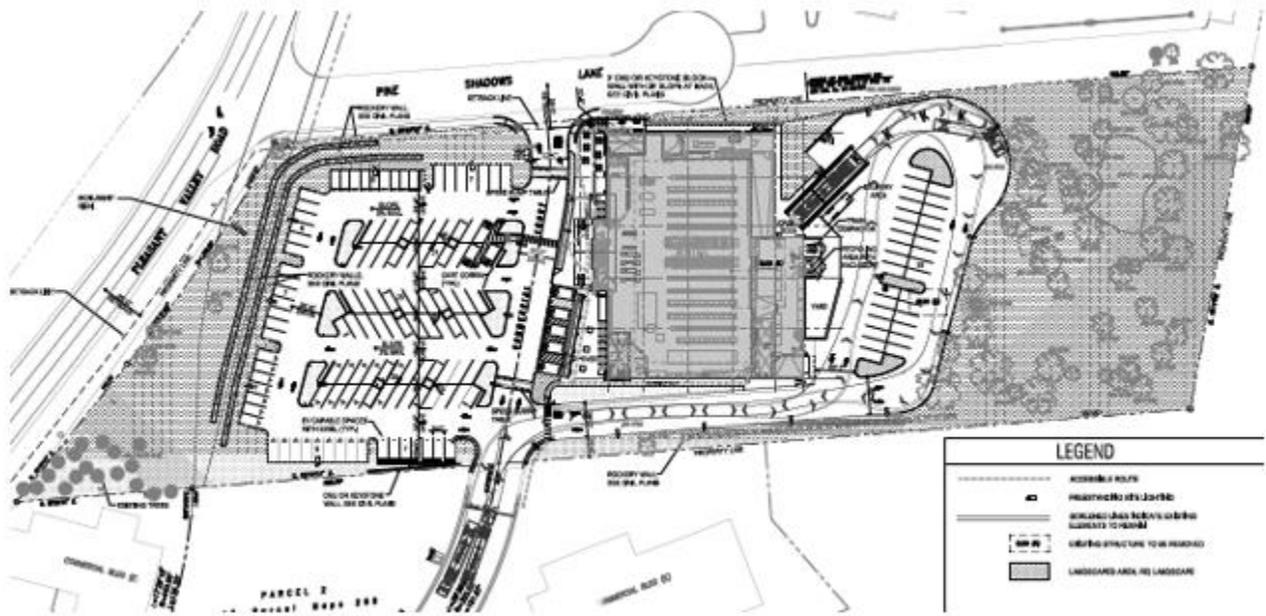


Figure 2. Proposed Site Plan

Proposed project signage will include a monument sign to be located along the Pleasant Valley Road frontage approximately 80 feet south of Pine Shadows Lane. Wall mounted signage on the building is proposed and additional on-site directional signage may also be proposed. Size and design details of the proposed project signage are currently being worked on and a comprehensive sign program that is consistent with Nevada County Code requirements will be required to be submitted to the Planning Department for review and approval.

The project proposes to install twenty-five (25) parking lot pole lights with nineteen (19) of them being 20 feet in height and six (6) of them being 15 feet in height. In addition, wall mounted lighting is proposed on the building at locations ten to fifteen feet in height.

The proposed building frontage is orientated to the west, facing Pleasant Valley Road with the north side of the building facing toward Pine Shadows Lane. The proposed building will utilize a variety of neutral, earth tone colors including Nomadic Desert (light brown), Panda White, Reddened Earth (red/brown), and Cloak Gray. The building will also have varying materials including metal roofing, cement plaster siding, cement fiber siding, both smooth and split face CMU block, and river stone siding.

Several architectural treatments are provided including but not limited to: wall variations with different colors and materials, varying roof lines and heights along the west elevation, metal roof overhangs located above windows, and decorative wall light fixtures primarily along the west elevation. In addition to these building materials, rock retaining walls are proposed along the

Pleasant Valley Road frontage (west side), along the northwest corner of the site, and along the southeast boundary of the site. See Figure 3 below for building exterior elevations.

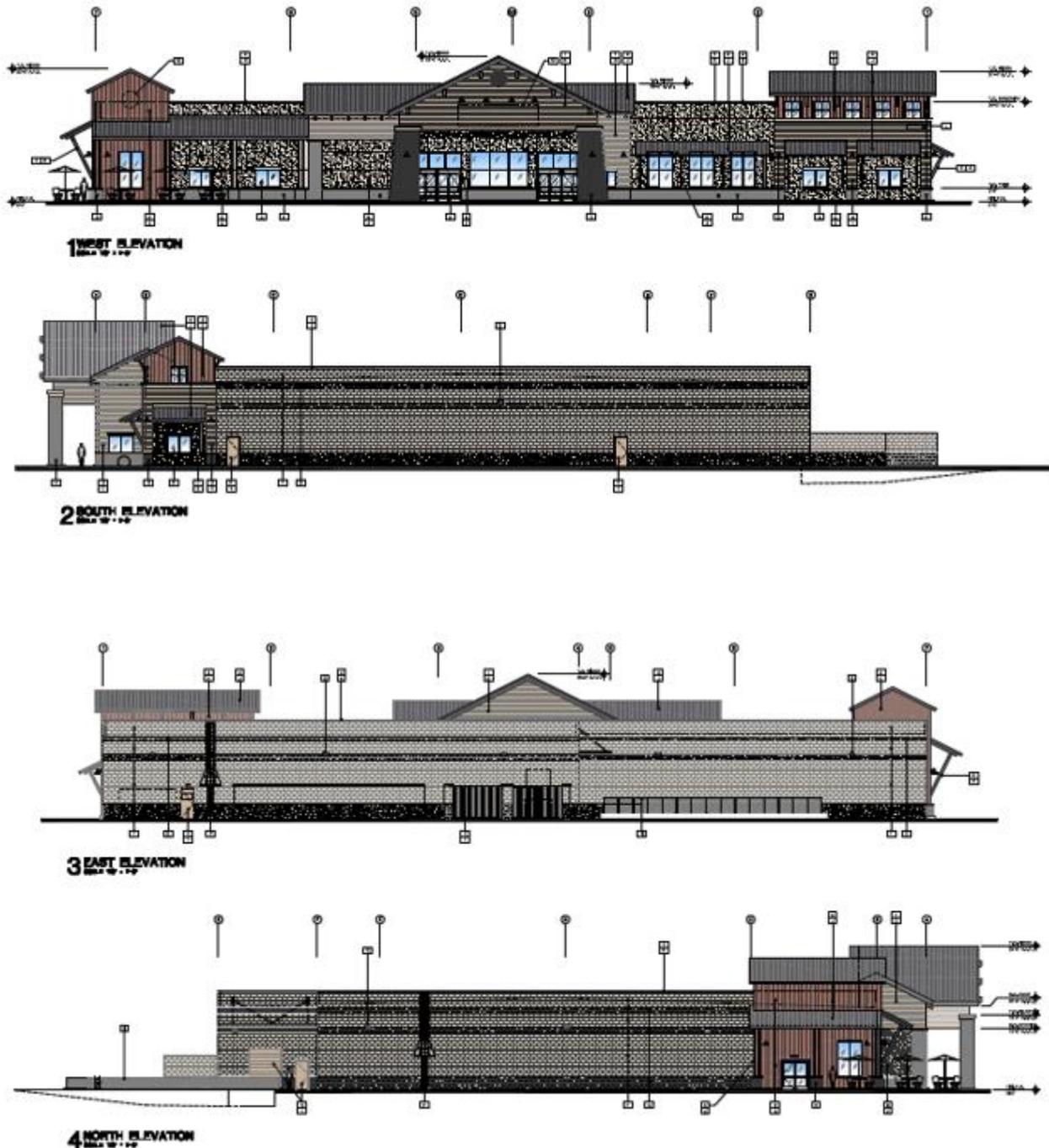
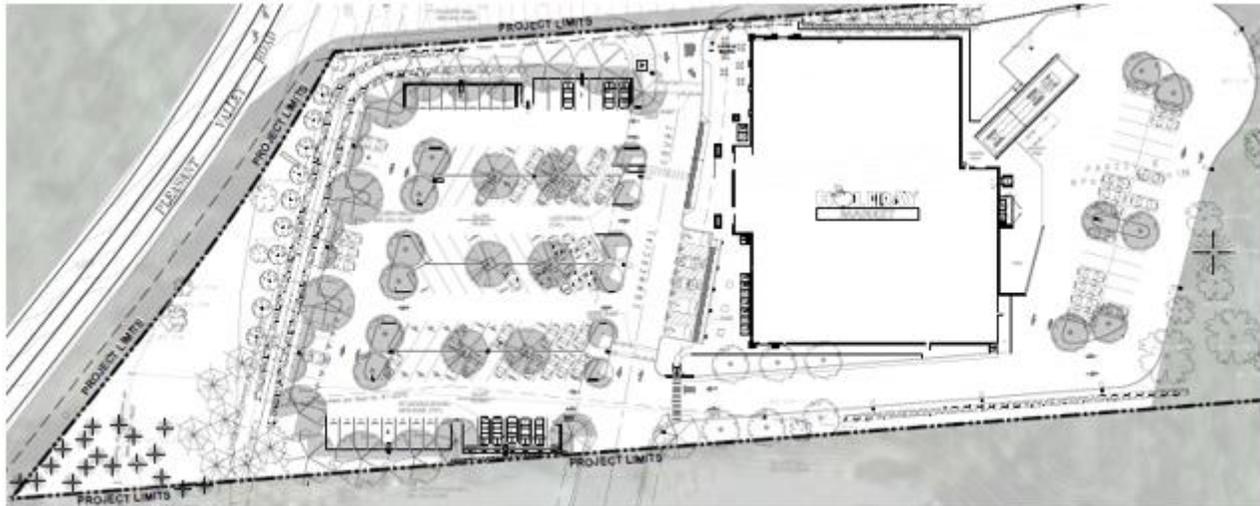


Figure 3. Building Elevations

The project proposes approximately 55% of the site as impervious surface, including asphalt for circulation and parking lot areas and buildings. A total of 39% of the site located in the eastern

portion of the subject parcel will be retained as open space area, and 6% of the site will be required landscape area. The landscape design plan submitted by the applicant shows a total of thirty-six (36), 24-inch box trees consisting of two separate species and forty-five (45), 15-gallon trees consisting of four separate species. Ten different species of 5-gallon shrubs are proposed along with a species of one-gallon groundcover. The landscape plan details the site's shade trees will provide 43.7% parking lot coverage within 15-years of building permit issuance, meeting the Nevada County Code requirement of 40%. The project provides street front landscaping consisting of 17 new trees planted and 19 existing trees to remain. See Figure 4. Landscape Design Plan.



| PRELIMINARY TREE PLANTING PALETTE | | | | | |
|-----------------------------------|------------------------------------|------------------------------|---------|-----|--------------|
| TREE SPECIES SYM | BOTANICAL NAME | COMMON NAME | SIZE | QTY | WATER DEMAND |
| | QUERCUS LOBATA | VALLEY OAK | 15 GAL | 9 | V. LOW |
| | PISTACIA CHINENSIS KEITH DAVEY | CHINESE PISTACHE | 15 GAL | 13 | LOW |
| | PRUNUS X. YEDOENSIS | FLOWERING CHERRY 'AMBONO' | 34" BOX | 18 | LOW |
| | PINUS HALEPENSIS | ALEPPO PINE | 15 GAL | 13 | LOW |
| | PYRUS CALLERYANA 'NEW BRADFORD' | ORNAMENTAL PEAR | 34" BOX | 18 | MEDIUM |
| | LAGERSTROEMIA H. MUSKOGEE | LAVENDER CRAPE MYRTLE | 15 GAL | 10 | LOW |
| | EXISTING TREE TO REMAIN (TYP.) | | | | N/A |

| PRELIMINARY SHRUB PLANTING PALETTE | | | | |
|--|--|-----------------------|-------------|-------------|
| SHRUB SPECIES | BOTANICAL NAME | COMMON NAME | SIZE | WATER USAGE |
| | ARCTOSTAPHYLOS 'JOHN DOURLEY' | LOW GROWING MANDARITA | 5 GAL | LOW |
| | FEUJIA BELLOWIANA | PINEAPPLE GUAVA | 5 GAL | LOW |
| | GREVILLEA ROSMARINIFOLIA | ROSEMARY GREVILLEA | 5 GAL | LOW |
| | HESPERALOE PARVIFLORA | RED YUCCA | 5 GAL | LOW |
| | LAVANDULA S. 'OTTO QUAST' | SPANISH LAVENDER | 5 GAL | LOW |
| | MULLENBERGIA RIGENS | DEER GRASS | 5 GAL | LOW |
| | NANDINA D. 'NANA' | DWARF HEAVENLY BAMBOO | 5 GAL | LOW |
| | OLEA EUROPAEA 'PETITE OLIVE' | DWARF OLIVE | 5 GAL | LOW |
| | RHAMPHOLEPIS L. 'CLARA' | WHITE INDIAN HAWTHORN | 5 GAL | LOW |
| | ROSMARINUS OFFICINALIS 'DOLLINGWOOD INGRAM' | DWARF ROSEMARY | 5 GAL | LOW |
| GROUNDCOVER SPECIES | | | | |
| BOTANICAL NAME | COMMON NAME | SIZE | WATER USAGE | |
| MYOPORIUM PARVIFOLIUM 'PUTAH CREEK' | CREeping MYOPORIUM | 1 GAL | LOW | |

| SHADE CALCULATIONS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------------------------------------|-----------|-----------------------------------|----------------------------|------------------------|--------------------|--|--|--|--|--|-----------------------------|--|-----------|--|-------|--|--------------------------|--|-----------|--|----------------------------|--|------------------------|--|-------|--|--|--|--|------------------------------------|---|------------------|---|------------------|----|----------------|----|----------------|----|---------------|-------|----------|-------|----------|-------|----------|-----|---------|-----|---------|-----|---------|
| | QUERCUS LOBATA | | PISTACIA CHINENSIS KEITH DAVEY | | PRUNUS X. YEDOENSIS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| % | 100% 75% 50% 25% | % | 100% 75% 50% 25% | % | 100% 75% 50% 25% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SF | 261 221 181 141 | SF | 708 532 355 177 | SF | 490 368 245 122 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL | 6,828 SF | TOTAL | 7,880 SF | TOTAL | 8,880 SF | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| QTY | 2 2 4 1 | QTY | 7 2 3 5 | QTY | 12 0 0 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th colspan="6">SHADE CALCULATIONS</th> </tr> <tr> <th colspan="2">TOTAL PARKING AREA ASPHALT:</th> <th colspan="2">47,870 SF</th> <th colspan="2">SHADE</th> </tr> <tr> <th colspan="2">REQUIRED SHADE AREA 40%:</th> <th colspan="2">19,148 SF</th> <th colspan="2">15-YR PROVIDED SHADE AREA:</th> </tr> <tr> <th colspan="2">PROVIDED SHADE AREA %:</th> <th colspan="2">43.7%</th> <th colspan="2"></th> </tr> </thead> <tbody> <tr> <td></td> <td>PYRUS CALLERYANA 'NEW BRADFORD'</td> <td>%</td> <td>100% 75% 50% 25%</td> <td>%</td> <td>100% 75% 50% 25%</td> </tr> <tr> <td>SF</td> <td>314 235 157 78</td> <td>SF</td> <td>214 159 106 53</td> <td>SF</td> <td>139 104 69 34</td> </tr> <tr> <td>TOTAL</td> <td>2,388 SF</td> <td>TOTAL</td> <td>2,388 SF</td> <td>TOTAL</td> <td>2,388 SF</td> </tr> <tr> <td>QTY</td> <td>2 2 2 2</td> <td>QTY</td> <td>2 2 2 2</td> <td>QTY</td> <td>2 2 2 2</td> </tr> </tbody> </table> | | | | | | SHADE CALCULATIONS | | | | | | TOTAL PARKING AREA ASPHALT: | | 47,870 SF | | SHADE | | REQUIRED SHADE AREA 40%: | | 19,148 SF | | 15-YR PROVIDED SHADE AREA: | | PROVIDED SHADE AREA %: | | 43.7% | | | | | PYRUS CALLERYANA 'NEW BRADFORD' | % | 100% 75% 50% 25% | % | 100% 75% 50% 25% | SF | 314 235 157 78 | SF | 214 159 106 53 | SF | 139 104 69 34 | TOTAL | 2,388 SF | TOTAL | 2,388 SF | TOTAL | 2,388 SF | QTY | 2 2 2 2 | QTY | 2 2 2 2 | QTY | 2 2 2 2 |
| SHADE CALCULATIONS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL PARKING AREA ASPHALT: | | 47,870 SF | | SHADE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| REQUIRED SHADE AREA 40%: | | 19,148 SF | | 15-YR PROVIDED SHADE AREA: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROVIDED SHADE AREA %: | | 43.7% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | PYRUS CALLERYANA 'NEW BRADFORD' | % | 100% 75% 50% 25% | % | 100% 75% 50% 25% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SF | 314 235 157 78 | SF | 214 159 106 53 | SF | 139 104 69 34 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL | 2,388 SF | TOTAL | 2,388 SF | TOTAL | 2,388 SF | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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PROPERTY LINE ENCLOSURE:
 THE PROPERTY LINES SHOWN ON THESE PLANS WERE PROVIDED BY MILESTONE ASSOCIATES, INC. AND ARE FOR REFERENCE PURPOSES ONLY AND DO NOT REPRESENT THE ACTUAL PROPERTY LINES. THE ACTUAL PROPERTY LINES CAN ONLY BE ESTABLISHED WITH A BOUNDARY SURVEY. NOTICE IS HEREBY GIVEN THAT THE DEVELOPER/CONTRACTOR AND/OR HIS SUBCONTRACTORS SHALL ACCEPT FULL RESPONSIBILITY FOR THE LAYOUT OF THE PROJECT. LANDSCAPE ARCHITECT WILL NOT ACCEPT LIABILITY FOR ANY OF THE FACILITIES CONSTRUCTED OUTSIDE OF PROPERTY BY OTHERS, BASED UPON THE INFORMATION CONTAINED HEREIN.

Figure 4. Landscape Design Plan

Proposed Preliminary earthwork calculations estimate a cut of approximately 39,200 cubic yards and fill of 17,255 cubic yards. The project will also include construction of a sidewalk along the south side of Pine Shadows Lane, from Pleasant Valley Road to the entrance to the proposed parking lot. Water will be provided from the Nevada Irrigation District and wastewater from the

Nevada County Sanitation District No. 1, Penn Valley, Zone 6 after the property is annexed into the District.

STAFF COMMENT:

This project contains the following applications: General Plan Amendment, Zoning District Map Amendment (Rezone), Development Permit, and Management Plan. Each of these application requests are discussed below:

General Plan Amendment/Zoning District Map Amendment (Rezone): The project parcel has two General Plan land use designations. The western one-third portion of the subject property is designated Neighborhood Commercial (NC) by the Nevada County General Plan, while the central and eastern two-thirds portion is designated Industrial (IND). The parcel has corresponding zoning classifications of Neighborhood Commercial with Site Performance Combining District (C1-SP) on the western portion and Light Industrial with Site Performance Combining District (M1-SP) on the central and eastern portion. The SP combining district requires adherence to policies and standards of the Penn Valley Area Plan.

Located directly north of the subject parcel is property that is also designated Neighborhood Commercial (NC) with corresponding C1-SP zoning, and property developed with a mini-storage facility that is designated Industrial (IND) with corresponding M1-SP zoning. To the east are parcels designated Rural-5 (RUR-5) with corresponding AG-5-PD-SP zoning that are developed with scattered rural residences. To the south are parcels designated Neighborhood Commercial (NC) with corresponding C1-SP zoning and Industrial (IND) with corresponding M1-PD-SP developed with various commercial and industrial uses. Directly to the west are parcels designated Planned Development with an underlying mix of Neighborhood Commercial and Open Space. These parcels are zoned IDR-SP (Interim Development Reserve, Site Performance Combining) and are mostly undeveloped.

The General Plan Amendment proposes to adjust the current boundary line between the two existing designations. The proposed amendment will result in an increase in the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and a decrease in the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Site Performance Combining (M1-SP) District.

There are no new General Plan or zoning designations proposed by the project. The project will result in an increase in Neighborhood Commercial and corresponding C1-SP zoning of approximately 2.4 acres (1.9 to 4.3 acres) which will result in a decrease in Industrial and corresponding M1-PD-SP zoning of approximately 2.4 acres (3.6 to 1.2 acres). The adjustment in the land use designations is necessary to accommodate the proposed 30,711 square foot grocery store building entirely on commercially designated land.

Development Permit: Development permits are governed by Nevada County Code Section 12.05.050. Development permits are required to conform to all laws and requirements of the County Code. The purpose of a Development Permit is to allow for consideration of uses that are generally consistent with

the purpose of the zoning district but require careful review to ensure compliance with all site development standards of the County Code. Administrative Development Permits provide for those smaller development projects where the review ensures consistency with Code standards. Larger development projects require either Zoning Administrator or Planning Commission review to allow an opportunity for public input.

Pursuant to Nevada County Code Section 12.05.050.E.4., the Planning Commission automatically considers development permits involving commercial projects of 10,000 square feet or larger and as in the case if this application, development permits combined with any other application requiring Planning Commission consideration (General Plan Amendment/Rezone). A total of twelve (12) specific findings are required to be made for either an approval or denial of a Development Permit as outlined in Section 12.05.052.C. of the Zoning Regulations.

The proposed project requests approval of a Development Permit to allow for a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area. Under Nevada County Code Zoning Regulations Table 12.02.040.D, indoor retail sales and restaurants are allowable uses in the Neighborhood Commercial (C1) zoning district with approval of a Development Permit.

STAFF COMMENT:

The purpose of the Nevada County Zoning Regulations is to provide requirements to guide the design, location, and development of new land uses and the alteration of existing uses. The regulations assist in furthering numerous County General Plan goals, objectives and policies that provide for the preservation and enhancement of the County’s rural quality and small-town character. They also assist to further General Plan provisions for maintaining the County’s high-quality natural landscape and scenic resources, as well as protecting existing historical resources. This section will discuss how the project has demonstrated compliance with applicable site development standards and where specific conditions or mitigation measures have been required of the project to ensure it meets those standards.

The project application materials have been reviewed by County departments and agencies and responsible regional, state, and federal departments and agencies for their review and comment. The agency comments and the results of Staff’s policy review are discussed below.

Neighborhood Commercial (C1) District Site Development Standards

The C1 Zoning District is intended to provide for the retail and service needs of nearby neighborhoods, and to provide limited mixed-use employment opportunities. As discussed above, the proposed indoor retail sales (grocery store) and restaurant (Starbucks) uses are allowed in this zoning district with the approval of a Development Permit.

Nevada County Code Table 12.02.040.E establishes the site development standards for any development within a Commercial Zoning District such as the C1 zone. These standards include: standard building setbacks for front yard (35-feet from the center line of the Pine Shadows Lane Right of Way, with a mean average of 45-feet), exterior yard (10-feet from the Pleasant Valley Road Right of Way, with a mean average of 20-feet), interior side (0-feet), and rear yard (0-feet); building height limits of 45-feet or 3 stories, whichever is less; reference to the County’s Fencing standards; maximum impervious surfacing of 85% maximum; reference to the County’s Parking regulations; reference to the County’s sign

regulations; minimum road frontage requirements; and minimum parcel size. Most of these standards are outlined in the adopted County Comprehensive Site Development Standards (Nevada County Code Title 12 Chapter 4 Sections 12.04.010-12.04.112), which are discussed in more detail below. The project as designed meets the applicable standards including setbacks, impervious surfaces, and building height. The project is not proposing any new parcels and as it exists is consistent with the minimum parcel size and road frontage requirements for the C1 zone.

Overall, the proposed project meets all site development standards of the C1 Zoning District identified in the Nevada County Zoning Regulations.

Design and Site Layout

The subject 5.5-acre parcel is bordered by Pine Shadows Lane to the north and Pleasant Valley Road to the west. The proposed 30,711 square foot grocery store building will have a varying setback of approximately 250 to 400 feet from the west property line along Pleasant Valley Road. A total of 158 parking spaces are proposed with 126 spaces provided in front of the proposed building providing direct customer access to the building entrance and 32 spaces will be provided behind the proposed building. Based on the parking requirement of one space per 200 square feet of floor area, a total of 154 parking spaces are required. Nine (9) EV parking spaces with Electric Vehicle Supply Equipment (EVSE) are initially proposed for the project and 26 future EV capable spaces have been designated. (See Site Plan, Attachment 3).

Primary access to the site will be provided by Pine Shadows Lane which borders the site to the north. One lane will provide for entrance to the subject property and one lane will provide for exiting the property. Commercial Court, which currently terminates at the south property line of the parcel, will be extended onto the property to provide a secondary access originating from Pleasant Valley Road and the accessway directly in front of the proposed grocery store. Paved walkways will be provided along the west (front), north, and south sides of the proposed building.

The subject property is located within the Penn Valley Community Region and is subject to the Penn Valley Area Plan. Chapter 4: Existing Public Services, Pedestrian Improvements, of the Area Plan encourages the development of pedestrian walkways and paths to link adjacent uses and reduce dependency on the automobile. A community-identified solution includes supporting the development of a future extension of the Penn Valley Drive pedestrian and bike trail along Pleasant Valley Road. The subject parcel is approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection. Properties located along the east side of Pleasant Valley Road from this intersection south of the subject property have not been required to provide a pedestrian walkway or path at the time they were developed. Staff is therefore not requiring this applicant to dedicate area or provide a walkway at this time. As a mitigation measure (MM#17H) to encourage pedestrian and bicycle access, the applicant will construct paved pedestrian sidewalks along the west, north, and south sides of the proposed building. In addition, a sidewalk will be provided along the south side of Pine Shadows Lane and bicycle racks will be provided along the grocery store building frontage for bicycle parking.

The front of the proposed building will be orientated to the west, facing Pleasant Valley Road with the north side of the building facing toward Pine Shadows Lane. The proposed building will utilize a variety of neutral, earth tone colors including Nomadic Desert (light brown), Panda White, Reddened Earth (red/brown), and Cloak Gray. The building will also have varying materials including metal roofing, cement plaster siding, cement fiber siding, both smooth and

split face CMU block, and river stone siding. Areas for storage, recycling and a trash compactor will be located behind the building adjacent to the rear wall and will be screened from view with matching smooth and split face CMU block walls and steel gate doors painted colors to match the building.

Several architectural treatments are provided including but not limited to: wall variations with different colors and materials, varying roof lines and heights along the west elevation, metal roof overhangs located above windows, and decorative wall light fixtures primarily along the west elevation. In addition to these building materials, rock retaining walls are proposed along the Pleasant Valley Road frontage (west side), along the northwest corner of the site, and along the southeast boundary of the site (See Elevations in Figure 3 above).

The project is consistent with the following Penn Valley Area Plan Design Guidelines:

SP13. Site design should consider the placement and screening of utilities, storage areas, and auxiliary structures. A storage area, trash compactor, and recycling area will be located behind the building adjacent to the rear wall and will be screened from view.

BD2. Building facades should be designed to provide visual interest and relief. The proposed building will include a variety of neutral, earth tone colors, varying materials, varying heights, and architectural treatments that will provide visual interest.

BD4. Commercial structures should not exceed a height of 35 feet or two stories. The proposed building will have varying heights and will be 35 feet at its highest point.

BD7. Exterior wall colors should harmonize with the site and surrounding buildings. This guideline states the predominant color on exterior walls should be in earthy hues, such as tans, grays or browns. The proposed building proposes earth tone colors such as light brown, red/brown, and gray.

BD9. Windows should be simple and uncluttered. The building elevations provided show proposed windows on the building to be simple and uncluttered.

BD11. Commercial, industrial and multi-family development interior trash enclosures should be fully enclosed with materials compatible with building materials used on site. The proposed trash enclosure area will be fully enclosed with walls and gates compatible with proposed building materials.

Staff believes the project is consistent with the Penn Valley Area Plan Design Guidelines and the Western Nevada County Design Guidelines. Condition A.5 is included to ensure final design is consistent with the preliminary design.

Signage

Based on the site plan, proposed project signage will include a monument sign to be located along the Pleasant Valley Road frontage approximately 80 feet south of Pine Shadows Lane. Nevada County Code Section 12.04.112.K.4.b.(2) allows a single monument sign for multiple tenants (Holiday Market and Starbucks Coffee) not to exceed fifty (50) square feet in size and a height of six (6) feet. Wall mounted signage is proposed above the entrance on the front of the building and additional on-site directional signage may also be proposed. Size and design details

of the proposed project signage are still being prepared. As a condition of approval, a comprehensive sign program that is consistent with Nevada County Code requirements, the Penn Valley Area Plan and Western Nevada County Design Guidelines will be required to be submitted to the Planning Department for review and approval (Condition A.6).

Lighting

Proposed outdoor lighting will be required to conform with the requirements of Zoning Regulations Section 12.04.108. The project proposes to install twenty-five (25) parking lot pole lights with nineteen (19) of them being 20 feet in height and six (6) of them being 15 feet in height. In addition, wall mounted lighting is proposed on the building at locations ten to fifteen feet in height. As a condition of approval (A.7), all light poles proposed behind (east side of) the proposed building shall be limited to a maximum height of fifteen (15') feet, as shown on the photometric plan, due to the rural zoning (AG) located adjacent to the east. Light poles proposed along the front (west side) and along the north and south sides and not behind the proposed building shall be limited to a maximum height of twenty (20') feet.

Two mitigation measures (MM#1A and #1B) are being required for the project. Mitigation Measure 1A requires all outdoor light fixtures to be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited. Mitigation Measure 1B will require the applicant to provide a final lighting and photometric plan that demonstrates all project lighting shall be maintained on site. This plan should include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at "0" at all property lines.

Landscaping/Permanent Open Space

The project proposes approximately 55% of the site as impervious surface, approximately 39% as undeveloped open space area, and approximately 6% as landscaped area. The landscape plan prepared by a licensed landscape architect shows a total of thirty-six (36), 24-inch box trees consisting of two different species (Flowering Cherry 'Akebono' and Ornamental Pear) and forty-five (45), 15-gallon trees consisting of four different species (Valley Oak, Chinese Pistache, Aleppo Pine, and Lavender Crape Myrtle). Ten different species of 5-gallon size shrubs are proposed and Creeping Myoporum will be provided as groundcover (one-gallon size).

According to the preliminary landscape plan submitted, the proposed shade trees will provide 43.7% parking lot shade coverage within 15 years of building occupancy which meets the 40% shade coverage required by the Nevada County Code Section 12.04.107. Required buffer landscaped areas along street frontages is provided with four different tree species being provided along the Pleasant Valley Road frontage. Standard conditions of approval are required to ensure final landscape plans are consistent with the State Model Water Efficient Landscape Ordinance (MWELo), that final plantings are accomplished consistent with the preliminary plan, that locations of proposed shrubs and their species are shown on the plan, and a letter of surety is provided to ensure the long-term maintenance of landscaping for the life of the project. The project as conditioned meets the County's landscape requirements. Final landscaping is subject to Section 12.04.107 and condition A.11.

Nevada County Code Section 12.04.110 requires that projects within commercial zoning districts located below 4,000-foot elevation and on parcels greater than one acre in size provide a minimum of 15% of the site as permanent open space. As noted above, the applicant is providing approximately 39% of the subject parcel as permanent open space area. This area is primarily provided in the eastern portion of the site beyond the rear parking lot area where existing trees and other vegetation will remain.

Management Plan:

Nevada County Code Section 12.04.215 contains provisions to protect both Landmark Trees and Landmark Groves when a development project is proposed. A Landmark Tree includes any oak tree that is thirty-six (36) or more inches in diameter measured at breast height (DBH = 4' 6"), and a Landmark Grove includes hardwood tree groves with a 33+% canopy closure. Projects that propose to remove or disturb Landmark Trees and/or Landmark Groves may only be approved with review and approval of a Management Plan. Based on the large number of trees on the subject property, the size and location of the proposed project, and potential for impacts to Landmark Trees and Groves, a Tree Inventory and Arborist Report along with a Management Plan were required to be submitted with the project.

The Tree Inventory was conducted by an ISA Certified Arborist which included an inventory of all native trees equal to or greater than 6" DBH. A total of one hundred fifty (150) trees with a DBH of 6" or greater were mapped within the project area. Of these, one hundred twenty-five (125) trees were identified as either Interior Live Oaks or Blue Oaks. A total of eight (8) native oak trees were identified to be Landmark Trees. In addition, the Interior Live Oak Woodland present on the project parcel also has greater than 33% canopy closure and is therefore considered a Landmark Grove by the Nevada County Code.

Most of the project site (4.64 acres) will be impacted by grading and clearing for the proposed project and related improvements. Of the eight Landmark Trees identified in the inventory, five will be removed in order to accommodate the proposed grocery store building, parking area, and other improvements. The three Landmark Trees that will remain are located in the eastern portion of the subject parcel behind the building and rear parking area. The project will impact 4.64 acres of Landmark Grove and a total of 200 DBH inches from the five Landmark Trees that will be removed for the project. To address this impact, the applicant will be required to mitigate through payment into the in-lieu mitigation fund administered by the Bear Yuba Land Trust (BYLT). Based on the per acre mitigation fee for Landmark Groves and the separate mitigation fee for each DBH inch of Landmark Trees removed, the applicant's mitigation fee to be paid is approximately \$100,779.

ENVIRONMENTAL REVIEW:

The Planning Department prepared a project specific draft Initial Study for the project and found 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 proposed project. The draft initial study/proposed Mitigated Negative Declaration (MND) was circulated for public comment between October 17, 2025 and November 17, 2025. 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, the Planning Department has received seventy-one (71) public comments on the project during the California Environmental Quality Act (CEQA) public comment period. Included in these comments is a letter from the Central Valley Regional Water Quality Control Board (CVRWQB) indicating the project is subject to specific Board regulations and permitting requirements. A condition of approval has been added requiring the applicant to comply with the CVRWQB requirements and permitting requirements stated in their November 17, 2025 letter. Staff will provide the Planning Commission with additional comment letters received after this count was made subsequent to the distribution of this staff report.

Of the comments received, twenty-two (22) indicated support for the project and forty-seven (47) expressed concerns regarding the environmental review – primarily traffic and traffic safety related. One comment was received from LAFCo which requested a minor revision to the project description to include the project will be required to annex to the County Sanitation District. This revision has been made by staff. All letters are provided in Attachment 8 for the public record and consideration by the Planning Commission. The issue areas that have not been addressed above are outlined below. These issues include information in response to public comments that have been received:

Aesthetics

The proposed grocery store building will be setback over 250 feet from Pleasant Valley Road. The applicant is incorporating two rockery retaining walls in front of the proposed parking lot which along with the proposed building will be at a higher elevation than Pleasant Valley Road. The parking lot and building will not be visible for a long period by persons traveling in vehicles along Pleasant Valley Road due to this setback, higher elevation, and the speed at which vehicles are traveling along the road. The site is located between parcels already developed with existing commercial and industrial uses. Existing trees located behind the proposed building, along the far eastern portion of the site, will be retained and will provide screening of the building from residences located to the east. Required landscaping along the front of the parcel along with the applicant retaining existing trees located at the southwest corner of the parcel will provide some visual buffering of the parking lot and building from Pleasant Valley Road.

The project will result in the applicant moving from their existing location across from the Lake Wildwood subdivision entrance to the subject property into their new proposed building. Staff notes the applicant's existing location is within an existing commercial shopping center with several tenants. Within retail commercial centers like this it's normal for tenants to come and go over time and to leave space available. Based on this commercial center's location in close proximity to Lake Wildwood, it's more likely the applicant's vacated space will not remain vacant for an extended period. The space will be attractive to a new business looking to relocate their or an existing business within the center looking for a larger space. The proposed project will therefore not lead to a building that is subject to blight. The project will not result in an impact to aesthetics. More information on aesthetics is contained in the Aesthetics section of the attached MND.

Air Quality/Greenhouse Gas Emissions

Construction and operation of the proposed project has the potential to generate impacts to air quality and greenhouse gas (GHG) emissions. To address these potential impacts, an Air Quality and Greenhouse Gas Impact Analysis was prepared for the project by Raney Planning and

Management (February 2025). The air quality and GHG impacts were evaluated in the Air Quality and Greenhouse Gas sections of the proposed attached MND (Attachment 2) and five mitigation measures are recommended. These include the use of alternatives to open burning, the use of grid power during construction where feasible as opposed to diesel generators, providing temporary traffic control, directing construction traffic flow to off-peak hours when practicable, and approval of a Dust Control Plan by the Northern Sierra Air Quality Management District.

Biological Resources

In order to address potential impacts to biological resources, a Biological Resources Assessment (May 2024) and Special-Status Plant Survey Report (August 2024) were prepared for the project by Madrone Ecological Consulting. The Assessment identified potential impacts to nesting raptors and other birds, roosting bats, Northern California ringtail, and landmark trees and groves. To address these potential impacts to biological resources, a mitigation measure is recommended requiring a pre-construction nesting bird survey, preparation of a survey report, and potential additional mitigation if active raptor nests are found. Mitigation measures are also recommended requiring pre-construction roosting bat surveys be conducted during the breeding season, requiring non-invasive pre-construction surveys for Northern California ringtail and ringtail nests, and requiring a Worker Environmental Awareness Training (WEAT) be prepared and administered to the construction crews prior to any ground disturbing or vegetation removal activities.

A Tree Inventory and Arborist Report (April 2024) was also prepared for the project by Greg Matuzak Environmental Consulting. As discussed in the **Management Plan** section above, a mitigation measure is being required to mitigate for impacts to landmark trees and groves. More information on potential impacts to biological resources is contained in the Biological Resources section of the attached MND.

Cultural Resources/Tribal Cultural Resources

A Cultural and Paleontological Resources Assessment was prepared by Natural Investigations Company (Lori Harrington, M.A., R.P.A, and Dylan Stapleton, M.A., R.P.A.) and submitted with the project. This Assessment determined the sensitivity of the project area for the presence of buried deposits of cultural resources is low. In addition, the cultural and paleontology surface survey of the project area did not identify any new resources or any indication of buried deposits of cultural resources. While the sensitivity of the project area for the presence of buried deposits of cultural resources is low, a mitigation measure is being required to address any unanticipated discoveries of cultural or unique paleontological resources onsite.

In accordance with Assembly Bill (AB) 52, the project application was distributed to respective tribal agencies for tribal cultural resource review and comment. The United Auburn Indian Community (UAIC) requested consultation with the Nevada County Planning Department regarding the proposed project. On August 29, 2024, the UAIC Tribal Monitoring Program Lead conducted a site survey for the identification of tribal cultural resources (TCRs).

Based on the tribe's review and the survey results, and due to the proximity (within ¼ to 1/3 mile) of significant cultural sites and limited ground visibility, UAIC recommended three mitigation

measures: one requiring the project contractor to provide a tribal cultural resources sensitivity and awareness training program for all personnel involved in project construction; one requiring tribal monitoring at initial ground disturbance in the project area; and one addressing unanticipated discoveries of tribal cultural resources. More detailed information is contained in the Cultural Resources and Tribal Cultural Resources sections of the attached MND.

Geology and Soils

A Geotechnical Engineering Report was prepared by the NV5 Engineering consulting firm (dated April 2024) and submitted with this project application. To address potential impacts, a mitigation measure is included requiring the recommendations of the NV5 Geotechnical Engineering Report be implemented. These recommendations are included as Appendix B of the attached MND. With these recommendations required, the project will not result in any significant impacts to geology and soils.

Hydrology and Water Quality

The project has the potential to impact hydrology and water quality. To address these impacts, two mitigation measures are included requiring best management practices for preventative erosion and sediment control measures in the project area and to include distribution of these practices to the contractor and their workers to ensure compliance. With these mitigation measures required, potential impacts to hydrology and water quality are less than significant.

Noise

The proposed project has the potential to generate noise impacts from grading and construction activities. In addition, potential noise impacts may be generated by large heavy and medium duty trucks making deliveries to the site. In order to evaluate and address these potential noise impacts, an Environmental Noise and Vibration Assessment was prepared by Bollard Acoustical Consultants (October 8, 2024) and submitted with this project.

Based on the results of the Assessment, a total of nine (9) mitigation measures are being required to address potential noise impacts. On site construction activities has the potential to create noise annoyance to existing residences in the project area. These measures are:

1. During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday.
2. Use of temporary construction noise control measures for noise generated during construction.
3. Requiring all noise-producing project equipment and vehicles using internal-combustion engines to be equipped with manufacturers-recommended mufflers and be maintained in good working condition.
4. Compliance with all applicable regulations (federal, state, or local agency).
5. Use of electrically powered equipment instead of pneumatic or internal-combustion-powered equipment where feasible.
6. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.

7. Project area and site access road speed limits shall be established and enforced during the construction period.
8. All project on-site truck circulation related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). On-site truck circulation shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).
9. All project loading dock activities related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). Loading dock activities shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

More detailed information is contained in the Noise section of the attached MND. With these mitigation measures required, potential noise impacts are considered less than significant.

Transportation

As previously stated, the primary access to the site will be provided by Pine Shadows Lane which extends east from Pleasant Valley Road and borders the site to the north. One lane will be provided for entrance to the subject property and one lane will provide for exiting the property. Commercial Court, which currently terminates at the south property line of the parcel, will be extended onto the property to provide a secondary access originating from Pleasant Valley Road. It will also serve as the accessway directly in front of the proposed grocery store.

The project has the potential to generate additional traffic that could conflict with a program plan, ordinance, or policy addressing the County's circulation system. The applicant submitted a Traffic Impact Analysis (TIA), or traffic study, prepared by GHD consultants to analyze potential transportation related impacts. The project and the Traffic Impact Analysis were circulated to the County Public Works Department, Caltrans, and the Nevada County Transportation Commission (NCTC) for review.

The traffic study selected five primary intersections adjacent to and providing access to the project site for evaluation in coordination with the County of Nevada and Caltrans Highway Operations staff for the weekday AM and PM peak hour conditions. The study intersections for the project are listed below:

1. Lake Wildwood Drive and Pleasant Valley Road
2. Pine Shadows Lane and Pleasant Valley Road
3. Commercial Avenue and Pleasant Valley Road
4. Highway 20 and Pleasant Valley Road
5. Penn Valley Drive and Pleasant Valley Road

The roadway network that provides primary vehicle circulation for the project study area includes Lake Wildwood Drive, Pleasant Valley Road, Pine Shadows Lane, Commercial Avenue, Highway 20, and Penn Valley Drive. Regional access is provided by Highway 20, south of the project site.

Turning movement traffic counts for these five existing intersections were collected on Tuesday, August 30, 2022, during the AM peak and PM peak periods. The AM peak hour is defined as the one continuous hour of peak traffic flow counted between 7:00 AM and 9:00 AM, and the PM

peak hour is defined as the one continuous hour of peak traffic flow counted between 4:00 PM and 6:00 PM under typical weekday conditions.

Level of Service (LOS) methodologies for intersections were used to determine if the project will cause an increase in traffic that is substantial and adverse in relation to the traffic load and capacity of the existing street system. LOS is a qualitative measure of traffic operating conditions, whereby a letter grade "A" through "F" is assigned to an intersection, or roadway segment, representing progressively worsening traffic conditions. LOS "A" represents free-flow operating conditions and LOS "F" represents over-capacity conditions.

Since the project site is located within the Penn Valley Community Region, Circulation Element Policy LU-4.1.2 from the General Plan is applicable:

“The minimum acceptable level of service (LOS) for areas identified as Community Regions in the General Plan shall be LOS D, except where the existing LOS is less than D. In those situations, the LOS shall not be allowed to drop below the existing LOS. Level of service shall be based on the typical highest peak hour of weekday traffic.”

The results of the traffic study indicate the five evaluated intersections have existing AM and PM peak hour LOS ranging from LOS A (Pleasant Valley Road/Pine Shadows Lane – AM peak hour) to LOS D (Pleasant Valley Road/Commercial Avenue – PM peak hour) and are operating at acceptable conditions (LOS D or better) during the AM and PM peak hour.

The traffic study notes that significant vehicle queuing was observed for the southbound left-turn movement from Pleasant Valley Road onto eastbound Highway 20 during the AM peak hour. The vehicle queue extended for approximately 800-1,000 feet back north on Pleasant Valley past Commercial Avenue and Pine Shadows Lane. The southbound vehicle queue dissipated after 15-30 minutes during the AM peak hour.

Project site trip generation was estimated for the proposed Holiday Market using square footage of the proposed market building. Daily and peak hour project trip generation was calculated by utilizing the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (11th Edition)* trip rates for Supermarket (ITE Code 850). The number of trips were estimated for daily and AM and PM peak hours of adjacent street traffic.

Since this type of project would serve traffic already using local roadways (Pleasant Valley Road), a pass-by reduction of trips can be considered. The pass by reduction is calculated based on ITE Publication *Trip Generation Handbook (3rd Edition, September 2017)*. A brief description of pass-by trips from the *ITE Trip Generation Handbook* is as follows:

A pass-by trip is made as an intermediate trip on the way from an origin to a primary trip destination without route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offer direct access to the generator. Pass-by trips are not diverted from another roadway not adjacent to the site.

According to average pass-by trip percentages from ITE Trip Generation Handbook (3rd Edition), supermarket uses would see a reduction of 36% during the AM peak hour and 36% during the

PM peak hour. This coincides with the typical need or ability to get grocery items from the supermarket on the way to/from your destination (pass-by trips rather than new trips).

Since the proposed project would replace the existing Holiday Market use currently located north of the project site at the Wildwood Center, there would be an overall increase in net new vehicle trips. The Holiday Market at the Wildwood Center totals 12,870 square feet of supermarket uses. Since the existing Holiday Market at the Wildwood Center is currently generating vehicle trips, the net new increase in vehicle trips was calculated.

After accounting for existing Holiday Market uses at the Wildwood Center, the proposed project is expected to generate 1,071 net new daily trips with 33 net new AM peak hour trips and 102 net new PM peak hour trips. However, since the proposed project is essentially being moved and enlarged from the Wildwood Center to its current proposed site, all calculated peak hour vehicle trips associated with a 30,711 square-foot supermarket would be travelling through the access roadways/driveways at Pine Shadows Lane and Commercial Drive. Pass-by trips are not discounted at proposed project driveways from Pleasant Valley Road. Therefore, these vehicle trips would equate to 87 AM peak trips and 271 PM peak hour trip at proposed project driveways.

The traffic study includes a summary of the intersection operations for the weekday AM and PM peak hour scenarios for the Existing Plus Project Conditions. According to the summary, four out of the five study intersections would be operating at acceptable conditions (LOS D or better) during the AM and PM peak hour under Existing Plus Project Conditions. However, the intersection of Pleasant Valley Road and Commercial Avenue would be operating at LOS E (46.5 seconds of delay) during the PM Peak Hour.

To address this drop in LOS for the Pleasant Valley Rd./Commercial Ave. intersection, the traffic study identified a mitigation measure requiring the applicant to re-stripe the westbound Commercial Avenue approach to include a shared left-through and separate right-turn lane. With these proposed improvements, the Pleasant Valley Rd./Commercial Ave. intersection overall LOS would improve from LOS E (46.5 seconds of delay) to LOS D (33.5 seconds of delay) during the PM peak hour. This would result in the intersection being consistent with General Plan Circulation Element Policy LU-4.1.2, noted above. This information is summarized in Table 25 of the traffic study.

CEQA Guidelines Section 15064.3(a) states that "Generally, vehicle miles traveled is the most appropriate measure of transportation impacts." Vehicle miles traveled (VMT) refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Regarding land use projects, CEQA Guidelines Section 15064.3(b)(1) states that vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.

The applicant's traffic consultant evaluated the proposed project considering Caltrans' Transportation Impact Study Guidelines (TISG) and its likely VMT impact. Based on TISG guidelines, it was determined a Vehicle Miles Traveled (VMT) analysis will not be required for this proposed project due to its size, land use, and overall characteristics. Based on the LCI guidance, the proposed project is a locally serving commercial-retail development and falls under the 50,000 square foot threshold for such VMT analyses. Retail projects larger than 50,000 square feet may be considered regional serving, so a VMT analysis should be prepared for

projects that exceed the 50,000 square foot threshold. Based on the size of the proposed grocery store building (30,711 square feet), therefore, a VMT analysis is not required.

Additional mitigation measures required to address transportation related impacts include:

1. The improvement and extension of Commercial Avenue through the project site and connecting with Pine Shadows Lane.
2. Removal of the existing 90° parking along Commercial Avenue east of the existing cul-de-sac and re-striping this portion of Commercial Avenue to provide a centerline yellow stripe and white fog lines delineating two, 11-foot wide traffic lanes. Allow for parallel parking along this portion of Commercial Avenue.
3. The project applicant shall contribute to the County's Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. The Nevada County Regional Transportation Plan (NCRTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20.
4. Install all-way-stop-control at the Commercial Drive/Project Rear Access Driveway intersection located south of the primary supermarket building.
5. Install raised speed table/crosswalk(s) on the Commercial Drive northern extension between the Holiday Market building and main parking field.
6. Install stop-sign control for northbound turning movements at Commercial Drive extension (site access driveway)/Pine Shadows Lane intersection.
7. Pedestrian sidewalks shall be installed along key project frontages (west, north, and south sides of building) and along the south side of Pine Shadows Lane. Pedestrian connections shall be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. Bicycle racks shall be provided along the main building frontage for bicycle parking.

As stated in the **BACKGROUND** section at the beginning of this report, the applicant and County staff attended a Lake Wildwood Town Hall meeting on October 8, 2025, to present the project and provide information on the processing and status of the project. After the presentation, there were questions asked from several members of the audience. Most of the questions were related to traffic and traffic safety issues. In addition, some speakers questioned the age of the traffic count data used in the traffic study (August 2022), that commute patterns had changed, and stated that more current traffic data should be used.

As a result of these concerns, the traffic consultant conducted new AM peak period (7:00-9:00 a.m.) and PM peak period (4:00-6:00 p.m.) intersection turning movement counts at all five project study intersections on Pleasant Valley Road. These peak period traffic counts were conducted on Tuesday October 21, 2025. Schools were in session on this day and it reflected a typical commute period for employees traveling to and from work. The results of the new traffic data collection are shown in the 2025-2022 Volume Comparison Table (See Attachment 7).

As analyzed, the new 2025 intersection volumes are lower than 2022 traffic volumes at every project study intersection with one exception: Pleasant Valley Road/Highway 20. At this location, PM peak hour traffic volumes were 6.9% higher than the previous 2022 volumes. Intersection operations (Level-of-Service) were re-calculated for Existing (No Project) and Existing plus

Project conditions. As a result of increased volumes, intersection operations at the Pleasant Valley Road/Highway 20 intersection would remain unchanged from previous 2022 levels with increases of 1.4 – 1.5 seconds of delay in overall intersection LOS. During the AM peak hour for Existing (No Project) Conditions, intersection LOS would remain unchanged (LOS C 21.9 seconds of delay to LOS C 23.3 seconds of delay). During the PM peak hour for Existing plus Project, intersection LOS would remain unchanged (LOS C 22.1 seconds of delay to LOS C 23.6 seconds of delay). Therefore, no revisions to the Mitigated Negative Declaration are necessary. No other project study intersection experienced increases in overall AM or PM peak hour volumes (condition C.34).

As a mitigation measure, the applicant will be required to pay the County's Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. This fee will be applied to future County regional roadway improvements. The Nevada County Regional Transportation Plan (NCRTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20. Based on the NCRTP 2025-2045 (July 2025 Draft), the total costs for these improvements are estimated at \$804,000 with funding sources from the County's Local Transportation Mitigation Fee (LTMF). The project applicant is required to contribute their fair share toward this estimated cost based on the County's fee schedule.

In addition, to address potential traffic safety issues at the intersection of Pleasant Valley Road/Pine Shadows Lane, a condition has been added requiring the applicant to stripe the westbound Pine Shadows Lane approach to Pleasant Valley Road to include a separate left and right turn lane.

For more information on potential transportation impacts, see the Transportation section of the attached MND.

Utilities and Service Systems

The project parcel is located within the boundaries of the Nevada Irrigation District (NID). The District provided a comment letter dated October 21, 2024. The letter states the parcel has a standby account (#36351) and treated water service is available to the parcel from the Lake Wildwood Treatment Plant upon proper application to NID and payment of applicable connection fees. NID has capacity to serve the project.

Regarding wastewater treatment, the project parcel is currently located outside the boundaries of the Nevada County Sanitation District. The District boundary currently runs along the south side of the project parcel and there are several parcels to the south that are currently served by the District. The Nevada County Sanitation District has provided a "will serve" letter dated June 20, 2024, which states it has sufficient capacity in the Penn Valley Zone to accommodate an annexation request for the project parcel for the development of the proposed grocery store. For the District to provide future sewer service, it will be necessary for the parcel to annex into Nevada County Sanitation District No. 1, Penn Valley, Zone 6, and acquire sewer capacity.

Subsequent to project approval, the property owner will be required to complete the annexation process through the Local Agency Formation Commission (LAFCo) prior to submitting a sewer connection application. The Nevada County Sanitation District has capacity to serve the project.

After the annexation process is completed, the property owner will be required to acquire all necessary permits and permissions and to install the infrastructure to facilitate capture and conveyance of sewerage from the proposed building to the mainline connection point at the District's force main.

The site is served by Pacific Gas & Electric (PG&E) for electricity needs and solid waste services are provided by Waste Management. Both these utilities have capacity to serve the project. Additional information is provided in the Utilities and Service Systems section of the MND. The project will not result in any impact to utilities and service systems.

Economic and Community Impacts

CEQA addresses a project's proposed physical changes to the environment. The potential economic or social effects of a project are not evaluated under CEQA. However, physical changes may result in economic or social effects. For example, a business district could be impacted economically by a project, resulting in the failure of multiple businesses leading to urban decay or blight. The proposed project will not have a negative economic impact on any existing businesses in the area.

The project involves the construction of a larger and more modern building for an existing grocery store to provide a greater variety of products for its customers. The project will not result in foreseeable potential significant impacts that would result in blight. This project will result in the construction of a new 30,711 square foot building within an established commercial/industrial corridor for an existing grocery store business.

Consistent with General Plan Policy 2.6, an Economic Benefit Analysis was prepared and submitted with the project. According to this analysis, the direct economic benefit from the project's operations and employees totals \$10 million annually. When completed, the project will support approximately 82 jobs with an annual payroll (labor income) of \$4.5 million. The indirect economic benefit from project operations and employees totals approximately \$1.7 million. The induced economic benefit from project operations and employees is anticipated to be approximately \$2.2 million to the local economy. The project will provide economic benefits to the County and other local agencies by creating jobs, driving demand for local goods and services, supporting business development, and paying taxes.

Since this project will not result in significant impacts to the environment, staff has determined that a Mitigated Negative Declaration is the appropriate environmental document for this project. Staff therefore recommends the Planning Commission recommend the Board of Supervisors adopt the draft Initial Study/proposed Mitigated Negative Declaration for this project.

ZONING AND GENERAL PLAN CONSISTENCY

As discussed above, the subject property contains two General Plan designations (Neighborhood Commercial and Industrial) and two corresponding zoning districts (C1-SP and M1-PD-SP). This project contains a General Plan Amendment that will adjust the current boundary line between the two existing designations. The proposed amendment will result in an increase in the amount of land

designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and a decrease in the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. This modification in the General Plan/Zoning district boundary will allow for additional commercial land in order to accommodate the proposed grocery store building. The project will then be consistent with the General Plan and Zoning designations.

With approval of the General Plan Amendment, Zoning District Amendment, Development Permit, Management Plan, and adoption of the proposed Mitigated Negative Declaration, the proposed use of the project site will be consistent with the General Plan land use designation, zoning district, and with the Nevada County Code Commercial District standards. Additionally, the design of the proposed project has been reviewed and found to be consistent with the applicable comprehensive site development standards contained in the Nevada County Code as well as the design standards provided in the Penn Valley Area Plan. The project is consistent with the County's standards regarding setback requirements, building height and the protection of sensitive environmental resources.

The proposed project is consistent with the following General Plan goals and policies:

Land Use

- Goal 1.1: Promote and encourage growth in *Community Regions* while limiting growth in *Rural Regions*.
- Policy 1.1.3: Within Nevada County, the *Community Regions* are established as the areas of the County within which growth should be directed to provide compact areas of development where such development can be served most efficiently and effectively with necessary urban services and facilities.
- Policy 1.2.4.g: Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*.
- Goal 1.6: Allow for growth while protecting, maintaining and enhancing communities and neighborhoods.
- Policy 1.6.1: Establish land uses which protect, enhance, and complement existing communities and neighborhoods.

Economic Development

- Policy 2.6: The County shall require an economic analysis as an integral part of all General Plan amendments, addressing the impact on the County Economic Policy and its supporting policies and programs. The analysis shall particularly address impact on the short-term and long-term jobs/housing balance including the land use designations of the General Plan intended to achieve a jobs/housing balance.

Public Facilities and Services

- Policy 3.2: The County shall encourage development within *Community Regions* where higher density development can more efficiently be provided with a full range of public facilities and services.
- Policy 3.10: The following specific level of service standards shall be applicable to *Community Regions* and *Rural Regions* for public facilities which the County has responsibility for providing:

County roads (other than local roads, as identified on the County Road Functional Classification Plan.

Recognize existing LOS, including segment and intersection deficiencies, and at a minimum maintain the following minimum LOS:

e. For *Community Regions*, Level of Service (LOS) “D”, except where the existing LOS is less than “D”. In those situations, do not let the LOS further decline.

- Policy 3.19A: For all discretionary development, increases in stormwater runoff due to new development, which could result in flood damage to downstream residences, commercial, industrial, active natural resource management uses, public facilities, roads, bridges, and utilities shall not be permitted. Required retention/detention facilities, where necessary, shall be designed such that the water surface returns to its base elevation within 24 hours after the applicable storm event. The sizing of such facilities, when needed, shall be based upon the protection of downstream facilities.
- Policy 3.19C: For all discretionary projects, the County shall require that maintenance of all onsite drainage facilities and all offsite facilities constructed as part of the project is assured through a permanent, legally-enforceable mechanism such as, but not limited to, a CSA or CSD.

Circulation

- Policy LU-4.1.2: The minimum acceptable level of service (LOS) for areas identified as *Community Regions* in the General Plan shall be LOS D, except where the existing LOS is less than D. In those situations, the LOS shall not be allowed to drop below the existing LOS. Level of service shall be based on the typical highest peak hour of weekday traffic.
- Policy LU-4.1.3: The land use pattern reflected in the Nevada County General Plan Land Use Map is correlated with the future ability of the transportation system, including the major roadway network, to adequately serve said land uses based upon the service criteria and levels of service. All General Plan amendments shall be required to show that the proposed development is also correlated with the future provision of transportation facilities and levels of service according to the same criteria.

- Policy MV-4.2.5: In the review of all discretionary permits, the County shall consider the effect of the proposed development on the area-wide transportation network and the effect of the proposed development on the road network and other transportation facilities in the immediate vicinity of the project site.

Noise

- Policy 9.1.2: The noise standards contained in Table 9.1 of the Noise Element, as performance standards and land use compatibility standards, shall apply to all discretionary and ministerial projects excluding permitted residential (including tentative maps) land uses.
- Policy 9.1.13: Require the preparation of a comprehensive noise study for all land use projects determined to have a potential to create noise levels inconsistent with those standards found in Program 9.1, and in accordance with the methodology identified in the Noise Element Manual contained in General Plan Volume 2, Section 3 – Noise Analysis Appendix A.

Cultural Resources

- Policy 19.6: Require all applications for discretionary project permits, and all applications for ministerial project permits except single family residences on individual lots to be accompanied by a Site Sensitivity Literature Review, prepared by a qualified archaeologist or entity such as the North Central Information Center, Department of Anthropology, California State University at Sacramento.
- Objective 19.3: Include in the development review process consideration of historic, cultural, and Native American concerns and values.
- Policy 19.7: Cooperate with local historical societies and the Native American Indian community to protect significant historical, cultural and archaeological artifacts, improve access to and interpretation of unrestricted resources and archaeological history by involving them in the development review process.

With adherence to proposed conditions of approval and mitigation measures, the project has been found to be compliant with both the Zoning Regulations and the County General Plan.

SUMMARY

The applicant is requesting approval of a General Plan Amendment, Zoning District Map Amendment, Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area, as allowed by the Nevada County Code. The project has been reviewed for potential environmental impacts through the project specific Mitigated Negative Declaration (EIS24-0007) and it has been determined that all potential project impacts are mitigated to less than significant levels with no significant and unavoidable impacts identified. As documented throughout this report, the project has been found to be consistent with all applicable standards including adopted Comprehensive Site Development Standards and Resource Protection Standards. The recommended mitigation measures and conditions of approval will protect the resources located onsite and ensure compliance with the applicable provisions of the Nevada County Code and General Plan, as

well as ensure neighborhood compatibility as envisioned with the County General Plan and Zoning Regulations. Therefore, the Planning Department is recommending the Planning Commission recommend approval of the project to the Board of Supervisors as provided for below.

RECOMMENDATION

Staff recommends the Planning Commission take the following actions:

1. **Environmental Action:** After review and consideration, recommend the Board of Supervisors adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (EIS24-0007) provided in Attachment 2 pursuant to Sections 15074, and 15097 of the California Environmental Quality Act Guidelines, and make Findings A through C:
 - A. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment;
 - B. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Board of Supervisors; and that the mitigation measures, as agreed to by the applicant, will reduce potentially significant impacts to less than significant levels; and
 - C. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.
2. **Project Action:** After reviewing and considering the proposed General Plan Amendment application (GPA24-0003), recommend the Board of Supervisors approve amending the General Plan Land Use Map Designation of APN: 051-240-014 to change the land use designation for the parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres, based on the findings A through C set forth in Title 12, Chapter 5, Section 090 of the Nevada County Code, shown below:
 - A. That the proposed amendment is consistent with the goals, objectives, policies, and implementation measures of the General Plan and the provisions of the Nevada County Code, more specifically General Plan Policy 1.1.3, which states that within Nevada County, *Community Regions* are established as the areas of the County within which growth should be directed to provide compact areas of development where such development can be served most efficiently and effectively with necessary urban services and facilities; General Plan Policy 1.2.4.g, which states Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*; General Plan Policy 1.6.1, which encourages the establishment of land uses which protect, enhance, and complement existing communities and neighborhoods; and is consistent with the additional Land Use, Economic Development, Public Facilities and Services, Circulation, Noise, and Cultural Resources General Plan goals and policies contained in this staff report above under **ZONING AND GENERAL PLAN CONSISTENCY**; and,

- B. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and is consistent with General Plan Policy EP-10.1.4 which has the goal of providing for adequate evacuation routes in areas of high fire hazard, and General Plan Policy SF-10.6.3 which has the goal of providing land use patterns and development standards that shall minimize hazards resulting from wildfire, flooding, earthquake, slope failure, avalanche, and other natural occurrences. The project will not result in an increase in population in the Penn Valley area. The project site is located approximately 0.25 mile north of State Highway 20 and adequate access to the highway is provided via Pleasant Valley Road. The project has been reviewed by the Penn Valley Fire Protection District, the County Fire Marshal's office, and the Nevada County Public Works Department and no concerns with regard to potential impacts to evacuation routes have been noted; and,
 - C. That for the General Plan land use map amendment, the site is physically suitable for the requested Plan designation(s) and anticipated land use development(s). Factors considered to evaluate suitability include access, provision of public facilities and utilities, compatibility with nearby land uses, and presence or absence of resources and constraints as found in the Resource Standards. The project parcel is located off of Pleasant Valley Road, classified as a Major Collector in the Circulation Element of the General Plan, and is within an existing commercial-industrial corridor within the Penn Valley Community Region. Public facilities and utilities are available, the project is consistent with nearby land uses, and is consistent with the County's Resource Standards.
3. After reviewing and considering the proposed Rezone application (RZN24-0003), recommend the Board of Supervisors approve the Rezone to amend Zoning District Map No. 16a to rezone the approximate 4.3 acres APN: 051-240-014 to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District based on the findings A through C set forth in Title 12, Chapter 5, Section 090 of the Nevada County Code, shown below:
- A. That the proposed rezone is consistent with the provisions of the Nevada County Code, and furthers the goals, objectives, policies, and implementation measures of this Code, more specifically General Plan Policy 1.1.3, which states that within Nevada County, *Community Regions* are established as the areas of the County within which growth should be directed to provide compact areas of development where such development can be served most efficiently and effectively with necessary urban services and facilities; General Plan Policy 1.2.4.g, which states Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*; General Plan Policy 1.6.1, which encourages the establishment of land uses which protect, enhance, and complement existing communities and neighborhoods; and,
 - B. That the proposed rezone will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and is consistent with General Plan Policy EP-10.1.4 which has the goal of providing for adequate evacuation routes in areas of high fire hazard, and General Plan Policy SF-10.6.3 which has the goal of providing land use patterns and development standards that shall minimize hazards resulting from wildfire, flooding, earthquake, slope failure, avalanche, and other natural occurrences. The project will not result

in an increase in population in the Penn Valley area. The project site is located approximately 0.25 mile north of State Highway 20 and adequate access to the highway is provided via Pleasant Valley Road. The project has been reviewed by the Penn Valley Fire Protection District, the County Fire Marshal's office, and the Nevada County Public Works Department and no concerns with regard to potential impacts to evacuation routes have been noted; and,

- C. That for the Zoning District map amendment, the site is physically suitable for the requested Plan designation(s) and anticipated land use development(s). Factors considered to evaluate suitability include access, provision of public facilities and utilities, compatibility with nearby land uses, and presence or absence of resources and constraints as found in the Resource Standards. The project parcel is located off of Pleasant Valley Road, classified as a Major Collector in the Circulation Element of the General Plan, and is within an existing commercial-industrial corridor within the Penn Valley Community Region. Public facilities and utilities are available, the project is consistent with nearby land uses, and is consistent with the County's Resource Standards.
4. After reviewing and considering the proposed Oak Resources Management Plan application (MGT24-0011), recommend the Board of Supervisors approve the Oak Resources Management Plan, prepared by Madrone Ecological Consulting (Biological Resources Assessment, May 2024) and Greg Matuzak Environmental Consulting, LLC, to allow removal of Landmark Groves and Landmark Trees, making findings A-B, shown below:
- A. That construction activities are proposed to occur within areas designated as Landmark Oak Groves and Landmark Oak Trees as identified in the Oak Resources Management Plan, resulting in a loss of oak tree resources. To address this impact, the applicant will be required to mitigate through payment into the in-lieu mitigation fund administered by the Bear Yuba Land Trust (BYLT). Based on the per acre mitigation fee for Landmark Groves and the separate mitigation fee for each DBH inch of Landmark Trees removed, the applicant's mitigation fee to be paid is approximately \$100,779; and,
 - B. There are no feasible alternatives available as the project site contains a large area of Landmark Oak Groves and Landmark Oak Trees. The applicant is proposing to leave the eastern portion of the site undeveloped, which will result in three (3) of the eight (8) identified Landmark Oak Trees to remain on the site.
5. After reviewing and considering the proposed project, recommend the Board of Supervisors approve the Development Permit (DVP24-2), subject to the Conditions of Approval and Mitigation Monitoring and Reporting Program (Attachment 1), and pursuant to the Nevada County Zoning Regulations make the following findings A through L:
- A. That this project as conditioned and mitigated is consistent with the General Plan goals, objectives, and policies, with the Neighborhood Commercial (NC) and Industrial (IND) General Plan land use map designations applicable to this project, and the Penn Valley Area Plan; and,
 - B. The proposed use is allowed within and is consistent with the purpose of the C1-SP zoning district (within which the project is located), which allows for "Retail sales conducted indoors" with an approved Development Permit; and,

- C. The proposed use and any facilities, as conditioned and mitigated, will meet all applicable provisions of the Zoning Regulations or a same practical effect of those provisions, including design and siting to meet the intent of the Site Development Standards and Resource Standards mitigating the impact of development on environmentally sensitive resources; and,
- D. The design of proposed facilities, as conditioned and mitigated, is consistent with the intent of the design goals, standards, and elements of the Zoning Regulations, and will be compatible with the design of existing and anticipated future onsite uses and the uses of the nearby surrounding area including being consistent with the design standards outlined in the Western Nevada County Design Guidelines as refined by the Penn Valley Area Plan; and
- E. The site for the proposed use is adequate in size, shape, and location to accommodate the proposed use and all facilities needed for that use and reasonable expansion, and to make appropriate transitions to nearby properties and permitted uses thereon, without compromising site development standards, because the parcel is approximately 5.5-acres in size, and there is adequate space for the proposed facilities, including meeting impervious surface coverage and setback requirements; and,
- F. The proposed use and facilities, as conditioned and mitigated, are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding neighborhood or area with the implementation of the conditions and mitigation measures; and,
- G. Adequate provisions exist for water and sanitation for the proposed use as reviewed, conditioned, and mitigated by the Nevada County Department of Sanitation (sewer) and the Nevada Irrigation District (water); and,
- H. Highways, streets, and roads on and near the site are adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use, which has been determined by the Department of Public Works, Office of the County Fire Marshal and Caltrans, and adequate provision has been made for project specific impacts and the cumulative effect traffic generated by the proposed use so that it will not create or add to an identified problem before construction of needed improvements for which a development fee has been established and imposed upon the project; and,
- I. Adequate provisions have been made for emergency access to the site; and,
- J. Adequate public facilities and public services exist within the project area which will be available to serve the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare, including public roads, public utilities, and fire service; and,
- K. All feasible mitigation measures, as provided in Attachment 1, have been imposed upon the project; and,
- L. The conditions provided in Attachment 1 include all feasible are deemed necessary to protect the public health, safety, and general welfare.

Sincerely,

Brian Foss, Director of Planning