



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

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

MEETING DATE: October 25, 2016

TO: Board of Supervisors

FROM: Nevada County Planning Department

SUBJECT: Consideration of the Nevada County Planning Commission's August 25, 2016, 4-0 (1 absent) recommendation to approve the Soda Springs Area Plan, including: 1) adopt a Negative Declaration for the Area Plan (EIS14-004); 2) approve a General Plan Amendment to adopt the Soda Springs Area Plan (GP14-003); 3) approve a General Plan Land Use Map Amendment to change the base land use designation of 51 parcels within the Soda Springs Rural Center (GP16-004); 4) approve a Zoning District Map amendment to rezone parcels consistent with the proposed General Plan land use designation amendments, including adding the Rural Center (RC) and Site Performance (SP) Combining District zoning overlays to specific parcels (Z16-005); and 5) amending Sec. L-II 4.2.3, Article 1, Chapter II of the Nevada County Zoning Ordinance to approve the Soda Springs Area Plan design guidelines and standards (ORD14-002) (District V).

RECOMMENDATION: The Planning Commission has recommended that the Board of Supervisors take the following actions:

- I. Approve the attached Resolution (EIS14-004) for a Negative Declaration for the Soda Springs Area Plan, pursuant to Section 15074 of the California Environmental Quality Act Guidelines based on the findings contained in the Resolution (*Attachment 1*).
- II. Approve the attached Resolution (GP14-003) for the proposed General Plan text amendments to adopt the Soda Springs Area Plan based on the findings contained in the Resolution (*Attachment 2*).

- III. Approve the attached Resolution (GP16-004) for the General Plan Land Use Map amendments to change the land use designations of 51 parcels within the Soda Springs Rural Center based on the findings contained in the Resolution (*Attachment 3*).
- IV. Adopt the attached Ordinance (Z16-005) amending Zoning District Maps (ZDM) #114 and #119 to coincide the rezoning of 51 parcels to be consistent with the amended General Plan Land Use Map, and to add the Rural Center (RC) Combining District to 77 parcels, and the Site Performance (SP) Combining District to 194 parcels, based on the findings contained within the Ordinance (*Attachment 4*).
- V. Approve the attached Ordinance (ORD14-002) amending Section L-II 4.2.3, Article 1, Chapter II of the Nevada County Zoning Ordinance to approve the Soda Springs Area Plan Flexible Design and Development Standards based on the findings contained within the Ordinance (*Attachment 5*).
- VI. Close Board Order BO-14-02

FUNDING: No budget amendments are required.

ATTACHMENTS:

1. Resolution: Initial Study/Proposed Negative Declaration (EIS14-004)
 2. Resolution: General Plan Text Amendments (GP14-003)
 3. Resolution: General Plan Land Use Map Amendments (GP16-004)
 4. Ordinance: Zoning District Map Amendments (Z16-005)
 5. Ordinance: Zoning Ordinance Text Amendments (ORD14-002)
 6. Draft Soda Springs Area Plan
 7. Planning Commission Staff Report w/ duplicate attachments removed
 8. August 25, 2016, Planning Commission Draft Meeting Minutes
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BACKGROUND:

On March 25, 2014, the Board of Supervisors issued Board Order BO-14-02 to direct the Advance Planning Division work program for Phase II of the General Plan Land Use Element Update. The directive called for a new Area Plan for the Soda Springs community in accordance with Program 1.2.1.b of the General Plan Land Use Element.

Local efforts to provide input for long range planning on Donner Summit have been underway for more than a decade. There has been consistent and strong community support, particularly from the Donner Summit Area Association (DSAA) for coordinated planning efforts on Donner Summit. Those efforts have resulted in the Donner Summit Economic Study (2004), the Donner Summit Visioning and Planning Resident Survey

(2007), and the Community Prosperity Summit (2008), all of which provide the foundation of the proposed Soda Springs Area Plan.

As a result of the construction of Highway 80 in 1964, Soda Springs has become a drive-by community rather than a stop by, or destination itself. Interstate 80 allows potential visitors to pass by enroute to nearby Truckee, Reno, and Lake Tahoe, oblivious to the experiences they might enjoy on Donner Summit. Additionally, time has passed on while the area has been hindered in its economic development by the lack of investment and the consequent impacts of areas of blight in the built environment. Furthermore, many competing recreational areas further east have better organized and promoted attractions for year-round recreation resulting in Donner Summit being comparatively less competitive for tourist dollars needed to support economic viability.

The current Highway Commercial Land Use Designation throughout much of the commercial district is outdated and too restrictive of local uses appropriate for the area, and there is a clear need to revitalize the physical appearance in some areas of town to increase economic activity. Healthy economic activity is vital to a healthy social fabric and creating conditions to protect and enhance the natural environment. Compounding this problem of the restrictive land use designation is the multitude of political jurisdictions and divided community needs that have resulted in not capitalizing on opportunities that exist in the area such as non-winter uses. Adding to the challenge, consecutive drought years and projected climate changes create uncertainties for the local economy which is historically heavily dependent upon snow fall. The passage of time with consequent deterioration of buildings and infrastructures, the national economic downturn and the impacts of increasingly less snow fall during the winter season present even greater challenges to economic development of the Soda Springs area than was the case a decade ago.

PLAN PREPARATION:

Local efforts to inform long range planning on Donner Summit have been underway for more than a decade and the foundation of this Area Plan is based on a 2004 comprehensive economic development study conducted for the Donner Summit area. To help guide development in Soda Springs and surrounding Donner Summit area the Advance Planning Division of the Nevada County Planning Department held nine public workshops between September 2014 and August 2016, and gave Area Plan presentations to the Donner Summit Area Association (DSAA) and Placer County Donner Summit Municipal Advisory Committee (MAC). At each of the public meetings important strategies were recommended to be implemented to encourage investment and to achieve environmental, physical, and sustainable economic improvements. Public input was incorporated into draft Area Plan Chapters which would then be available for public review prior to the next Area Plan meeting. At that next meeting the draft chapters would be discussed and any feedback on the draft chapters would be incorporated into a revised draft chapter that would be posted on the County's website. This sequence of making draft Area Plan chapters available in advance of upcoming community meetings, reviewing the chapters at the following meeting, and receiving feedback which was then

incorporated into revised draft chapters which were posted for public review continued until the draft Area Plan was completed. The complete draft of the Area Plan has been available and posted on the County website since March, 2016. Completion of the draft Area Plan would not have been possible without the extensive public participation and community engagement this project received.

AREA PLAN LOCATION:

The proposed Soda Springs Area Plan covers those Donner Summit communities connected along Donner Pass Road (historic Old Hwy. 40) between Cisco Grove and the Donner Memorial Bridge in eastern Nevada County. The Area Plan's focus is the 141-acre community of Soda Springs which the County has designated as a Rural Center for the surrounding rural areas. The Soda Springs Rural Center covers an area approximately 1.2 miles along Donner Pass Rd. from the Soda Springs/Norden Interstate 80 exit to Bunny Hill Road. The predominant theme of the land use pattern is commercial and residential, and the area functions as the primary visitor and tourist area on Donner Summit.

PROJECT DESCRIPTION:

The proposed project is an Area Plan that promotes revitalization of the Donner Summit area to be consistent with community values and the County's General Plan, with specific land use regulations and zoning changes focused on the Soda Springs Rural Center commercial zoning district and adjacent properties. The Soda Springs Area Plan establishes goals, policies and implementation strategies for providing specific land use guidance for the Donner Summit area. The Area Plan will help achieve the vision of the community by implementing its guiding principles through rezoning land use designations, and development of community design standards. The Area Plan proposes to achieve this through more intensive concentrated mixed-use development and flexible design standards in the commercial area to promote the area's revitalization, improve aging infrastructure, better identify recreation access, and diversify commercial retail opportunities for visitors and residents.

The Area Plan is organized into seven chapters and three attachments. Chapter 1 introduces the Area Plan and summarizes the plan's vision for the future and guiding principles for prosperity and sustainability. Chapters 2 through 7 provide an overview of the Area Plan's existing conditions, opportunities and constraints for development and conservation, and outline the policy direction for the plan, with individual sections for the following plan elements: Land Use; Economic Development; Public Services; Recreation; Natural and Cultural Resources; and Area Plan Implementation. Attachment A establishes specific development standards, design standards and permissible uses that are intended to improve the scenic quality of the built environment, promote a sense of place, and support the community's desired community character. Attachment B lists Assessor's Parcel Numbers within the plan area by zoning district, and Attachment C includes the Area Plan references.

MAJOR COMPONENTS OF THE SODA SPRINGS AREA PLAN:

The Soda Springs Area Plan includes revised design standards, revisions to permissible use and development standards, and other strategies to facilitate desirable economic development and expand resident and visitor services for improved prosperity and sustainability of the Donner Summit region.

The following are significant components of the proposed Plan:

Goals and Policies: Donner Summit specific Goals and Policies are included in all elements of the Area Plan to implement the vision and desired improvements identified in the Plan. This vision includes protection of rural lifestyle values and character, quality affordable housing and lodging availability, and trail connections within and around the Rural Center. Community desired improvements include creation of in-town public places, construction of gateway signage and community branding, and improved vehicle and pedestrian safety.

Land Use/Zoning District Map Amendments: No new structures are proposed with the Area Plan, however there are five new zoning districts proposed that are not currently present within the Rural Center; R3 (High Density Residential), C1 (Neighborhood Commercial), C2 (Community Commercial), M1 (Light Industrial), and FR-40 (Forest-40 acre minimum). These land use designation/zoning district changes are part of the Area Plan's larger strategy to facilitate a compact land use pattern and focus additional residential capacity to establish the commercial center as the focal point for the entire community, to provide greater flexibility for local commercial businesses, and to recognize the historical or intended use of several parcels.

Rural Center (RC) Combining District: The Area Plan seeks to focus economic development and community improvements within and adjacent to the commercial/multi-family zone districts with the addition of the Rural Center (RC) Combining District which allows for more flexible development standards and permissible uses which are summarized below:

- New construction standards on vacant lands:
 - Protect exiting natural features outside of the building site
 - Utilize earthtone exterior colors and building materials
 - Provide adequate snow storage
 - Plant native vegetation for landscaping
 - Preserve mountain, forest and meadow public views from Donner Pass Rd., if feasible
 - Consider solar exposure, climate, noise, safety, fire protection, and privacy when designing the site layout, and
 - Install water efficient appliances

- Community development standards:

- Open space reduction for mixed-use buildings with landscaping
 - Allows for up to 50% offsite parking
 - Establishes shipping container storage limits
 - Requires garbage facilities that are secure from wildlife
 - Allows limited commercial activities within legal non-conforming residences
 - Establishes snow removal equipment and screening requirements for outside storage
- Housing density standards:
 - Mixed-use projects with C1 or C2 zoning may utilize a maximum residential density of 6 units/acre
 - Multi-family projects with R2 zoning may utilize a two- unit minimum density allowance, subject to zoning compliance
 - Agricultural Uses such as farmer’s markets and farm stands are permissible subject to approval pursuant to Sec. L-II 3.3 of the Nevada County Zoning Ordinance

Site Performance (SP) Combining District: With the addition of the Site Performance (SP) Combining District for the single-family residential, forest, and recreation zoning districts, the Area Plan seeks to protect community character and neighborhood compatibility with development standards summarized below:

- Community development standards:
 - Establishes shipping container storage limits
 - Requires garbage facilities that are secure from wildlife
 - Establishes snow removal equipment limits

ZONING AND GENERAL PLAN CONSISTENCY:

As a policy document, the Soda Springs Area Plan supplements and becomes part of the General Plan, providing a comprehensive framework for making land use decisions within the Soda Springs Rural Center and influencing decisions in the surrounding Donner Summit geographic area. The goals, policies and design and site development standards contained within this plan reflect Soda Springs unique characteristics, support the local community’s vision, and are consistent with the overall themes and goals of the General Plan. The County’s General Plan identifies Soda Springs as a Rural Center which is intended to provide for a mix of primary uses grouped together and interrelated to form a functional and community center, and to create a visual identity related to the historic mountain character for the surrounding Donner Summit rural communities.

The Area Plan is consistent with applicable General Plan policies and regulations, including; General Plan Goal 1.3 which calls for the protection and enhancement of community character, land use patterns, rural lifestyle, and economy of Rural Regions in

their natural setting. Also General Plan Policy 1.3.13 identifies Rural Region Area Plans as a more specific planning tool to complement and assist further implementation of the goals, objectives, and policies of the General Plan. Additionally, General Plan Policy 1.9.2 identifies current development constraints imposed by the Highway Commercial (HC) land use designation within the Soda Springs Rural Center.

The Area Plan is also consistent with the purpose and regulations Nevada County Zoning Ordinance including Section L-II 4.2.3 Design Guidelines, and Section L-II 2.7 Combining Districts which is established to provide specialized consideration of unique areas and allow for more or less restrictive regulations than those contained elsewhere within Chapter II of the Zoning Ordinance.

ENVIRONMENTAL REVIEW (EIS16-004):

The proposed Soda Springs Area Plan is a policy and design plan, and does not propose any specific development projects. The commitment to preserving the cultural and natural resources and the environment is broadly supported by stakeholders and is seen as a positive step for a brighter future for the area. Because the Area Plan only strengthens policies regarding water quality, special status plant or animal communities, and cultural, historical, and archeological resources, and because federal, state, and County environmental protections are already in place, implementation of the Soda Springs Area Plan would result in less than significant degradation of these resources.

The draft initial study/proposed Negative Declaration was circulated for public comment between July 22 and August 22, 2016. The Notice of Availability/Notice of Intent to adopt a Negative Declaration was sent to several local and state responsible agencies as well as applicable property or home owners associations. No comments were received regarding the adequacy of the Initial Study. Since this Area Plan will not result in any physical disturbance to the environment staff determined that a Negative Declaration is the appropriate document for this project.

PLANNING COMMISSION ACTION:

On August 25, 2016, the Nevada County Planning Commission held a duly noticed public hearing to consider the proposed Soda Springs Area Plan. Planning Commissioners agreed the Area Plan will help to remove development constraints that inhibit desired economic growth in order to help revitalize the area and create a stronger community for local residents, although Commissioners asked for more discussion regarding three topic areas: 1) the nexus between public restrooms and economic development; 2) equestrian opportunities on Donner Summit; and 3) the uncertain future of Lake Van Norden and whether it remains as an impoundment or restored to a high-quality mountain meadow and stream. Commissioners also wanted to ensure that single-family residential property owners weren't going to be over-regulated when future projects are reviewed under the Area Plan. Public testimony was also provided from a few members of the public and supported the County's attention given to the Donner Summit area and raised concerns ranging from: the proposed upzoning of two vacant parcels currently zoned R2 (medium density residential) to R3 (high density residential); concern expressed regarding Sugar

Bowl Mountain Resort's seasonal employee lodging in a former hotel; as well as the abundance of snow removal equipment, shipping containers and other material and equipment being stored throughout the community.

Regarding the two parcels proposed to be rezoned from R2 (medium density residential) to R3 (high density residential), neighbors expressed concerned about the amount of excavation and site disturbance and potential traffic congestion that would be required for a multi-family project, and some even voiced a desire to see the property downzoned to R1 (single family residential). The proposed change to rezone the two parcels from R2 to R3 is part of a larger strategy to focus additional residential capacity near the commercial center of town and increase the critical mass of the community, imparting a sense of scale and density that establishes the Soda Springs commercial center as the focal point for Donner Summit. Furthermore, the easternmost existing R2 zoned parcel, which is developed with the Mt. Diablo ski club, is functioning as a multi-family property and downzoning the vacant (existing R2) properties to the west would create a break in the multi-family zoning (e.g., leapfrog development). A conscious decision made during the development of the Area Plan was to focus the more intense commercial and multi-family zoning in the town center, and provide maximum flexibility to those properties within the Rural Center (RC) Combining District Zone to stem the community's steady decline. Quality affordable housing and lodging is in short supply and high demand on Donner Summit which is why the Area Plan proposes targeted increases in density and residential capacity within walking distance of goods and services, reducing the need to reside and travel from more distant communities like Truckee.

Staff is aware of the unique issues of the area, including the seemingly recent proliferation of snow removal equipment and other outside storage of material and equipment being stored throughout Soda Springs. The Area Plan seeks to strike a balance between recognizing and planning for life in snow country and protecting the rural community character with the proposed design guidelines and standards aimed at aesthetic improvements and preserving neighborhood compatibility.

The Planning Commission on a 4-0 (1 absent) vote recommended that the Board of Supervisors approve the proposed Soda Springs Area Plan with the additional language added to the Area Plan regarding the need for public restrooms, equestrian opportunities, and the current situation with the Van Norden Lake and meadow.

SUMMARY:

This Area Plan outlines a comprehensive development plan that encourages local initiative and coherence of community spirit to revitalize development consistent with strongly held rural values. A brighter future for the area is dependent on rebranding the region as a destination with full services, aesthetic improvements and promotion of year-round activities that more fully optimize the recreational opportunities provided by the rich natural resources of the area. The Area Plan is a consensus built policy, design, and development plan with a central focus to attract more visitors and investment in

infrastructure while honoring resident's values and protecting the bountiful natural environment.

RECOMMENDATION: The Planning Commission has recommended that the Board of Supervisors take the following actions:

- I. Approve the attached Resolution (EIS14-004) for a Negative Declaration for the Soda Springs Area Plan, pursuant to Section 15074 of the California Environmental Quality Act Guidelines based on the findings contained in the Resolution (*Attachment 1*).
- II. Approve the attached Resolution (GP14-003) for the proposed General Plan text amendments to adopt the Soda Springs Area Plan based on the findings contained in the Resolution (*Attachment 2*).
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- V. Approve the attached Ordinance (ORD14-002) amending Section L-II 4.2.3, of Article 1, Chapter II of the Nevada County Zoning Ordinance to approve the Soda Springs Area Plan Flexible Design and Development Standards based on the findings contained within the Ordinance (*Attachment 5*).
- VI. Close Board Order BO-14-02

Item Initiated by: Patrick Dobbs, Senior Planner

Approved by: Brian Foss, Director of Planning