

439 **GP16-001; GP16-002; GP16-003; Z16-002; Z16-003; EIS16-004: GP16-001 (Ridge Road):**
440 A proposed General Plan Land Use Map Amendment to change the Nevada County
441 Consolidated Fire District surplus property located at 13115 Ridge Road from Public (PUB) to
442 Neighborhood Commercial (NC). The site is already zoned Neighborhood Commercial (C1).
443 **GP16-002; Z16-002 (Quaker Hill Cross Road):** A proposed General Plan Land Use Map
444 Amendment to change the Nevada County Consolidated Fire District surplus property located at
445 13376 Quaker Hill Cross Road from Rural Commercial (RC) to Urban Single Family (USF) and
446 a Zoning District Map Amendment (ZDM #64a) from Public (P) to Single Family Residential
447 with the subdivision limitation Combining District (R1-X) consistent with existing surrounding
448 land use and zoning designations in this area. **GP16-003; Z16-003; (East Lime Kiln Road):** A
449 proposed General Plan Land Use Map Amendment to change the Nevada County Consolidated
450 Fire District surplus property located at 10085 East Lime Kiln Road from Public (PUB) to Estate
451 (EST) and a Zoning District Map Amendment (ZDM #44) from Public (P) to Residential
452 Agriculture with a 3-acre density limitation (RA-3) consistent with existing surrounding land use
453 and zoning designations in this area. **PROJECT LOCATION: GP16-001:** 13115 Ridge Road,
454 Grass Valley, CA. Assessor's Parcel Number (APN): 08-070-34; **GP16-002; Z16-002:** 13376
455 Quaker Hill Cross Road, Nevada City, CA. APN: 36-170-17; and **GP16-003; Z16-003:** 10085
456 East Lime Kiln Road, Grass Valley, CA. APN: 56-470-17. **RECOMMENDED**
457 **ENVIRONMENTAL DETERMINATION:** Negative Declaration. **PLANNER:** Tyler
458 Barrington, Principal Planner.
459

460 Principal Planner Barrington began his presentation by introducing himself. He outlined the
461 project with a Power Point presentation. The project is a proposed General Plan amendment and
462 rezone for three of Nevada County Consolidated Fire District's unmanned surplus fire stations.
463 In May 2015, the NCCFD Board of Directors declared these fire properties as surplus and
464 offered the properties for lease or sale to public entities, but no interest was provided. In
465 November 2015, the properties were listed for general sale to the public. No change in the Fire
466 Protection Rating (scheduled by the ISO) would result from eliminating these fire stations
467 because adequate stations are within the vicinity that duplicate the services. In March 2016, the
468 Fire District submitted a General Plan Amendment and Rezone application and consulted with
469 the Planning Department to determine what the best potential proposals for land use designations
470 would be for each of the sites. Planner Barrington clarified that these are three legislative
471 projects only and that there is no associated development proposed at this time.
472

473 Planner Barrington then went into detail of GP16-001, the amendment associated with the 13315
474 Ridge Road property (APN 08-070-34). This project involves a General Plan Amendment only
475 because this site is currently zoned Neighborhood Commercial (C1) but the General Plan
476 designation is Public. It is in the community region of Grass Valley and is within the City's
477 sphere of influence. Staff has discussed the project with the city Community Development
478 Department, which expressed no concerns over the potential General Plan Amendment.
479 Surrounding uses are residential and commercial zoned areas; some of the commercially zoned
480 areas are being used for residential purposes. Planner Barrington listed some of the commercial
481 uses in the area. The site hosts a 2,792 square foot metal building with three garage doors.
482 Approximately ninety-one percent of the site is impervious surface (paving and the building).
483 Primary access is from Ridge Road via an existing paved driveway with an existing access
484 easement. Water is provided by NID and septic is provided by onsite septic. The building is in
485 the southwest corner of the project site with parking surrounding it. There are some small grassy
486 areas. The General Plan designation is currently listed as Public and it proposed to be
487 Neighborhood Commercial to be consistent with the site's Neighborhood Commercial zoning.

488 While the surrounding area is developed residential, the nature of the site itself is more
489 conducive to Commercial zoning. Staff recommends that the Planning Commission, after taking
490 public testimony, recommend that the Board of Supervisors approve the proposed General Plan
491 Amendment.

492
493 Planner Barrington introduced the next project, GP16-002 and Z16-002, a General Plan
494 Amendment and Zoning District Map Amendment. The project is located at 13376 Quaker Hill
495 Cross Road in Nevada City (APN 16-170-17). There is an easement serving Timberline Court
496 going through the property. It has a Public zoning designation and a Rural Commercial General
497 Plan designation. It is in a rural community region, surrounded by residential and rural
498 residential uses. There is a C1 zoned parcel immediately adjacent to this property. Located on the
499 site is an approximately 1,664 square foot former fire station. About twenty percent of the site is
500 impervious surface. Access is via Quaker Hill Cross Road, a County maintained road. The site is
501 served by NID and has an on-site septic system in equivalence to a three bedroom residential
502 septic system. There is a large paved area that served as parking and an access easement for
503 Timberline Court. The project is currently in the Rural Commercial General Plan designation.
504 The proposal is to go to Urban Single Family, which is consistent with other uses and other
505 General Plan designations in the area. Due to the size of the property, Staff felt like it was more
506 appropriate to be Urban Single Family than Rural-5 because of the five acre density limitation.
507 Staff recommends that the Planning Commission, after taking public testimony, recommend to
508 the Board of Supervisors to approve the proposed General Plan Amendment. Regarding the
509 proposed rezoning, the site has an existing designation of Public. The proposed zoning
510 designation would be Single Family Residential with the Subdivision Limitation Combining
511 District (R1-X), similar to other developed properties in the area. The proposal would be
512 consistent with other uses in the area, Staff recommends that the Commission make a positive
513 recommendation to the Board of Supervisors to approve the zoning district map amendment.

514
515 Planner Barrington then introduced the next project, GP16-003 and Z16-006. The site is located
516 at 10085 East Lime Kiln Road (APN 56-470-17), approximately 400 feet from State Highway
517 49. The property is 0.61 acres. It is zoned Public, has a General Plan designation of Public and is
518 in a rural community region. Surrounding uses in the area are primary estate and rural residential
519 uses. The site has a 2,640 square foot fire station/garage building and about 30% of the site is
520 impervious surfacing. Access to the site is via East Lime Kiln Road. Water is provided by NID
521 and there is an on-site septic system that has to be tested to accommodate potential residential
522 growth and to determine a repair area. The building is close to the road but does meet minimum
523 residential setbacks for the RA district. There is an existing propane tank on the site. Sight
524 distance is limited on Lime Kiln Road depending on where the road is accessed. The Department
525 of Public Works has indicated that through the building permit process, they will do an
526 assessment to determine the appropriate access and whether an encroachment permit will be
527 required to minimize potential safety hazard issues. The area is an Estate designated area and the
528 existing designation is Public. The proposed designation would be Estate to be consistent with
529 surrounding uses. Staff recommends that the Planning Commission provide a positive
530 recommendation to the Board of Supervisors to amend the General Plan land use designation
531 from Public to Estate. Residential Agriculture with a three acre minimum density (RA-3) is the
532 only zoning designation in the area. The existing zoning designation is Public and the proposal is
533 to change it to RA-3 to be consistent with the area. Staff recommends that, after taking public
534 testimony, the Commission recommend to the Board of Supervisors to approve this zoning
535 district map amendment.

536

537 In regard to environmental review, Planner Barrington explained that Staff prepared an Initial
538 Study and a recommended Negative Declaration. This was distributed for public comment and
539 no comments were received. This is just a mapping and legislative project only. There is no
540 associated development that will occur. The Initial Study did assume that commercial
541 development would occur on the Ridge Road property and that residential development would
542 occur on the Quaker Hill Cross Road and East Lime Kiln sites. The Initial Study made a good
543 faith effort to disclose all anticipated impacts and found that no impacts would occur that
544 necessitated mitigation. The Initial Study highlighted that special consideration for noise,
545 screening and land use compatibility would be required for future development of the Ridge
546 Road property. The Initial Study determined that residential uses would be consistent with other
547 surrounding uses on the Quaker Hill Crossroad and East Lime Kiln Road projects. As no
548 significant impacts would occur, Staff recommends that the Commission, after taking public
549 testimony, recommend that the Board of Supervisors adopt the proposed Negative Declaration.
550 Regarding General Plan and zoning consistency, the proposed change on Ridge Road would
551 bring the site's General Plan designation into consistency with the existing zoning. The proposed
552 changes on the other two properties would make those properties consistent with the surrounding
553 zoning. The buildings meet site development standards the way that they are orientated. Future
554 development of the sites would be reviewed to be consistent with the County's site development
555 standards through the building permit process. The East Lime Kiln site would be non-
556 conforming in size should the project be approved but any other designation would create a small
557 island of spot zoning and there are other properties of similar size in the immediate vicinity of
558 the project site with the same RA-3 zoning. In conclusion, Planner Barrington recommend that
559 the Commission recommend that the Board of Supervisors approve the attached resolution for
560 the Negative Declaration, approve the attached resolution approving the General Plan
561 amendments and adopt the ordinance approving the zoning district map amendments.

562
563 Chair Aguilar asked the commission if there were any questions of Planner Barrington.

564
565 Commissioner Duncan commented that the East Lime Kiln site is a great community park and
566 ride location but that getting out of it can be challenging.

567
568 Chair Aguilar welcomed Nevada County Consolidated Fire District.

569
570 Deputy Fire Chief Jerry Funk of NCCFD introduced himself. He explained that NCCFD is made
571 up of five former smaller fire districts that merged. As cities have annexed property, the
572 community has grown and new stations have been built, the District determined that a few
573 stations had become unnecessary and a liability, financially and as well as in terms of vandalism.
574 After much research, the District decided to surplus these three stations.

575
576 Chair Aguilar asked if there were any questions of Deputy Fire Chief Funk.

577
578 Chair Aguilar opened the hearing for public comment at 3:30 p.m.

579
580 Matthew Coulter said that he saw the Lime Kiln site on MLS but did not see the other sites listed
581 so he was not surprised that there was no public comment on the sale of the properties. He said
582 that locally, we are in need of affordable housing and in need of housing for unhoused
583 individuals. Government buildings were built well and could support multi uses or community
584 centers. He asked where the money goes when tax payers' properties are sold off. He noted that

585 all three properties are in escrow and asked if the change in zoning is contingent on the sale of
586 the buildings.

587
588 Zola Neally (13101 Ridge Road) introduced herself as the owner of the property in front of the
589 Ridge Road site being discussed. Her property grants an easement to a volunteer fire department.
590 She was told that there was a deed restriction on it that was meant to be used for a volunteer fire
591 department indefinitely. She never received a copy of the title search that she discussed getting
592 from Deputy Fire Chief Funk. She left multiple messages and spoke with multiple people. She is
593 not entitled to a copy of the title report but feels that she is because she offered the easement to a
594 volunteer fire department. She would like to see the title report to see if there a deed restriction.
595 Also, she disagrees that it is consistent with C1. There are no commercial businesses down side
596 streets anywhere off of Ridge Road; the only commercial is frontage on Ridge Road. The
597 easement is not being maintained. She said if it were to become commercial, which she doesn't
598 understand because it is hugged between residential houses, she asked where their sign would go.
599 She said that this shouldn't go through until things are discussed, she is shown the title report,
600 they come up with options on the easement, and everyone agrees on what is actually going to go
601 in there. She is concerned that it backs up to homes and that she doesn't know how
602 environmental impact concerns are being addressed. Fred Emery donated land but she doesn't
603 think he would have donated it to a commercial business. She mentioned fire insurance. She
604 asked if the property is pending with the condition that it changes to Commercial. Again, she
605 disagrees that it is consistent.

606
607 William King said there is a 30+ home development on Ridge Road down the street. He asked
608 who is going to service that area. He said that he does not know what the ISO is. He said that we
609 live in wildfire area. Fred Emery donated his land for public use and that it is inherently wrong to
610 sell land zoned Public for commercial use, especially when it is donated. It should stay public
611 use. He suggested making it a community center. He suggested putting it to a public forum.

612
613 Chair Aguilar closed the public comment at 3:50 p.m. He brought the conversation back to Staff.

614
615 Planner Barrington addressed consistency. The Ridge Road site is already zoned C1 and the
616 General Plan designation is Public. This project would bring the General Plan designation into
617 consistency with the current zoning district. There is no use being proposed at this time and
618 when a future use is brought up, its compatibility and other land use issues will be considered in
619 front of the appropriate discretionary body.

620
621 Chair Aguilar asked how it can be zoned Public and Commercial.

622
623 Planner Barrington said that the General Plan designation is Public and the zoning is Commercial
624 so there is inconsistency between those.

625
626 Chair Aguilar asked if they changed it to C1, there are certain uses that don't have to come
627 before the Commission, but what about the Zoning Administrator?

628
629 Planner Barrington clarified that the General Plan designation would be NC, or Neighborhood
630 Commercial. He said there are a few allowed uses listed in the Staff Report and that smaller uses
631 that would require discretionary approval, most likely at the Zoning Administrator, are listed in
632 the Land Use and Development Code tables.

633

634 Chair Aguilar asked Planner Barrington if there was anything else.

635
636 Planner Barrington said that there is a record of an access easement for this parcel and that he
637 does not believe that it is specific as to what type of access. He referred to the Fire District to
638 respond to the real estate and ISO questions.

639
640 Chair Aguilar asked if there is another question for Planner Barrington.

641
642 Commissioner Duncan said that based on the public comments, people may not be clear why the
643 Commission is involved in disposing of public property and the process that has to be followed.
644 She asked Planner Barrington to describe the process.

645
646 Planner Barrington said that his understanding is that when there is a public property that has
647 been deemed surplus, the Government Code requires that the property is offered for other public
648 agencies to take over. In this case, none of the agencies accepted. The District made a business
649 decision to try to change the designations to make them more saleable and usable to the general
650 public.

651
652 Commissioner Duncan said that before they could make it available to private developers for
653 purchase, they had to offer it to other government agencies. She mentioned comments on how
654 transitional housing is needed and said that no agencies concerned with housing the homeless
655 stepped up.

656
657 Deputy Chief Funk mentioned the section in the Government Code that requires any
658 governmental agency to follow specific procedures on who these properties are offered to for
659 different uses. The Fire District, under the advice of legal counsel, followed procedure and made
660 notification to all of the required government entities but received no feedback. The next step
661 was to offer them up to the general public.

662
663 Chair Aguilar asked Deputy Chief Funk if the District Board has certain procedures for that.

664
665 Deputy Chief Funk said yes and that this presentation started little over a year ago when they
666 first brought it the seven member Board of Directors. It has gone through an extensive process to
667 get to the point where it is today.

668
669 Chair Aguilar asked if these are public meetings.

670
671 Deputy Chief Funk said correct, they are all public meetings and all agendized following the
672 Brown Act.

673
674 Chair Aguilar asked about the realtor representing the project.

675
676 Deputy Chief Funk introduced one of realtors representing the sale of the properties and said he
677 may be able to answer some of the public's questions.

678
679 Mike Distephano introduced himself as an agent for Network Real Estate representing the Fire
680 District in the sale of all three surplus fire houses.

681
682 Commissioner Duncan asked if the sales don't go through until the zoning is closed.

683
684 Mr. Distephano said correct. He explained that initially they considered selling the properties and
685 letting the purchasers do the zoning changes themselves but it was decided that it would be more
686 advantageous for the Fire District to go through the zoning changes. They worked with the
687 Planning Department to find the best use of each that would be consistent with the zoning. He
688 gave the example of wanting the East Lime Kiln property to be zoned Commercial because it
689 could be sold easier and at a much higher price but that that would be considered spot zoning.
690 All three properties are currently pending and they were all initially listed on the Nevada County
691 multiple listing service. They were initially all listed as Commercial which may not be as
692 convenient for the general public to find. The zoning was changed once Planning was involved
693 and they were relisted as Residential.

694
695 Commissioner Duncan asked if it is one buyer.

696
697 Mr. Distephano said that there are three individual buyers and each one is purchasing the
698 property and is planning to use it in its intended new zoning.

699
700 Commissioner Duncan asked what kind of commercial use will be on the Ridge Road property.

701
702 Mr. Distephano said auto repair. He said the Use Permit still needs to be finalized. First
703 American Title is handling all three of the escrows and has helped correct some title issues. He
704 said there are no deed restrictions on the easement. He said that they looked at it and there is no
705 concern that it has a deed restriction that it can only be used by the Fire District.

706
707 Commissioner Duncan said that the title report is indicating that an easement that goes through
708 that property-

709
710 Mr. Distephano interjected that his understanding is that the easement was granted and is not
711 attached to the property up front. It is an easement from Ridge Road to the Fire District. It was
712 not granted by owner in front; it is its own separate easement that was deeded when the property
713 was given to the Fire District.

714
715 Deputy Chief Funk said that that was in the late 1950s.

716
717 Commissioner Duncan said that there is no language indicating the purpose of that easement.

718
719 Mr. Distephano said that his recollection is that it specifically grants access to the fire house on a
720 deeded easement.

721
722 Commissioner Duncan said that the easement says it is specifically granted for the use to access
723 the firehouse but it does not say that if firehouse goes away if the easement goes away.

724
725 Mr. Distephano said no, because they will always be connected. The easement will be granted as
726 part of the purchase, allowing access.

727
728 Commissioner Duncan asked if that is what the title search came up with.

729
730 Mr. Distephano said correct.

731

732 Commissioner Duncan asked Planner Barrington to put up the Ridge Road map with the
733 surrounding uses. She said that she is hearing that there is an auto body shop proposed with
734 access located behind a residential property.

735
736 Planner Barrington said that as disclosed in the Initial Study, some inquiries were received from
737 a prospective buyer that was interested in doing auto repair, but the department is not processing
738 a formal application at this time for auto repair. It is disclosed within the CEQA document that
739 there is that potential and that is a use that is allowed within the C1 zoning district with a Use
740 Permit.

741
742 Commissioner Duncan said adjacent to a residential.

743
744 Commissioner James asked Planner Barrington to put map up and asked him to point out the
745 easement.

746
747 Planner Barrington said that that is a commercial business in the front.

748
749 Commissioner James said that the property is landlocked without that easement.

750
751 Planner Barrington said correct.

752
753 Commissioner James said that the easement was granted by this property owner for fire services.

754
755 Planner Barrington said that his understanding is that the easement says for access, a fifteen foot
756 access easement.

757
758 Commissioner James said that he thought it was said it was granted for fire services.

759
760 Mr. Distephano said that it granted access to that piece of property.

761
762 Commissioner Duncan said that that is what changes it for her, when she thinks about it being
763 granted for access to the fire department. She asked what happens when the fire station goes
764 away, and said that that is not part of the title report.

765
766 Commissioner James asked Planner Barrington to put the map back up again.

767
768 Commissioner Duncan asked how wide the easement is alongside the residential house.

769
770 Planner Barrington said that it is a fifteen foot wide easement with a twenty foot wide paved
771 driveway, according to the site plan.

772
773 Commissioner James asked if the proposal is to zone this as C1.

774
775 Planner Barrington clarified that the structure in front is not a house, it is a commercial business.

776
777 Commissioner Duncan said so that is not a residential use?

778
779 Planner Barrington said no.

780

781 Chair Aguilar said that it looks like a garage.
782
783 Planner Barrington said that he believes that it is a boutique thrift-type store called The Garage.
784 Previously the building had been used for auto repair.
785
786 Chair Aguilar confirmed that it had been used as auto repair.
787
788 Commissioner James said that that is a form of commercial use.
789
790 Planner Barrington said correct, and that his understanding is that the grant deed it says a fifteen
791 foot wide access easement.
792
793 Chair Aguilar said that there are bay doors on the green roofed building. It was an auto business.
794
795 Commissioner James said that he misunderstood.
796
797 Commissioner Duncan asked where the residential use is on the map, maybe she misunderstood.
798
799 Planner Barrington said that there are residential uses on both sides.
800
801 Chair Aguilar asked to see the aerial of the one to east. He asked where the house is.
802
803 Planner Barrington said the closest residence is on the western side and it is approximately
804 twenty to thirty feet from the building.
805
806 Chair Aguilar asked if that was Ms. Neally's.
807
808 Planner Barrington said no and indicated the building to the north, toward Ridge Road.
809
810 Commissioner Duncan said that she is down in front, she has a commercial application.
811
812 Chair Duncan said that he thought she said it was a residence.
813
814 Planner Barrington said that the zoning is currently Neighborhood Commercial and that the
815 proposal is to change the General Plan designation to be consistent with that zoning district.
816
817 Commissioner Duncan mentioned a Use Permit which involves another public hearing to
818 determine how appropriate that is but that auto body-
819
820 Planner Barrington said that it is auto repair.
821
822 Commissioner Duncan said that they are close by those houses. She said that she does not see
823 that as being compatible. She said that Commercial is one thing, but knowing an auto body repair
824 shop is going in hard up to residential houses changes it for her. She said that the others she does
825 not seem to have a problem with and asked Planner Barrington to provide any daylight.
826
827 Planner Barrington said that the project before the Commission today is not an auto repair
828 business. It is a General Plan Amendment to change the designation from Neighborhood
829 Commercial. If there is an auto repair business proposed then Staff will review that for

830 compatibility with surrounding areas. If there is some other type of C1 use proposed, Staff will
831 review that consistent with the Environmental Quality Act and the County's codes to determine
832 the compatibility of that proposed use. Again, the Initial Study does disclose that they have
833 spoken with a potential buyer that is interested in doing auto repair businesses.

834
835 Commissioner Duncan said that it seems like they are setting up the stack of cards to fall in that
836 direction.

837
838 Commissioner James asked if, with the proper zoning and General Plan which you're proposing
839 to make, auto repair would be allowed there.

840
841 Planner Barrington said with a discretionary approval.

842
843 Commissioner Duncan said with a Use Permit.

844
845 Commissioner James said that it is not precluded from being there, it is allowed with a Use
846 Permit, which allows you to put conditions on it.

847
848 Planner Barrington said correct, if approved. It is a discretionary approval. He asked if the
849 Commission would like him to give a list of other types of uses that are allowed in the C1 zone
850 that could be potentially developed there. He then gave a list of approved uses including the type
851 of permits needed, if applicable, as well as a list of uses not permitted.

852
853 Commissioner Duncan asked if the Use Permit would come back before this Commission.

854
855 Planner Barrington answered that, taking into account the size, would come before the Zoning
856 Administrator.

857
858 Commissioner Duncan said that she knows too much now. She said that the integrity of
859 neighborhood is going to fall with the auto body repair right behind the residence. She is having
860 a hard time with that one; the others she does not have problem with. She asked Chair Aguilar
861 what his thoughts are.

862
863 Chair Aguilar asked how long the station has been vacant.

864
865 Deputy Chief Funk answered that there hasn't been a response out of the station for over ten
866 years. It has been used for storage for several years and prior to that it was used for educational
867 uses for a few years. It has been sitting empty for seven or eight years.

868
869 Commissioner Duncan said she understands the need to dispose of surplus property instead of
870 allowing it to deteriorate and be subject to vandalism. What she doesn't get is the type of use that
871 could be allowed with the action taken today to put Commercial on it.

872
873 Chair Aguilar said that it is already zoned Commercial and there is Commercial in front of it. His
874 recommendation would be to follow Staff's proposal to make it C1. If it is going to go auto
875 repair, noise and clutter are the issues that the Zoning Administrator will have to deal with.

876
877 Planner Barrington said when Staff was working with the District on what the appropriate
878 General Plan designation would be, they took into account the existing Commercial zoning

879 designation as well as the fact that the majority of site is pavement which did not seem
880 conducive with a Residential type of use.
881
882 Chair Aguilar asked what else they could zone it as. He said that it is clearly not Residential.
883
884 Commissioner Duncan said under the Commercial zoning, residential care could be allowed,
885 which would possibly be more acceptable to the neighborhood. Just think about auto body repair
886 and the toxic chemicals and other risks associated with that type of use adjacent to a residential
887 neighborhood. It is a high risk type of use.
888
889 Chair Aguilar said that it is a high risk and in a Use Permit, that is something that the
890 Commission or the Zoning Administrator will have to take it into consideration. The client will
891 also have to take a risk on that in escrow. At this point, he doesn't see what else they would
892 recommend it as.
893
894 Commissioner James asked what the size limitation is that determines whether it will go to the
895 Planning Commission or the Zoning Administrator.
896
897 Planner Barrington answered that the size limitation is 10,000 square feet, with some other
898 caveats.
899
900 Commissioner James asked if this would be less than 10,000 square feet.
901
902 Planner Barrington said correct.
903
904 Commissioner Duncan said that it still could get bumped up to the Commission, like the Dollar
905 General. She said that she thinks they will see it.
906
907 Commissioner James said that it could be appealed.
908
909 Chair Aguilar said that auto is always tough: the smell, the noise, the clutter.
910
911 Commissioner Duncan said the toxicity.
912
913 Chair Aguilar said that auto is a potential or it could fall out of escrow tomorrow. He asked if
914 they want this to stay consistent with the zoning that it is or do they want to turn it into
915 something else. He is okay with it as-is; it has been looked at for a long time. The Fire District
916 Board has said that this is what they want to do.
917
918 Ms. Neally asked a question and Chair Aguilar told her that public comment is closed.
919
920 Mr. Coulter asked if his questions will be answered.
921
922 Chair Aguilar said yes. He said that the Commission is making a recommendation to the Board
923 of Supervisors, who will get the testimony and minutes, and they will make the decision. *[Ms.*
924 *Neally continued to speak.]* Chair Aguilar acknowledged Mr. Coulter's questions.
925
926 Planner Barrington said that Mr. Coulter had a question on where the money goes when the
927 properties are sold, which the Fire District might answer. There was another question as to

928 whether they were contingent upon the sale for the rezoning, which the real estate agent did
929 answer.

930
931 Deputy Chief Funk asked what the first question is.

932
933 Planner Barrington repeated the first question.

934
935 Deputy Chief Funk said that the revenues received from this go back into the facilities fund.
936 There are nine other stations, many with greatly deferred maintenance due to funding. The funds
937 would be plugged back in to existing fire stations for maintenance and repair.

938
939 Commissioner James asked if because these are publically owned, they go back on the tax rolls.

940
941 Planner Barrington said correct.

942
943 Chair Aguilar said that he has heard of people donating their homes to the fire department and
944 most times the home is sold and the money goes to the fire department. This is similar to that. If
945 there was a restriction that the property could only be used for fire but apparently there was no
946 type of restriction in this case.

947
948 Deputy Chief Funk confirmed that there are no deed restrictions on the deed.

949
950 Chair Aguilar asked if he hears any motions for recommendations. It is in his district but he is
951 the Chair so he'd like to hear from another Commissioner first.

952
953 Commissioner Duncan told Chair Aguilar that she needs help.

954
955 Mr. Coulter said that he had a question that wasn't answered about the listings.

956
957 Chair Aguilar said the real estate agent addressed by saying that it was listed as Commercial first
958 and then as Residential.

959
960 Mr. Distephano added that once a sale goes pending, it goes off public record. A normal search
961 only shows active listings.

962
963 Chair Aguilar said that he did see two listings on MLS. He did not see the Ridge Road listing.

964
965 Commissioner Duncan said that this in only a recommendation to the Board, based on trying to
966 be consistent with underlying the underlying zoning.

967
968 **Motion by Commissioner Duncan** to recommend that the Board of Supervisors adopt the
969 attached Resolution for the Negative Declaration (EIS16-004), as may be modified, pursuant to
970 Section 15073.5 and 15074 of the California Environmental Quality Act Guidelines; **second by**
971 **Commissioner James. Motion carried on a voice vote 3/0; Commissioners Poulter and**
972 **Jensen were absent.**

973
974 **Motion by Commissioner Duncan** to recommend that the Board of Supervisors adopt the
975 attached Resolution amending the General Plan Land Use Map Designation of APN 08-070-34
976 (GP16-001) from Public to Neighborhood Commercial, APN 36-170-17 (GP16-002) from Rural

977 Commercial to Urban Single Family, and APN 56-470-17 (GP16-003) from Public to Estate;
978 **second by Commissioner James. Motion carried on a voice vote 3/0; Commissioners**
979 **Poulter and Jensen were absent.**

980
981 **Motion by Commissioner Duncan** to recommend that the Board of Supervisors adopt the
982 attached Ordinance approving the Rezone (Z16-002 and Z16-003) to amend Zoning District Map
983 No. 064a to rezone APN 36-170-17 (Z16-002) from Public to Single Family Residential with the
984 Subdivision Limitation Combining District and Zoning Map No. 44 to rezone APN 56-470-17
985 (Z16-003) from Public to Residential Agriculture with a 3-acre minimum density; **second by**
986 **Commissioner Jensen. Motion carried on a voice vote 3/0; Commissioners Poulter and**
987 **Jensen were absent.**

988
989 Chair Aguilar said that there is no appeal period for this because it is just a recommendation.

990
991 Planner Barrington said correct.

992
993 Chair Aguilar told the public that their concerns will come before the Supervisors and informed
994 them that the public can be there at the meeting.

995
996 Discussion ensued regarding upcoming Commission meetings.

997
998 **Motion by Commissioner James; second by Commissioner Duncan to adjourn. Motion**
999 **carried on voice vote 3/0.**

1000
1001 There being no further business to come before the Commission, the meeting was adjourned at
1002 4:30 p.m. to the next meeting tentatively scheduled for June 9, in the Board of Supervisors
1003 Chambers, 950 Maidu Avenue, Nevada City.

1004
1005
1006 Passed and accepted this day of , 2016.

1007
1008
1009 _____
Brian Foss, Ex-Officio Secretary