



COUNTY OF NEVADA  
**COMMUNITY DEVELOPMENT AGENCY**  
**PLANNING DEPARTMENT**  
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
(530) 265-1222 FAX (530) 265-9851 <http://mynevadacounty.com>


Trisha Tillotson  
Community Development Agency Director

Brian Foss  
Planning Director

**MEMORANDUM**

October 27, 2022

**TO:** Nevada County Planning Commission

**FROM:** Kyle Smith, Senior Planner 

**HEARING DATE:** October 27, 2022

**SUBJECT:** PLN21-0311; RZN21-0004; CUP21-0006; EIS22-0009

Dear Planning Commissioners,

For your review and consideration, the enclosed comments were received from members of the public after the development and publication of the Staff Report for this project. Comments include concerns regarding a variety of topics including internet connectivity, septic capacity, the nature of potential users of the development, security concerns, traffic, neighborhood compatibility, property values, and biological resources concerns. Many of the issues identified in comment letters fall outside the scope of the Land Use and Development Code, however staff have identified specific comments that relate to the Planning Commission's review, described below to provide increased clarity:

**Biological Resource Impacts:**

Multiple comments were received which expressed concern about potential impacts to existing wetland areas located on the project site. According to the project biologist and previously approved projects, wetlands do exist on the site and impacts to these areas will be entirely avoided through project design. In order to mitigate impacts to the intermittent stream also located on the property, Conditions of Approval A.13 through A.16 (Mitigation Measures 4A through 4D) are included to ensure any potential impacts are reduced to less than significant levels. Please see Sections 4 and 10 of the Draft Initial Study/Mitigated Negative Declaration prepared for this project, and the Biological Resources Section of the Project Staff Report for additional information and discussion.

**Septic System:**

Multiple comments were received which expressed concern about the septic system capacity to serve the proposed development. The project proposal includes the installation of a new septic system to serve the structure and will not rely on the existing system capacity. The County of Nevada Environmental Health Department has reviewed the project proposal and determined the proposed system could adequately serve the new development. Furthermore, Condition of

Approval E.2 has been included to require the applicant obtain an approved 100% sewage disposal repair area for development

**Traffic:**

Multiple comments were received which expressed concern about potential impacts to traffic and circulation patterns due to the proposed density increase. Although there is a potential for increased traffic on State Highway 49, the proposed residential project is relatively small in scale with six (6) one-bedroom apartments and would not result in significant impacts to traffic or circulation patterns. In addition, The California Department of Transportation (Caltrans) and the County of Nevada Department of Public Works have reviewed the project and included Conditions of Approval C.2 and G.1 through G.9 to ensure the proposed development and project site access would not result in safety or traffic concerns on State Highway 49. Please see Section 17 of the Draft Initial Study/Mitigated Negative Declaration prepared for this project, and the Access and Parking Section of the Project Staff Report for additional information and discussion.

The balance of the comments received expressed concern about issues outside the scope of the Land Use and Development Code, but have been included in the record for review by the Planning Commission. No comment letters identified deficiencies with the environmental review which would require substantial revisions that would require recirculation pursuant to CEQA and Guidelines.

## Kyle Smith

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**From:** Michael Waring <drmjwdo@gmail.com>  
**Sent:** Monday, October 17, 2022 9:43 PM  
**To:** Planning  
**Subject:** Public Comment for rezoning proposal

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Greetings Planning Commission,

We did receive your notification of the proposed combined project rezoning a parcel, demolishing a single-family home, and construction of a 6-unit apartment complex at the location of 16782 State Hwy 49, just southeast of the intersection with Newtown Rd, or The Willo steakhouse.

We are the new homeowners at 10267 Indian Trail, as of January this year. We moved here from Colorado so that I could take a new job opportunity working in several medical clinics across the north state. This community has been a great place to live!

It's easy to understand that increased need for housing units is a pressure facing many communities, and it seems likely that this 6x 1-bedroom apartment complex will proceed ahead.

My primary concern is connectivity. Our zone here already contends with inadequate internet & cell phone coverage. At our house we only get "2 bars" of Verizon from the tower on the ridgeline near the high school, a tower which is woefully oversubscribed-- which in practice means that those "2 bars" of service don't actually do anything at all, besides tease or taunt the phone user. Phones have minimum functionality here. There are dead spots too, right smack on 49 where this project will be. There is also the problem of internet: besides shelling out a fortune for Starlink, the most available ISP for us here in Indian Trails is via SmarterBroadband, where \$90/mo only gets you a measly 12mbps. However, I am aware that there are operational fiber optic cables running beneath Indian Flat road, down Newtown Road. Indeed a coalition of neighbors down Newtown Rd had to form their own LLC so that they could pretend to be a "business" for the purposes of coercing the fiber network to allow an installation/access to the lines.

The point is this: if this developer wants more population density, with 6x one-bedroom apartments, those new residents deserve to have a reasonable decent access to cellphone signal that actually works, and to modern-grade internet speeds. Otherwise it will be 6x one-bedroom units sitting in the dark, unable to use their cell phones & perhaps very slow internet. Particularly since multi-unit buildings tend to have rebar-reinforced concrete which further diminishes signal strength. This comms blackout would make the units undesirable for habitation, and dangerous in emergencies like wildfire.

What I would like to see happen at the very least, is some pressure on the fiber optic company to expand more access to these neighborhoods. Many of us in the indian trails neighborhood would be eager fiber customers. Perhaps this apartment developer could be onboard with pressuring this fiber optic company to open their access for residential here?

If there's any possible way that my public commentary (as a homeowner affected by this development) could somehow result in everyone nearby getting better internet, and/or cell signal... I would be very pleased indeed. I know that

improving fiber optic internet access is a priority for the county leadership. This is an opportunity to make it happen. We already have the "middle mile" infrastructure in place, very close by! We just need the pressure to make the residential hookups a reality.

Please please please, better connectivity. It would immensely boost our current & future ability to enjoy these nice homes and conduct normal lifestyles.

Warm regards,

Dr Michael Waring & April Bruder  
10267 Indian Trail  
Nevada City CA 95959

## Kyle Smith

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**From:** Sandi Wilson <sandiwilsonllama@yahoo.com>  
**Sent:** Tuesday, October 18, 2022 12:11 PM  
**To:** Kyle Smith  
**Subject:** Ranch house rezone and permit for a use permit.

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Kyle, I Sandi SonyraWilson, hereby register my opposition to the rezoning and rebuilding on That parcel, assessor parcel number 004-140-067. The reasons for my objection are #1 that area is a wetlands zone (already changed for the solar panels) and the start of the headwaters for rush creek that runs through my parcel. #2 We are a rural area and do not need an apartment house added right on Hwy 49, which is supposedly a scenic corridor. #3 The attempt to satisfy the state's mandate for increased affordable housing wherein you demolish an existing structure to build a new apartment to accommodate 12 persons, an increase of 6 persons! #4 The residents therein are subjects of Nevada county behavioral health. The existing occupants are constantly walking in front of my home on Newtown road, yelling at no one. The local market and restaurant adjacent to the subject parcel have been harassed by those individuals. A day care center with small children is on Hwy 49 only 2 parcels away.#5 I, as well as my neighbors, feel unsafe. The county is more concerned about a very few individuals than it is about the whole of a neighborhood.

## Kyle Smith

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**From:** Sandi Wilson <sandillama@gmail.com>  
**Sent:** Tuesday, October 18, 2022 1:59 PM  
**To:** Kyle Smith  
**Subject:** Ranch house rezone and conditional use permit

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I, Sandi, Sonyra, Wilson object to the project. #1 that is a wetlands area! You keep trying to use it to develop more housing.,#2 the inhabitants in the existing house are already harassing the market and the Willow restaurant. They are constantly walking up and down on Newtown road talking to no one loudly. I for one do not feel safe. #3 There is a day care on Hwy 49 nearby with small children. They weren't notified of this proposal. You should have notified more residents. #4 if you are truly concerned about the welfare of these tenants of the county, this is not the answer. There will not be manager during the evening hours. Therefore No super vision!

---  
*Sandi Wilson*  
*Sandi Wilson Real Estate*  
*(530) 265-8215*  
*BRE 362005*  
[www.nevadacountylistingsonline.com](http://www.nevadacountylistingsonline.com)

## Kyle Smith

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**From:** Sandi Wilson <sandillama@gmail.com>  
**Sent:** Thursday, October 20, 2022 3:03 PM  
**To:** Planning  
**Subject:** Ranch house proposal for zone change and use permit.

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I am Sandi Wilson and I own and reside at 10114 Newtown Rd. Nevada City, Ca. I am opposed to the rezoning and the use permit for the Ranch House project. That subject parcel is a "wetland" and should be protected from development. You already have installed the solar panels and now you want to expand more development with this apartment house?? You may be removing the existing house but you'll be putting a greater demand on the septic system with the apartments. We live in a rural area. I have always believed that this area of Hwy 49 is a scenic corridor. Why are you doing all this to add Only 6 more tenants? I would like to speak at the hearing on October 27.

--  
*Sandi Wilson*

*Sandi Wilson Real Estate*

*(530) 265-8215*

*BRE 362005*

[www.nevadacountylistingsonline.com](http://www.nevadacountylistingsonline.com)

## Kyle Smith

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**From:** Sandi Wilson <sandiwilsonllama@yahoo.com>  
**Sent:** Saturday, October 22, 2022 8:58 AM  
**To:** Kyle Smith  
**Subject:** Hearing on the proposal for the ranch house project

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Kyle smith, I Sandi Wilson would like to speak at the hearing of the planning commission on October 27 at 1:30 pm.  
Thankyou



**To: Kyle Smith , Senior Planner,  
Nevada County Planning Dept.**

**My name is Bruce Simpson and I live in the Eden Ranch Subdivision near to the proposed Ranch House Project . We as a group of homeowners were approached in late 2015 by Tom Coburn, Facilities Program Manager and Stephen Monaghan ,Director and told us that the County was going to develop the lot purchased from Mike Dial at 16782 State Hwy. 49. We were given the choice of an equipment yard, transitional housing apts., or a solar field. We as a group chose the solar field as it would not create a fire danger ,traffic, or noise but nevertheless would impact viewshed from our neighborhood. The County needed a 2/3 approval to get a private easement and assured us that the existing home and remainder of the land would not be developed. This was in exchange for us granting the easement. We as a neighborhood are opposed to this new project as it violates our agreement with the County and would be a negative impact on our neighborhood. I have included a copy attached of the letter we were given.**

**There are some errors on the Initial Report the first being on pg. 16 of 58 under Impact Discussion 1a,c. stating that " In addition, State Highway 49 through the project area is not a State-designated scenic highway." Well, in fact it not only is a state scenic as identified in Appendix A " Statutes Relating to the California State Scenic Highway Program," Streets and Highways Code, Division 1, Ch. 2, Articl 2.5, Subsection 262 *Designation of Scenic Highways* ,263.2 *Additional Inclusions ; Portions of Routes 1 to 4 , Route 4, (b) Route 49 near Angels Camp to Route 89.* That definitely includes the highway directly in front of the project.**

**According to the *Federal Highway Administration* Mar.25,2015, Hwy. 49 also forms part of the *Yuba-Donner Scenic Byway a National Forest Scenic Byway* from *State Rt. 20 in Nevada City to State Route 89 in Sierraville.* This is a 175 mile *National Forest Scenic Byway.* I'm sure you are aware of the implications of this in the planning and aesthetics of the project.**

*There also exists within 864 ft. of the project, Tadpoles Family Playcare at 16994 Hwy. 49 which is less than .25 mile from what may be dangerous individuals housed in the facility. I know from first hand accounts of threats to life , urinating at the front door , and stealing which have caused the current residents of the transitional house to be banned from Rainbow Market across the highway from the home. While we're at it, the proposed structure definitely looks like a commercial building with the ADA parking and ramps. It resembles the motels from the 1960's between Watt Ave. And Fulton next to the freeway in Sacramento. Nothing like a ranch house. Inappropriate for the rural setting . The rezone to high density is also not appropriate for the area. Not along a scenic highway many tourists to the Yuba River, Downieville, Camptonville , Gold Lakes, and other beautiful areas frequent each year.*

*Please honor the agreement that was made between the County of Nevada and Eden Ranch Community. This proposal is not appropriate for this area. This project will have a negative impact on our community we have worked so hard for and poured ourselves into keeping it safe and of value.*

*Thank you for your time and consideration.*

*Bruce and Kathy Simpson*



## Information and General Services Department

### **Facilities Management**

10014 N. Bloomfield Road  
Nevada City, CA 95959  
Phone 530-470-2635  
Fax 530-265-7087

*Information Systems  
Geographic Information Systems  
Facilities Management*

*Emergency Services  
Central Services  
Cable Television*

*Purchasing  
Airport  
Library*

December 30, 2015

Sheralyn Ilg  
Eden Ranch Homeowners Association  
16974 Blue Sky Circle  
Nevada City, CA 95959

Re: County Property Adjoining Eden Ranch

Dear Sheralyn:

I am requesting some time to speak with the Eden Ranch Homeowners Association Board and residents of Eden Ranch about the proposed use of the ten acres owned by the County that is adjacent to the Eden Ranch development.

The County is proposing to install one megawatt of solar panels taking up approximately 3.5 acres of the ten acre site. The existing house will remain. The final project will include fixed solar panels, 6' chain link fence and some ground mounted interconnection equipment. The energy generated will provide credit to 50 County meters located at various locations throughout Western Nevada County.

The County has taken steps to protect the existing wetlands and drainages and has developed a management plan for these protections. The remaining 6.5 acres will remain undeveloped.

I have attached several drawings and photos of the project. Please let me know if you have any questions.

Sincerely,

Tom Coburn  
Facilities Manager  
530-470-2637  
[tom\\_coburn@co-nevada.ca.us](mailto:tom_coburn@co-nevada.ca.us)

encls.

Eden Ranch Board Meeting on January 7<sup>th</sup>, at the Rood Center, 6:30pm in the Empire Rm. (main entrance at the top of the stairs and to the right) Tom Coburn will meet with Eden Ranch Homeowners prior to a short Eden Ranch Executive Board meeting.

## APPENDIX A

# STATUTES RELATING TO THE CALIFORNIA STATE SCENIC HIGHWAY PROGRAM

## STREETS AND HIGHWAY CODE Division 1, Chapter 2, Article 2.5

### 260. LEGISLATIVE INTENT

It is the intent of the Legislature in designating certain portions of the state highway system as state scenic highways to establish the State's responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the state highway system which, together with the adjacent scenic corridors, require special scenic conservation treatment. It is further declared to be the intent of the Legislature in designating such scenic highways to assign responsibility for the development of such scenic highways and for the establishment and application of specific planning and design standards and procedures appropriate thereto and to indicate, in broad statement terms, the location and extent of routes and areas requiring continuing and careful coordination of planning, design, construction, and regulation of land use and development, by state and local agencies as appropriate, to protect the social and economic values provided by the State's scenic resources.

### 261. PLANNING AND DESIGN STANDARDS; COMPLETE HIGHWAY

The department shall establish and apply pertinent planning and design standards for development of official scenic highways. In establishing and applying such standards for, and undertaking the development of official scenic highways, the department shall take into consideration the concept of the "complete highway," which is a highway which incorporates not only safety, utility, and economy, but also beauty. The department shall also take into consideration in establishing such standards that, in a "complete highway," pleasing appearance is a consideration in the planning and design process. In the development of official scenic highways, the department shall give special attention both to the impact of the highway on the landscape and to the highway's visual appearance. The standards for official scenic highways shall also require that local governmental agencies have taken such action as may be necessary to protect the scenic appearance of the scenic corridor, the band of land generally adjacent to the highway right-of-way, including, but not limited to, (1) regulation of land use and intensity (density) of development; (2) detailed land and site planning; (3) control of outdoor advertising; (4) careful attention to and control of earthmoving and landscaping; and (5) the design and appearance of structures and equipment.

### 262. DESIGNATION OF SCENIC HIGHWAYS

Whenever the department determines that the corridor protection program for any state highway in the state scenic highway system established by this article has been implemented by local governmental agencies and a plan and program has been developed by the department for bringing the highway up to the standards for official scenic highways established by the department, including the concept of the "complete highway," as described in Section 261, the department shall designate the highway as an official state scenic highway and shall so indicate the highway in any publications of the department or in any maps which are issued by the department to the public.

The department shall cause appropriate signs to be placed and maintained along the portions of the state scenic highway system which the department has designated as official state scenic highways that indicate that the highways are official state scenic highways.

If at any time the department determines that the corridor protection program of local governmental agencies, with respect to any highway which has been designated as an official state scenic highway, no longer adequately carries out responsibility of the local governmental agencies for the protection of the scenic corridor, it may revoke the designation of the highway as an official state scenic highway and remove the signs which so indicate the highway.

**262.1 LOCATION AND CONSTRUCTION OF NEW DISTRICT FACILITY OF LOCAL AGENCY WITHIN SCENIC CORRIDOR; APPROVAL**

A local agency as defined in subdivision (c) of Section 65402 of the Government Code, shall coordinate its planning with, and obtain the approval from, the appropriate local planning agency on the location and construction of any new district facility that would be within the scenic corridor of any state scenic highway.

**263. SCENIC HIGHWAY SYSTEM; ESTABLISHMENT; COMPOSITION**

The state scenic highway system is hereby established and shall be composed of the highways specified in this article. The highways listed in Sections 263.1 to 263.8, inclusive are either eligible for designation as state scenic highways or have been so designated.

**263.1 THE STATE SCENIC HIGHWAY SYSTEM SHALL INCLUDE:**

Routes 28, 35, 38, 52, 53, 62, 74, 75, 76, 89, 96, 97, 127, 150, 151, 154, 156, 158, 161, 173, 197, 199, 203, 209, 221, 236, 239, 243, 247, 254, and 330 in their entirety.

**263.2 ADDITIONAL INCLUSIONS; PORTIONS OF ROUTES 1 TO 4**

The state scenic highway system shall also include:

- Route 1 from: (a) Route 5 south of San Juan Capistrano to Route 19 near Long Beach, (b) Route 187 near Santa Monica to Route 101 near El Rio, (c) Route 101 at Las Cruces to Route 246 near Lompoc, (d) Route 227 south of Oceano to Route 101 near Pismo Beach, (e) Route 101 near San Luis Obispo to Route 35 near Daly City, (f) Route 35 in San Francisco to Route 101 near the approach to the Golden Gate Bridge in San Francisco. (g) Route 101 near Marin City to Route 101 near Leggett.
- Route 2 from Route 210 in La Canada Flintridge to Route 138 via Wrightwood.
- Route 3 from: (a) Route 36 near Peanut to Route 299 near Douglas City, (b) Route 299 near Weaverville to Montague.
- Route 4 from: (a) Route 160 near Antioch to Route 84 near Brentwood, (b) Route 49 near Angels Camp to Route 89.

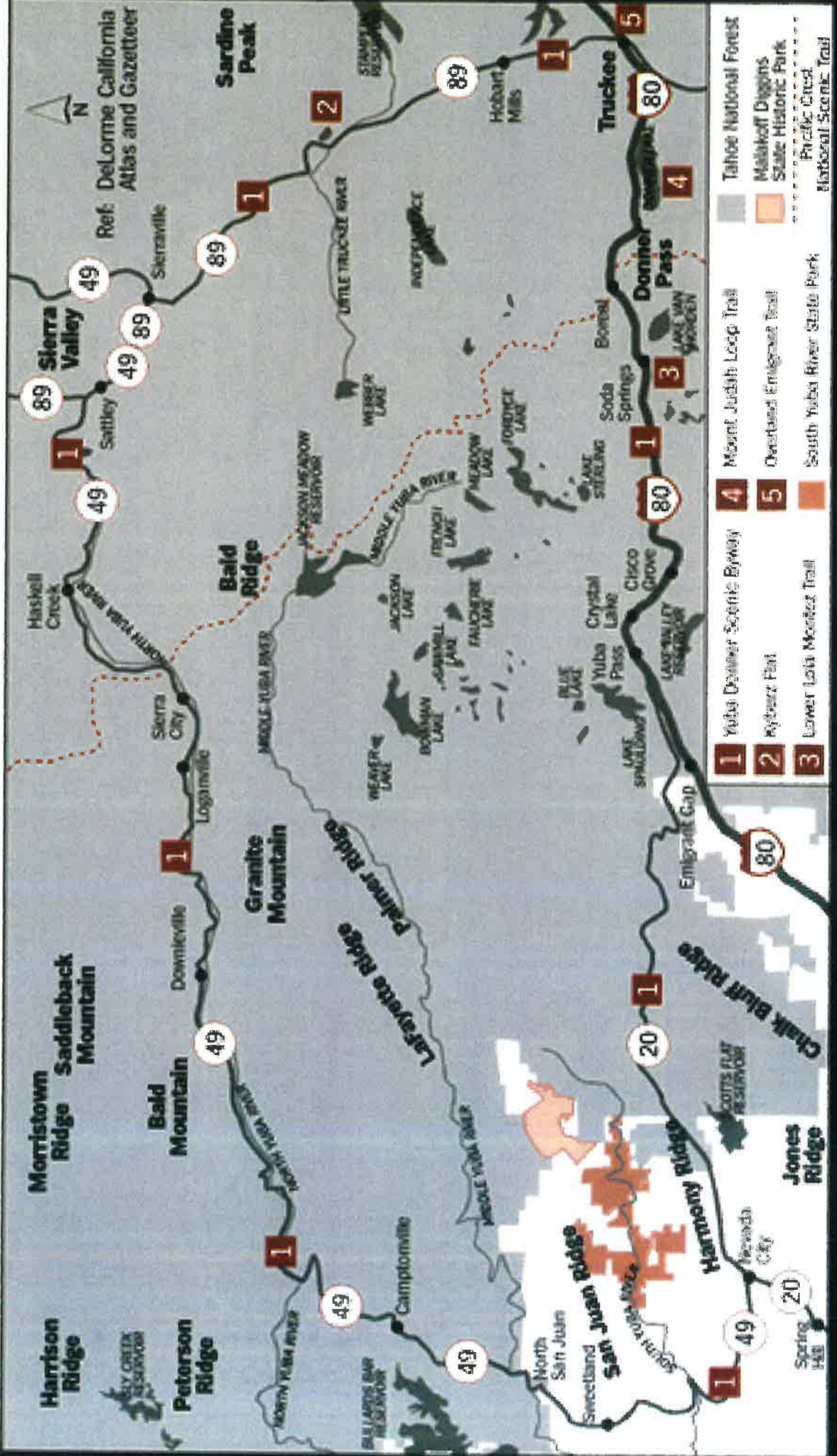
**263.3 ADDITIONAL INCLUSIONS; PORTIONS OF ROUTES 5, 8 TO 10, 12, 14 TO 18, 20, 24, 25, 27, 29, 30, 33 AND 36**

The state scenic highway system shall also include:

- Route 5 from: (a) The international boundary near Tijuana to Route 75 near the south end of San Diego Bay, (b) San Diego opposite Coronado to Route 74 near San Juan Capistrano, (c) Route 210 near Tunnel Station to Route 126 near Castaic, (d) Route 152 west of Los Banos to Route 580 near Vernalis, (e) Route 44 near Redding to the Shasta Reservoir, (f) Route 89 near Mt. Shasta to Route 97 near Weed, (g) Route 3 near Yreka to the Oregon state line near Hiits.
- Route 8 from Sunset Cliffs Boulevard in San Diego to Route 98 near Coyote Wells.
- Route 9 from: (a) Route 1 near Santa Cruz to Route 2 near Boulder Creek, (b) Route 236 near Boulder Creek to Route 236 near Waterman Gap, (c) Route 236 near Waterman Gap to Route 35, (d) Saratoga to Route 17 near Los Gatos, (e) Blaney Plaza in Saratoga to Route 35.
- Route 10 from Route 38 near Redlands to Route 62 near Whitewater.
- Route 12 from Route 101 near Santa Rosa to Route 121 near Sonoma.
- Route 14 from Route 58 near Mojave to Route 395 near Little Lake.
- Route 15 from: (a) Route 76 near the San Luis Rey River to Route 91 near Corona, (b) Route 58 near Barstow to Route 127 near Baker.
- Route 16 from Route 20 to Capay.
- Route 17 from Route 1 near Santa Cruz to Route 9 near Los Gatos.
- Route 18 from Route 138 near Mt. Anderson to Route 247 near Lucerne Valley.
- Route 20 from: (a) Route 1 near Fort Bragg to Route 101 near Willits, (b) Route 101 near Calpella to Route 16, (c) Route 49 near Grass Valley to Route 80 near Emigrant Gap.
- Route 24 from the Alameda-Contra Costa county line to Route 680 in Walnut Creek.
- Route 25 from Route 198 to Route 156 near Hollister.
- Route 27 from Route 1 to Mulholland Drive.

# Yuba Donner Scenic Byway

This 160-mile loop of highways crosses the Tahoe National Forest and extends into four Sierra Nevada counties.



## Kyle Smith

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**From:** Sue & Jeff Thomsen <yipyap0702@att.net>  
**Sent:** Friday, October 21, 2022 4:42 PM  
**To:** Planning  
**Subject:** Ranch House Project Comment

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October 21, 2022

Kyle Smith, Senior Planner  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959

To: Nevada County Planning Commission

We are opposed to the project PLN21-0311; RZN21-0004; CUP21-0006; EIS22-0009. Re-zoning this site to allow for higher density housing will lead to more traffic congestion on a Narrow Major Emergency Evacuation Route HWY 49, and the continued erosion of our already limited water supplies and agricultural setting.

Should this project be approved, we are requesting that a Special Condition be added to the project plan. **All Units Will Be Reserved for Unhoused Families.**

This would specifically support our Nevada County Families and our Children in most need.

Respectfully,  
Sue D. Thomsen  
Jeffrey F. Thomsen

## Kyle Smith

---

**From:** Curtis Haynes <curth\_09@sbcglobal.net>  
**Sent:** Sunday, October 23, 2022 9:31 PM  
**To:** Kyle Smith  
**Subject:** Combined Ranch House Rezone & Residential Development

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Hello Kyle,

I would like to comment on the proposed Ranch House Rezone and building residence development.

I am a home owner residing close to Newtown road and in proximity to the proposed project located at 16782 state highway 49 in Nevada City.

I am very concerned about the community and public safety that does not appear to have been addressed thus far within this project.

What are the guidelines for the proposed inhabitants of the behavioral residential development and how is the planning commission evaluating public safety and community safety concerns as related to this planned development?

Of further concern is the effect(s) that the "re-zoning" of property will have to current and future property taxes and land values in this area.

I believe the rezoning and residential build will also have a negative impact on the neighborhoods around this location and the community as a whole and object to the proposed rezoning and residential development build for this site location.

I appreciate your assistance in reviewing these concerns,

Sincerely,

Sincerely,  
Curtis Haynes

Sent from [Mail](#) for Windows



October 19, 2022

Kyle Smith, Senior Planner  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959

Dear Kyle Smith:

We're opposed to the project: PLN21-0311; RZN21-0004; CUP21-0006; EIS22-0009.  
Re-zoning this site to allow for higher density housing will lead to (even) more traffic on  
HWY 49 and Newtown Road, and a continued eroding to our already limited  
agricultural setting in the proposed area.

Respectfully,



Jeffrey F. Thomsen  
Sue D. Thomsen



From: Bruce and Kathy Simpson  
16749 Oak Hollow Circle  
Nevada City, CA 95959

To : Kyle Smith  
Senior Planner  
Nevada County Planning Dept.  
Re: Ranch House Proposal



Please bear with me as I feel strongly about the Ranch House Proposal. My wife Kathy and I are part of a cooperative home building development that was built in 1999 near the county owned transitional house at 16782 Hwy. 49.

As our fellow neighbors we have invested a lot of hard work and pride of ownership in our homes. This being said, our quality of life and property values are important to us. The proposed project is a direct threat to that. The residents of the new project neither work towards or own the property they would live on. No motivation to keep it looking attractive is there for them. They are not invested.

Highway 49 is a Scenic Byway and is travelled by many each and every day including a lot of car clubs, motorcycles, and visitors to the Yuba and the quaint

towns further away. To allow a high density housing project in this location would be a blight on a country setting. It will be right in view of all who pass by.

Gross. The county already has impacted our viewshed with a solar field and now apartments? Totally out of place and not with the country rural flavor that exists now. That area is also part of a natural wetland and would be negatively impacted by further development. The county has required all other developers and home builders to adhere to standards set to protect the rural atmosphere and now will abandon their efforts to allow this blister on a ranch like area. What an eyesore it will be, a box next to the highway.

When the county approached our neighborhood years back as to what our input on the development of their newly aquired,( through lien sale) property it was either a county yard, transitional housing, or solar field, we all chose solar field due to less impact on our neighborhood. Now the county is trying to slip an apartment in? Not the right fit at all.

Your support of our neighborhood would be greatly appreciated and if you protect this area now , it will not fall victim to overdevelopment which is so easy nowadays.

The notification on this project is a short 31 days expiring Oct. 24 , to file a letter of disapproval and the public meeting is after the deadline ??? on Oct. 27. How is this enough time for homeowners to respond. Seems like no environmental impact has been filed either. This is all suspicious as a fast track project.

Thanks again for your consideration, even if you don't agree.

Bruce and Kathy Simpson  
16749 Oak Hollow Circle,  
Nevada City, CA 95959

Handwritten signatures of Bruce and Kathy Simpson in blue ink. The signature for Bruce is above the signature for Kathy. Both signatures are cursive and stylized.

## Kyle Smith

---

**From:** Douglas Hastings <hastingsdl1@gmail.com>  
**Sent:** Monday, October 24, 2022 12:32 PM  
**To:** Kyle Smith  
**Subject:** Ranch House Rezone and conditional use permit at 16782 state highway 49, Nevada City, CA

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To Kyle,

WOW!! You guys are so smart!!! First a few years ago you bought land near The Willo restaurant to put the county vehicles, shop, storage, repair shop etc etc on. Than you changed your mind and bought another parcel you claimed was better than the first parcel off highway 49 near Newtown road. Due to the property being marsh land you were able to put up solar panels but no building was allowed. Now you want to spend our taxpayer money to rezone this property to put in six one bedroom apartments that will be near The Willo restaurant. What happened to it being marshland that cannot be built on? These six one bedroom apartments will be for behavioral health (homeless people). I guess you didn't know that The Willo is also a liquor bar? And of course most homeless people and behavioral health people have addiction issues to alcohol, drugs or both which will now be very convenient for them as most of them do not own cars and they walk most of the time or bum rides from the rest of us. Most people are afraid of them especially women and as my wife and I are elderly I know I will be very concerned for our safety living in this area with a unit such as that so close to us. These people usually smell very bad, swear alot and talk nasty which embarresses anyone that attempts to help them, I know I've tried. I am opposed to this Ranch house rezone at 16782 state highway 49 in Nevada City at parcel number 004-140-067.

Thank You, Douglas Hastings, resident of Nevada City off Newtown Road.

## Kyle Smith

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**From:** Brenda Haynes <haybrendab@gmail.com>  
**Sent:** Monday, October 24, 2022 2:41 PM  
**To:** Kyle Smith  
**Subject:** Concerning the Proposed Ranch House and Residential Behavioral Housing

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Hello Kyle,

I am a homeowner residing near Newtown road and close to the proposed project located at 16782 state highway 49 in Nevada City.

I am very concerned about the community and public safety issues resulting from this project. What are the guidelines for the proposed inhabitants of the behavioral residential development and how is the planning commission evaluating public safety and community safety concerns as related to this planned development?

I believe the rezoning and residential build will have a negative impact on the neighborhoods around this location and the community as a whole and the "re-zoning" of property will have be detrimental to current and future property taxes and land values of current and future nevada county citizens located in this area.

Due to these and other issues not addressed, I object to the proposed rezoning and residential development build for this site location.

Thank you for reviewing these concerns,

Sincerely,  
Brenda Haynes

## Kyle Smith

---

**From:** thewillo <mike@thewillo.com>  
**Sent:** Monday, October 24, 2022 4:39 PM  
**To:** Kyle Smith  
**Subject:** Re: Ranch house rezone , 16782 highway 49,Nevada City

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> On Oct 24, 2022, at 4:29 PM, thewillo <mike@thewillo.com> wrote:

>

> Dear Kyle,

>

> Please be advised that my wife and I are opposed to the rezoning and conditional use permit for this property.

> Although this is located on a 10.45 acre parcel the proposed 6units

> are confined to a .60 acre building site. The balance of the parcel is occupied by an ugly county owned solar field.This hardly meets the spirit of a 1.5 acre minimum per unit.

> It is in fact a stretch of some lawyers imagination. The county would

> never allow a developer such a loose interpretation of a zoning

> regulation. In fact, the county had previously denied former owners from developing the entire 10.45 acres due to it being on a wetlands area. Since the county has obtained this parcel they have ignored the wetlands. This in fact is the headwaters of Rush Creek.

> The community was stunned at the development of the solar field and now you propose to impact our community with a half way house.

> The existing tenants of the ranch house have been a continual trouble

> source, especially at the Rainbow Market. Some of the tenants have

> been observed walking past the Willo Restaurant and down Newtown to a known drug house located adjacent to the solar field.This drug house will make obtaining drugs for the proposed tenants a breeze.

> This project is located next door to The Willo parking lot. What kind of security do you propose to protect our customers and their vehicles?

> We have caught current residents pan handling and harassing our customers.

> This project needs to be located in a more secure area that actually

> does meet zoning regulations instead of manipulating the zoning rules to accommodate this location.

>

>

> Sincerely,

>

>

>

> Michael Byrne and Nancy Wilson

> The Willo

> 16898 Highway 49

> Nevada City, Ca. 95959

>

>

## Kyle Smith

---

**From:** thewillo <mike@thewillo.com>  
**Sent:** Monday, October 24, 2022 4:51 PM  
**To:** Kyle Smith  
**Subject:** ranch house rezone

CAUTION: This email is from an external sender. If you are not expecting this email or don't recognize the sender, consider deleting.

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Kyle

An additional thought occurred to us.

How would a septic system be installed to accommodate 6 units in a wetlands area or does the county intend to ignore that as well?

Michael Byrne and Nancy Wilson  
The Willo



## Kyle Smith

---

**From:** Michael Taylor <mjt4you@gmail.com>  
**Sent:** Monday, October 24, 2022 4:58 PM  
**To:** Kyle Smith  
**Cc:** Brian Foss; Mike Dent; Rob Choate; Sean Grayson; Amy Wolfson; Planning  
**Subject:** PLN21-0311; RZN21-0004; CUP21-0006; EIS22-0009

**CAUTION:** This email is from an external sender. If you are not expecting this email or don't recognize the sender, consider deleting.

**Do not click links or open attachments unless you recognize the sender and know the content is safe.** If you have more questions search for Cybersecurity Awareness on the County InfoNet.

Good afternoon,

I'm writing in response to the County's notification that 16782 State Highway 49, Nevada City, CA 95959 is up for rezoning as well as land use changes.

It's my understanding that sometime in the mid 2000's Mike Dial purchased this property with the intent of doing a 4 lot split. Mike had perc and mantles done for 4 separate single family residences and for reasons unknown to me he didn't move forward with splitting the property into 4 separate parcels. Sometime in 2011 after these perc and mantles were done, the property was purchased by Nevada County from Mike Dial's trust. This was the same year the County sold the HEW (Health Education and Welfare) building just outside Nevada City. My understanding is the County purchased this property from Mike Dial's trust with the intention of consolidating County offices on the property including HEW (health, education and welfare) and behavioral health.

Shortly after purchasing the property, public works moved thousands of yards of material to the north and east side of the property within a 30 foot setback, placing it in berms/mounds. Shortly thereafter it was covered with black polymer plastic which is consistent with the covering of contaminated soil; the normal process for covering uncontaminated soil is to use seed, straw, and waddle. It's my understanding that because the soil was temporarily being placed, normal building codes and ordinances for placing this soil permanently were neither enforced nor have been done to code to date. After reviewing the Ranch House Notice of Availability and Initial Study, there seems to be no mention of this soil in the environmental report nor is it shown on the Ranch House Rezone and Conditional Use Permit Notification Map.

At some point, the County must have rezoned a large portion of this property for the large commercial solar field located near or over seasonal headwaters and wetlands (notably, Rush Creek and the South Yuba River). The first year after the County acquired the property and installed the commercial solar system, they were using sheep and goats to maintain the native vegetation. Shortly after, however, the County started using Roundup to kill the native vegetation on this once pristine pasture in the fenced area of the solar field. Information about vegetation control also wasn't included in the environmental report. The location where the County now wants to install a large septic system is well within the setbacks of the seasonal wetlands and this is also not demonstrated within the environmental report.

All that said, I believe there are a number of issues that need to be addressed before this property is considered for rezone and before it has its land use changed. Notably:

- 
-

- The berms/mounds of soil that were placed on the north and east side of the property within the 30 foot setback
- are blocking the natural flow of drainage from east to west through the natural headwaters and wetlands to Rush Creek then to the South Yuba River.
- 
- 
- 
- The building footprint setbacks aren't far enough away from local wetlands and industrial PG&E transformers.
- 
- 
- 
- The property is nearly flat in the middle, slightly sunken in, and holds water in a significant portion of it when it rains consistently, which supports the wetlands area of this property.
- 
- 
- 
- The project is in the Nevada City sphere of influence and I'm not aware that Nevada City has approved this rezone and use.
- 
- 
- 
- The re-use doesn't seem to be taking into consideration the fact that this project isn't just six individual residences,
- it's six residences *for behavioral health*
- with a centralized septic system, which will likely make it a commercial and/or medical building, and the County isn't currently asking for Commercial zoning.
- 
- 
- 
- The County didn't properly notify residents adjacent to the property of this land use change, most importantly
- of which is a the day care within 1,000 feet, that these six 1-bedroom residences were planned to be used for behavioral health clients, which could include people that have to register (as a sex offender or otherwise).
- 

Before the rezone and re-use is approved, I'd like to formally request:

- 1.
- 2.
3. The County properly deals with the thousands of yards of berms/mounds of soil on the north and east side of the
4. property within the 30 foot setbacks, ensuring they're dealt with to code because this is an existing and current code violation.
- 5.
- 6.
- 7.
8. A new soil analysis and perc and mantle be conducted to current building codes, which now differ from the way
9. the perc and mantles were done when they were last conducted on this property as contracted through Mike Dial, because simply recertifying them is not adequate for a state-approved centralized septic system.

- 10.
- 11.
- 12.
13. Nevada City sign off on this as part of the sphere of influence.
- 14.
- 15.
- 16.
17. Another environmental impact study be conducted after significant rains to re-verify overall impact, which I would
18. like to see include a detailed topographical map of the project
- 19.

In closing, I'd also like to request that I be notified of all public meetings with rezone land use design as well as any public meetings related to this project. If possible, I'd also like to receive future information about any/all environmental reviews conducted of the property. I'm particularly interested in learning more about the traffic and impact study for the 5 additional residences and the approval from the state for a centralized septic system, since the property was originally zoned as a single family residence.

Thank you for your time and consideration.

Kind regards,  
Michael



Michael J Taylor  
Mobile: 530.559.9697  
Google: 530.362.4162

M.J.T. Builders: [mjtcontracting.com](http://mjtcontracting.com)  
Villa Tirta Indah: [villatirta.com](http://villatirta.com)

**EDEN RANCH HOMEOWNERS ASSOCIATION**

October 18, 2022

To: Kyle Smith, Senior Planner, Nevada Co. Planning  
Nevada County Planning Department,  
950 Maidu Avenue  
Suite 170  
Nevada City, Ca 95959



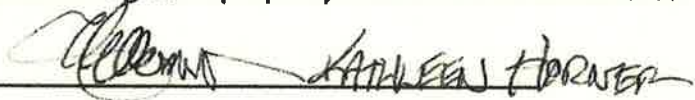
Dear Kyle Smith;

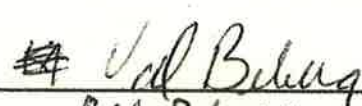
The community of Eden Ranch, which includes over 20 families, would like to express some concerns about the rezoning of the property off of Hwy. 49, to facilitate the construction of an apartment unit, which would include 6, 1-bedroom apartments. It is our understanding that this construction of said apartments are for the sole purpose of housing at a minimum 2 individuals per bedroom.

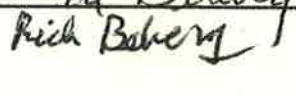
We have concerns regarding our community's safety, as well as concerns regarding increased traffic off of Hwy 49. Our community is a single-family housing community and our homeowners have an interest in maintaining property values. At the time that our properties were purchased, it was our understanding that the area is not zoned for multiple family housing. The esthetic of our community is dependent upon the low impact to the surrounding environment.

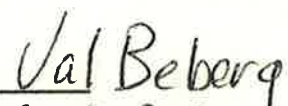
In addition, the area is a watershed area, and how will the area be impacted by a multiple family apartment building. What kind of septic will be constructed for the facility?

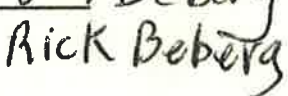
In conclusion, our community has many concerns, as well as many unanswered questions regarding the development. Our community is very much opposed to this construction and hope that our rights as property owners will be considered.

  
\_\_\_\_\_  
KATHLEEN HORNER

  
\_\_\_\_\_  
Val Beberg

  
\_\_\_\_\_  
Rick Beberg

  
\_\_\_\_\_  
Val Beberg

  
\_\_\_\_\_  
Rick Beberg

Anders & Lisa Drageset  
~~AAA~~ ~~Handwritten signature~~

Ari Morgan ~~Handwritten signature~~

Paul Hindt ~~Handwritten signature~~

~~Handwritten signature~~

Kathy Simpson ~~Handwritten signature~~

MARK STEVENSON ~~Handwritten signature~~

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

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
(530) 265-1222 FAX (530) 265-9851 <http://mynevadacounty.com>


Trisha Tillotson  
Community Development Agency Director

Brian Foss  
Planning Director

**MEMORANDUM**

November 10, 2022

**TO:** Nevada County Planning Commission

**FROM:** Kyle Smith, Senior Planner 

**HEARING DATE:** November 10, 2022

**SUBJECT:** **PLN21-0311; RZN21-0004; CUP21-0006; EIS22-0009**

Dear Planning Commissioners,

For your review and consideration, the enclosed comments were received from members of the public after the continuance of the Planning Commission Hearing on October 27, 2022. Comments include concerns regarding a variety of topics including historical activity and violations of code on the subject property, current code violations, impacts to wetlands, and interactions with tenants. Many of the issues identified in comment letters have been adequately addressed in the Initial Study/Mitigated Negative Declaration, Staff Report, and previous Memorandum to the Planning Commission for this project. However, staff have identified specific comments that relate to the Planning Commission's review, described below to provide increased clarity:

**Historical Parcel Activity:**

Comments were received which expressed concern that previous grading activity on the subject parcel occurred without a permit. The Nevada County Code Compliance Department inspected the property for the alleged violations of unpermitted grading and its associated water diversion with setback violations, and found Grading permit 11001376 was issued in 2011 for the graded berm along the southern east portion of the property when looking at a map. This permit was later revised to add the berm along Hwy 49 which can be recognized as a north east side on a map. Any setback and water diversion flow concerns would have been addressed in the grading permit as typical protocol as required by the Nevada County Land Use and Development Code. The permit was finalized in 2016 for the graded berms and the alleged allegations were determined to be unfounded.

**Current Code Violations:**

Comments were received which expressed concern about a potential current violation of use for the zoning exists and surfacing sewage from the existing septic system. The Nevada County Code Compliance Department inspected the property for the alleged violations of use for the zoning and surfacing sewage from the septic and found the property is zoned as Residential Agricultural (RA). The parcel is developed with a single-family residence used as permanent supportive housing.

Pursuant to Nevada County Land Use and Development Code Section L-II 2.2.1.B, this use is allowed subject to zoning compliance and building permit issuance. As a result, no current use violation exists.

With the permission of the onsite resident, Nevada County Code Compliance Department staff walked the property and inspected the septic tank and leach field area as indicated by the reporting party. During the inspection, Code Compliance Department staff saw and smelled no evidence of surfacing sewage and determined the alleged violations are unfounded.

**Wetlands:**

Multiple comments were received which expressed concern about potential impacts to existing wetland areas located on the project site. According to the project biologist and previously approved projects, wetlands do exist on the site and impacts to these areas will be entirely avoided through project design. In order to mitigate impacts to the intermittent stream also located on the property, Conditions of Approval A.13 through A.16 (Mitigation Measures 4A through 4D are included to ensure any potential impacts are reduced to less than significant levels. Please see Sections 4 and 10 of the Draft Initial Study/Mitigated Negative Declaration prepared for this project, and the Biological Resources Section of the Project Staff Report for additional information and discussion.

The balance of the comments received expressed concern about issues outside the scope of the Land Use and Development Code, but have been included in the record for review by the Planning Commission. No comment letters identified deficiencies with the environmental review which would require substantial revisions that would require recirculation pursuant to CEQA and Guidelines.



**COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY**

950 MAIDU AVE, SUITE 170, PO BOX 599002 NEVADA CITY, CA 95959-7902  
OFFICE: 530-265-1222, OPTION 4 -- EMAIL: CODECOMPLIANCE@CO.NEVADA.CA.US  
www.mynevadacounty.com/176/Community-Development-Agency

Planning Department  
Fax (530) 265-9851

Environmental Health  
Fax (530) 265-9853

Building Department  
Fax (530) 265-9854

Code Compliance  
Fax (530) 265-9851

Agricultural Commissioner  
Fax (530) 273-1713

**INVESTIGATION SERVICES REQUEST**

DISPATCHED  
11/27/2022

OCF 27 2022

Community Development  
Agency

**Violation Location and Property Owner Information:**

Street Address of Violation: 16782 State Highway 49

City: Nevada City

Name of Property Owner: Nevada County

Phone Number: 530-265-1218 Assessor's Parcel Number (APN): 004-140-067

For issues in the incorporated cities please use the following contacts:  
City of Grass Valley 530-274-4310 • City of Nevada City 530-265-2496 • City of Truckee 530-582-2919

Complaint Types: Check categories that apply **AND** include details in space provided below.

- Building** a structure without a permit
- Business Related Signs**
- Grading or diversion of water flows** without permit
- Home Based Business** - Commercial uses in a residential zoning district
- Inoperable or Junk Vehicles**
- Lack of final inspection**, using an unfinished or non-approved building
- Living in Motor Home/Travel Trailer/ Recreational Vehicle**
- Other dangerous or un-permitted construction** (specify below)
- Use permit, zoning, or other planning violations**
- Site development, setback violations (the County does not enforce easement disputes)**
- Septic system violations** (check one)
  - No system present
  - Surfacing sewage
  - Unpermitted system installation
- Solid waste accumulation:** trash, junk, and debris
- Unsafe dwelling, Dangerous building**

The Nevada County **Environmental Health Department** responds to complaints about environmental conditions at restaurants, temporary food facility events (street fairs, festivals, etc.), public swimming pools in addition to hazardous material spills, improper storage, underground tanks or illegal dumping. Please contact them directly for environmental issues at 530-265-1222 or <http://www.mynevadacounty.com/nc/cda/eh/Pages/File-a-Complaint.aspx>

**DESCRIBE THE VIOLATION IN YOUR OWN WORDS: (specific details required)**

Please see letter attached.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



All complaints must be filled out completely and SIGNED by the reporting party.

Please complete the vicinity map.

LOCATION OF VIOLATION(S)

UCT 27 2022

All of these violations are taking place at 16782 State Highway 49, Nevada City, CA 95959. For additional reference, the Ranch House Rezone and Conditional Use Permit Notification Map is attached.

Records of complaints are considered "acquired in confidence" consistent with Section 1040 Of the Evidence Code and Section 6254 of the Government Code.

YES, I request that my identity as complainant be kept CONFIDENTIAL.

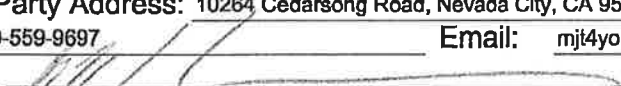
In submitting this complaint, I understand that Page 1 of this form is public record; Page 2 will remain confidential unless the County or a court determines that the disclosure of the reporting party identified is legally required.

NO, I do not request that my identity as the complainant be kept confidential.

For case status, call 530-265-1222 (option #4). Please allow 4-6 weeks from date of submittal.

**REPORTING PARTY INFORMATION (REQUIRED)**

PLEASE PRINT THE FOLLOWING:

Reporting Party Name: Michael Taylor  
Reporting Party Address: 10264 Cedarsong Road, Nevada City, CA 95959  
Phone: 530-559-9697 Email: mjt4you@gmail.com  
Signature:  Date: 10/27/2022

**This request will not be processed if not SIGNED and if the REPORTING PARTY NAME is not LEGIBLE.**

Incomplete or insufficient information may delay or stop this investigation.

For additional information on Code Compliance please visit our website:  
<http://www.mynevadacounty.com/nc/cda/code/Pages/Home.aspx>

**Michael James Taylor**

10264 Cedarsong Road

Nevada City, CA 95959

mjt4you@gmail.com

530-559-9697

REC'D  
OCT 27 2022

County of Yuba  
Agents

**Thursday, October 27, 2022**

To Whom It May Concern,

I'm writing this letter today to formally request that a private investigator independent of Nevada County look into the potential violations at 16782 State Highway 49 in Nevada City, CA. I'm making this request because the current Director of CDA, who oversees Code Compliance, was the Director of Public Works when thousands of yards of material were placed temporarily on the north and east sides of the property within a 30 foot setback.

Below you will find descriptions of each violation in my own words.

**Grading or diversion of water flows without permit:**

- There are thousands of yards of material that were placed temporarily on the north and east sides of property within a 30 foot setback, not following county building code and violations, which are diverting water from its natural flow to headwaters of Rush Creek and the South Yuba River as well as natural wetlands located on property.

**Use permit, zoning, or other planning violations:**

- The County never rezoned this property to accommodate multifamily occupancy nor behavioral health clients that have special needs. The current land use is for single family residence use only.

**Site development, setback violations (the County does not enforce easement disputes):**

- Public works placed thousands of yards of material on the north and east sides of the property within a 30 foot setback.

**Septic system violations (Surfacing sewage):**

- On the west side of the residence on the property, sewage appears to be surfacing from evidence of vegetation thriving over the septic system in an area that appears to be in or near wetlands.

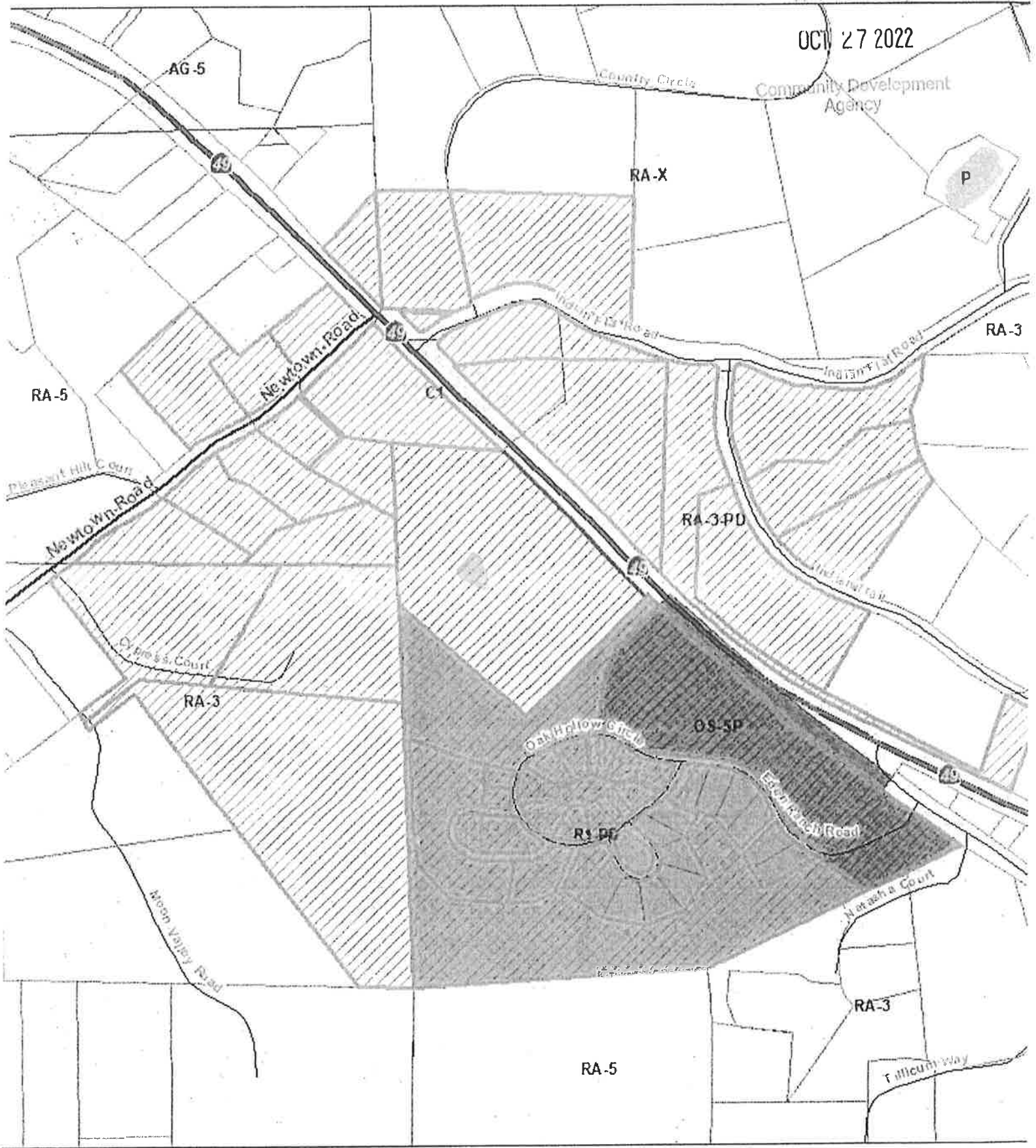
These accusations are serious and I feel strongly that they need to be investigated by a non-bias party. Thank you for your time and consideration.

Respectfully,  
Michael Taylor

# Ranch House Rezone and Conditional Use Permit Notification Map



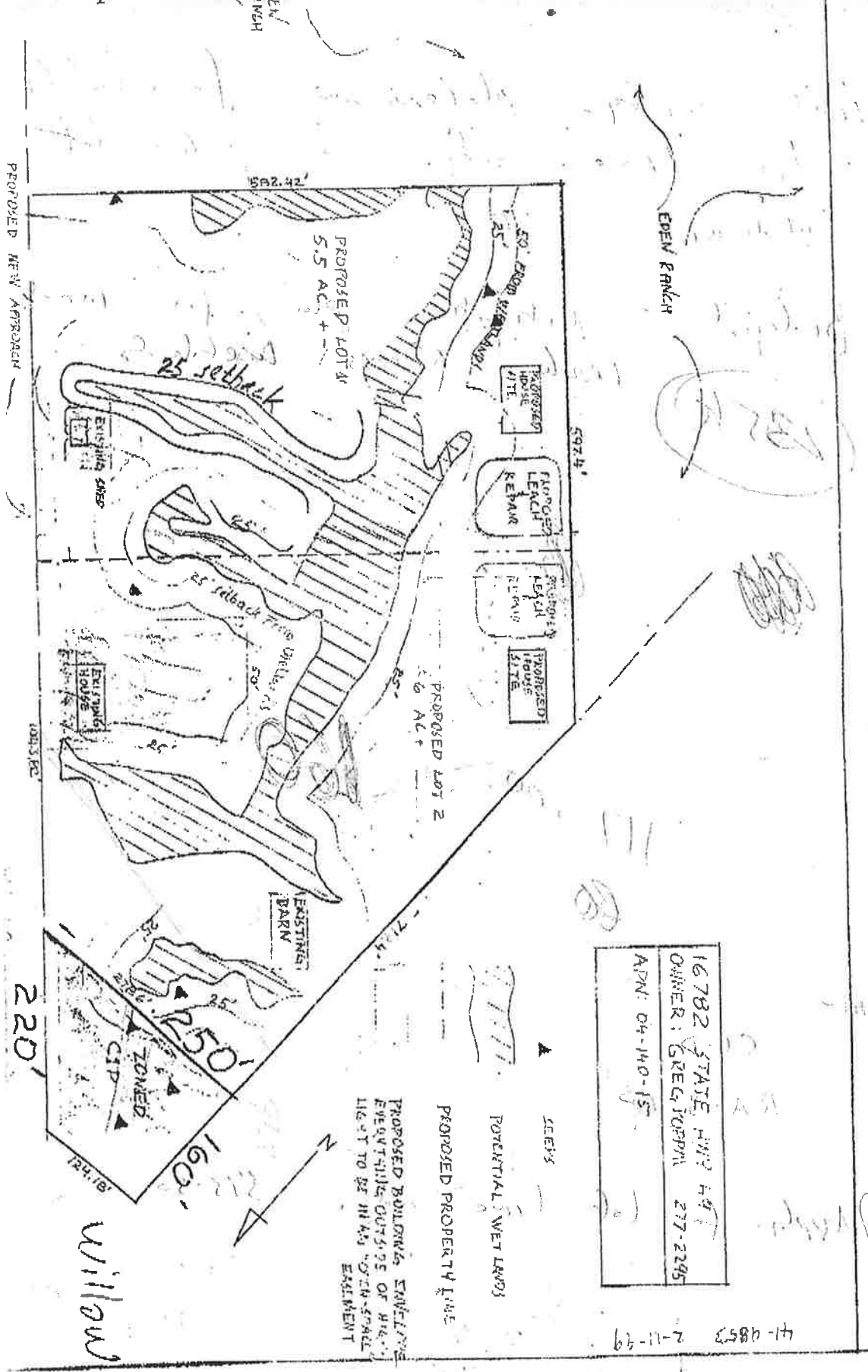
OCT 27 2022



- Legend**
- Noticed Parcels
  - Subject Parcel



KE FAX: 346-6554  
 g Toppin PHN 277-2295



16782 STATE HWY 497  
 OWNER: GREG TOPPIN 277-2295  
 APN: 04-140-15

41-4853 2-11-99

PROPOSED NEW APPROACH

220'

Willow

# 04-1



**DEPARTMENT OF ENVIRONMENTAL HEALTH**  
**MEMORANDUM**

**DATE:** April 26, 2002  
**TO:** Kai Luoma, Associate Planner  
**FROM:** Dave Presta, Environmental Specialist III  
**RE:** PA02-006; Greg Poppin, APN 04-140-15

**RECEIVED**

APR 26 2002

NEVADA COUNTY  
COMMUNITY DEVELOPMENT AGENCY

**BACKGROUND**

This is a pre-application review of a proposal to subdivide an 11.53 acre parcel into three separate residential lots and one commercial lot. Water supply is to be treated piped water. Sewage disposal is by on-site sewage disposal. Environmental Health Department (EH) files were examined for this review. Environmental Health records indicate the soils work performed on proposed lot #4 has not demonstrated a sufficient sewage disposal area to support approval of the creation of this lot. The Site Evaluation Reports for the soils work performed February 11, 1999 and April 5, 2002 have not been submitted to Environmental Health. Soils testing to demonstrate the 100% sewage disposal repair area for the existing dwelling has not been performed. There are no records of hazardous materials violations for this parcel. There is an open, unresolved solid waste complaint on this parcel

**CONCLUSIONS**

Additional soils testing to demonstrate sufficient minimum usable sewage disposal areas for all of the proposed lots is required. The existing solid waste complaint must be remediated.

It is recommended the following be submitted with the use permit application:

**Water Supply**

- Submit a "Water Availability" letter from the appropriate public agency supplying water to the area in which the proposed parcels are located. If applicants are unable to obtain treated water service it will be necessary to comply with Chapter X, Article 4 "Water Availability For Division Of Land", of the Nevada County Land Use and Development Code.

**Sewage Disposal**

- Conduct additional on-site soils evaluations (OSSE) and submit a site evaluation report for the on-site sewage disposal systems proposed for each lot. Comply with all provisions of the Nevada County Land Use & Development Code, Individual On-Site Sewage Disposal Regulations, Section A-36: Land Development Requirements.

**Hazardous Materials**

- Submit the Hazardous Materials/Waste Statement and Hazardous Waste Site Identification.

**Solid Waste**

- Contact the Environmental Health Department solid waste specialist at 265-1469 to resolve the existing solid waste complaint and submit official notification that the complaint is abated.

## Kyle Smith

---

**From:** maureen maloney <mkmaloney8@hotmail.com>  
**Sent:** Thursday, October 27, 2022 9:37 AM  
**To:** Planning  
**Subject:** Fwd: Ranch house redone at 16782 Hwy 49

**CAUTION:** This email is from an external sender. If you are not expecting this email or don't recognize the sender, consider deleting.

**Do not click links or open attachments unless you recognize the sender and know the content is safe. If you have more questions search for Cybersecurity Awareness on the County InfoNet.**

Sent from my iPhone

Begin forwarded message:

**From:** maureen maloney <mkmaloney8@hotmail.com>  
**Date:** October 26, 2022 at 10:15:14 PM PDT  
**To:** planning@nevadacounty.ca.gov  
**Subject:** Ranch house redone at 16782 Hwy 49

To Kyle Smith

I am Maggie Maloney and own the property across the street from this proposed project of building multi unit facility for behavioral health clients. We strongly oppose this project. The number one reason is because we have had many problems with the current clients.

We have been very accommodating to them often helping them and feeding them. Our most recent problem was with a client that came in to our store and threatened to kill our employee repeatedly. A 67 year old woman who was severely traumatized. We have tried contacting behavioral health for many issues with no response. We have lost employees and customers because of it. We also have two rentals and feel we have to disclose the house for their safety. This has cost us a lot financially.

Reason two- We were going to buy that property from the original owners in the late 1990's and when we researched it with the county we were told that the property was wetlands and couldn't be developed.

Those are my top two grievances but we have many more.

Please reconsider your plans.

As the county has told us many times our property is in the sphere of influence to the historic district.

Maggie Maloney  
Jeff Rutherford

Sent from my iPhone

## Kyle Smith

---

**From:** Kayrene Miller1 <kayrenemiller1@gmail.com>  
**Sent:** Thursday, October 27, 2022 4:16 PM  
**To:** Planning  
**Subject:** 16782 State Highway 49

**CAUTION:** This email is from an external sender. If you are not expecting this email or don't recognize the sender, consider deleting.

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To Kyle

We are home owners on Indian Flat Road

I have several concerns regarding the development of the 6 unit complex. The residents that currently live in the house are always crossing the street to go the Rainbow Market . I have had several encounters of almost hitting them. There is no cross walk, stop light. I think it's super dangerous. My understanding this will be for mentally ill residents I am extremely worried about crime , traffic and drug use. We are not in city limits and it seems like this project would suit somewhere in town where there is more resources for the residents. I disagree with development. Please consider a different location.

Thank You,  
Kayrene Byrne

## Kyle Smith

---

**From:** Michael Taylor <mjt4you@gmail.com>  
**Sent:** Monday, October 31, 2022 9:56 AM  
**To:** Kyle Smith  
**Cc:** Mike Dent; Rob Choate; Alison Lehman; Caleb Dardick  
**Subject:** New Environmental Report-Ranch House

CAUTION: This email is from an external sender. If you are not expecting this email or don't recognize the sender, consider deleting.

Do not click links or open attachments unless you recognize the sender and know the content is safe. If you have more questions search for Cybersecurity Awareness on the County InfoNet.

Good Morning Kyle,

In light of, lots of new information you recently received from concern citizens in reference to developing Ranch House property I am formally requesting that a new environmental report is prepared by someone independent of Nevada County Planning. I believe it is a conflict of interest that the developing party is also the same party preparing the environmental report.

Your environmental report does not accurately represent the wetlands history or the multiple citations associated with this properties history prior to Nevada County obtaining it and afterwards with the temporary storage of thousands of yards of material in a 30' setback, the installation of a massive solar field, and vegetation management with round up over the wetlands and headwaters to Rush Creek and the tributary for South Yuba River.

I know this is not your department, but I will follow up with the County in reference to an independent person investigating my civil complaint provided to you and forwarded to CDA code compliance.

Please inform me if the county agrees to prepare a new environmental report or not.

Kind Regards,

Sent from my iPhone