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COMMUNITY DEVELOPMENT AGENCY
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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: January 26, 2016

TO: Board of Supervisors

FROM: Brian Foss, Planning Director

SUBJECT: Resolutions and Ordinances approving countywide Business Park Land Use Amendments, Rezoning, General Plan and Zoning Text Amendments.

ATTACHMENTS

1. Draft Board Resolution for EIS15-012/Initial Study and Proposed Negative Declaration
 2. Draft Board Resolution for GP15-002 General Plan Land Use Map Amendments
 3. Draft Ordinance for Z15-003 and Rezone Maps
 4. Draft Board Resolution for GP15-003 General Plan Text Amendments
 5. Draft Ordinance for ORD15-002 and Zoning Ordinance Text Amendments
 6. Owners, Addresses, and Assessor Parcel Numbers
 7. Zoning, Vicinity & Public Notice Maps
 8. Business Park Site Analysis
 9. Public Comments
 10. November 19, 2015 Planning Commission Draft Meeting Minutes
 11. Board Order BO-14-02
 12. Redlined Draft Resolution (GP15-003) and Draft Ordinance (ORD15-002)
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RECOMMENDATION

- I. **Environmental Action:** Approve the attached Resolution adopting the Negative Declaration (EIS15-012) for the proposed General Plan Land Use Map amendments (GP15-002), Zoning District Map amendments (Z15-003), General Plan text amendments (GP15-003), and Zoning Ordinance text amendments (ORD15-002).

II. Project Actions:

1. General Plan Map Amendments: Approve the attached Resolution for the proposed General Plan map amendments (GP15-002) to change the land use designation of one or more parcels in eight of the current locations designated BP, and reconfigure the land use designation of a ninth location pursuant to the resultant parcel configuration approved in Lot Line Adjustment File No. LA15-003, as shown in Attachment 2.
2. Zoning Map Amendments: Adopt the attached Ordinance for the proposed rezoning and Zoning District Map reconfiguration (Z15-003) of parcels consistent with the General Plan map amendments described above, as shown in Attachment 3.
3. General Plan Text Amendments: Approve the attached Resolution for the proposed General Plan text amendments (GP15-003) to the BP land use description and maximum impervious coverage limits to promote opportunities for new investment and sustainable job creation of BP zoned properties, as shown in Attachment 4.
4. Zoning Ordinance Text Amendments: Adopt the attached Ordinance for the proposed Zoning Ordinance text amendments (ORD15-002) to remove the requirement for Comprehensive Master Plans of the entire BP site for BP zoned parcels located within approved Area Plans; cleanup existing Code language regarding outdoor manufacturing and material storage, and permitting of mini-storage facilities; add schools as a permissible use within the BP Zone District; and amend current site development standards for building setbacks and maximum impervious coverage as shown in Attachment 5.

FUNDING

This project is funded through the General Fund as part of the approved work program for the Planning Department.

EXECUTIVE SUMMARY

There are no new development or construction projects proposed. The “Project” is a combination of General Plan amendments and rezoning of some parcels currently zoned BP to align compatible zoning with their surroundings and provide additional site development flexibility while maintaining strong environmental and neighborhood compatibility protections. In 2014 the Board of Supervisors approved Phase II of the General Plan Land Use Element which includes directive to analyze the effectiveness and appropriateness of the Business Park (BP) land use designation and Zone District throughout the County. Following 17 years of unsuccessful investment in properties zoned BP and diminishing availability of the Light Industrial (M1) zoning this review is necessary to focus development and revitalization efforts that promote new opportunities for business investment and sustainable job creation.

The proposed General Plan and Zoning District Map amendment recommendations change the land use designation and zoning of one or more parcels in eight of the sixteen current locations designated BP, and reconfigure the zoning of a ninth location pursuant to the resultant parcel configuration of a recently approved Lot Line Adjustment involving a parcel with BP zoning. The proposed General Plan and Zoning Ordinance text amendment recommendations would

remove the requirement for Comprehensive Master Plans of the entire BP site for BP zoned parcels located within approved Area Plans; cleanup existing Code language regarding outdoor manufacturing and material storage, and permitting of mini-storage facilities; add schools as a permissible use within the BP Zone District; and amend current site development standards for building setbacks and maximum impervious coverage.

BACKGROUND

On March 25, 2014, the Board of Supervisors issued Board Order BO-14-02 directing the Advance Planning Division work program priorities for Phase II of the General Plan Land Use Element. The work plan calls for an analysis of the County's Business Park (BP) land use designation, Zoning District and development standards, in accordance with Program 1.2.1.b of the General Plan Land Use Element. The Board Order was to analyze the effectiveness and appropriateness of the Business Park Land Use Designation and Zone District throughout the County.

The Business Park Land Use Designation was introduced in the 1995 Comprehensive General Plan Update with the goal of establishing high-quality locations for light manufacturing and research and development industries. The County's Zoning Ordinance Update in 1998 rezoned approximately 850 acres from primarily (M1) Light Industrial District to (BP) Business Park, and codified the new BP development standards requiring; comprehensive site planning for all of the BP district, increased building setbacks, more stringent impervious surface limitations and extensive landscaping requirements, to create a campus-like character with a high-level of onsite amenities. Since the establishment of Business Park zoning district twenty years ago, none of the parcels zoned Business Park have been developed or redeveloped using the Business Park development criteria, although some of the parcels zoned BP have been rezoned and subsequently developed or sought entitlements for development. For example, in 2009 a 20 acre parcel zoned Business Park in south County (part of Site #2) was rezoned with the Higgins Marketplace approval, resulting in split zoning of the property with 12 acres of commercial zoning, approximately 1 acre of office professional zoning, over 4 acres of open space, and 3 acres zoned BP remained. Also, in 2011 the City of Grass Valley annexed 7.73 acres of BP zoned land along Whispering Pines Dr. and rezoned the area to Light Industrial (M1), and the County rezoned an additional 43 acres along La Barr Meadows Rd. for future development of the County vehicle storage and maintenance yard.

Nevada County has a rich history of high-tech research and development business beginning in the 1950's with Litton Enterprises and the Grass Valley Group. In the following decades spinoffs of the Grass Valley Group and other technology and manufacturing companies were launched or relocated to Nevada County. In 1995, when the Business Park land use designation was established the technology sector was booming and the County wanted to continue to attract the technology industry to the foothills. However, 20 years later the high-tech and video industry in Nevada County is a fraction of what it was, which is part of the reason BP property has not been developed, which led to the Board of Supervisors prioritizing the review of Business Park zoning.

Additionally, while there has been little, if any, investment into parcels zoned Business Park the inventory of parcels zoned Light Industrial (M1) has been reduced. Of the 620 acres in the

County zoned Light Industrial (M1), there is approximately 155 acres of vacant land zoned Light Industrial (M1) however, the State acquired nearly 40 acres of land zoned M1 south of East Bennett St., other vacant sites are merely fragments of parcels that are not feasible for new development, and the larger contiguous areas are owned by few entities that have held the land for a long time. This has led to a relative shortage of viable vacant industrial land availability.

PURPOSE

The goal of this project is not to eliminate the Business Park land use designation, but instead to accelerate implementation of the General Plan by promoting new opportunities for business investment and sustainable job creation, realign functionally compatible uses with their surroundings while maintaining strong environmental and neighborhood character and compatibility protections, at the same time confronting today's realities of attracting high-tech research and development employers. This need is apparent after 17 years of unsuccessful investment in properties zoned BP, and diminishing availability of the Light Industrial (M1) zoning on developable parcels. Action is needed at this time to focus development and revitalization efforts to promote economic activity and community sustainability, implement environmental improvements, and update the distribution and effectiveness of the Business Park land use designation.

PROPOSED PROJECT

General Plan Land Use Map Amendments (GP15-002)

The proposed General Plan Land Use Map amendments are the result of a comprehensive analysis of all 16 BP sites throughout the County. At the July 23, 2015 and November 19, 2015, Planning Commission public meetings, direction from Commissioners, recommendations from property owners, and input from neighboring parcel owners helped to focus the scope of the project and generated recommendations to redesignate the primary land use designation of one or more parcels in eight of the 16 County locations currently zoned (BP) Business Park, and reconfigure the land use designation of one additional location pursuant to a Lot Line Adjustment (File #LA15-003) that was approved during the Business Park analysis review and recommendation period.

Zoning District Map Amendments (Z15-003)

Consistent with the proposed General Plan Land Use Map amendments, the proposed zoning changes are the result of a comprehensive analysis of all 16 BP sites throughout the County. At the November 19, 2015, Planning Commission public meeting, formal direction from Commissioners, recommendations from property owners, and input from neighboring parcel owners focused the scope of the rezone recommendations to one or more parcels in eight of the 16 locations currently zoned (BP) Business Park, to the following other zone districts; (M1) Light Industrial (Site #1, #4, #11), (C2) Community Commercial (Site #6), (RA) Residential Agricultural (Site #8, #10), (AG) General Agricultural (Site #9), and (P) Public (Site #12). Additionally, the Planning Commission recommended reconfiguring the BP Zone District of Site #14 pursuant to the resultant parcel configuration from a recent approved Lot Line Adjustment (File No. LA-15-003) involving said parcel.

General Plan Text Amendments (GP15-003)

The proposed General Plan text amendments aim to remove barriers to BP (Business Park) development while maintaining strong environmental and community character protections. Specifically, the two proposed General Plan text amendments would:

1. Provide flexibility to BP zoned properties within approved Area Plans (Site #2-Higgins Corner Area Plan, Site #6-Penn Valley Village Area Plan and Site #15-North San Juan Rural Center) which tend to have smaller lots with multiple owners, by removing the requirement for a Comprehensive Master Plan for the entire BP designated site providing opportunity for those properties to be developed independently; and
2. Increase maximum impervious surface limitations for Business Parks from 50 percent to 60 percent, consistent with the similar intensity Office-Professional Commercial use.

Zoning Ordinance Text Amendments (ORD15-002)

The proposed zoning text amendments improve internal consistency of planning documents and provide opportunities for beneficial development and redevelopment in accordance with the General Plan. Specifically, the six proposed Zoning Ordinance text amendments would:

1. Allow BP zoned properties within approved Area Plans to be planned and developed independently by removing the requirement for a Comprehensive Master Plan for the entire BP designation (consistent with the same General Plan text amendment discussed above);
2. Delete reference allowing for outdoor manufacturing and storage to be consistent with the General Plan land use description regarding business and service activities conducted indoors. The Business Park land use designation within the General Plan describes development consisting of light industries and supporting business and service activities within the Business Park District “which are conducted within enclosed structures and do not create external vibration, noise, glare or other hazard.” In contrast, the Zoning Ordinance, which implements the General Plan, includes language which suggests outdoor manufacturing or storage is allowed as long as the amount of gases, particulates, steam, odor, vibration, etc., is mitigated to less than significant levels. The proposed text deletion would align the Zoning Ordinance BP purpose statement to be consistent with the General Plan, requiring business activity to be conducted within structures;
3. Clean-up the duplicative and ambiguous references regarding the permissibility of mini-storage use within the BP district. Currently the allowable land use table for industrial districts (Table L-II 2.5.D) lists ‘Personal Mini Storage Buildings’ as not permissible within the Business Park District, however ‘Mini Storage Buildings For Personal and Commercial Storage’ is listed as a permissible use within the Business Park District, requiring approval of a development permit. Nevada County’s Zoning Code only defines one type of mini-storage facility, the former and not the latter. Therefore, for consistency and simplicity, the proposal deletes the non-defined ‘Mini Storage Buildings for Personal and Commercial Storage’ land use reference and allows for ‘Personal Mini Storage Buildings’ within the Business Park District, subject to approval of a use permit as required within the other Industrial Districts (e.g., M1-Light Industrial and M2-Heavy Industrial);

4. Add schools as a permissible use within the BP zone district given the master planning and campus nature of schools, and nexus and compatibility between aspects of the research and development features of a Business Park and education, particularly at the secondary and community-college level;
5. Increase maximum impervious surface limitations for Business Parks from 50 percent to 60 percent (consistent with the General Plan text amendment discussed above); and
6. Reduce exterior yard building setbacks consistent with other Industrial Zone Districts (e.g., M1 and M2), and side and rear structure setbacks from 50 feet to 30 feet.

PROJECT ANALYSIS

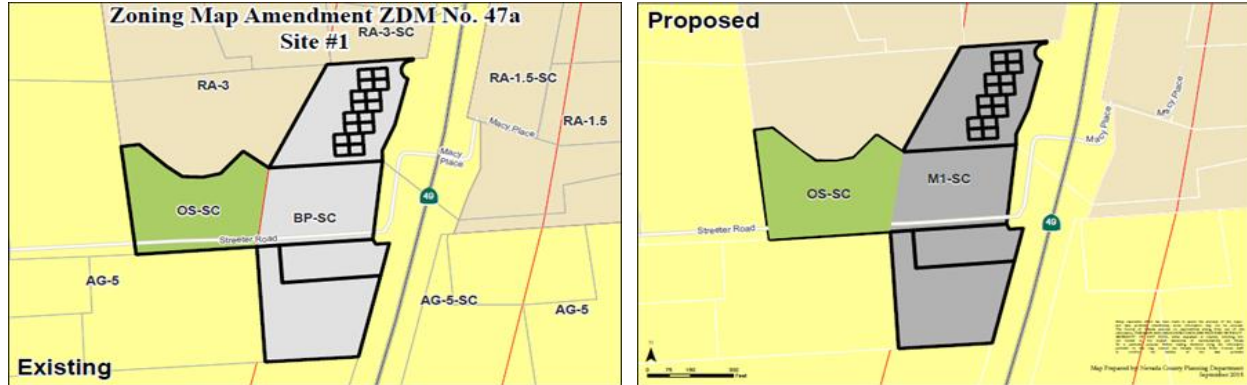
Public Services and Facilities

As one of the County's industrial land use types, Business Parks are generally near public services on the outskirts of community centers. There are no significant growth inducing changes proposed that would require additional public services. The proposed project includes changes to zoning and policies and does not include construction or additional development, and existing requirements for basic services such as water, wastewater, and solid waste disposal remain unchanged.

Transportation/Circulation

The proposed Business Park amendments do not include any development entitlements and would not directly result in construction or change in operation. Consistent with the General Plan, development and redevelopment associated with existing sites evaluated as a whole, and individual projects therein, that would generate a significant net increase of daily vehicle trips would be required to prepare a project-level traffic analyses. For any new trips that are generated, Nevada County requires an applicant to offset regional traffic effects of the new trips by requiring an applicant pay traffic mitigation fees for regional and local road improvements. For those sites where projects could impacts State Highways, Caltrans District 3 would review future projects to determine if any access improvements are appropriate at that time. Additionally, the Department of Public Works would likely have project-specific conditions of approval that could include road improvements (width and shoulders) to Local Class Road standards, secondary access, improvement plans for road improvements, right-of-way dedication, and a road maintenance agreements. Applicants would also be responsible for acquisition of any necessary offsite easements, and impacts related to transit services, and parking would be required to be provided at the ratios required by the County's Parking Ordinance. Because the amendments themselves would not result in direct impacts related to traffic and circulation (including air and rail), and any future indirect impacts would be evaluated at a more project-specific level when proposed, the proposed amendments will not impact transportation and circulation.

Land Use

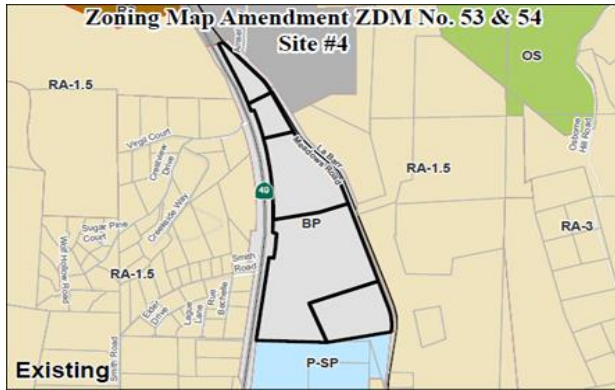


Site #1 Existing Land Use Designation: All Parcels Business Park (BP)
Proposed Land Use Designation: All Parcels Industrial (IND)

Existing Zone District: All Parcels Business Park-Scenic Corridor (BP-SC)
Proposed Zone District: All Parcels Light Industrial-Scenic Corridor (M1-SC)

Site #1: The 20 parcels (or portions thereof) that are included in Site #1 total 9.6 acres. The site is located in South County along Streeter Road approximately 0.5 miles south of the Highway 49 and Combie/Wolf Road intersection. The site is completely built out and has been developed since the mid 1980's. The existing businesses are generally industrial in the northern portion (e.g., auto repair, part manufacturing, welding), a small pocket of office professional in the middle (e.g., counseling service), and mostly commercial in the south (e.g., feed store, martial arts studio, U-haul rentals).

This site is unlikely to be redeveloped as a Business Park as defined by the current Business Park definitions and requirements. The existing Business Park land use designation and Zone District does constrain the existing businesses by not allowing any sort of expansion or new businesses to move in that may be consistent with those legal non-conforming already developed and operating on the site. The site has direct access to Highway 49, which is the primary noise generator for the area, and is surrounded by low density residential uses which create a buffer from the mostly industrial land uses on the site. For decades the site as a whole has operated at higher intensity levels than BP allows and the M1 district which does provide for those higher intensity uses and development (maximum noise, reduced setbacks, increased impervious coverage, and minimum parcel size) is appropriate for this site. Staff recommends rezoning all of Site #1 comprising 20 parcels and 9.6 acres of BP-SC (Business Park-Scenic Corridor) zoning to the **Industrial (IND) General Plan designation and the M1-SC zoning district**. The Scenic Corridor combining district is retained on the site given the proximity to Highway 49.

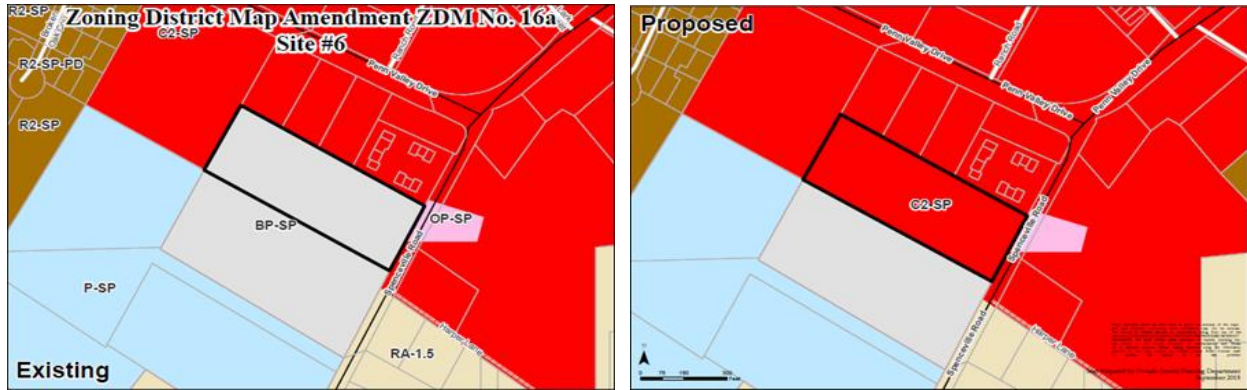


Site #4 Existing Land Use Designation: All Parcels Business Park (BP)
Proposed Land Use Designation: All Parcels Industrial (IND)

Existing Zone District: All Parcels Business Park (BP)
Proposed Zone District: All Parcels Light Industrial (M1)

Site #4: Surrounded by Highway 49 on the west and La Barr Meadows Rd. on the east Site #4 is made up of 5 parcels totaling 50 acres. The perimeter of major roadways and surrounding uses like Hansen Bros. aggregate supply sufficiently buffers the existing industrial uses that have operated on Site #4 since the 1960's. The northern parcel is Kilroy's Auto Dismantling and adjacent to the south is Rare Earth Landscape Materials, some of the higher intensity industrial uses in the County. The southern half of Site #4 is vacant property also owned by Rare Earth, and exhibits areas of heavy disturbance from past mining and lumber operations. Sharing the southern property line of Site #4 is County owned property and the likely site of a future County fleet/corporation yard. The site has freeway access (primarily along La Barr Meadows Rd.) without passing through residential neighborhoods.

Site #4 is within the near-term sphere of influence of the City of Grass Valley and annexation of this site is underway. All owners have expressed interest to rezone the site Light Industrial (M1), Grass Valley has pre-zoned the site for future industrial use, and so too staff is recommending to rezone Site #4 to **Light Industrial (M1)**.



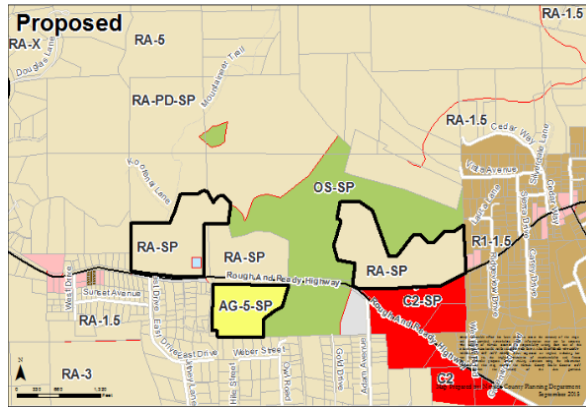
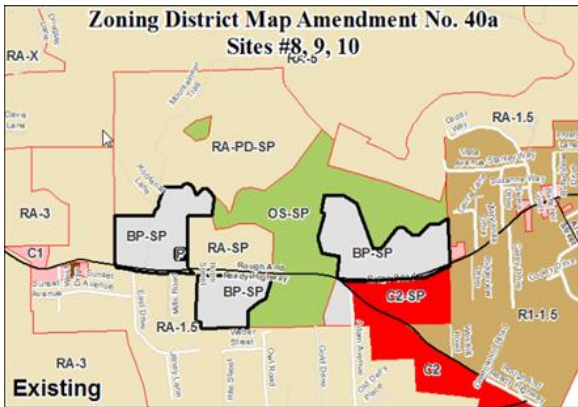
Site #6 Existing Land Use Designation: All Parcels Business Park (BP)
Proposed Land Use Designation: APN 51-151-09 Community Commercial (CC)
APN 51-160-02 No Change (BP)

Existing Zone District: All Parcels Business Park-Site Performance (BP-SP)
Proposed Zone District: APN 51-151-09 Community Commercial-SP (C2-SP)
APN 51-160-02 No Change (BP-SP)

Site #6: Comprised of two parcels, Site #6 totals 10.92 acres and is located within the Penn Valley Village Center. The parcel closest to the commercial core, APN 51-151-09, is vacant, and APN 51-160-02 is developed with a single family residence and shares a property line with Ready Springs School.

The Penn Valley Community Foundation, which owns the vacant parcel and has designated it as the future site of the Penn Valley Community Center, have requested this parcel be rezoned commercial to provide maximum flexibility for their project. Because of the community benefit provided by the Community Center and the adjacent commercial zoning staff recommends redesignating APN 51-151-09 **Community Commercial and zoned C2-SP**. The Site Performance combining district for parcels within the Penn Valley Area Plan is retained on the site.

Due to potential compatibility concerns with the adjacent school, and the development protections in place for the BP Zone District there is **no change** recommended to the zoning of APN 51-160-02. The existing residence is considered legally non-conforming and may remain but shall not be significantly intensified (i.e., no second unit), however future Use or Development Permits would require the property to be brought into conformance with County land use regulations, including permissible uses.



Sites #8, 9, 10 Existing Land Use Designation: Planned Development PD:
BP (88 ac.) CC (22 ac.) RES (150 ac.) OS (Remainder)

Proposed Land Use Designation: Planned Development PD:
BP (5 ac.) CC (22 ac.) RES (215 ac.) RUR (18 ac.) OS (Remainder)

Site #8 Existing Zone District: Business Park-Site Performance (BP-SP)
Proposed Zone District: Residential Agricultural-Site Performance (RA-SP)

Site #9 Existing Zone District: Business Park-Site Performance (BP-SP)
Proposed Zone District: West BP-General Agricultural-5 ac. min.-Ste Perf (AG-5-SP)
East BP-No Change Business Park-Site Performance (BP-SP)

Site #10 Existing Zone District: Business Park-Site Performance (BP-SP)
Proposed Zone District: Residential Agricultural-Site Performance (RA-SP)

Note: As part of the rezoning of portions of Sites #8, 9, and 10 – Kenny Ranch, the specific Site Performance (SP) criteria noted on Zoning District Map (ZDM) 40a will be modified to require discretionary approval for any subsequent development, full-site master planning for the entire parcel or project area, and comprehensive circulation planning.

Sites #8, #9, and #10: The three parcels that comprise Sites #8, #9, and #10 are located along the Rough and Ready Highway near the intersection with Ridge Road. These three sites have been split up for this project, but historically these parcels were owned by a single entity and have all been considered the same project area for the approximately 332 acre Planned Development known as Kenny Ranch. Comprehensive Master Planning for the entire site is required for the General Plan Planned Development land use designation (as with Business Parks) and this area was previously envisioned as a campus-like mixed-use community with hundreds of residential units, commercial space, business parks, and open space.

On November 27, 2007 the Board adopted Resolution No. 07-588 that included a “Memorandum of Understanding between the County of Nevada and the City of Grass Valley Regarding the Special Development Area Known as the Kenny Ranch.” Kenny Ranch is located within the City of Grass Valley’s long-term sphere of influence, and part of the MOU agreement includes “Review Procedures for Annexation and Land Use Proposals.” Since 2007 the expectation has

been that future development of these parcels will be residential. Eventually the ownership changed and no Kenny Ranch project ever received approval and still today the existing zoning includes a Site Performance combining district which requires any future project within the planned development to complete an EIR to analyze impacts of the any future project.

Today, Site #8 and #9 are owned by the same individual, and Site #10 is owned by a different individual. Staff has met with the owners of these sites and each has expressed interest in residential zoning on the north side of Rough and Ready Highway, and general agricultural rezoning for the western BP area on Site #9 for the possibility of a future produce stand. Both residential and general agriculture uses constitute downzoning with less intensity than BP industrial uses allowed today. Initially the owners of Sites #8, #9, and #10 requested plan changes for larger areas of their property, including suggestions to reconfigure the Open Space zoning within the Planned Development. The existing areas zoned Open Space which total approximately 102 acres of the entire Planned Development are proposed to remain at this time, but could potentially be re-visited if updated biological studies determined the Open Space areas are no longer applicable. Focusing this project on only those areas currently zoned BP within the Planned Development prevents the need for a more costly and time consuming environmental analysis. Staff is recommending maintaining the current PD (Planned Development) General Plan designation and adjusting nearly all of the current acreage designated for BP to residential agriculture and general agriculture as shown above.

One potential issue is that the recommendation would allow for the development of Sites #8, #9, and #10 (Kenny Ranch), an area that was initially intended for comprehensive planning prior to allowing for any growth. In 1997, when zoning the specific land uses for this site, the County's policies for adoption of a Comprehensive Management Plan (CMP) was to insure that all future development within the Planned Development would be clustered to minimize the impact on various natural and man-made resources, minimizing health concerns, and minimize aesthetic concerns. The current Site Performance (SP) combining district specifically prohibits any further development until a new CMP is approved and until an Environmental Impact Report is prepared for that CMP. The proposed amendments will modify the SP combining district criteria in order to remove the requirement for the preparation of a new CMP and EIR for the entire Kenny Ranch property. The revised SP combining district language shall apply to the entire 332 acre Planned Development and shall specify:

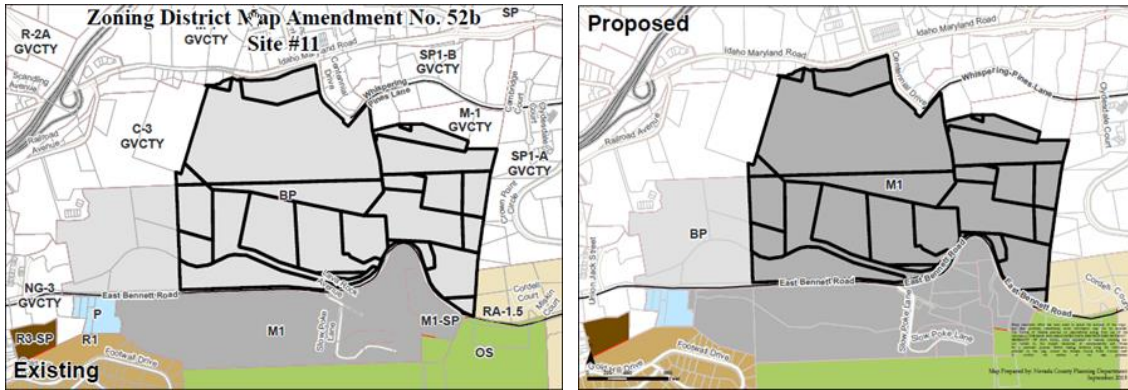
- Use permit or development permit shall be required for any subsequent development (subject to environmental review);
- Full site master planning showing all proposed phases of the development; and
- Circulation plan that takes into account connections with adjacent properties.

Without the proposed rezone, the current zoning would prohibit future development applications until such time as the Kenny Ranch CMP were approved, an unnecessary development barrier for projects consistent with current zoning. Both the Twin Cities Church and Hospice of the Foothills have been built and the Yuba River Charter School approved with the same planning approach, and it remains appropriate for the remainder of the Planned Development given the changes in ownership and anticipated future development of the sites.

Site #8: **RA-SP (Residential Agricultural-Site Performance)**

Site #9: **AG-5-SP (General Agricultural-5 acre min.-Site Performance)** (western BP area)

Site #10: **RA-SP (Residential Agricultural-Site Performance)**



Site #11 Existing Land Use Designation: All Parcels Business Park (BP)
Proposed Land Use Designation: Easternmost 28 Parcels Industrial (IND)
Westernmost 5 Parcels (APNs 09-560-04, -05, -32, -33, -34) No Change (BP)

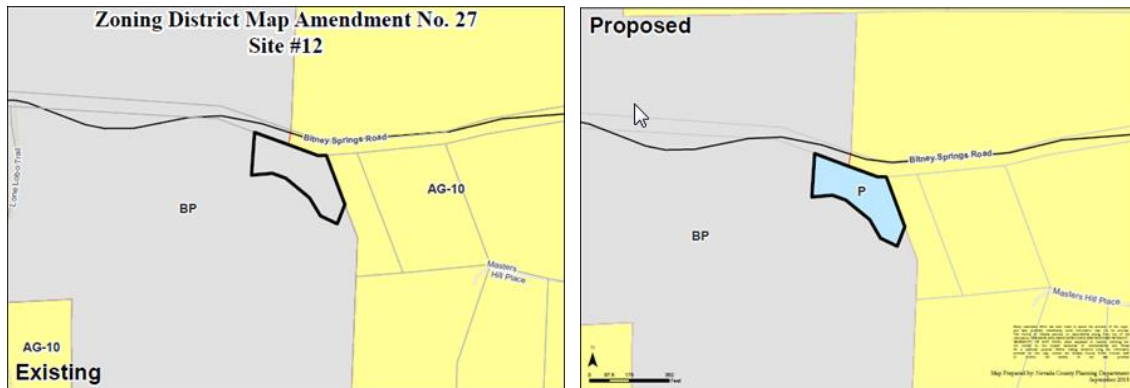
Existing Zone District: All Parcels Business Park (BP)
Proposed Zone District: Easternmost 28 Parcels Light-Industrial (M1)
Westernmost 5 Parcels (APNs 09-560-04, -05, -32, -33, -34) No Change (BP)

The 31 parcels that are included in **Site #11** total nearly 185 acres. Most of the land is vacant, however the southwest corner parcel is developed commercial, and in the “bend” of East Bennett Rd. is a light industrial site with commercial truck repair and Waste Management container storage. The area to the south is zoned Light Industrial (M1), although around the year 2000 a large portion abutting Empire Mine State Park was acquired by the State for conservation purposes and will not likely be developed in the future. The City of Grass Valley and Whispering Pines Dr. border the site with industrial and commercial development to the north, there is urban medium density residential to the west, and office professional uses to the east.

The majority of Site #11 is owned by two groups; a private trust, and the Idaho Maryland Mining Group. These property owners and others all support rezoning Site #11 back to Light Industrial (M1). Site #11 is within the City of Grass Valley’s near term sphere of influence and directly west of Site #11 there are medium density housing apartment buildings under construction, and their Community Development Director indicated Grass Valley would like to see a residential pattern continue into the western portion of Site #11. At the Planning Commission scoping meeting for this project in July, staff suggested residential zoning in the western portion of Site #11 however there was no consensus to analyze that potential. Recent discussions regarding the Nevada County Housing Element Update has led to more vocal support to locate some higher density residential zoning within Site #11, and there is a possibility that by the time this project is heard by the Board of Supervisors some parcels within the western portion of Site #11 may be slated for further analysis to be rezoned R3 (high-density residential), however the rezoning proposed with this project is limited to M1 (Light Industrial) in the eastern majority of the site and no zoning changes are proposed as a part of this project for the westernmost five parcels.

The City of Grass Valley’s 2020 General Plan Land Use Map calls for areas of Urban Medium Density residential zoning with an island of Business Park across the south half of Site #11 and Business Park zoning only across the north portion of Site #11. General Plan Policy 1.8.3

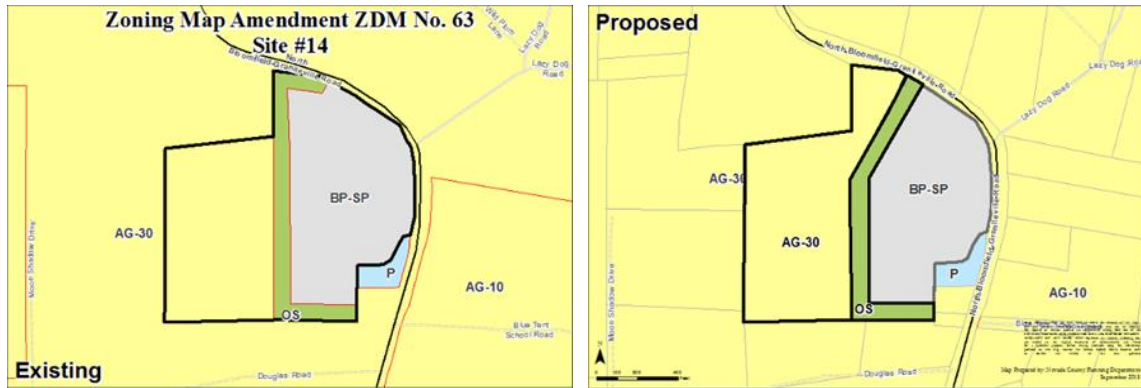
prevents the County’s Plan from providing for a significantly more intensive land use than the City’s Plan where it would preclude implementation of the City’s Plan. Staff’s proposal to rezone all of the eastern portion of Site #11 to M1 (Light Industrial) could be viewed as inconsistent with the City’s Plan, however the City’s Urban Medium Density district allows up to 8 units per acre and their Business Park district allows for a mix of uses including industrial which represent only a slightly lower intensity than staff’s proposal and therefore in no way does the rezone of the eastern area of Site #11 present a significantly more intense use and preclude implementation of the City’s planned future for the area.



<p>Site #12 Existing Land Use Designation:</p> <p><u>Proposed Land Use Designation:</u></p> <p>Existing Zone District:</p> <p><u>Proposed Zone District:</u></p>	<p>All Parcels Business Park (BP)</p> <p><u>APN 52-070-48 Public (PUB)</u></p> <p><u>All Other Parcels No Change (BP)</u></p> <p>All Parcels Business Park (BP)</p> <p><u>APN 52-070-48 Public (P)</u></p> <p><u>All Other Parcels No Change (BP)</u></p>
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Site #12 is the largest of the business park sites comprised of 6 parcels totaling over 325 acres. Located along rural Bitney Springs Road the site is the original Grass Valley Group location and contains numerous buildings spread along the north facing slope of the project area. The buildings are largely unoccupied currently, except for the western 96 acre parcel which is the campus of the Nevada City School of the Arts. There is a fire station on the 1.56 acre parcel on the eastern boundary owned by the Penn Valley Fire Protection District.

This site is an exemplar of what was envisioned for other Business Parks in the County. It’s natural parklike setting with mature trees, views, ponds, and canals provide a desirable setting. Likewise, the numerous buildings provide space for onsite amenities and indoor business described in Business Parks. The property owners have requested the majority of the site south of Bitney Springs Road maintain the current BP zoning and expand the permissible uses allowed with the BP zone, and they have requested agricultural zoning with clustered development for the 106 acre parcel (APN 04-021-01) north of Bitney Springs Road. However, given the overall comprehensive planning and campus-like design of the existing facility, staff supports retaining the Business Park zoning for the majority of Site #12, except for the 1.5 acre Penn Valley Fire District (APN 52-070-48) station which is recommended to be rezoned **Public** consistent with other public service facilities.



Site #14 Existing Land Use Designation: Rural (RUR-30 acre min.), Open Space (OS) and Business Park (BP)

Proposed Land Use Designation: No Change, zoning reconfiguration of 8.32 acres between APN 34-060-77 and 34-060-81 (File #LA15-003)

Existing Zone District: General Agricultural (AG-30 acre min.) Open Space (OS) and Business Park – Site Performance (BP-SP)

Proposed Zone District: Reconfiguration of 8.32 acres (File #LA15-003)

Four miles north of Nevada City along North Bloomfield Road is Site #14. This 12 acre area zoned BP was historically a construction nail manufacturing facility. Currently used for custom window manufacturing this site was zoned Business Park as part of a planned development to permit the historic light industrial use of this parcel.

Although industrial uses are discouraged in rural areas, the previous uses and intensity of this site has allowed cottage industry manufacturing to sustain at this site. **No changes** are recommended to the Business Park zoning of Site #14 however a recent approved Lot Line Adjustment (LA15-003) reconfigured the property line of Site #14 and the Planning Commission recommended adjusting the existing Business Park zone district and its 100 foot Open Space buffer to align with the new property lines so as not to leave a split-zoned remnant of BP zoning on a separate (neighboring) parcel with no history of industrial use.

SUMMARY OF SITES WITHOUT MAP (ZONING) AMENDMENTS

Site #2 is located along 0.25 miles south of the Combie Rd. and Highway 49 intersection along Woodridge Dr. This site is adjacent to the Higgins Corner area that has seen considerable new development in the past decade. Other projects previous environmental documents have identified traffic and circulation concerns in this area of the County and any zoning changes in the immediate vicinity could trigger a cumulative impacts discussion requiring further environmental analysis. The site has direct Highway access and someday could offer employment opportunities to the large bed base nearby.

Site #3 consists of two parcels totaling just over 15 acres approximately 1.75 miles east of the Combie Rd. and Highway 49 intersection. Both parcels contain existing development, are adjacent to sensitive receptors (e.g., existing schools and rural residential development) and offer some potential for future employment near Lake of the Pines.

Site #5 is a vacant 10.5 acre parcel along La Barr Meadows Rd., 0.1 miles south of E. McKnight Way, within the Grass Valley Community Region. The City of Grass Valley has initiated annexation of this parcel (along with Site #4) and anticipates and has pre-zoned the site for Corporate Business Park development, which is similar to the County's Business Park zone district, therefore zoning changes are recommended.

Site #7 is located in the Rough and Ready Rural Center and existing development includes a veterinary hospital and a single family residence. This site is the only industrial zoned area proximate to the Rough and Ready area and could serve as a cottage industry site for future research and development or small scale manufacturing. Furthermore, there is no current interest or perceived benefit to amend the current BP zoning.

Site #13 is the smallest of the BP sites comprised of 1 parcel totaling 4.3 acres. The site is located nearby the Cedar Ridge "Y", where Highway 174 and Brunswick Rd. intersects. There is no current interest or perceived benefit to rezoning Site #13 at this time.

Site #15 is located in North San Juan offers and is the only location with industrial zoning in the area. Maintaining the BP zoning provides potential for future employment opportunities in this rural area of the County. Proposed text amendments regarding BP development within approved Area Plans and changes to site development standards (e.g., reduced setbacks) may facilitate redevelopment of these sites that could provide future employment opportunities in North San Juan.

Site #16 is located in the eastern County, adjacent to the Truckee/Tahoe airport. The site is owned by the airport and not slated for development as part of the current airport master plan. This area could be appropriate for industrial development (e.g., airplane mechanic), however any potential zoning changes in the future should be discussed with the Town of Truckee as this site is adjacent to the Town limits.

POSSIBLE US FOREST SERVICE ZONING INCONSISTENCIES

When the Board of Supervisors approved Phase II of the Land Use Element, Supervisor Anderson raised the issue of possible zoning inconsistencies of United States Forest Service (USFS) owned lands. The specific example provided related to APN 48-080-84, a 278 acre parcel owned by the USFS and currently zoned General Agricultural – 10 acre minimum, which many believe is a regionally significant ecological and social resource because of its fish and wildlife habitat value. Supervisor Anderson, citing supporting letters provided by the Tahoe National Forest Supervisor and the conservation group Trout Unlimited stated that the parcel's current zoning which allows for rural residential development is inconsistent with the management plans and public use of this parcel.

Based on the issue raised by Supervisor Anderson staff initially considered including reviewing the zoning of this Forest Service parcel (APN 48-080-84) as a part of the Business Park zoning analysis. In reviewing this parcel's zoning staff compiled the current zoning and distribution of other State and Federal land in the unincorporated area of the County for comparison. Staff presented this information to the Planning Commission at the scoping meeting on July 23, 2015,

and the Commission recognized the review of Federal and/or State land zoning inconsistency is a valid project to undertake, however felt this issue goes beyond the scope of the Business Park analysis and could complicate the task at hand, and should therefore be deferred to a future assignment. Given the number of parcels and variety of zoning districts, additional analysis and outreach would be necessary to determine whether the existing and/or planned use of these parcels is inconsistent with current zoning. Therefore staff is recommending the Board of Supervisors consider this project as a potential third phase to the Land Use Element Update during their Board retreat in January 2016.

ENVIRONMENTAL REVIEW (EIS15-012)

Attachment 1 of this staff report contains the Initial Study (IS) and proposed Negative Declaration (ND) for the Business Park Land Use Amendments and Rezoning project. The Initial Study does not identify any potential adverse environmental impacts. Potential impacts to surrounding land uses, neighborhood character and community compatibility were extensively evaluated. Amendments to SP (Site Performance) standards for Site #8, #9, #10 (Kenny Ranch) and potential zoning of the western portion of Site #11 (E. Bennett St.) required more site specific analysis than the other sites due to the number of stakeholders and the communities high level of interest in what the future development of those sites may entail. The primary conclusion from the Initial Study is since no construction is proposed and existing County, State and Federal regulations that are established to protect the environment and quality of life remain unchanged and therefore ensure future consistency with the General Plan, the proposed map and policy amendments to the County's Business Park land use will not have a significant effect on the environment. The Draft IS/ND public review period was available from October 16, 2015 to November 16, 2015. No public comments received regarding the adequacy of the IS/ND.

ZONING AND GENERAL PLAN CONSISTENCY

There are no immediate plans for construction or changes to the site conditions of properties evaluated with this project. General Plan Program 1.2.1.b directs the review and analysis of the current distribution, effectiveness of the Business Park land use designations as a planning priority for the County. Consistent with several of the County's General Plan primary themes, this project is foremost about continuing efforts to further develop a strong diversified, sustainable local economy. As directed in Goal 1.6 the project allows for growth while protecting, maintaining and enhancing communities and neighborhoods. The proposed map and policy changes seek to balance development and provide opportunities for a full range of uses to serve the County residents. County Planning staff has coordinated with the City of Grass Valley regarding proposed rezoning with the City's Sphere of Influence to ensure the project creates compatibility between land uses and clusters more intensive uses where appropriate, and will not preclude implementation of the City's Plan consistent with section 1.8 of the General Plan Land Use Goals and Policies.

PLANNING COMMISSION RECOMMENDATION

At the November 19, 2015, public meeting the Planning Commission unanimously recommended the proposed Business Park land use amendments and rezoning as proposed and discussed.

SUMMARY

The proposed General Plan and Zoning map and text amendments will accelerate implementation of the General Plan by promoting new opportunities for business investment and sustainable job creation; re-align functionally compatible uses with their surroundings while maintaining strong environmental and neighborhood character protections; at the same time confront today's realities of attracting high-tech research and development employers. Action is needed at this time to focus development and revitalization efforts to promote economic activity and community sustainability, implement environmental improvements, and update the distribution and effectiveness of the Business Park land use designation.

Additionally, discuss and provide direction on possible next steps to remedy potential zoning inconsistencies on USFS land throughout the County.

Item Initiated by: Patrick Dobbs, Senior Planner

Approved by: Brian Foss, Planning Director