

NEVADA COUNTY PLANNING COMMISSION

STAFF REPORT

FILE NOs: Z15-001, MIS16-0009, U15-002, MGT15-004, MGT15-005, MGT17-0004, MI15-005, LLA16-0008, LLA16-0014 & EIS15-003

APPLICANT/OWNER: Ananda Church of Self-Realization of Nevada County

HEARING DATE: April 27, 2017

PROJECT: A comprehensive update to the 1990 Comprehensive Master Plan (CMP), covering all existing facilities and uses that have been added since the 1990 approval and allowing for additional residential and non-residential development consistent with the General Plan density. Entitlements include:

- 1) **Rezone** (Z15-001) proposing to alter the boundaries of the existing Rajarshi Park PD-SP zone to fit the existing disturbed area and to correct a zoning map error in the location and size of the zoning boundaries; to alter the boundaries of the existing Village Center C1-PD-SP zone to correct a zoning map error in location, size, and configuration of the zoning area; and to rezone 1.16 acres of AG-PD-SP zoning to PD-SP adjacent to the existing Village Center.
- 2) **Development Agreement** (MIS16-0009) proposing an extended development timeline of 15 years with the potential for two 5-year extensions, customized sewage disposal inspection fees, and a customized administrative process for development approved under the CMP.
- 3) **Comprehensive Master Plan** (U15-002) to allow development and events as follows:

Residential uses: Increase the residential cap from 87 units to the General Plan maximum density of 195 units. However, the project has the potential to construct only 100 new units because 8 existing units that were previously constructed but not counted toward the residential unit total will be included in the overall total.

Non-residential uses: Non-residential uses totaling approximately 47,000 square feet as follows:

- *Village Center:* 1 remodeled structure and 4 new structures, including a maintenance building (1,680 sf) and vehicle repair shop (1,156 sf), both located under and as part of a solar shade structure; an office building (1,500 sf); a fire engine garage (864 sf); and market kitchen remodel/expansion (536 sf).
- *Expanding Light Retreat:* 32 new structures, including a new temple (11,000 sf), yoga hall and offices (4,300 sf), yoga classroom/hall (1,000 sf), dormitory lodge (1,200 sf), administrative office (1,500 sf), 20 tent platforms/tent cabins for guests (150 sf each for a total of 3,000 sf), 4 guest houses (1,200 sf each for a total of 4,800 sf), 2 shower houses (500 sf each for a total of 1,000 sf), RV parking spaces, dining pavilion (2,826 sf), and memorial area/pergola (approx. 700 sf).
- *Rajarshi Park:* 1 new office/warehouse building (4,800 sf).
- *Living Wisdom School:* 2 structures previously approved under U08-013, including a preschool/administrative building (1,976 sf) and classroom building (3,000 sf).

Events: Allow the following public events, which have been active for many years:

- *Village Center*: Annual Harvest Festival, a Halloween event, and a Fourth of July celebration, with 50-200 people per event.
- *Expanding Light Retreat Center*: Classes, concerts, lectures, dramatic performances, and Sunday services, with up to 200 people per event.
- *Amphitheater*: Concerts, lectures, dramatic performances, and Sunday services, with up to 400 people per event.
- *Crystal Hermitage*: Weddings, wedding receptions, and guest accommodations for weddings with up to 50 people; tulip garden open house up to 5 weeks in the spring, 7 days/week, 9 hours/day, with up to 800 people per day.

4) **Petition for Exceptions** (MI15-005) to the Nevada County Road Standards to allow a 100-foot section of the proposed extension of Village Drive to exceed the 16% standard, up to 18% road grade, and for road width to vary in the Expanding Light area to avoid landmark oaks.

5) **Wetland Habitat Management Plan** (MGT15-004) for potential impacts to onsite wetlands.

6) **Oak Habitat Management Plan** (MGT15-005) for potential impacts to the oak woodlands areas. Mitigation areas are proposed to offset the loss of oaks.

7) **Steep Slopes Management Plan** (MGT17-0004) for impacts to slopes over 30 percent for the construction of an approximately 400-foot section of Brindaban Way to access Cluster M.

8) **Lot Line Adjustments** (LLA16-0008, LLA16-0014) (two non-concurrent) to reconfigure parcel boundaries to meet applicable building setbacks and site development standards for individual lots.

LOCATION: 14618 Tyler Foote Crossing Road, approximately 5 miles east of Hwy 49

ASSESSOR'S PARCEL NOS.: 61-170-12, -16, -23, -32, -34; 61-180-02, -03; 61-210-04, -19, -20; 61-230-06, -08; 61-240-02, -33, -34, -35 & -36

PROJECT PLANNER: Jessica Hankins, Senior Planner

General Plan:	Planned Development (PD): Estate (EST) 195 dwelling units (683 acres); Rural Commercial (RC) (6 acres); Planned Development-Site Performance (PD-SP) (17 acres)		
Zoning:	Agricultural with Planned Development and Site Performance combining districts (AG-PD-SP) (694 acres); Neighborhood Commercial with PD and SP combining districts (C1-PD-SP) (3 acres); Planned Development with SP combining district (PD-SP) (9 acres)		
Region/Center:	Rural	Sewage:	Septic
Fire:	North San Juan	Water:	Well
FEMA Panel:	#0100, 0375, Zone X	Schools:	Twin Ridges/NUHS
ZDM No.:	49	Recreation:	Oak Tree Park & Rec District
Project Area:	706 acres	Sup. Dist.:	IV
Date Filed:	3/4/2015, 8/26/16, 10/14/16		
Prev. File Nos.:	GP09-004, Z09-004, GPD91-092, U89-059, U86-022, U76-011		

ATTACHMENTS:

Strikeout shows duplicate and unnecessary attachments that were removed for the Board staff report.

1. Recommended Conditions of Approval (including Mitigation Measures)
2. ~~a. Revised Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for EIS15-003~~
~~b. CEQA Determination Section 15162 with Initial Study/Mitigated Negative Declaration for EIS08-009~~
3. Vicinity, Zoning & Public Notice Map
4. ~~Proposed Ordinance Amending Zoning District Map 49 and Rezone Exhibits~~
5. ~~Proposed Ordinance Approving the Development Agreement (DA) and DA Exhibit~~
6. Comprehensive Master Plan (CMP) Map, Residential Site Map, ~~and CMP Text~~
7. ~~Site-Specific Plans and Overflow Parking Plans~~
8. ~~Access and Circulation Plans (including Sages Road realignment easement)~~
9. ~~Utility Systems Plans (water, fire protection, power, telephone)~~
10. ~~Floor Plans and Elevations for Non-Residential Development~~
11. ~~Lighting, Landscaping, and Sign Plans~~
12. ~~Wetland Habitat Management Plan~~
13. ~~Oak Habitat Management Plan (including Oak Mitigation Areas map)~~
14. ~~Steep Slopes Management Plan~~
15. ~~Petition for Exception to Road Standards~~
16. ~~Lot Line Adjustment Exhibits~~

Technical studies and plans prepared for this project may be viewed at Nevada County's Ananda Village Master Plan Update website at <http://www.mynevadacounty.com/nc/cda/planning/Pages/Ananda-Village-CMP.aspx>.

RECOMMENDATIONS:

Environmental Actions:

1. A. Adopt the Mitigated Negative Declaration (EIS15-003)
B. Find that the original Mitigated Negative Declaration (EIS08-009) for the school uses is adequate pursuant to CEQA Section 15162

Legislative Actions:

2. Recommend approval of the Rezone (Z15-001) to the Board of Supervisors
3. Recommend approval of the Development Agreement (MIS16-0009) to the Board of Supervisors

Project Actions:

Subject to the Recommended Conditions of Approval (including Mitigation Measures) found in Attachment 1 of this staff report:

4. Approve the proposed Lot Line Adjustment (LLA16-0008)
5. Approve the proposed Lot Line Adjustment (LLA16-0014)
6. Approve the proposed Petition for Exception to Road Standards (MI15-005)
7. Approve the proposed Steep Slopes Management Plan (MGT17-0004)

8. Approve the proposed Oak Habitat Management Plan (MGT15-005)
 9. Approve the proposed Wetland Habitat Management Plan (MGT15-004)
 10. Approve the proposed Use Permit for the Comprehensive Master Plan (U15-002)
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BACKGROUND:

The Ananda community was first established on the project site around 1967 as an organized camp under the jurisdiction of the California Health Department and State Fire Marshal. In January 1974, the County determined that any further development of the site would require County permits as a planned development. After a period of residential expansion, Ananda Village submitted their first Master Plan in 1976, along with a General Plan Amendment and Rezone (GP76-02, Z76-10A, U76-11). The Master Plan encompassed 585 acres and requested approvals for 180 residents and 150 guests, as well as 4 special events per year. In June 1976, the Oak Tree Fire burned through the community, destroying many of the structures and delaying the Master Plan until its approval in 1978. In the following years, Ananda added several features to the village through a series of amended Use Permits, including a temple, kitchen, dining hall, additional residential clusters, a meditation retreat, staff housing, and school facilities. In 1982 Ananda representatives prepared an Environmental Impact Report for a proposed incorporation of their community, which LAFCo subsequently denied.

In 1990 the Master Plan was comprehensively updated to increase the Planned Development acreage to 620 acres, consolidate previous permits, establish residential unit densities rather than population densities (1 unit/5.51 acres), and include a square-footage cap in the commercial and industrial zones. Ananda Village currently operates as a Planned Development under this approved Comprehensive Master Plan (CMP) Use Permit (U89-059).

One year later in 1991, with the onset of the Nevada County General Plan update process, Ananda requested and was subsequently approved for a density increase to 195 units on 655 acres (1 unit/3.35 acres), 3 acres of commercial, and 20 acres of industrial. However, the CMP was not simultaneously updated, and the previous CMP approval of 87 single-family dwelling units remained in place. In 2009 a General Plan Amendment and Rezone were approved for Ananda Village which established a PD base designation and consistent zoning for the site, as well as minor changes to the amounts of commercial and industrial uses. As established by those approvals, the current allowable General Plan density is 195 units on 683 acres of PD: Estate (1 unit/3.5 acres). The current project now being considered includes a proposal to bring the CMP density into conformance with the General Plan density.

SITE DESCRIPTION:

The proposed project is located on 17 adjoining parcels comprising the 706-acre Ananda Village site on the San Juan Ridge between North San Juan and North Columbia. The site takes access from Tyler Foote Road, a County-maintained road, and is approximately five miles east of State Route 49. The Village contains the following uses: residential; commercial; industrial; agricultural; institutional, including a school and church; open space; and recreational, including a recreation center, campgrounds and cabins, trails, and fields. Ananda Village is a largely self-contained community as well as a service, retail, and social hub for the larger San Juan Ridge community, which regularly uses the Village's commercial offerings such as the deli/market,

thrift store, jewelry store, and gift shop. Several of the commercial and spiritual offerings at Ananda Village also draw people from a much broader geographic area, in particular the retreat center classes, Spiritual Renewal Week, and the tulip garden open house.

Currently, 85 residential units have been constructed in Ananda Village. The vast majority of these are located in the southwest and central-west areas of the Village (Clusters A, D, E, and G). Some residences are also located in the Crystal Hermitage area at the northern end of the Village. Non-residential uses are clustered within the following use areas:

Village Center

The Village Center is the primary commercial and public hub of Ananda Village and is located near the entrance to the community. The Village Center includes a deli/market (Master's Market), thrift store, jewelry shop, visitor's center, and green open to the public.



Village Center and Farm



Master's Market in the Village Center

Expanding Light Retreat

The retreat is Ananda's largest commercial enterprise with yoga and meditation classes and other related activities offered for set fees. Guests attending classes and events at the retreat are housed within tents, tent cabins, and guest housing facilities on the campus. This use area also includes a temple, dining hall, amphitheater, and camping facilities. Expanding Light is located at the southern end of the Village.



Expanding Light Retreat

Crystal Hermitage

The Crystal Hermitage contains a small cluster of dwelling units, a chapel, a mausoleum for the remains of Ananda's founder, and tiered gardens and gift shop that are open to the public in the springtime for a fee. The Crystal Hermitage can be rented out for weddings and wedding receptions. The Crystal Hermitage is located at the northern end of the Village overlooking the Yuba River canyon.



Main residence at Crystal Hermitage



Chapel at Crystal Hermitage

Living Wisdom School

Living Wisdom School is a pre-K through 12th grade private school with classrooms, playgrounds, and administrative offices typical of a school campus. The school is located in the central area of the Village and is open to Village members and members of the community.



Living Wisdom School Art Center

Rajarshi Park

Rajarshi Park is a business park with offices and warehouses for Ananda businesses as well as office space available for members of the community to rent. It is located west of the Village Center near the southern end of the Village.



Rajarshi Park Office Buildings

Adjacent land uses are rural residential and agricultural (non-irrigated pasture) within FR-40 and AG-40 zoning. A small Bureau of Land Management parcel abuts the eastern boundary of the project, and Tahoe National Forest lands abut the northern boundary in the Middle Yuba River canyon. In all areas proposed for development, with the exception of a few areas of infrastructure improvements, slopes are gentle to moderate, and elevation ranges from 1,600 to 2,900 feet. Habitat types include black oak woodlands, grasslands, mixed conifer-hardwood forest, ponderosa pine forest, ponds, seep-fed wetlands, riparian vegetation, and seasonal streams. Attachment 3 shows the project location.

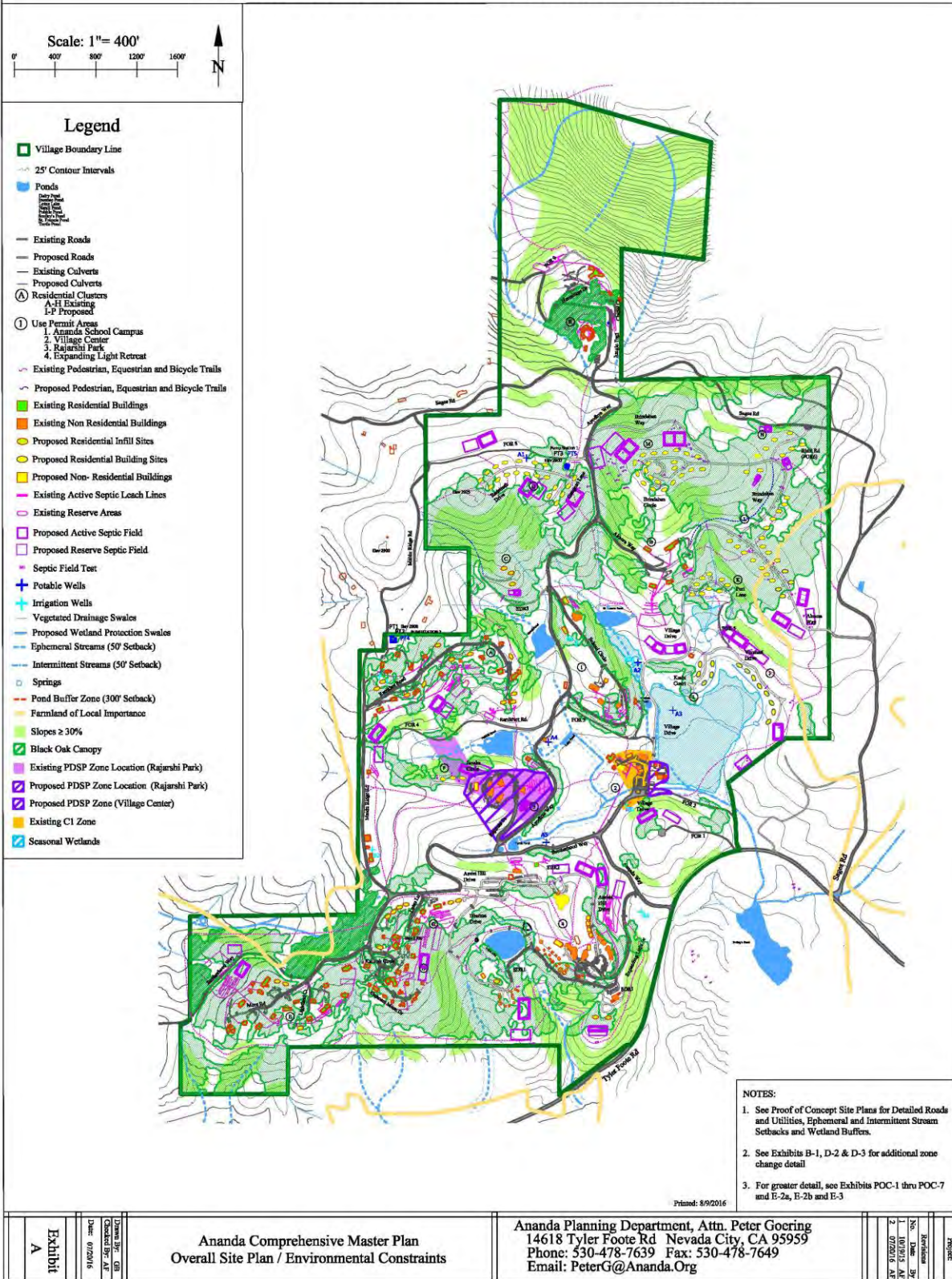
PROJECT DESCRIPTION AND ANALYSIS:

The current project is a comprehensive update to the 1990 CMP and would replace it in its entirety, uniting all facilities that have been added under various amendments over the intervening years, and permitting the uses that occur on the site. The primary project objective is to update the CMP in order to allow additional residential and non-residential development consistent with the density allowed and designations approved under the General Plan. Attachment 6 and the figure below shows the overall CMP site plan with existing and proposed development, trails, septic areas, environmental constraints and resources, and proposed rezoning. The circulation plan shown in Attachment 8 identifies existing and proposed roads for the master plan area. Project components are described in greater detail below.

Numerous technical studies were used in the preparation of the Initial Study/Mitigated Negative Declaration and the project analysis. These are listed as references at the end of the Initial Study (Attachment 2). The documents are kept on file with the Planning Department and are available for review upon request.

Ananda Comprehensive Master Plan Exhibit A

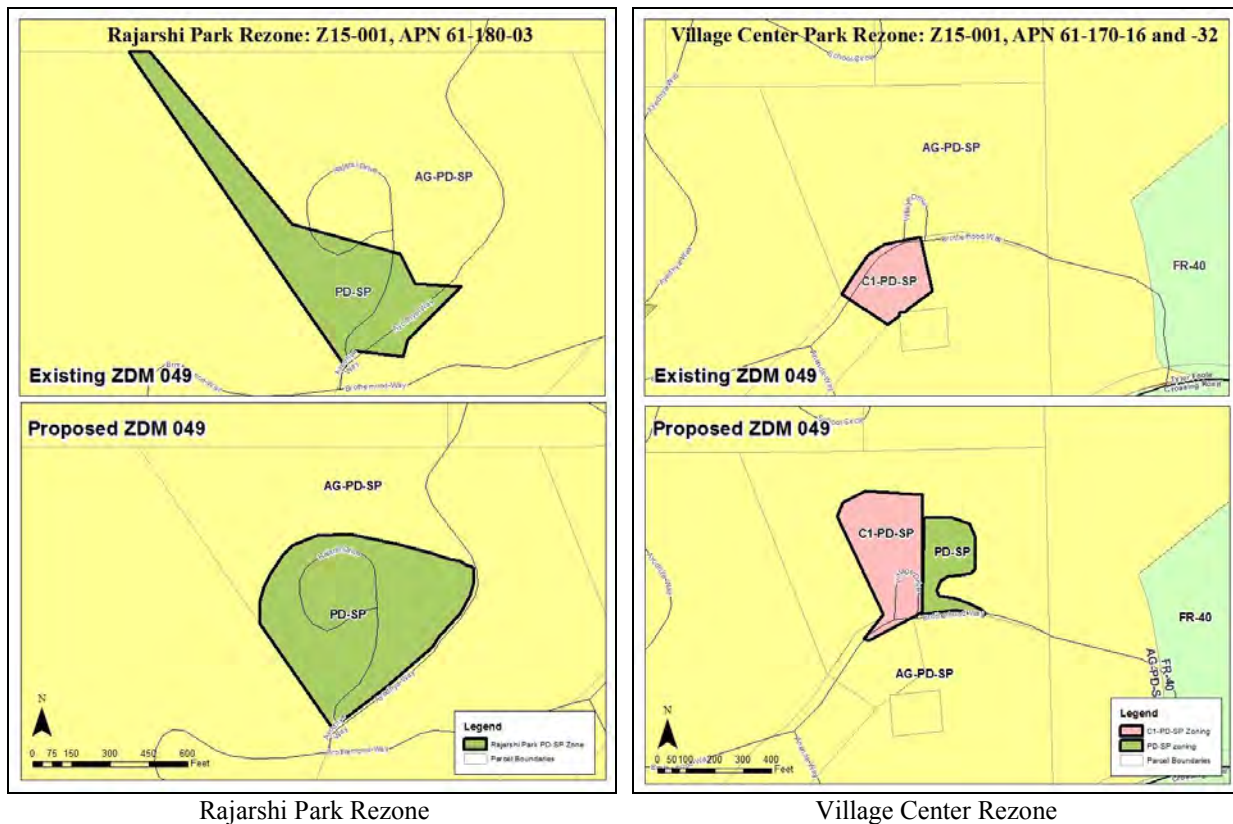
Overall Site Plan / Environmental Constraints



Rezone (Z15-001)

The current rezone proposal includes modifications proposed by the applicant and corrections to the Zoning District Map that are necessary to rectify County mapping errors. Ananda's zoning districts, which were approved with their 1990 Master Plan, appear to have been incorrectly modified during the General Plan Update process and subsequent Zoning District Map Update process. The entire PD-SP zone covering Rajarshi Park was shifted to the south and reduced in size from the approved 9 acres to 6 acres. The C1-PD-SP zone that designates the Village Center was completely reconfigured in shape, shifted to the south, and reduced in size from the approved 3 acres to 1.5 acres.

The proposed rezone for Rajarshi Park would alter the boundaries of the existing PD-SP zoning area to better fit the existing and proposed development areas (including shifting towards the north) and to increase the PD-SP size to the area approved in the 1990 Master Plan. The proposed Village Center rezone would revert the C1-PD-SP boundaries back to their approved location and configuration from the 1990 Master Plan. Additionally, Ananda is seeking to rezone 1.16 acres of AG-PD-SP adjacent to the Village Center to PD-SP in order to accommodate existing and planned development that consists of maintenance and equipment storage areas, recycling and solid waste storage, and vehicle repair (see Attachment 4).



The proposed rezone is consistent with the existing General Plan designations on the site, which allow up to 17 acres of PD-SP. The alteration of the existing Rajarshi Park PD-SP zoning area would not increase the previously approved 9-acre size and would fit the existing disturbed area better, resulting in a beneficial impact. Correcting the C1-PD-SP zoning is a necessary remedy for a County error, and will result in consistency with approved zoning and development. The

loss of 1.16 acres of AG-PD-SP in the rezone to PD-SP would not affect residential densities, which would remain the same. The addition of 1.16 PD-SP zone area adjacent to the existing Village Center would result in a total of 10.1 acres of PD-SP on the project site, well under the 17 acres allowed under the General Plan designation. The new 1.16-acre PD-SP area would also not result in substantial new disturbance because it would encompass an existing disturbed area. The rezone would provide for zoning that is more consistent with existing use areas. Staff therefore recommends that the Planning Commission recommend approval of the Rezone to the Board of Supervisors.

Development Agreement (MIS16-0009)

The Development Agreement (DA) is a contract between the applicant and the County that provides certainty to the applicant and ensures public benefits for the County. The proposed DA includes an extended development timeline of 15 years with the potential for two 5-year extensions, customized sewage disposal inspection fees, and a customized administrative process for future development consistent with the CMP. Residential units would be constructed with building permits, and non-residential structures would require an Administrative Development Permit (ADP) to ensure that detailed landscaping, lighting, signage, parking, and utility plans are reviewed by the County prior to development. Benefits to the public provided by the DA include the following:

- An agreement with the North San Juan Fire Protection District for Ananda to provide a fire engine garage or other fire protection benefit reasonably satisfactory to the District;
- The maintenance of fire protection and preparedness features onsite such as defensible space, a helicopter landing site, and the maintenance of water storage to maintain current ISO ratings;
- Maintenance of the Village Center as a Red Cross emergency/evacuation and shelter-in-place center for the community;
- Construction of an emergency access route extending Almora Way to Sages Road prior to any residential development;
- Offer of an easement to neighbors to reroute Sages road north of the intersection of Salmon Mine Road across Ananda land to allow an alignment that meets Fire Safe Standards;
- The identification of 54 acres of open space preserve managed for oak woodland habitat; and
- Maintenance of a recycling drop-off point for the community.

The DA meets the criteria set forth in Land Use and Development Code (LUDC) Sec. L-II 5.18, which requires specific information in the DA pertaining to the duration of the agreement, the permitted uses of the property, the reservation of land for public purposes, and provisions for a tiered amendment review procedure for minor and major changes. The DA includes these items. The required findings can be made for this DA, which include that it is consistent with and complies with the goals, objectives, policies and applicable land use designations of the Nevada County General Plan; is in the public interest to enter into the DA; and that it will not adversely affect the persons residing or working in the surrounding area. The DA is therefore supportable and staff recommends its approval.

Comprehensive Master Plan (U15-002)

Comprehensive Master Plan Description

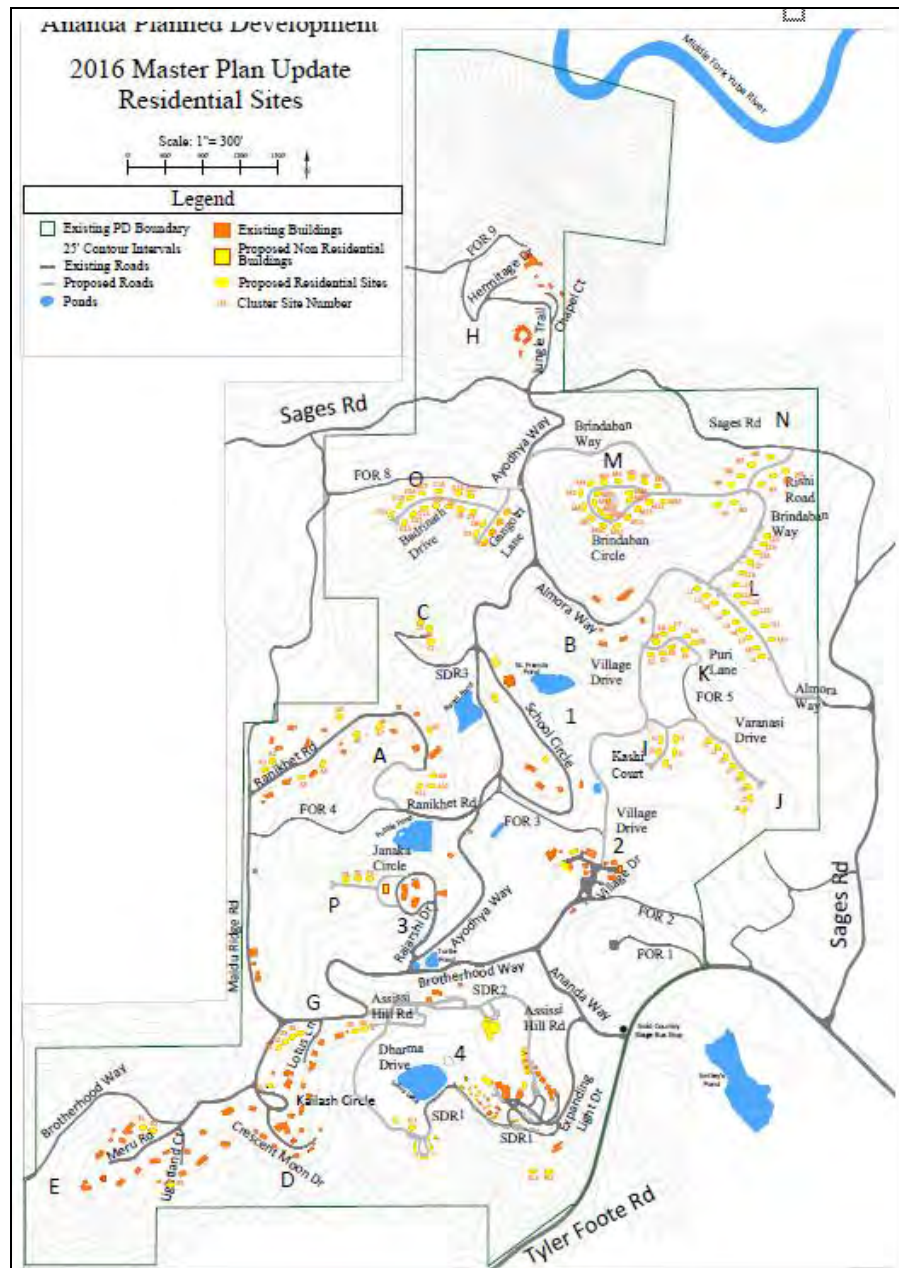
For multi-use projects without subdivision of land such as the Ananda Village project, the CMP is the guiding planning document for the project site, identifying the proposed uses and their locations in relation to the site constraints and resources. This ensures that constraints and sensitive resources are avoided and natural assets such as solar access are exploited as feasible. The Use Permit for the CMP would permit both new physical development and ongoing uses and events on the site. CMP uses and development are described below. The CMP map is shown in Attachment 6.

Physical Development: Residential and Non-residential

Proposed building sites would not encroach into landmark oak canopies, wetlands, or steep slopes. However, the project would impact up to 35.5 acres of landmark oak groves, and infrastructure would encroach within the non-disturbance buffers of (but not directly impact) ponds, seasonally wet meadows, and riparian areas. Management Plans for these impacts are incorporated into the project to address these issues.

Residential uses: The project proposes to increase the residential cap from 87 units to the General Plan maximum density of 195 units, but would construct only up to 100 new residential units given that 8 existing units that were not previously counted will now be included in the overall residential unit count (more details are provided below). Additional dwellings would be a combination of infill units within the 7 existing clusters (Clusters A-H, less F) and up to 8 new clusters (Clusters I through P) within the existing village boundaries, as shown in the figure below.

Each housing cluster, which could be comprised of attached or detached units, would be served by the community water system, and would have multiple centralized sewage disposal areas, access to fire flow, and circulation in conformance with the Fire Safe Road standards (with exceptions noted below under “Petition for Exceptions”). Infrastructure and access roads would be extended to residential clusters or the applicable portion of the cluster, as needed for construction of the individual residences. A connection to Sages Road would also be provided for secondary access purposes. Accessory dwelling units would be counted toward the overall density. Each dwelling unit would retain the right to build other accessory structures such as sheds and barns, consistent with site development standards and the building envelopes designated as “proposed new construction development limits” in Exhibit L of the CMP.



Existing and Proposed Residential Clusters

Home sites were selected using several criteria, including solar capability, existing access and infrastructure, and avoidance of sensitive resources and environmental constraints. Specifically, residential site criteria are as follows:

- Have southerly aspect for active and passive solar design.
- Preferably be located on 0-12 percent slope and never more than 20 percent slope.
- No placement within drainages, waterways and wet areas.
- Avoid heavily forested areas.
- Preferably have existing fire-safe access; if not, allow for economical extension of existing roads and infrastructure.

- Avoid visibility from internal viewpoints and County roads.
- Be located over 100 feet from Village boundaries.

Using these criteria, 120 sites were identified within new and existing clusters as potential building sites (see Attachment 6, Residential Site Map), and of these, 100 new sites would ultimately be selected for residential construction. At the time of detailed site plan review for specific sites, other factors such as underground rock formations, large trees, and septic capability could reduce the number of available sites. Allowing for unknown constraints, the proposal for 100 new units within 120 potential sites will allow for more flexibility as the project develops. No more than 195 total dwelling units total are proposed. All 120 sites were included in the environmental analysis to ensure that all potential impacts were evaluated.

Currently, 85 of the 87 allowable dwelling units have been built, leaving the potential for 2 more dwelling units within existing clusters under the existing approved Master Plan. However, Ananda is proposing to include several existing structures that were not previously included in the residential unit count toward the overall residential unit count, as follows, leaving only 100 *new* units proposed:

Residential Unit Count		
	Type of unit	Number
Existing approved number of units	Existing residences	85
	Allowable number of additional units under existing Master Plan	2
Previously constructed but not currently counted toward residential unit total (would be counted with approval of U15-002)	Existing “pods” (freestanding bedroom/sitting room structures without full kitchens)	5
	Existing staff/guest housing	1
	Existing residences incorporated into community after existing Master Plan approved	2
New units proposed	New residences, including staff housing	100
Total unit count proposed (per General Plan)		195

All new and existing staff housing would be included in the residential unit count. Guest units, tent/tent cabin camping, and RV camping with overnight stays for the Expanding Light Retreat center, which include shared bathrooms and no kitchens, would not be included in the total permanent residential unit count.

Non-residential uses: The CMP includes Design Guidelines to ensure new construction is consistent with existing development within the community. Non-residential development would occur within the following areas:

- *Village Center:* Five new/remodeled buildings, including a maintenance building (1,680 sf) and vehicle repair shop (1,156 sf), both located under and as part of a solar shade structure; an office building (1,500 sf); a fire engine garage (864 sf); and market kitchen remodel/expansion (536 sf).
- *Expanding Light Retreat:* Thirty-two new structures, including a new temple (11,000 sf), yoga hall and offices (4,300 sf), yoga classroom/hall (1,000 sf), dormitory lodge (1,200 sf), administrative office (1,500 sf), 20 guest tent platforms/tent cabins (150 sf each for a total of 3,000 sf), 2 shower houses (500 sf each for a total of 1,000 sf), staff

- housing (Harmony House C-F) (1,200 sf each for a total of 4,800 sf), RV parking spaces, dining pavilion (2,826 sf), memorial area and pergola (approximately 700 sf).
- *Rajarshi Park*: One new office/warehouse building (4,800 sf).
- *Living Wisdom School*: Two structures previously approved under U08-013, including a preschool/administrative building (1,976 sf) and classroom building (3,000 sf).

No new uses or structures are proposed at the Crystal Hermitage. Attachment 7 shows site plans for the non-residential use areas. Floor plans and elevations for these areas are provided in Attachment 10.

Use Permit U08-013 for Living Wisdom School included approvals for a preschool/administration building, an art center, a classroom, a playing field, and parking facilities. Following the approval, the applicant constructed the art center, playing field, and parking facilities under approved permits. The project originally expired October 20, 2011, and received two discretionary two-year extensions of time. LUDC Section L-II 5.10.B also provides an automatic two-year extension to land use permits not expired as of January 1, 2009, resulting in a final expiration date of October 20, 2017. The proposed school uses will be incorporated into the CMP and will run with the CMP project timelines. The original conditions on the construction of the final two structures are still applicable.

Events and Activities

Ananda Village currently hosts a number of events that would continue under the new CMP. The 1990 Use Permit under which the Village currently operates does not provide specific authorization for any events. The following events which have been ongoing would also be covered under the current Use Permit application:

Village Center events are held on the green outside the Master's Market. Parking is located in the Village Center parking lot, with overflow in the field north of the corner of Ananda Way and Brotherhood Way. Restrooms are behind Master's Market and include five toilets. Attendance at Village Center events ranges from approximately 50 to 200 people. When amplified music is needed, a PA system is set up outside Master's Market with two speakers facing the green. Events are generally open to the public and include:

- A Harvest Festival, which occurs one day in the autumn from 11 am to 6 pm and features local business booths, arts and crafts, a pumpkin patch, blacksmith demonstration, games, music, contra dancing, food, etc.
- A Halloween event oriented to families of those attending Ananda Living Wisdom School, which occurs annually from 4:00 pm to 8:30 pm and includes a picnic dinner, costume parade, themed booths and displays, trick or treating, and storytelling.
- A Fourth of July celebration open to the public and featuring a parade, games, music, food, and contra dancing, from 4:30 pm to dusk.

Expanding Light Retreat Center activities include those listed below, unless capacity exceeds the indoor limitation, in which case the activities are moved to the amphitheater. The Retreat Center has numerous toilet facilities including a central shower house with separate

facilities for men and women. The total number of guests at any given time is proposed at up to 200.

- Yoga, meditation, and personal wellness and health classes; yoga teacher training and meditation teacher training classes; yoga therapy classes for health professionals.
- Occasional summer programs, including concerts, lectures, and dramatic performances. The largest program is an annual retreat called Spiritual Renewal Week that takes place in mid-August. This program includes daily lectures (10:00 am to 12:00 pm) and evening programs (7:00 to 9:30 pm) that may include music and dramatic performances.
- Weekly Sunday services open to the public, 11:00 am to 12:30 pm. Between June and September Sunday service is held in the amphitheater.

Amphitheater events are attended by village residents, guests at the Retreat Center, and to a much lesser extent (approximately 5-30) non-resident, non-guest visitors during the summer months, when indoor capacity is exceeded at the Retreat Center. The amphitheater can seat 400 or more in moveable chairs. Parking for the amphitheater is provided in the lots adjacent to the Retreat Center, and an additional large graveled parking area to the north of the amphitheater, accessed off Brotherhood Way. Portable toilets are placed near the amphitheater for the entire summer season. Amphitheater events include the same shown above under the Retreat Center, with the exception of classes. The amphitheater has a sound system comprised of four speakers and a mixing station that can accommodate multiple microphones as needed.

Crystal Hermitage events include informal, private events and public events. Private events include pot lucks, meetings, baby blessings, and group meditations. More formal events open to the public include those listed below. Parking is in two lots at the top and bottom of the gardens. Additional parking is located along Jungle Trail. Overflow parking for large events is in the parking lot of the nearby residential cluster, and in a graveled lot at the high point of Ayodyha Way several hundred yards to the south.

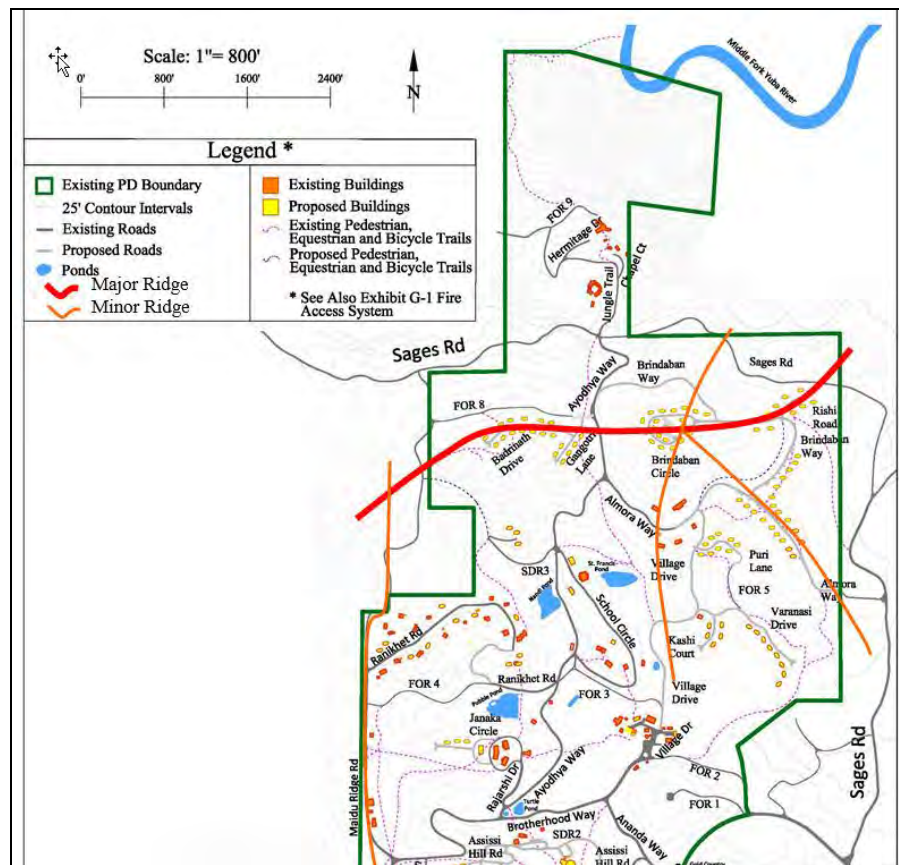
- Weddings and wedding receptions, with guest accommodations for weddings at the Crystal Hermitage Guest House, the Gaia House, and the Expanding Light Retreat. The small chapel on the grounds and the gardens are available for weddings for community members and the public. Weddings are small, and often the receptions occur offsite as Ananda does not allow meat or alcohol on the grounds. Weddings usually employ a portable sound system with speakers to amplify the spoken ceremony and music.
- Springtime at Ananda Tulip Garden Open House. In 2016 the tulip garden was open over a 5-week period in the spring, 7 days a week, 8-9 hours per day. Visitors totaled around 8,000. The peak number of visitors per day was approximately 800. Visitors typically arrive in groups of 2 to 5 people per vehicle, and stay for 30 minutes to 2 hours. The gardens are open to the public with an entry fee, and many visitors come from outside Nevada County. During this event, guests are shuttled from the remote parking lots in a bus or golf carts, and supplemental portable toilets are provided to supplement the 3 bathrooms available at the Crystal Hermitage.

LUDC Sec. L-II 5.17 requires the preparation of a CMP for sites with a base or combining PD zoning district in order to enable comprehensive and flexible design of the subject site. The CMP includes both a narrative description and a map identifying the location of proposed uses. The CMP text must describe the project, site constraints and capabilities, proposed infrastructure, phasing, design guidelines, management of open space, and a visual assessment. The map must depict what the text describes, as well as provide for clustering of intensive land uses. The Ananda Village CMP map identifies the locations of existing and proposed new clusters of residential development and non-residential development, and depicts all of the required items from LUDC Sec. L-II 5.17. The text provides a full narrative description also addressing the Zoning Code requirements. Required CMP components are evaluated below:

Clustering. Clustering achieves a means to minimize the overall building area either by generating smaller lots and incorporating open space (but still consistent with the overall density) or by using building envelopes to reduce the building area within a given standard-sized parcel. The intent of the required clustering is to provide for open space buffers and to protect any onsite sensitive resources that General Plan Policy 1.5.3 identifies as being important to Nevada County. In this project's case, sensitive resources include steep slopes, oak woodlands, and wetlands and drainages. As previously indicated, this project uses clustered development to avoid sensitive resources and constraints to the extent possible and take advantage of natural assets. None of the proposed building sites would encroach into landmark oak canopies, wetlands, or steep slopes. However, impacts to landmark oak groves from building and infrastructure development, indirect impacts to wetlands and direct impacts to steep slopes from proposed infrastructure are addressed in the respective Management Plans for the project, as discussed in more detail below. With the required Management Plan mitigation measures, the project impacts to resources and constraints would be minimized. The project layout meets the clustered design standards of LUDC Sec. L-II 5.17.

Design. The vast majority of Ananda Village development as it exists today is not visible from offsite locations with the possible exception of the Crystal Hermitage which is on a north-facing slope on the south side of the Middle Yuba River canyon. However, the project site contains a predominant ridgeline trending east to west across the rim of the canyon, as well as several smaller north-south ridges running from the peaks along the canyon ridge south down the site (reference map below). From these ridges the Sierra crest can be seen to the east, and the foothills and Central Valley to the west. To the north across the Middle Yuba River canyon the land rises to Lohman Ridge in Yuba County approximately 2.5 miles away. To the south the land drops off to Shady Creek and rises again to Montezuma Ridge two miles to the south. Approximately 6.5 miles south of the project site is Harmony Ridge at an elevation 500 feet higher than Montezuma Ridge. Various peaks are also present in these areas.

Proposed Clusters M, N, O, and to a lesser extent, L, are located on the Middle Yuba River canyon ridgeline, and may have visibility to and from Harmony Ridge to the south.



In anticipation of the CMP update, Ananda hosted a series of design charrettes for community members, during which key values and goals were identified. Goals related to aesthetics included preserving a natural setting, creating a visually pleasing environment, minimizing impacts to views and view corridors, buffering impacts to neighbors and neighbors' impacts on the Village, providing public space to welcome visitors and support businesses, and protecting the privacy of residential uses. Design guidelines, which are required in the Conditions of Approval, were then developed in support of these goals, which are consistent with Western Nevada County Design Guidelines:

- Limit the height of residences to two stories
- Locate residences outside of major circulation corridors
- Use common architectural features and finishes to unify building clusters
- Situate residences to open onto common space
- Make access and entries to residential areas easily identifiable
- Protect proximate view corridors for residences
- Orient residences south to maximize solar heating while minimizing summer solar gain from the east and west
- Provide for simple designs over complex ones to support affordable housing
- Discourage lawns and encourage native and drought-tolerant plants
- Use fences only to protect vegetable gardens and flowers
- Focus outside lighting to prevent light spill to open space areas

In addition to these guidelines, Condition A.17 requires that the Final Design Guidelines be amended to include measures to reduce lighting impacts, ensuring that residences in visible locations as well as all non-residential structures with the exception of the temple are in natural colors and materials without reflective materials. The condition also limits tree clearing for view purposes only. Additionally, all proposed development is at least 100 feet from exterior property lines.

As a place of worship and given that it is not highly visible from public vantage points, the temple was given special consideration. The Western Nevada County Design Guidelines recommend that places of worship be located “on prominent sites within each community” and supports their design “as prominent buildings with use of appropriate materials and forms” and the incorporation of the “appropriate character for each use so that they reflect the intended use.” Staff therefore does not recommend that the temple be required to have natural earth-tone colors that blend with the surrounding environment because the goal is to highlight it as a prominent feature of the community. The applicant’s intention is to construct the temple with similar materials and colors to the existing mausoleum in the Crystal Hermitage, as shown below. Other non-residential structures would be constructed consistent with existing development as shown in the pictures below.



Existing Mausoleum



Existing Rajarshi Park Building

Elevations and floor plans in Attachment 10 demonstrate that the proposed buildings meet the County’s standards for height, and colors would be natural and consistent both with Ananda’s existing architectural styles and the County’s Western Nevada County Design Guidelines. With Condition A.17 in place, the design of the project meets the County’s guidelines and policies, and the project’s visual impacts would not substantially adverse.

Allowable Density. The density on the 706-acre project site is guided by the General Plan designation, which allows up to 195 units. The current 1990 CMP allows only 87 units. With the proposed CMP, density would be consistent with that allowed under the General Plan designation and would be limited, if necessary, by sewage disposal and water supply availability under Conditions C.1, C.8 and C.9. Density across the site is averaged with clustered designs which avoid and minimize impacts. The overall density of the proposed project is therefore

approximately one unit per 3.55 acres. This proposal is consistent with County standards for the site and the AG-PD-SP zoning.

Development Sequencing. The various project components, including individual residential clusters and non-residential areas, would not all be constructed simultaneously. Instead, development would occur as needed and as funding becomes available over the lifespan of the DA (15 years plus the potential for two 5-year extensions). To that end, flexibility in the order and amount of development is acknowledged in the recommended approvals and DA.

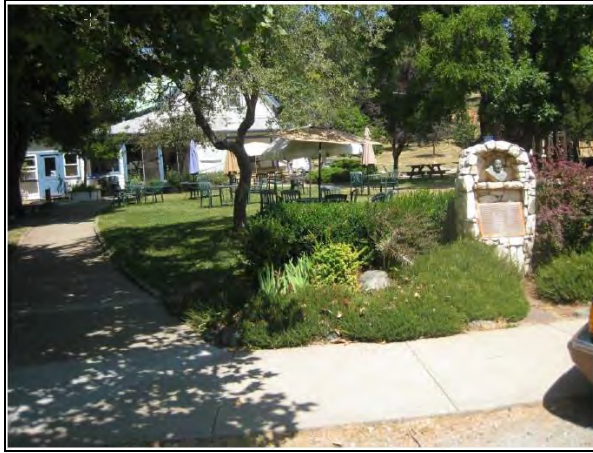
However, for the purpose of ensuring that there is sufficient water supply to meet demand over the course of development, Condition C.7 creates three thresholds of development, with each threshold comprising one-third of the proposed development (each threshold is placed at 36 units). The applicant is required to demonstrate adequate water supply prior to reaching the next threshold. Additionally, Condition A.6 ensures that adequate infrastructure would be provided for each portion of residential development as it is constructed. There would be no isolated residential units, and roads and utilities would not likely extend beyond the development. With these conditions in place, the development will meet County and State standards.

Access and Utilities. All new development would be served by the community water system, and would have multiple centralized sewage disposal areas, access to fire flow, and circulation in conformance with the Fire Safe Road standards (with exceptions noted below under “Petition for Exceptions”). These items are included in the conditions of approval in Attachment 1. A connection to Sages Road would also be provided for secondary access purposes. Condition A.6 requires that all access, fire safety, septic, water, utility and other necessary infrastructure be installed prior to occupancy of new residential units to ensure that the unit(s) can function independently of any future development and will be able to connect to future development. With this condition in place, the project would be served by adequate access and utility infrastructure.

Site Development Standards.

Setbacks. All new structures are proposed over 100 feet from the external property boundaries. Two consecutive lot line adjustments are proposed that would result in existing structures meeting applicable setback standards for interior lot lines.

Landscaping. Landscaping standards apply only to new non-residential development. The landscape concept throughout the Village is a mix of native vegetation (oaks, madrones, manzanita, fir, pine, and native grasses and forbs) and open pasture, with foundation planting and rock gardens in key public locations such as the market, retreat, and temple, as shown below.



Village Center Landscaping



Expanding Light Retreat Landscaping

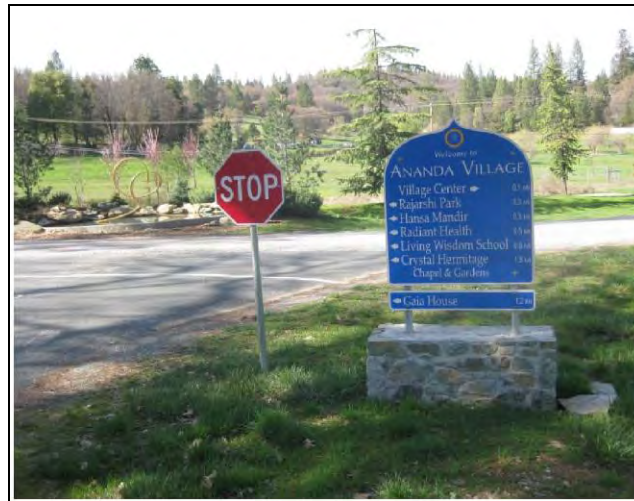
Landscaping is proposed consistent with existing landscaping at the Ananda site and in substantial conformance with the County’s landscaping standards for predominantly low water use and native plants. Conceptual landscape plans for the non-residential development are shown in Attachment 11. More detailed preliminary landscape plans would be required with the Administrative Development Permit submittals, while final landscape plans would be submitted with the building permits for each non-residential structure.

As shown in Condition A.9, landscaping requirements for the Ananda Village CMP are flexible, with building base/front landscaping required in lieu of street buffer and residential buffer landscaping. Street buffer landscaping is not required given that all non-residential use areas to which parking applies are accessed from internal roads, and residential buffers are not required because they are provided by the 100-foot buffer surrounding the entire site and are not needed for the single-owner master planned village concept. Interior parking lot landscaping will be required to meet the County’s shade requirements but may be dispersed in such a way as to retain mature native vegetation that already exists. No curbs are required around parking areas or landscape islands so as to allow the parking lots to visually blend with the surrounding natural features and avoid abrupt transitions that would distinguish the parking lot from the natural surroundings. The landscape code “encourages flexibility to achieve the Purpose of the Site Development Standards of this Article” when the County can make a finding that alternatives to the project design will result in the same overall effect as the standards would provide. Project design features that may warrant a modification include a plan that provides parking that is not visible from public areas, additional landscaping against the base of the building, increased landscaping in other areas of the site where it will provide a more effective buffer, or any other treatment that enhances the visual environment of the site. Staff supports the flexible landscape standards and recommends their approval because there are substantial natural open space buffers between all non-residential development and exterior property lines, mature native vegetation will be retained where possible, the visual character of the site will remain natural, and the use of existing mature trees will provide for the more efficient use of water onsite.

Lighting. As shown in Attachment 11, new lighting is proposed on non-residential buildings for access, safety, and security. All new lighting would be required by Condition A.17

to meet the County’s standards for shielding and downward casting, and no off-site light spill would occur due to the distance to the external boundaries.

Signage. New internal directional signage is also proposed as needed, similar to the example of internal directional signage below.



Existing Internal Directional Sign

Interior signs are exempt from the County’s sign standards. Staff is thus recommending approval of the proposed signage with Condition A.10 which requires compliance with County standards.

Parking. Proposed parking, when combined with existing parking, meets or exceeds the County’s parking standards. A breakdown of required and provided parking is shown below.

Use	Measurement	Parking Standard	Required Spaces	Parking Provided	Support uses with no additional parking load
Expanding Light Campus					
Existing					
Residence	N/A	2	2	2	
Costume storage building	1,154	“Warehousing” 1/2,000 sf	1	73	
<i>Subtotal</i>			3	75	
Guest house – Seva	8 rooms	“B&B” 1/room	8	8	Main building, reception, meditation temple, shower house, Dining pavilion
Guest house – Serenity	12 rooms	“B&B” 1/room	12	12	
Guest house – Harmony	8 rooms	“B&B” 1/room	8	8	
Guest house – Friendship	3 rooms	“B&B” 1/room	3	3	
Guest cabins	4 units	Campground std 1/4 campers	1	1	
RV and dispersed camping	20 campers (no more than 10 RVs)	Campground std 1/4 campers	5	10	
Staff per shift	10	N/A	10	32	
<i>Subtotal</i>			50	149	99
Proposed					
					Yoga therapy/office

Use	Measurement	Parking Standard	Required Spaces	Parking Provided	Support uses with no additional parking load
Temple	6,015 sf (use area incl incidental)	“Churches” 1/35 sf	172	88	
Guest house – Harmony II	16 rooms	“B&B” 1/room	16	16	Shower houses, memorial area/pergola, yoga hall/offices, yoga hall/classroom
Guest house – Seva II	8 rooms	“B&B” 1/room	8	8	
Administrative offices	1,500	“General Office” 1/200 sf	8	8	
Cabins/Tent cabins	20 cabins/40 people	Campground std 1/4 campers	10	9	
Dispersed camping	20 campers (no increase in RVs)	Campground std 1/4 campers	5	0	
<i>Subtotal</i>			<i>219</i>	<i>129</i>	<i>-6 deficit</i>
Grand Total Existing and Proposed North and South EL Campus			269	278	+9 surplus
Village Center Area					
Existing					
Market and deli	2,425 sf (including outdoor use area)	“Restaurant” 1/150 sf	17	56	
Retail/office	3,906 sf	“Retail” and “Office” 1/200 sf	20	20	
Community center	4,033	“Fitness Center” 1/200 sf	20	20	
Maintenance/vehicles	2,980 sf	“Vehicle Repair” 1/800 sf	4	4	
Storage	1,697 sf	“Warehousing” 1/2000 sf	1	1	
Residence	2	2/home	4	4	
<i>Subtotal</i>			<i>66</i>	<i>105</i>	<i>+39 surplus</i>
Proposed					
Retail/office building	1,500	“General Office” and “Retail” 1/200 sf	8		
Maintenance/Vehicle repair shop plus fire engine garage	3,706 sf and 2 bays	“Vehicle Repair” 1/800 sf plus 2 stalls/service bay	9		
Market addition/remodel	536 sf	“Restaurant” 1/150	4		
Parking to be removed				-7	
<i>Subtotal</i>			<i>21</i>	<i>-7</i>	
Grand Total Existing & Proposed Village Center			87	98	+11 surplus
Rajarshi Park Area (PD-SP)					
Existing					
Industrial	21,000 sf	“Manufacturing” 1/800 sf	26	62	
Proposed					

Use	Measurement	Parking Standard	Required Spaces	Parking Provided	Support uses with no additional parking load
Office/warehouse	4,800 total (offices 3,000; warehouse 1,800)	“General Office” 1/200 sf and “Warehousing” 1/2000 sf	16	9	
Grand Total Existing & Proposed Rajarshi Park			42	71	+29 surplus
Events					
Village Center events	50-200 people	1/2 people	100	105 proposed + 92 overflow	
Grand Total Village Center Events			100	197	+97 surplus
Expanding Light events	200 people	1/2 people	100	278	
Grand Total Expanding Light Events			100	278	+178 surplus
Crystal Hermitage events	800 people/day = approx. 100 people at any given time	1/2 people	50	27 existing + 45 overflow	
Grand Total Crystal Hermitage Events			50	72	+22 surplus

Two overflow areas are also provided for events, as shown in Attachment 7. One area with 45 extra graveled spaces is provided in the north for Crystal Hermitage events. During larger events such as the tulip garden open house, guests are shuttled to and from this overflow area. A second area with 92 spaces is provided in the south between the Village Center and Expanding Light in a field, and is used only during dry season events. With existing and proposed parking, Ananda Village would meet the number of required parking stalls, and Condition A.8 would ensure that other standards such as accessibility requirements are met.

Hydrology/Water Quality: Water Supply.

In order to determine water supply needs for the proposed project, a Well Capacity Evaluation, Water Supply Assessment (HydroSolutions of California, Inc., 2013 and 2014, respectively), and Source Capacity Planning Study (Sauers Engineering, 2014) were prepared. The information in these reports is based on over 10 years of data from individual service meter readings, pumping records, well drilling reports, and pump test reports. Projections of well yields were based on pump tests and hydrologic analyses performed by a licensed hydrogeologist. Maps and planning-level designs of the existing water system and proposed system expansion were prepared by Sauers Engineering, Inc., who also reviewed and verified Ananda’s demand projections for proposed Master Plan development.

The Ananda water system is supplied exclusively by groundwater pumped from wells on the Ananda Village property. Groundwater is pumped from fractured bedrock underlying the development, and is recharged from precipitation which percolates into the subsurface and flows into a system of interconnected fractures in the underlying bedrock. Proposed development would also be supplied from groundwater. Current California law places no restrictions on groundwater pumping in the project area. Ananda Village also has surface water rights, licensed and permitted with the California Water Resources Board, for the storage of 72.5 acre-feet of

water in 7 reservoirs, of which 44.3 acre-feet can be withdrawn annually. This water is used for agricultural irrigation, fire suppression, and recreation.

New Demand: New proposed uses that could result in additional water demand include the 100 new single-family residences, offices, market expansion, warehouse, temple, yoga studios, guest cabins, shower houses, staff housing, tent and RV campground, and dining pavilion in the Expanding Light Retreat. Water use for special events – including festivals, Spiritual Renewal Week, and the tulip garden tours – is typically handled with portable toilet and hand washing facilities and is therefore not included in the water supply analysis. If these events are eventually connected to permanent fixtures that draw on the site's groundwater wells, that demand would be identified in the monitoring program required under Condition C.9.

For the purposes of analysis, three development thresholds were identified, with each threshold identified at one-third of the total number of new residential units (see Condition C.7). When the project reaches the specified thresholds, the project must provide documentation on current system MDD/unit and the resultant projection of source capacity and storage required for buildout of the next stage of development (see Condition C.8). The analysis used a conservative assumption which identified daily water usage as the highest daily water usage recorded during the previous 10 years (maximum daily demand or MDD). Based on the Source Capacity Planning Study, source capacity (the amount of water available for potable water uses) is adequate for the first two stages of development (72 new units) but would result in a projected deficit of 21 gpm during the last stage of development (the last 36 units). Current water storage (excluding fire) is also not adequate to meet water demand for any stage of development.

Condition C.9 requires the implementation of an Adaptive Groundwater Management Program to respond to any deficiencies. Storage and capacity requirements may be met by revising well capacities (e.g., Badrinath well may prove to be able to contribute more than 11 gpm to peak demand); shifting demand from the potable system to irrigation; and adding new wells to the potable system (e.g., Turtle well). The Adaptive Groundwater Management Program includes monitoring water levels in Ananda's wells using automated pressure transducers and data loggers that record depth to water at least every 45 minutes, managing groundwater pumping as needed to ensure water levels remain above the fractures and recovery rates remain in the range of historical data, and managing supply and demand.

Groundwater Recharge: Projected recharge in normal, dry, and critically dry years is significantly higher than the projected water demand of about 92 acre-feet per year. If recharge from septic returns is taken into account, normal-year recharge is 8 to 11 times greater than net annual demand at build-out, and dry-year recharge is 3 to 5.75 times higher than demand. With water conservation efforts such as those implemented in 2014 at Ananda Village which reduced water use over 20 percent, recharge would be even higher.

Project Impacts to Neighboring Wells: Ananda's wells are clustered in the center of the development and are generally well buffered to neighboring parcels. The main production wells located in the central bowl of Ananda (St. Francis, Ballpark, Dairy, and Turtle wells) are all at least 1,600 feet away from the closest neighboring well. The closest well is 720 feet to the northwest of the Badrinath well. There are a total of 25 neighboring wells within a half mile of

all Ananda water system wells, but only three of those are within the same lithic zone as the Ananda wells. The fractures at these wells are at a lower elevation than Ananda's wells. Examination of depth-to-water measurements taken during all five of the 10-day pump tests showed no evidence that 10 days of continuous pumping affected any of the other wells in the Ananda system, which are closer to each other than to neighboring wells. Potential impacts on neighbors are also reduced by the well field pumping limits that Ananda has placed into their operational program, implemented through the Adaptive Groundwater Management Program in Condition C.9.

Although there is a certain degree of hydrologic uncertainty inherent in fractured rock systems, there is a preponderance of evidence to suggest that water resources for this project are adequate to meet projected demand without significant effect on the aquifer system, with the implementation of Conditions C.8 and C.9 which will require adequate water supply and storage, as well as monitoring and adjusting of groundwater use.

Traffic Impacts. The Department of Public Works did not require a trip generation analysis for this project due to the fact that the project is consistent with the General Plan densities for the site and the planned uses evaluated under the General Plan EIR. Nonetheless, the Department of Public Works conducted a conservative analysis to ensure that traffic levels would not exceed existing Levels of Service (LOS) on County-maintained roads. According to this analysis, the number of new trips generated by the proposed land uses is 741 daily trips on County roads. Daily trips would be lower than the standards typically used in the Institute of Transportation Engineers (ITE) *Trip Generation Manual* because Ananda Village is largely self-contained, with schools, market, and jobs on one site. Some events, particularly those attended by non-residents traveling from off-site, would add additional traffic. Events do not overlap, so the highest attended event can be used to conduct a conservative analysis of event impacts on traffic. The event most attended event by persons traveling to the site in vehicles and leaving the same day, and also the event that lasts the longest, is the spring tulip garden open house. Conservatively assuming 800 persons per day (the highest ever recorded attendance) with 2 persons per vehicle (based on the fact that most vehicles traveling to this event arrive with 2-4 people), added trips from this event would be 800 trips (each direction counts as one trip) during the tulip open house, which lasts from 4 to 5 weeks during the spring.

The current volume for Tyler Foote Crossing is 1,988 vehicles per day, and the most recent model predicts an additional 96 vehicles on this portion of Tyler Foote Crossing in the year 2035 (2,084 daily trips total). Adding the new Ananda trips to the buildout volumes results in 2,825 daily trips on Tyler Foot Crossing with the proposed project, and adding the tulip event to that figure results in 3,625 ADT during the highest attended event. The General Plan identifies an average daily trip rate (ADT) of 7,600 vehicles to exceed LOS C and trigger mitigations. As a result, the project would not result in impacts that would negatively affect the future LOS on Tyler Foote Crossing Road. Considering the existing traffic coupled with the added project traffic collectively, the estimated traffic load and the volume to capacity ratio level (expressed in an LOS standard) traffic impacts would be less than significant.

Because all roads within Ananda Village are under one ownership and no subdivision of land is occurring with the project, the County does not require a Permanent Road Division or other road

maintenance mechanism. Rather, all roads must be maintained in accordance with road and fire standards in effect at the time of Use Permit approval, and maintenance is a condition of the Use Permit/Comprehensive Master Plan (Condition B.4). New roads will be required to meet Fire Safe Road Standards (Condition B.1), and the project will be required to pay current traffic mitigation fees at the time of building permit issuance (Condition B.6).

Noise Impacts. County staff conducted noise monitoring at specific locations within the Ananda site to determine the noise levels of events to be permitted under the proposed Use Permit. Noise-generating sites include the Crystal Hermitage, the Village greens, and the amphitheater. For all readings, amplified music was played at the loudest level used for such events. The nearest sensitive receptors to noise-generating uses are onsite residences 600 to 1,000 feet away from the Village green. Onsite school uses are approximately 1,200 feet away. The nearest off-site receptor is a backyard over 1,000 feet from the Village green. Using the standard equation of a reduction of 6 decibels (dBA) for every doubling of distance, at the nearest off-site property line, the highest noise levels would be approximately 42 dBA Leq and 48 dBA Lmax, well below the threshold for AG zoning. Nonetheless, although noise from events is not anticipated to be substantially adverse, Condition E.1 requires that noise from events remains under County thresholds.

Fire Safety. The North San Juan Fire Protection District's (NSJFPD) Community Fire Plan identifies the Ananda Village Center as a regional safe zone within the Ananda/Sages Road sub-region, one of the five sub-regions of the NSJFPD plan area. The Village Center is considered a safe zone due to the large areas of sparse vegetation which form natural fuel breaks. Further, the Community Fire Plan identifies Sages/Salmon Mine/Ayodhya Roads as neighborhood evacuation routes. Proposed road improvements on the Almora Way extension to Sages Road, as well as the offered easement to neighboring property owners to reroute the northeastern extent of Sages Road, would improve the existing evacuation accessibility available to both Ananda Village residents and neighbors living in the Ananda/Sages Road sub-region. All new roads would meet the current fire-safe standard with two 10-foot travel lanes and 1-foot shoulders.

Additionally, the Fire Protection Plan submitted as part of the application materials for the project and required as a condition of approval outlines numerous additional fire safety protection measures such as a fuels management program, an identification of the fire protection water supply system, a description of evacuation routes and fire protection accessibility within Ananda Village, and setback requirements. The application also includes a Development Agreement that includes a requirement for Ananda to enter into an agreement with the North San Juan Fire Protection District to provide a fire engine garage or other fire protection benefit satisfactory to the District, provides a helicopter landing site in the Village, allows use of Ananda Village ponds and water as a helicopter water source and for fire defense training exercises, provides onsite training for Village and community residents in fire safety issues, maintain stored water to maintain current ISO ratings, and maintain the Village Center as a Red Cross emergency/evacuation center. Thus, although the project would add residents to an area of High and Very High Fire Hazard Severity, the project would on balance have beneficial impacts to the fire safety and defensibility of Ananda Village and the broader community.

Petition for Exceptions (MI15-005)

The application is requesting that exceptions be made to the Nevada County Road Standards in LUDC Sec. L-XVII 3.4 as follows:

- Allow a 100-foot section of the proposed extension of Village Drive to exceed the 16% standard, up to 18% road grade, and for road width to vary in the Expanding Light area to avoid landmark oaks, as follows.
- Where the existing and proposed Service Drive #1 from Expanding Light to the hammerhead shown just east of the Lotus Lake Dam and also immediately west of Lotus Lake Dam to Dharma Drive is impeded by landmark oaks or oak groves, the roadway may narrow for that specific section as to not adversely affect those specific trees. Any area where it is agreed by the applicant and the Nevada County Fire Marshal's Office that it is infeasible to meet the width requirements, turnouts will be utilized that meet the Public Resources Code 4290.
- For areas of Dharma Drive from Service Drive #1 to Assisi Hill Drive that do not meet the standard of two 9-foot traffic lanes due to landmark oaks and oak groves, the roadway may narrow for that specific section as to not adversely affect those specific trees.
- The loop off of the southernmost point of Dharma Drive is proposed to have one-way traffic to minimize impacts, and due to the fact that it will be used for drop-off and pick-up only.

The 100-foot section of the proposed extension of Village Drive was an approved fire road at the time of its construction and is similar to many such roads existing in the rural area of the San Juan Ridge. Currently, Village Drive is a fire road that provides secondary egress to Cluster B. It would not be possible to decrease the grade to below 16 percent on the 100-foot segment due to the nature of the topography and existing development. The land to the east of this section of roadway drops steeply to a drainage swale and is further classified as an oak woodland, and there is an existing residence to the west of the road. Protecting the setbacks and integrity of the existing residence and avoiding impact to the steep slopes and drainage area preclude introducing a curve that would reduce the grade to below 16 percent. Furthermore, there have been no accidents on this road and traffic even at full build out would remain light (<100 ADT).

Protecting the landmark oaks in the Expanding Light Retreat area to protect landmark oaks and oak groves is consistent with the LUDC Resources Standards, and given the low amount of traffic in this area, is acceptable to the Nevada County Fire Marshal's Office. The one-lane road proposed as a drop-off and pick-up lane is supported by the Fire Marshal's Office due to the low number of units the lane would serve.

Findings consistent with LUDC Sec. L-XVII 3.4 can be made in that there are special circumstances or conditions affecting the subject property which include the landmark oaks and steep drop-off to the drainage swale and existing development; the exception is necessary for the preservation of a substantial property right of the petitioner due to the fact that development is existing in that area; the exception will not be detrimental or injurious to other property in the area as the road is well buffered to surrounding properties, and no neighbors will utilize the road for their access; the exceptions will not constitute a grant of special privilege inconsistent with

the limitations placed upon similar properties; and the North San Juan Fire Protection District, Nevada County Fire Marshal's Office, and Department of Public Works support this Petition.

Wetland Habitat Management Plan (MGT15-004)

The project could indirectly affect onsite wetlands where portions of the proposed development clusters and portions of new road and improved road alignments occur within the Nevada County 100-foot non-disturbance buffer for ponds, wetlands, and riparian habitat. While the federally threatened California red-legged frog (CRLF) (*Rana draytonii*) is not known to occur at or near Ananda Village, the property is located within its geographic range and has seven small to medium reservoirs, swales, intermittent/ephemeral streams, seasonal wetlands, springs, and riparian areas, that could potentially support breeding or non-breeding individuals. A Habitat Assessment for red-legged frog was prepared to provide the U.S. Fish and Wildlife Service (USFWS) with an assessment of habitat suitability and potential impacts to the CRLF of proposed new developments at Ananda Village. This Habitat Assessment was sent to the USFWS and CDFW in August 2016, and no response has been received to date. Continued development in existing areas and development in new areas within the CRLF buffers could increase long-term impacts to CRLF.

Impacts to non-breeding habitats would be less than significant with the application of Condition A.20-23, which include establishing non-disturbance buffers and implementing BMPs during construction, enforcing the on-leash dog policy, and maintaining an educational program for visitors and residents which includes information on the risk to wildlife associated with pets. Additional mitigation for new development that is located within 100 feet of non-breeding habitat is provided in Condition A.24 in order to reduce impacts associated with CRLF movement through construction zones, roads, or developed areas during project operation. This mitigation includes contractor personnel training by a qualified biologist, pre-construction surveys, frog relocation, non-disturbance buffers, construction timing outside the wet season, and limiting construction vehicle speed. Findings can be made to support the approval of the Biological Management Plan in that measures have been taken into the overall project design to reduce these biological resource impacts to the fullest extent possible. These findings are consistent with the standards set forth in Section L-II 4.3.3.B of the Nevada County Zoning Code.

Oak Habitat Management Plan (MGT15-005)

Construction of the proposed new residences, temple, leach fields (MUSDAs), new roads, road improvements, and other components described above would result in temporary and permanent impacts to 35.5 acres of black oak woodlands, triggering the requirement for a Management Plan. This impact includes 22.5 acres of new residential and non-residential construction, including access roads, in currently undeveloped oak woodlands, 4 acres of infill in existing residential clusters that support a 33 percent or greater canopy closure, and 9 acres of MUSDA (leach field) construction in oak woodlands.

With the mitigation ratios proposed (1.5 to 1 for proposed development within undeveloped oak woodlands and 0.5 to 1 within developed woodlands and for septic areas), the total mitigation area is 41.25 acres. The applicant is proposing to set aside 54 acres of oak mitigation areas as non-disturbance and non-buildable areas that will be enhanced for oak habitat values as shown in

Attachment 13, and Condition A.29 will ensure the implementation of the mitigation. Mitigation will be accomplished through a combination of avoidance and minimization measures as well as compensatory mitigation through the restoration of oak woodlands within designated mitigation areas outside the development areas. Oak mitigation areas would be managed to promote old growth characteristics, biodiversity, and wildlife habitat, as described in Condition A.27. In addition, within affected oak woodlands, buildings and associated development, including fire clearing, would be done in a way to preserve habitat values, protect old growth trees, promote oak regeneration, and reduce the risk of catastrophic fires. No uses requiring grading or building permits are allowed within these areas. Commercial harvesting may not occur in the Oak Mitigation Areas (except as forest products are produced in the course of performing prescribed mitigation treatments) and would be guided only by the overall goals listed in the Oak Habitat Management Plan.

It should also be noted that the applicant has agreed to provide all mitigation for each cluster prior to first occupancy regardless of how many sites are developed subsequently in each cluster. Compensation parameters, including timing and methodology, are identified in Condition A.27. Because more residential sites are identified than would ultimately be developed (120 sites are identified; only 100 would ultimately be developed), the applicant would provide up to 20 percent more mitigation than required. Additionally, MUSDA mitigation is calculated as if every septic field is located within a black oak woodland and would require mitigation. This would not be the case and thus again more mitigation than required would be provided.

In addition to oak grove impacts, the project site includes numerous landmark oak trees and madrones with diameter greater than 36 inches. Landmark oaks and other large diameter hardwood and pine trees would be avoided during residential site development. If any direct or indirect impacts do occur to landmark trees, Conditions A.26-A.28 would apply to reduce and compensate for impacts. These conditions involve protecting trees during construction, educating residents and guests on oak habitat management and policies, and compensating in the event of direct damage to oaks.

Findings can be made to support the approval of the Biological Management Plan in that measures have been taken into the overall project design to reduce these biological resource impacts to the furthest extent possible; all of the anticipated impacts to oak canopy encroachment will be offset to minimize any unnecessary disturbance; and protection and replacement measures are provided for the oak canopy impacts that include habitat restoration and enhancement and monitoring. These findings are consistent with the standards set forth in Section L-II 4.3.3.B of the LUDC.

Steep Slopes Management Plan (MGT17-0004)

The project would encroach into slopes over 30 percent for an approximately 400-foot section of Brindaban Way that would access Cluster M. There is no alternate alignment that could avoid this impact. To address impacts related to erosion and sedimentation from disturbance of steep slopes, the applicant has submitted a Steep Slopes Management Plan by Lincoln & Long Engineering. Condition D.8 requires implementation of the measures outlined in the management plan, which include no earth disturbance during the wet season and use of best management practices

LUDC Section L-II 4.3.13.B.3 requires that any Management Plans for the encroachment into steep slopes shall only be approved if it can be found that the planned encroachment will ensure the preservation of the natural and topographic character of the slope; that the aesthetic quality of the slope is ensured; that alternatives to the development on steep slopes are infeasible; that any disturbance to steep slopes is minimized to the greatest extent possible; and that water quality problems created by sedimentation are minimized. Upon review of these standards, staff recommends approval of this Management Plan.

Lot Line Adjustments (LLA16-0008, LLA16-0014)

These two boundary line adjustments would be non-concurrent and are proposed in order to reconfigure parcel boundaries to meet applicable building setbacks and site development standards for individual lots. They are proposed as follows:

Lot Line Adjustment #1 (LLA16-0008)

Expanding Light Area and Existing Residential Clusters D, E, and G (southern area)

APN	Zoning	Existing Area	Proposed Area
61-170-12	AG-PD-SP	3.96 ac	99.06 (ptn 61-170-12, 61-170-34, 61-180-02, and 61-180-03)
61-170-34	AG-PD-SP	178.12 ac	95.42 (ptn 61-170-34)
61-180-02	AG-PD-SP	40.00 ac	32.93 (ptn 61-180-02)
61-180-03	AG-PD-SP	40.00 ac	34.67 (ptn 61-180-02 and 61-180-03)
TOTALS		262.08	262.08

Lot Line Adjustment #2 (LLA16-0014)

Proposed Residential Clusters K, L, M, N, O (northern area)

APN	Zoning	Existing Area	Proposed Area
61-210-19	AG-PD-SP	38.40 ac	38.00 ac (ptn 61-210-19 and 61-210-20)
61-210-20	AG-PD-SP	76.62	41.11 (ptn 61-210-20) 31.00 ac (ptn 61-210-20)
61-230-06	AG-PD-SP	43.09	88.00 ac (ptn 61-180-02)
61-240-02	AG-PD-SP	40.00 ac	- (proposed ptn of 88 acres above)
TOTALS		198.11 ac	198.11 ac

These boundary line adjustments and likely at least one other in the vicinity of proposed residential Clusters I and J would be recorded as development occurs in order to maintain applicable setbacks for individual parcels. No more than one would be recorded at any given time. The number of lots would remain the same after all adjustments are completed, and no additional density would occur. Staff therefore recommends approval of the Lot Line Adjustments subject to Conditions A.13 and B.7 which include standard conditions pertaining to the recordation of Lot Line Adjustments.

Other

In addition, the project application includes a Fire Protection Plan, and Ananda has a CalFire-certified Forest Management Plan to provide additional management resources for the management of fire fuels on the property. Attachment 8 shows the fire access circulation as it exists today and as proposed.

ZONING AND GENERAL PLAN CONSISTENCY:

Ananda Village contains a mix of land uses have developed slowly over the years, typically expanding from various core use areas. On the 706-acre project site, most of the land (683 acres) is devoted to residential clusters, agricultural operations, trails, and open space. Interspersed throughout this 683 acres are also other use types that provide economic sustenance, jobs, and services to village residents such as the Expanding Light Retreat, a complex of meditation and yoga retreat facilities; the Crystal Hermitage gardens, a seasonally popular tourist destination and wedding facility that typically requires an entry or rental fee and features a small gift shop; and the Living Wisdom School, a school campus that provides private education for grades pre-K through 12 for Ananda members and non-members. The Village also contains a core commercial area close to the public entrance, the Village Center, as well as an office and planned development use area, Rajarshi Business Park. These sites contribute to the sustainability of the Village in terms of job-housing balance and provision of needed amenities and services for which residents do not typically have to travel outside the village. General Plan designations and zoning districts on the site mirror the actual uses as shown in the table below:

Land Uses, Designations, and Districts

General Plan Designation	Zoning District	Size	Existing & Proposed Uses
Overall: Planned Development Allows a variety of land uses, including single-family and multi-family, residential, commercial, industrial, open space, and/or other land uses consistent with the capability and constraints of the land.	Overall: N/A	706 acres	N/A
Subcategory: Estate Provides for low density residential development at a minimum lot size of 3 acres per dwelling unit in areas which are essentially rural in character, but are adjacent to Community boundaries or near Community Regions.	AG-PD-SP (Agricultural base district with Planned Development and Site Performance combining districts) <u>AG base district:</u> Provides for farming, ranching, agricultural support facilities and services, low intensity uses, and open space. <u>PD overlay:</u> Allows residential, commercial, and industrial development and support uses with flexible standards. <u>SP overlay:</u> Allows refinements in site development standards and/or the permitted uses in the base zone district.	683 acres, 195 units	Clustered residential development, agricultural operations, Expanding Light Retreat, Crystal Hermitage gardens, Living Wisdom School
Subcategory: Planned Development Allows a variety of land uses, including single-family and multi-family, residential, commercial, industrial, open space, and/or other land uses consistent with the capability and constraints of the land.	PD-SP (Planned Development base district with Site Performance combining district) <u>PD base district:</u> Provides for comprehensive planning, clusters intensive land uses, and maximizes conservation of open space in a manner sensitive to site capabilities and constraints. Encourages innovative design and mixed uses. <u>SP overlay:</u> See above.	17 acres	Offices within Rajarshi Business Park
Subcategory: Neighborhood Commercial	C1-PD-SP (Neighborhood Commercial base district with Planned Development	6 acres	Commercial uses and administrative

A commercial designation that provides for local needs of nearby neighborhoods, and limited mixed use employment opportunities, within Community Regions or as part of the development of Rural Centers.	and Site Performance combining district) <u>C1 base district</u> : Provides for retail and service needs of nearby neighborhoods, provide mixed use employment opportunities. <u>PD overlay</u> : See above. <u>SP overlay</u> : See above.		office within the Village Center
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Ananda Village has an overall General Plan land use designation of Planned Development (PD) which is intended to provide for a mix of land uses consistent with the capabilities and constraints of the land. The PD designation is then divided into the subcategories of Estate (683 acres, 195 dwelling units), Planned Development (17 acres), and Rural Commercial (6 acres). Most of the site has an Estate sub-designation for clustered residential and agricultural-type uses, though the overriding PD designation allows other uses such as the Expanding Light Retreat, the Crystal Hermitage Gardens, and the amphitheater. Within the Neighborhood Commercial sub-designation is a core commercial area (the Village Center). Within the Planned Development sub-designation is the primary industrial and office use area in Rajarshi Business Park. Zoning districts assigned to the site are consistent with the General Plan designations and with existing and proposed uses.

The project includes a proposal to bring the residential density up to the General Plan-approved density of 195 units from the current approved density of 87 units. All new residential uses would occur within areas zoned AG-PD-SP and would not be located near any incompatible use areas such as industrial or commercial areas. The overall project density is approximately one unit per 3.5 acres of AG zoning. The site would reach its maximum allowable density with the proposed project. Ananda Village has higher densities than surrounding parcels which are 23 acres on average (and zoned for predominantly 40-acre densities), but this is due to the fact that the project provides all necessary infrastructure and many of its own utilities and services such as phone service and water service. The continuing rural character of the site and the 100-foot buffer around the perimeter of the site would ensure the project remains compatible with surrounding rural uses.

Additionally, the proposed Rezone and Lot Line Adjustments would bring existing development into conformance with zoning and development standards. The 1.16 acres of AG-PD-SP adjacent to the Village Center is already developed with a maintenance barn, several sheds, and the solid waste and recycling collection facilities, and will be further developed with a maintenance building, fire engine garage, and vehicle repair shop. Rezoning this land to PD-SP will be more consistent with these types of intensive uses. The Village Center's C1-PD-SP zoning would be modified to conform to existing developed areas in order to correct a County mapping error. Rajarshi Business Park's PD-SP zoning would also be modified to correct a previous County mapping error, resulting in an increase in the location and size of the zoning to fit existing areas of development and those areas more suitable for development. The project would also meet the site development standards as provided for in Table L-II 2.2.1.B of LUDC Section L-II 2.2.1, including for setbacks, once the proposed Lot Line Adjustments are recorded. Additional standards (for impervious surface coverage, building height, onsite parking, etc.) would apply at the time of building permit.

The project furthers several of the goals and policies of the County's General Plan, which are discussed below.

Land Use Element Policies:

- Policy 1.2.4.e states that the Estate land use designation provides for low density residential development at a minimum lot size of 3 acres per dwelling unit, as well as agricultural operations and natural resource-related uses. In the case of the proposed project, clustered residential uses and agricultural uses would dominate the Estate-designated areas.
- Policy 1.2.4g states that the Neighborhood Commercial land use designation provides for local needs of nearby neighborhoods and limited mixed use employment opportunities with controlled access to arterial or collector roads. This project's commercial-designated lands serve the local community and are located within close proximity to Tyler Foote Road.
- Policy 1.2.4t states that the Planned Development land use designation allows a variety of land uses, included residential, commercial, and industrial with an emphasis of clustering intensive land uses. The project site has an overriding Planned Development designation which is appropriate for the mixed use character of Ananda Village, and has a Planned Development sub-designation on the office/industrial uses of Rajarshi Business Park.
- Policy 1.3.2 provides for only those types and densities of development which are consistent with the open, pastoral character which exists in Rural Regions. The proposed use requires lower levels of service because of the self-sustaining nature of Ananda Village and preserves open space throughout the community, including 54 acres of dedicated oak woodland preservation and restoration area.
- Policy 1.3.11 encourages future improvements of public and private facilities/services to enhance the specific character and lifestyle of Rural Regions. The project includes the addition of internal trails.
- Policy 1.3.12 states that in Rural Regions development shall be driven and determined by land use designations and the need to provide additional road circulation in areas where there is inadequate secondary safety access. This project is in compliance with land designations and will provide secondary access for onsite and circulation for all new residential clusters.
- Policies 1.5.3 and 1.5.4 encourage the minimization of impacts to environmentally sensitive resources and promote the maintenance of open space. This project is designed in such a way that avoids environmentally sensitive resources and constraints such as oak woodlands, water features, and steep slopes. Where impacts would occur, the project meets the performance criteria with the implementation of the mitigation measures and conditions of approval required as part of the Oak Habitat, Wetland, and Steep Slope Management Plans.
- Policy 1.5.5 supports the use of clustering to maintain open space, and the pastoral character of Rural Regions. The project includes clustering of residential and non-residential development to minimize disturbance across the site.

Public Facilities and Services Element Policies:

- Policy 3.16 requires that a legally enforceable mechanism be in place to ensure long term maintenance of any community or sewer water systems. Ananda Village maintains a

community water system, and long-term maintenance of this system will be required by the State.

- Policy 3.19A requires that onsite stormwater runoff resulting from a proposed development project does not increase over pre-project levels following construction, which is a condition of approval for the project.

Circulation Element Programs and Policies:

- Policy LU-4.1.1 establishes Level of Service (LOS) C as the acceptable LOS for community regions, with which this project is compliant.
- Program LU-4.1.4 requires the payment of Traffic Mitigation fees, which this project is required to pay.
- Policy MV-4.2.10 requires any discretionary development served by a dead end road and located beyond the dead end road limit to construct secondary access roads in accordance with LUDC Chapters XVI and XVII. This project is constructing secondary access for those portions of the project that exceed the dead end road limit.
- Goal RD-4.1 encourages the reduction of dependence on the automobile. This project's mixed uses, close proximity to jobs and services within the village, and jobs-housing balance encourages alternative modes of transportation.
- Policy RD-4.3.6 encourages the provision of alternative transportation routes, and this project is providing numerous trails to access different parts of the village as well as clustered development which encourages multi-modalities.
- Goal EP-4.3 encourages the reduction of greenhouse gas emissions to the extent feasible during the design phase of construction projects. This has been achieved with the design of the Comprehensive Master Plan as a mixed-use, clustered project, as well as with the installation of numerous solar systems throughout the community.

Open Space Element Goals & Policies:

- Policy 6.2 encourages clustering of development to preserve open space in Rural Regions. The project is clustering development, creating de facto open space, as well as setting aside 54 acres as an oak woodland preservation and restoration area.
- Policy 6.9 requires Comprehensive Site Development Standards to be used in project review of all discretionary project permits to determine open space requirements for each project. These standards were utilized for this project, and the project meets standards.

Housing Element Goals & Policies:

- Policy EC-8.6.1 encourages energy efficient site design for new planned developments, including maximizing proper solar orientation, encouraging walkability, providing usable open space, and locating residences within walking distance to needed amenities, all of which the project is designed to accommodate and promote.
- Policy EC-8.6.2 supports neighborhood-serving commercial activities to reduce vehicle miles traveled. The project includes commercial uses within walking distance to new residences.
- Policy EC-8.6.3 promotes infill within existing residential neighborhoods. The proposed project includes infill within existing residential clusters.
- Policy EC-8.6.4 promotes energy efficiency and alternative energy sources, including passive and active solar design, water conservation features, and solid waste reduction

and recycling. The project's new residential clusters are all sited to take advantage of passive and active solar opportunities. The project's Development Agreement includes requirements for the maintenance of a solid waste and recycling collection facility, and the project will be strongly incentivized to conserve water to meet the phasing requirements as outlined in the Source Capacity Planning Study.

Safety Element Policies:

- Policy FP-10.8.11 includes development standards related to water supply to reduce hazards associated with the structural/wildland interface. This project complies with this policy with the numerous fire protections in place as noted in the Fire Protection Plan.
- Policies FP-10.11.1 and 2 support defensible space protections. This project is conditioned to comply with those standards and implement defensible space policies.
- Policy GH-10.2.1 requires new construction to meet current structural and safety standards. This will be required of the project during the building permit approval process.
- Policy GH-10.2.1.3 requires California Building Code compliance, particularly with regard to seismic design, which will be required of the project during building permit approval.
- Policy FH-10.3.2 directs the County to avoid potential increases in downstream flooding through project site plan review and the application of the County's Comprehensive Site Development standards. This project will adhere to this policy with the submittal of a drainage report that requires no-net increase in storm water runoff from the site.

Water Element Policy:

- Policy 11.6A requires that new development minimize the discharge of pollutants into surface water drainages. The project will be held to this standard through the application of the project-specific conditions of approval and mitigation measures, the County's Grading Ordinance, and the design of the onsite drainage facilities.

Soils Element Policy:

- Objective 12.1 seeks to minimize earth movement and disturbance which this project does through use of clustered development and infill within existing developed areas.
- Policy 12.4 requires that discretionary projects implement erosion control measures. This would be accomplished through the application of the County's Grading Ordinance.

Wildlife and Vegetation Element Objective and Policy:

- Policy 13.1 requires sensitive environmental features to be retained as non-disturbance areas through clustered development. This project is avoiding all sensitive resources where feasible.
- Policy 13.2A requires a site-specific biological inventory and mitigation measures for new discretionary development. A biological inventory and appropriate mitigation measures and management plans will be implemented for the project.

Air Quality Element Policy:

- Policy 14.1 encourages the County to cooperate with the Air Quality Management District during the review of development proposals to address cumulative and long-term

air quality impacts. This project is consistent with this policy as the County has consulted with the NSAQMD and has incorporated specific mitigation into the project's environmental document based on the consultation comments provided to the County by NSAQMD.

Forest Element Policy:

- Objective 15.2 promotes the continued diversity and sustainability of forest resources, including timber, watersheds, wildlife habitat, aesthetics, and recreation. Ananda Village has a Forest Management Plan to provide for and promote these values.

Agriculture Element Policy:

- Policy 16.1 encourages agricultural operations in Rural Regions. The project includes ongoing agricultural operations, including livestock grazing and organic farming, in order to provide food to residents of Ananda Village.
- Policy 16.9 supports clustering of new development in Rural Regions and the provision of a buffer between residential development and adjacent agricultural uses. The project includes clustering of development and at least 100 feet of buffer around the entire property and adjoining AG-zoned properties.

Aesthetics Element Policy:

- Goal 18.1 promotes aesthetic design in new development which reflects existing development. The project includes Design Guidelines that ensure that new development will be consistent with existing development in Ananda Village.
- Goal 18.2 supports the preservation of important scenic resources. The project would not degrade important scenic resources, and all new development located on ridges, as discussed in Section 1 of this Initial Study, would not have near-range view from public vantage points.

Cultural Resources Element Policy:

- Goal 19.1 encourages the protection of historical and archaeological landscapes, sites, buildings, features, and artifacts. Cultural resources inventories have been prepared for the proposed project and no features that have been identified as significant under CEQA.

As seen from the above discussion, with adherence to proposed conditions of approval and mitigation measures, the proposed project is consistent with existing General Plan designations, densities, and allowable uses within the zoning district on the site.

ENVIRONMENTAL ANALYSIS:

EIS15-003 – Proposed Project

Attachment 2 of this staff report contains the Initial Study and Mitigated Negative Declaration (IS/MND) for this project. The IS/MND was distributed through the State Clearinghouse for 30 days and was sent to interested local, state, and federal agencies as shown in Attachment 2. Two comment letters, form letters from the Regional Water Board and United Auburn Indian Community (UAIC), were received. Staff had previously sent the UAIC the cultural resources reports requested in the form letter and attempted to coordinate with UAIC representatives to

conduct a site visit. UAIC did not respond to staff. No changes to the IS/MND are needed as a result of public comments.

Staff has made minor modifications to the Initial Study since it was circulated to provide clarifications on two points. The first clarification is to Mitigation Measure 9B to define the portions or “phases” of development that are used to track and monitor water supply mitigation. The second is to update the proposed rezone, which was modified after the discovery of two mapping errors by the County. Changes are shown with tracking in the attached Initial Study (Attachment 2). These changes do not result in any new significant impacts or revised analysis, but serve to clarify the Initial Study and enhance implementation of the mitigation measures. Therefore, the Initial Study does not require recirculation, and staff recommends amending Mitigation Measure 9B as noted.

The IS/MND identifies potential adverse impacts associated with aesthetics, agriculture/forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology and water quality, noise, and utilities/service systems. Several of these potential adverse impacts can be mitigated by the application of standard mitigation measures that are regularly applied to development projects, such as the limitation on the number of woodstoves, reduction of dust and construction emissions, pre-construction nesting surveys, erosion control measures, and appropriate disposal of construction waste. Some environmental issues are addressed through the project-specific resource management plans included as proposed entitlements: the wetland management plan, oak management plan, and steep slope management plan. These issues are addressed above under their respective headings. Other project-specific environmental issues requiring site-specific mitigation include potential impacts related to viewsheds, California red-legged frogs, groundwater supply, traffic noise, air quality and greenhouse gases, and fire safety. These issues are discussed above under Project Analysis.

EIS08-009 – School Uses

In taking action on the original school project, the Nevada County Planning Commission adopted a Mitigated Negative Declaration (EIS08-009) on October 9, 2009. The potential environmental impacts of the project, including grading and operation of the site, were evaluated within this document, and it was determined that all impacts would be mitigated to a less than significant level. Because there are no changes requested to the previous approval, the original mitigation measures and conditions of approval for the uses not yet constructed (preschool/administrative building and classroom) would apply to the construction of those uses. Any applicable mitigation measures and conditions will be carried over to the construction of those structures, and those uses would be incorporated into the proposed Comprehensive Master Plan Update (U15-002). Because the project meets requirements of State CEQA Guidelines Section 15162, preparation of a new MND is not necessary. Justification for this determination is provided in Attachment 2b and is supported by the findings under Environmental Action I.B below.

SUMMARY:

The proposed project would result in the development of an additional 100 residential units and approximately 47,000 square feet of non-residential commercial and other development. All new development would be served by a community water system and community septic systems.

Secondary access is provided from Almora Way to Sages Road. While the project would impact up to 35.5 acres of landmark oak groves and would encroach into steep slopes and water setbacks for infrastructure improvements, the Comprehensive Master Plan avoids sensitive resources and constraints to the extent possible, and the recommended conditions of approval and mitigation measures would reduce impacts to the greatest extent feasible. The project would also provide more oak mitigation than required with 54 acres of dedicated oak habitat enhancement area. A groundwater monitoring plan is also required to ensure adequate water supply, and visual resource protections are required for ridgeline development. Project traffic would not be substantially adverse, but the applicant would be required to pay traffic mitigation fees to offset the project's impacts to County roads. The project analysis has concluded that the proposed project will conform to all of the applicable development standards set forth in the LUDC. The project has been reviewed by multiple agencies and each of those commenting agencies supports the proposal with the attached Conditions of Approval. Staff therefore recommends approval of the project.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

Environmental Actions:

- I. A. After reviewing and considering the proposed Mitigated Negative Declaration (EIS15-003), adopt the proposed Mitigated Negative Declaration pursuant to Sections 15073.5 and 15074 of the California Environmental Quality Act Guidelines, making the following findings:
 1. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment;
 2. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Planning Commission; and that the mitigation measures, as agreed to by the applicant, will reduce potentially significant impacts to less than significant levels;
 3. That the changes made to Mitigation Measure 9B will substantially protect environmental resources onsite and are equivalent to or more effective than the originally proposed wording of this measure pursuant to CEQA Section 15074.1, and that the changes made to the description of the proposed rezone and Mitigation Measure 9B will not result in additional significant impacts pursuant to CEQA Section 15073.5; and
 4. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.

B. Find that original Mitigated Negative Declaration (EIS08-009) provides adequate environmental review for the approval of the school uses within this project (U15-002) and therefore further environmental review is not required pursuant to Section 15162 of the California Environmental Quality Act Guidelines, making the following finding.

1. No further environmental review is required for this project because the Planning Commission adopted a Mitigated Negative Declaration (EIS08-009) for the same school project in 2008 and no impacts previously found to be insignificant are now significant, nor have there been significant changes to the environmental setting of the project site that were not previously authorized by the prior approval.

Legislative Actions:

- II. Recommend the Nevada County Board of Supervisors amend Zoning District Map 049 (Z15-001), altering the boundaries of the existing Rajarshi Park PD-SP zoning area from the 6-acre area shown on the Zoning District Map to the proposed 9-acre area to correct a mapping error and better conform to existing and proposed development areas; modifying the boundaries of the 1.5-acre C1-PD-SP area to correct a mapping area and conform to the 3-acre area approved under the previous Master Plan; and amending the zoning of a 1.16-acre AG-PD-SP zone area adjacent to the Village Center to PD-SP to allow for more intensive existing and proposed development in that area, as shown in Attachment 4. In doing so, the Commission recommends that the Board of Supervisors makes the findings found in the attached Ordinance Amending Zoning District Map 49 (Attachment 4).
- III. Recommend approval of the Development Agreement (MIS16-0009) to the Board of Supervisors, making Findings A-E pursuant to Nevada County Land Use and Development Code Sec. L-II 5.18.E:
 - A. That the proposed project is consistent with the goals, objectives, policies and applicable land use designations of the Nevada County General Plan, including policies encouraging efficient, orderly development;
 - B. That the proposed project complies with all of the provisions of the Nevada County Land Use and Development Code;
 - C. That the proposed project is consistent with the public convenience, general welfare, and good land use practice, making it in the public interest to enter into the development agreement with the applicant; and
 - D. That the Development Agreement is consistent with the requirements of California Government Code Section 65864 et seq., allowing for a Development Agreement between the developer and the County.
 - E. That the proposed project will not:
 1. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; and

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; and
3. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
4. Adversely affect the orderly development of property or the preservation of property values.

Entitlement Actions:

- IV. Approve the Boundary Line Adjustment (LLA16-0008) subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, making Finding A, pursuant to Nevada County Land Use and Development Code Sec. L-II 4.1.3.E:
 - A. That this project, as approved, is consistent with Sec. L-II 4.1.3.E, Boundary Line Adjustment Standards for Approval, in that the adjustment does not result in conflicts with site development standards, that the adjustment will not result in additional parcels or additional density, that the subject parcels will meet the minimum Environmental Health standards contained in Chapters VI and X of the Land Use and Development Code, and that the adjusted parcels will conform to the minimum parcel sizes required by the zone district.
- V. Approve the Boundary Line Adjustment (LLA16-0014) subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, making Finding A, pursuant to Nevada County Land Use and Development Code Sec. L-II 4.1.3.E:
 - A. That this project, as approved, is consistent with Sec. L-II 4.1.3.E, Boundary Line Adjustment Standards for Approval, in that the adjustment does not result in conflicts with site development standards, that the adjustment will not result in additional parcels or additional density, that the subject parcels will meet the minimum Environmental Health standards contained in Chapters VI and X of the Land Use and Development Code, and that the adjusted parcels will conform to the minimum parcel sizes required by the zone district.
- VI. Approve the Petition for Exception to Road Standards (MI15-005) subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, making Findings A-E pursuant to Nevada County Land Use and Development Code Sec. L-IV 2.4 and 2.6 and L-XVII 3.12, and California Government Code Sec. 66474:
 - A. That there are special circumstances or conditions affecting said property in that there are natural resources and topographical constraints that preclude shifting the road alignment;

- B. That the Petition for Exceptions to road standards is necessary for the preservation of a substantial property right of the petitioner in that there is existing development that precludes shifting the road alignment;
 - C. That the granting of the Petition for Exceptions to road standards will not be detrimental or injurious to other property in the territory in which said property is located in that the road is well buffered from adjoining property owners;
 - D. That the granting of the Petition for Exceptions to road standards will not constitute a grant of special privileges inconsistent with the limitations upon similar properties; and
 - E. That the Fire Protection Plan for the project, which includes numerous fire safety protection measures such as a fuels management program, an identification of the fire protection water supply system, a description of evacuation routes and fire protection accessibility within Ananda Village, and setback requirements; and the Development Agreement, which provides for a fire engine garage or other similar fire protection benefit acceptable to the North San Juan Fire Protection District, provides a helicopter landing site in the Village, allows use of Ananda Village ponds and water as a helicopter water source and for fire defense training exercises, provides onsite training for Village and community residents in fire safety issues, maintain stored water to maintain current ISO ratings, and maintain the Village Center as a Red Cross emergency/evacuation center provides the “same overall practical effect” of fire protection.
- VII. Approve the proposed Steep Slopes Management Plan (MGT17-0004) subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, making Findings A-E pursuant to Nevada County Land Use and Development Code Sec. L-II 4.3.13.B.3, in that encroachment into steep slopes is necessary in order to provide project infrastructure:
- A. That the project encroachments into steep slopes are designed to ensure the preservation of the natural and topographic character of the slope, as evidenced in the proposed road profile and as required through the Recommended Conditions of Approval and Mitigation Measures;
 - B. That the aesthetic quality of the slope is ensured because the road alignment will make use of the existing onsite road as much as possible and will avoid sensitive resources to the extent possible;
 - C. That alternatives to the development on steep slopes are infeasible because of the topographic nature of the subject property;
 - D. That any disturbance to steep slopes will be minimized to the greatest extent possible with the incorporation of the Recommended Conditions of Approval and Mitigation Measures; and

- E. That water quality problems created by sedimentation are minimized by the use of Best Management Practices which will be included with all of the onsite grading permits.
- VIII. Approve the proposed Oak Habitat Management Plan (MGT15-005) subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, making Findings A-C pursuant to Section L-II 4.3.3.B of the Nevada County Zoning Code:
- A. That the project has been designed to reduce the impacts to landmark oaks and oak groves to the maximum extent possible;
 - B. All of the anticipated impacts to oak canopy encroachment will be minimized by the protection measures specified in the Management Plan and in the Conditions and Mitigation Measures; and
 - C. Conservation, replanting, and compensation measures are provided for the oak impacts that include the option of one or more of the following: land dedication on or offsite, replacement within acceptable areas that will allow for ongoing monitoring and replacement if necessary, and contribution of funds to an oak woodland land trust.
- IX. Approve the proposed Wetland Habitat Management Plan (MGT15-004) subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, making Findings A-B pursuant to Section L-II 4.3.3.B of the Nevada County Zoning Code, in that encroachment into watercourse setbacks is necessary in order to provide project infrastructure:
- A. That the project has been designed to reduce the impacts to aquatic resources to the maximum extent possible; and
 - B. All of the anticipated impacts to watercourses will be minimized by the protection measures specified in the Management Plan and in the Conditions and Mitigation Measures.
- X. Approve the Use Permit application (U15-002) to establish a Comprehensive Master Plan for the project site subject to the Conditions of Approval and Mitigation Measures shown in Attachment 1, or as may be modified at the public hearing, making Findings A-M pursuant to Nevada County Land Use and Development Code Section L-II 5.6.G and 5.5.2.C:
- A. As conditioned and mitigated, this project is consistent with the General Plan goals, objectives and policies, with the PD: EST, RC, PD-SP General Plan land use map designation applicable to this project, and with the proposed Development Agreement for this project;

- B. The proposed residential, commercial, office, retail, recreational, and agricultural uses are allowed within and are consistent with the purposes of the AG-PD-SP, C1-PD-SP, and PD-SP zoning districts;
- C. The proposed uses and any facilities, as conditioned, will meet all applicable provisions of the Land Use and Development Code or a same practical effect of those provisions, including design and siting to meet the intent of the Site Development Standards mitigating the impact of development on environmentally sensitive resources;
- D. The site for the proposed use is adequate, as adjusted, in size, shape and location to accommodate the proposed use and all facilities needed for that use and reasonable expansion thereof, if any, and to make appropriate transitions to nearby properties and permitted uses thereon, without compromising site development standards, including driveway improvements and setbacks;
- E. With the design of the project which includes a minimum of 100-foot buffers around the perimeter of the property, the proposed residential, commercial, office, retail, recreational, and agricultural uses are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding neighborhood or area;
- F. Adequate provisions have been made for water and sanitation for the proposed use, which will be served by a community water system and centralized septic systems;
- G. Roads providing access to the site are adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use and adequate provision has been made for project specific impacts and the cumulative effect traffic generated by the proposed use so that it will not create or add to an identified problem before construction of needed improvements for which a development fee has been established and imposed upon the project;
- H. Portions of the project which exceed the dead-end road standard of 1,320 feet for new discretionary development on parcels zoned for 1 to 4.99 acres, adopted for the purpose of providing adequate emergency access in wildfire-prone areas, will be provided with emergency access from Almora Way to Sages Road, and the applicant has provided evidence of legally adequate access easements through this alignment;
- I. Adequate public facilities and public services exist within the project area which will be available to serve the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare, including public roads, public utilities, and fire service;

- J. All feasible mitigation measures, as provided in Attachment 1, have been imposed upon the project;
- K. The conditions provided in Attachment 1 are deemed necessary to protect the public health, safety, and general welfare;
- L. The design of proposed facilities, as identified in the proposed Comprehensive Master Plan in Attachment 6, is consistent with the intent of the design goals, standards, and elements of the Land Use and Development Code, and will be compatible with the design of existing and anticipated future onsite uses and the uses of the nearby surrounding area; and
- M. Flexibility in the landscaping design will result in the same overall effect and meet the purpose of the Land Use and Development Code Sec. L-II 4.2.7 Landscaping by contributing to the overall quality and character of the community, retaining native vegetation, providing visual interest and variety, complementing structures, and aiding in reducing air pollution, heat and glare.

Respectfully submitted,

BRIAN FOSS
Planning Director

RECOMMENDED CONDITIONS OF APPROVAL
Ananda Village Comprehensive Master Plan Update
Z15-001, MIS16-0009, U15-002, MGT15-004, MGT15-005, MGT17-0004, MI15-005, LLA16-0008,
LLA16-0014 & EIS15-003

A. NEVADA COUNTY PLANNING DEPARTMENT

1. Project Approvals. This approval authorizes existing uses and structures on the site that have obtained previous permits, and authorizes the following new uses and structures, as described in more detail in the Planning Commission staff report dated April 27, 2017:

- **A Use Permit** for a Comprehensive Master Plan (U15-002) in substantial conformance with what is shown on the approved, final Comprehensive Master Plan map and Proof of Concept plans, as follows:

Residential uses: Increase the residential cap from 87 units to the General Plan maximum density of 195 units within seven existing clusters and up to eight new clusters. Each residential unit may build accessory structures as allowed under County codes and within identified building envelopes labeled “proposed new development construction limits” on Exhibit L, but accessory dwelling units will be counted toward the residential unit cap. Dwelling units may be attached or detached. Eight units previously constructed but not counted toward the residential unit total shall be included in the residential unit total, bringing the total number of new units that may be constructed under U15-002 to 100 units. The existing structures that will now be counted as residences include five existing “pods” (freestanding bedroom/sitting room structures without full kitchens), one existing staff/guest residence, and two existing residences. The new residential units shall be limited to 100 of the 120 potential residential unit sites shown on the Comprehensive Master Plan map.

Non-residential uses: New non-residential uses as follows:

- Village Center: Maintenance building (1,680 sf) and vehicle repair shop (1,156 sf), both located under and as part of a solar shade structure; an office building (1,500 sf); a fire engine garage (864 sf); and market kitchen remodel/expansion (536 sf).
- Rajarshi Park: New office/warehouse building (4,800 sf).
- Expanding Light Retreat Center: New temple (11,000 sf), yoga hall and offices (4,300 sf), yoga classroom/hall (1,000 sf), dormitory lodge (1,200 sf), administrative office (1,500 sf), 20 guest tent platforms/tent cabins (150 sf each for a total of 3,000 sf), 2 shower houses (500 sf each for a total of 1,000 sf), 10 RV parking spaces, dining pavilion (2,826 sf), memorial area and pergola (approx. 700 sf).
- Living Wisdom School: A preschool/administrative building (1,976 sf) and classroom building (3,000 sf) previously approved under U08-013.

Events: The following events which have been ongoing would be covered under the Use Permit application:

- Village Center: Annual Harvest Festival, a Halloween event, and a Fourth of July celebration, with up to 200 people per event.

- Expanding Light Retreat Center: Classes, concerts, lectures, dramatic performances, and Sunday services, with up to 200 guests per event.
- Amphitheater: Concerts, lectures, dramatic performances, and Sunday services, with up to 400 people.
- Crystal Hermitage: Weddings, wedding receptions, and guest accommodations for weddings with up to 50 people; tulip garden open house up to 5 weeks in the spring, 7 days/week, 9 hours/day, with up to 800 people per day.
- **Petition for Exceptions** (MI15-005) to the Nevada County Road Standards to allow a 100-foot section of the proposed extension of Village Drive to exceed the 16 percent standard, up to 18 percent road grade, and to allow exceptions to road width in the Expanding Light Retreat area in order to avoid landmark oaks and oak woodlands.
- **Wetland Habitat Management Plan** (MGT15-004) to reduce impacts from encroachment into the water feature buffer.
- **Oak Habitat Management Plan** (MGT15-005) to reduce impacts to landmark oak groves and trees.
- **Steep Slopes Management Plan** (MGT17-0004) to reduce impacts to slopes over 30 percent for the construction of an approximately 400-foot section of Brindaban Way to access Cluster M.
- **Lot Line Adjustments** (LLA16-0008, LLA16-0014) (two non-concurrent) to reconfigure parcel boundaries to meet applicable building setbacks and site development standards for individual lots.

Any intensification of use, which includes any modification that could result in a direct or indirect impact on the physical environment such as changes associated with privacy, aesthetics, noise, and onsite activity, shall require additional environmental review to ensure compatibility with adjacent uses. This Comprehensive Master Plan shall be the overriding planning document for the site, encompassing and incorporating all previous approvals, including structures approved but not constructed under the school use permit U08-013. The applicant shall comply with the original conditions of approval/mitigation measures for construction of the school uses under Use Permit U08-013.

2. Legislative Actions. The approvals for U15-002, MI15-005, MGT15-004, MGT15-005, MGT17-0004, LLA16-0008, and LLA16-0014 are contingent on final approval of the Board of Supervisors on the Zoning Map Amendment (Z15-001) and the Development Agreement (MIS16-0009), both of which take effect 30 days from final action.
3. Development Agreement. Pursuant to Land Use and Development Code Section L-II 5.18, the project applicant shall apply for an annual review of the Development Agreement by the Planning Commission, during which the Commission shall review, based on substantial evidence, whether the property owner has demonstrated good-faith compliance with the terms and conditions of the Development Agreement. A finding of good-faith compliance shall conclude the review, while a finding that the applicant has not complied with the terms and conditions of the Development Agreement shall result in a hearing before the Board of Supervisors, who will determine in another publicly noticed hearing whether the Agreement will be amended or cancelled.
4. Final Plan Revisions. Final plans shall be revised as follows:

- a. Prior to issuance of any improvement, grading, or building permit, the Comprehensive Master Plan map shall be revised to show the following:
 - Location of oak mitigation areas, labeled as non-disturbance, no-build areas.
 - Location of landmark oak trees.
 - Location of RV parking and future dump station.
 - Location of Sages Road re-alignment.
 - Location of overflow parking.
 - b. Prior to issuance of any improvement, grading, or building permit, Exhibit E-2A/B shall be revised to show the following:
 - Label memorial area/pergola as proposed.
 - Label dining pavilion as proposed.
 - Location of RV parking and future dump station.
5. Processing of Subsequent Permits. To construct the structures allowed by the Comprehensive Master Plan, the following processes shall be applied:
 - a. *Residential:* The County will process the proposed development of a residential cluster or portion of a cluster with a building permit review. Building permit applications will include detailed site plans which shall be substantially conforming with the approved Proof of Concept plans and Comprehensive Master Plan, as well as the Fire Protection Plan, Oak Habitat Management Plan, Wetlands Habitat Management Plan, and Steep Slopes Management Plan. The County will track all residential development using a tracking system such as the Building Inventory and New Development Tracking Sheet provided by the applicant to record address, building square footage, build date, and permit number. This information will ensure that the number of residential units constructed and siting of the units is consistent with approvals.
 - b. *Non-residential:* The County will process non-residential construction with an Administrative Development Permit (ADP) review. The ADP application will include all requirements on the County's standard ADP application checklist unless otherwise already provided in the Use Permit U15-002 for the Comprehensive Master Plan. Requirements include but may not be limited to building plans, floor plans, elevations, lighting and signage plans, a final landscaping plan, and a site plan. The detailed site plans shall be substantially conforming with the approved Proof of Concept plans and Comprehensive Master Plan and the conceptual landscaping, lighting, and signage plans, as well as the Fire Protection Plan, Oak Habitat Management Plan, Wetlands Habitat Management Plan, and Steep Slopes Management Plan.
6. Residential Cluster Infrastructure Requirements. For economy of scale and to prevent inconvenience and disturbance to future residents, the applicant is encouraged to install all infrastructure necessary to serve each cluster prior to issuance of occupancy permits for the first building permit in each cluster. However, the applicant is not required to construct all units within a cluster simultaneously. If not all units within a cluster are constructed, then

prior to issuance of occupancy permits, the applicant shall install all access, fire-safe turnaround, septic, water, utility, and other infrastructure necessary for the proposed units to ensure that the unit(s) being constructed can function independently of any future development and is designed to connect to any future development that could occur under the approved Comprehensive Master Plan. The applicant shall construct all infrastructure and roadway improvements in accordance with the project approvals, unless any State and/or Federal laws, County ordinances, resolutions, policies or actions adopted or pursued by the County in order to comply with peremptory State and/or Federal laws in effect at the time of construction supersede the project approvals. Any such new requirements shall only apply to new road and infrastructure construction.

7. Setbacks. All new development shall occur outside a 100-foot setback from the exterior property lines. Interior property line setbacks shall comply with reduced Rural setbacks for the AG-PD-SP zoned areas; Light Industrial (M1) setbacks for the PD-SP zoned areas; and Commercial setbacks for the C1-PD-SP zoned areas.
8. Parking. Required parking areas shall be constructed in accordance with the design standards of Section L-II 4.2.9 of the Land Use and Development Code, including surfacing, curbing, slope, drainage, backout area, driveway/aisle widths, parking stall sizes, and accessibility standards. Non-residential building permits shall provide parking in substantial conformance with Exhibit E2-a for the Expanding Light Retreat and Exhibit E-3 for the Village Center, and parking shall be maintained for the life of the project. Prior to occupancy of any residential building permit, the applicant shall demonstrate that there are a minimum of two 9'x18' parking spaces per residential unit within 50 feet of the residence in conformance with residential building standards. Overflow parking for special events is not required to be built to be parking standards.
9. Landscaping. Preliminary landscape plans consistent with approved conceptual plans shown in the approved UPA sheets shall be submitted with each Administrative Development Permit application for each non-residential structure. Prior to issuance of any grading or building permits for site-specific non-residential development, the applicant shall submit a Final Landscape Plan prepared, signed and stamped by a licensed landscape contractor, landscape architect, landscape designer, or horticulturalist to the Planning Department for review and approval, including the following:
 - a. All details depicted on the preliminary conceptual plans; and
 - b. Street buffer landscaping is not required given that all non-residential use areas to which parking applies are accessed from internal roads. Residential buffers are not required because they are provided by the 100-foot buffer surrounding the entire site and are not needed for the single-owner master planned village concept; however, the applicant shall provide landscaping around the base of and/or in front of non-residential structures consistent with what is shown in the approved UPA sheets; and
 - c. The location of all required plant materials for each planting area, dispersed within interior parking lot landscaping, to provide the shade requirements of Land Use and Development Code Section L-II 4.2.7.E.2.g; and
 - d. A note on the plan, certified by a licensed landscape architect, landscape designer, or horticulturalist, that trees are located on the plan so as to cover 40% of the parking area

- with tree canopies within 15 years, consistent with Land Use and Development Code Section L-II 4.2.7.E.2.g; and
- e. A legend listing the type, number and size of plant materials, indicating both the required number and the provided number of each plant type. List plants for each required landscaped area. Include a listing of water usage type, or hydrozone, for each plant type. List plant materials in groupings of trees, shrubs, and ground cover plants. Show both common names and botanical names. New native vegetation plantings or retention of existing native vegetation must be included in all required plantings pursuant to subsection L-II 4.2.7.E.2.b of the Land Use and Development Code; and
 - f. Irrigation plan per subsection L-II 4.2.7.E.3.c of the Land Use and Development Code; and
 - g. The design of all parking lots shall visually blend with the surrounding natural features so as to avoid abrupt transitions that would distinguish the parking lot from the natural surroundings. This integration shall be achieved by using gravel surfaces, retaining mature native trees, and avoiding the use of curbing both around the parking areas and in parking islands. Interior parking lot landscaping requirements for numbers of trees and shrubs, minimum size and frequency of landscaped islands, and curbing requirements may be modified to achieve this integration provided that the Planning Department finds that the plan achieves the same overall effect consistent with L-II 4.2.7.E.2; and
 - h. A note that “All plantings and irrigation shall be maintained by the property owner and in any case where a required planting has not survived the property owner shall be responsible for replacement with equal or better plant materials.”

Prior to final occupancy for the site-specific non-residential development, the landscape architect or property owner shall verify that all plant materials have been established for said building and parking area(s) pursuant to the approved plan.

- 10. Signage. The project signage shall be consistent with the conceptual sign plan and with Section L-II 4.2.12 of the Land Use and Development Code. This approval is for the existing signs and new interior directional and informational signs as needed on the site, consistent with the existing signage.
- 11. Road Names. Prior to building occupancy for each new area of development served by a new road, the applicant shall name and post the roads serving that applicable area, pursuant to the road naming standards of Chapter VII of the Land Use and Development Code.
- 12. Recreation Fees. Prior to each residential building permit issuance, the applicant shall pay the recreation mitigation fee in effect at the time of permit issuance. Fees shall be paid to the Planning Department to be deposited for the Oak Tree Park/Twin Ridges Benefit Zone in the amount of \$747 per residential unit.
- 13. Lot Line Adjustments.
 - a. Prior to issuance of building permits for any development that does not meet setbacks to existing parcel lines within the Expanding Light Retreat area and residential clusters D, E, and G, within APNs 61-170-12, 61-170-34, 61-180-02 and 61-180-03, LLA16-

- 0008 shall be recorded to ensure that all development will meet applicable setbacks on internal property lines.
- b. Prior to issuance of building permits for any development that does not meet setbacks to existing parcel lines within proposed residential clusters K, L, M, N, and O, within APNs 61-210-19, 61-210-20, 61-230-06, and 61-240-02, LLA16-0014 shall be recorded to ensure that all development will meet applicable setbacks on internal property lines.
14. Transient Occupancy Tax. The Nevada County Treasurer-Tax Collector collects transient occupancy tax (TOT) at a rate of 10 percent for accommodations at camping and lodging facilities. This tax is collected from lodging facilities where the lodger stays for 30 days or less, and is remitted to the County on a quarterly or monthly basis. This tax applies to any structure, or any portion of any structure which is occupied by transients for dwelling, lodging, or for sleeping purposes and includes any camp, camp trailer, campground, campsite, lodging house, and other houses. For all uses that to which the TOT would apply, the applicant shall notify the Nevada County Treasurer-Tax Collector's office and pay the appropriate taxes.
15. Timber Harvest. Any timber harvest that will be conducted as preparation for development shall be submitted to the Planning Department prior to issuance of improvement permits. The applicant shall employ a California Licensed Timber Operator to conduct of timber operations compliance with the Forest Practice Act and Rules. Prior to issuance of improvement permits, the applicant shall submit to the Planning Department a Timberland Conversion Permit or applicable exemption in compliance with the Forest Practice Act and Rules.
16. Indemnification Agreement. Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department a Defense and Indemnification Agreement, in a form approved by County Counsel. No further permits or approvals shall be issued for the project, including without limitation a grading permit, building permit or final map approval, unless and until the applicant has fully complied with this condition. The standard Defense and Indemnification Agreement shall be attached to the approval letter.
17. **Add Visual Resource Protections to the Comprehensive Master Plan Design Guidelines (Mitigation Measure 1A):** Prior to issuance of any grading or improvement permits, the following shall be added to the Comprehensive Master Plan Design Guidelines to provide visual resource protections:
1. All outdoor light fixtures for both residential and non-residential uses shall be fully shielded and downward-facing to prevent the light source or lens from being visible from offsite properties and roadways. Fixtures shall have high-efficiency lamps. Mercury vapor light fixtures, floodlights and spotlights shall be prohibited. Lighting shall be turned off between 11 p.m. and sunrise except for the following: security lighting which operates with the use of motion or heat sensors, those businesses operating during these hours, and lighting at the Village Center and Rajarshi Park which has a demonstrated safety and security need. Security lighting fixtures shall be

- shielded and aimed so that illumination is directed only to the designated area. Improvement plans for non-residential structures shall depict the location, height and positioning of all light fixtures and shall provide a description of the type and style of lighting proposed.
2. Residential buildings within Clusters L, M, N, and O shall be subdued earth tone colors. High visibility or reflective colors and materials, such as bright white body color or shiny metal roofing, are prohibited.
 3. Non-residential buildings (with the exception of the new temple) shall be subdued colors similar to the tones found on nearby buildings. High visibility or reflective colors and materials are prohibited.
 4. Clearing of trees for building site views shall be limited to a 30-degree corridor as measured from the edges of the building.

The Final Comprehensive Master Plan and Design Guidelines shall be kept on file in the Planning Department for future reference in site plan reviews.

Timing: Prior to issuance of grading and improvement permits

Reporting: Revision of CMP and Design Guidelines prior to approval of any permits

Responsible Agency: Planning Department

18. **Avoid and Reduce Impacts to Nesting Raptors and Migratory Birds (Mitigation Measure 4A):** If tree removal is proposed outside the nesting season (August 1-February 28), no further mitigation is required. If tree removal is proposed during the nesting season (March 1- July 31) for any project construction, including road and infrastructure improvements, a Nevada County-approved qualified biologist shall conduct a pre-construction survey to verify that the construction and potential disturbance zones do not support nesting migratory birds. The surveys shall incorporate the following procedures:

1. Tree removal shall not take place during the breeding season (March 1 – July 31), unless supported by a report from a qualified biologist verifying that birds, including raptors, are not nesting in the trees proposed for removal or disturbance.
2. An additional survey may be required if periods of construction inactivity (e.g., gaps of activity during grading, tree removal, road building, or structure assembly) exceed two weeks, an interval during which bird species, in the absence of human or construction-related disturbances, may establish a nesting territory and initiate egg laying and incubation.
3. Surveys shall be conducted no more than two weeks prior to the initiation of construction activities or other site disturbances.
4. Should any active nests or breeding areas be discovered, a buffer zone (protected area surrounding the nest, the size of which is to be determined by a qualified biologist) and monitoring plan shall be developed for the review and approval of CDFW. Nest locations shall be mapped and submitted, along with a report stating the survey results, to the Nevada County Planning Department within one week of survey completion.

A qualified wildlife biologist shall monitor the progression of reproductive stages of any active nests discovered during the preconstruction survey until a determination is made that nestlings have fledged and that a sufficient time for fledgling dispersal has elapsed; construction activities shall be prohibited within the buffer zone until such determination is made.

Timing: Prior to issuance of the grading, improvement, and building permits

Reporting: Agency approval of permits

Responsible Agency: Planning Department

19. **Avoid and Reduce Impacts to Special-status Bat Species (Mitigation Measure 4B):** If removal of trees 24 inches dbh or larger (“potential roost trees”) is conducted between September 16 and March 31, or if trees to be removed at any time are smaller than 24 inches dbh, acoustical surveys for bats are not required. If trees 24 inches dbh or larger are to be removed for project construction between April 1 to September 15, acoustical surveys for the presence or absence of Yuma myotis and Pale Townsend’s big-eared bat shall be performed by a biologist with experience in this type of survey. If these bat species are not detected within the project site, then no further mitigation is required. If these bat species are detected acoustically within the site, then no trees 24 inches dbh or larger shall be removed until either follow-up acoustical surveys demonstrate that the bats are no longer foraging within the site; or each potential roost tree that is either designated to be removed or is located within a 50-foot radius of a tree to be removed is determined definitively not to contain a hollow suitable for bat roosting use; or until the period of September 16 to March 30, during which trees of any size may be removed without impacts to bats.

Timing: Prior to issuance of the grading, improvement, and building permits

Reporting: Agency approval of permits

Responsible Agency: Planning Department

20. **Establish Non-disturbance Buffers (Wetland Habitat Management Plan) (Mitigation Measure 4C):** Establish non-disturbance buffers around sensitive wet areas as follows:

1. Prior to the start of construction, the applicant shall establish the seasonal wetlands, riparian areas, and ponds that occur in close proximity to project-related work activities as non-disturbance buffers during construction. These include areas mapped as “SW”, “P”, and “R” in Figures 3 and 4 of the Wetland Habitat Management Plan prepared by Beedy Environmental Consulting (dated April 2016) that occur within 100 feet of development, including road widening and road improvements. Work shall not begin until the buffers are delineated on the ground with orange safety netting or signage under the supervision of a qualified biologist. The buffer area signs shall be installed wherever activity will occur within 100 feet of these resources and remain in place for the entire duration of construction. Staging areas as well as fueling and maintenance activities shall be a minimum of 66 feet from onsite ponds (St Francis, Nandi, Pubble, Dairy, Incense, Turtle, and Lotus). Spoil areas, staging areas, access roads, parking, and equipment refueling & maintenance areas shall be located a minimum of 30 feet from the upstream or upslope side of the wetlands, ponds, riparian areas, and upland swales. Any construction activity that occurs within 20 feet of any water resource shall be marked with orange safety netting. No earth-moving activities, vegetation removal, vehicles, heavy equipment, material storage, equipment maintenance or refueling, or other construction activities shall be permitted within the ESA buffers. The boundaries of all work areas shall be clearly marked on all final grading and construction drawings.
2. Prior to issuance of the first occupancy permit, the applicant shall install signage at points around the perimeter of areas mapped as seasonal wetland, ponds, or riparian areas in the Biological Inventory, where these areas share a boundary with roads, trails, or development. The signage shall inform residents about the potential presence of

nesting migratory birds and other sensitive wildlife in these areas during the breeding season (March 1 through July 31).

Timing: *Prior to issuance of grading and improvement permits and prior to first occupancy permit*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

21. **Implement Best Management Practices (Wetland Habitat Management Plan) (Mitigation Measure 4D):** To protect water quality, habitat values, and wildlife in the wetlands, ponds, streams, and riparian areas, the project work shall implement BMPs during and after construction as described in the Wetland Habitat Management Plan prepared by Beedy Environmental Consulting (April 2016). These include areas mapped as “SW”, “P”, and “R” in Figures 3 and 4 of the Wetland Habitat Management Plan that occur within 100 feet of development, including road widening and road improvements, as well as the reaches of upland “swales” that would be directly affected by road crossings or widening in development clusters “L” and “K”. These standard BMPs include but are not limited to the following, which are summarized here. More detailed specifications are provided in the Wetland Habitat Management Plan:

1. Pre-Construction Planning. These measures shall be implemented prior to the start of any earthwork activities.
 - a. Minimize the amount of soil and vegetation disturbance to the minimum necessary through site design and construction practices.
 - b. Prior to the start of work that will disturb soil within 50 feet of wetlands, ponds, or riparian areas, including any vegetation removal, install silt-fencing, straw bales, sediment catch basins, straw or coir logs or rolls, or other sediment barriers to keep erodible soils and other pollutants from entering the adjacent wetlands, ponds, or riparian areas outside the permitted work area.
 - c. Prior to the start of construction, medium to large and/or dense infestations of Scotch broom, goat grass, and yellow star thistle within or adjacent to the 100-foot non-disturbance buffers shall be marked with signage and/or temporary safety netting.
 - d. Provide copies of “After the Storm: A Citizen’s Guide to Understanding Stormwater” (Appendix B of the Wetland Habitat Management Plan) to residents living within or near the construction area.
 - e. Prevent alteration of the surface drainage patterns that support streams, wetlands, ponds, and riparian areas by maintaining existing drainage patterns in the design of road ditches, culverts, and development runoff drainage plans.
2. Construction Measures. These measures shall be implemented and shown as notes on all grading and improvement plans.
 - a. Construction activity within 100 feet of the wet areas shall occur only during dry weather.
 - b. All ESAs and work areas, including spoil areas, staging areas, access roads, parking, and equipment refueling and maintenance areas, shall be clearly marked on all final grading and construction drawings. The applicant shall prepare a spill prevention and clean-up plan.
 - c. Before the first heavy rains and prior to removing the barriers, soil or other sediments or debris that accumulates behind the barriers shall be removed.
 - d. The contractor shall exercise every reasonable precaution to protect the wetlands, ponds, and riparian areas from accidental pollution with fuels, oils, bitumen, and

other harmful materials. The contractor shall immediately contain and clean up any petroleum or other chemical spills with absorbent materials such as sawdust or cat litter.

- e. All disturbed areas shall be graded or smoothed to minimize surface erosion and siltation; disturbed and bare soils shall be stabilized as soon as possible after the soil disturbance is completed and before any rain event. Specific measures apply to Lotus Lake.
 - f. Bare soils shall be stabilized with a combination of locally native grass seed and/or plugs or tightly woven fiber netting or similar material biodegradable mats to anchor the seeding and mulch on any steeper faces. Plastic sheeting and plastic mono-filament matting may not be used for erosion control due to the possibility of California red-legged frog entrapment. This limitation shall be communicated to the contractor through use of special provisions included in the bid solicitation package.
 - g. On slopes greater than 3:1, heavy erosion control blankets shall be used and installed according to manufacturer's directions.
 - h. If straw is used for mulch or for erosion control, only certified weed-free straw shall be used to minimize the risk of introducing noxious weeds.
 - i. Contractors shall be instructed to wash or otherwise remove any seed or stolons from the tires, tracks and undercarriage of heavy equipment and any other vehicles entering the project site.
 - j. Sediment and other pollutant control measures, and erosion control measures shall be inspected regularly, and repaired and/or installed no less than 24 hours before a forecast storm or rain event.
 - k. Extra sediment, pollutant, and erosion control materials shall be stockpiled onsite to address any unanticipated rain events, problems and emergencies.
3. Operational Measures. These measures shall be implemented on an ongoing basis after construction and for the life of project operations, except as noted.
- a. Prevent the direct discharge of development runoff into ponds, wetlands, and riparian areas by pre-treating the runoff in constructed vegetated swales upstream of these features. These swales shall be constructed as part of the grading and improvement plans for the applicable areas and shall be maintained for the life of the project.
 - b. Protect water quality in the seasonal wetlands and riparian areas surrounding the proposed Village Center PD-SP zone during ongoing operations by insuring that all operations involving petroleum based products (refueling, lubrication, engine maintenance etc.) or other chemicals take place on covered cement pads or indoors to prevent any potential contamination of runoff.

Timing: *Prior to issuance of the grading and improvement permits and during operation of the project*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

22. **Maintain an Educational Program for Village Residents and Visitors (Wetland Habitat Management Plan) (Mitigation Measure 4E):** In order to minimize impacts to wildlife and habitat values, the applicant shall maintain an educational program for Village residents and visitors that focuses on the following during the ongoing operation of the project:

1. Any dogs brought onto the property by neighbors, visitors, and guests shall be kept on a leash at all times. Residents and visitors shall not walk dogs in areas mapped as seasonal wetland, ponds or riparian areas.
2. Educate residents about the impacts of human disturbance to wildlife (“flushing,” light pollution, etc.) and about cat predation on wildlife, especially ground-nesting species, and encourage spaying and neutering of cats. Homeowners shall be encouraged to keep their cats indoors at night.
3. Educate residents about the impacts of night-time lighting to wildlife and the CMP requirements to shield light fixtures to direct lighting away from natural areas; use the proper amount of light for the job (don’t overlight); and turn off lights (either manually or with motion sensors) when there is no one around to use them. Advocate to residents how these simple steps will also result in both reduction of light pollution and conservation of energy.
4. Prohibit the dumping of private yard trash, landscape maintenance trash (including grass clippings), or littering; require residents to keep trash cans and compost bins in fenced areas to avoid attracting wildlife and to prevent nuisance wildlife.
5. Educate residents on how to deter brown-headed cowbirds by the following measures: use feeders that are made for smaller birds, such as tube feeders that have short perches, smaller ports, and no catch basin on the bottom. Avoid platform trays, and do not spread food on the ground; avoid using cowbirds preferred feed (sunflower seeds, cracked corn, and millet) and instead offer nyjer seeds, suet, nectar, whole peanuts, or safflower seeds; clean up seed spills on the ground below feeders, and avoid searching for or visiting a nest if cowbirds are in the area.
6. Implement fuels management guidelines in the Ananda Village Forest Management Plan (Whitlock 2013).
7. Locate trails and other recreational facilities away from seasonal wetland, pond, and riparian areas and other Environmentally Sensitive Areas, maintaining a buffer of 25 feet or more from the perimeter of these habitats.

Timing: *Prior to issuance of the grading and improvement permits and during project operation*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

23. **Provide Copies of Mitigation Measures to Contractors (Mitigation Measure 4F):** To ensure the proper and timely implementation of all mitigation measures contained in this report, as well as the terms and conditions of any other required permits, the applicant shall distribute copies of the project mitigation measures and any other permit requirements to the contractors and to members of the Ananda Village Board of Directors prior to grading and construction. These measures shall also be included as notes on all plans and permits.

Timing: *Prior to issuance of the grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

24. **Minimize Impacts to California Red-legged Frogs (Mitigation Measure 4G):** Prior to any construction activities and issuance of any grading or improvement permits on the property, the following shall be completed as noted. The term “construction activities” refers to all construction activities, including road improvements and road construction, anything that requires ground disturbance such as campground expansion, septic-field construction, parking-lot construction, stone-wall construction, etc., and anything that

requires use of heavy equipment anywhere within 300 feet of a pond. Restrictions apply to all or specified ponds regardless of whether they are inundated at the time of construction.

1. Pre-Construction Planning. These measures shall be implemented prior to the start of any earthwork activities.
 - a. Resumes of all biologists proposed to capture or handle red-legged frogs or to provide construction monitoring and training shall be submitted to the Service for approval no fewer than 30 days prior to the start of construction.
 - b. For all projects that take place within 300 feet of any pond, a qualified biologist approved by the U.S. Fish and Wildlife Service (Service-approved biologist) shall train all project staff, contractors, and other work crews regarding habitat sensitivity, identification of California red-legged frogs and their breeding and non-breeding habitats, and required practices before the start of any construction activity taking place within 300 feet of any pond. The training shall include the general measures that are being implemented to conserve this species, the penalties for non-compliance, and the boundaries of the project area. A fact sheet or other supporting materials containing this information shall be prepared and distributed. Upon completion of training, employees shall sign a form stating that they attended the training and understand all of the conservation and protection measures. The training shall be effective for one year and must be retaken after one year.
 - c. For all construction activities taking place within 150 feet of any pond, a pre-construction survey for California red-legged frogs shall be conducted within 24 hours prior to the beginning of construction. The Service-approved biologist shall carefully search all obvious potential hiding spots for red-legged frogs, such as large downed woody debris, the perimeter of pond or wetland habitat, and the riparian corridor associated with streams and drainages. Any red-legged frog found shall be captured by a Service-approved biologist and held for the minimum amount of time necessary to release it in suitable habitat outside of the project area. All project construction access areas and routes shall be included in preconstruction surveys and, to the maximum extent possible, shall be established in locations disturbed by previous activities to prevent adverse effects.
 - d. A buffer of 150 feet shall be flagged as a non-disturbance buffer during all construction activities around Lotus Lake, Nandi Pond, Incense Pond, and Pubble Pond. Sensitive habitat areas shall be delineated with high visibility flagging or fencing to prevent encroachment of construction personnel and equipment into any sensitive areas during project work activities.
 - e. Where construction activities will take place more than 150 feet from pond edges, such as at the residence east of School Circle (west of St Francis Pond), the parking area south of Turtle Pond, the septic field southwest of Pubble Pond, the single residence west of Nandi Pond, and any peripheral structures around Lotus Lake, the boundaries of the construction site itself shall be flagged, outside of which construction activities may not take place.
2. Construction Measures. These measures shall be implemented and shown as notes on all grading and improvement plans.
 - a. Within the 150-foot buffer, construction activities shall not take place without the presence of a Service-approved biologist. The Service-approved biologist shall monitor all ground-disturbing activity. After ground-disturbing activities are complete, the Service-approved biologist shall train an individual to act as the on-site construction monitor. The onsite construction monitor shall have attended the required red-legged frog training. Both the Service-approved biologist and the

construction monitor shall have the authority to stop and/or redirect project activities if any of the requirements associated with these terms and conditions are not being fulfilled and to ensure protection of California red-legged frogs. The Service-approved biologist and construction monitor shall complete a daily log summarizing activities and environmental compliance. The construction monitor shall not have authority to capture or handle California red-legged frogs.

- b. If a California red-legged frog is encountered during construction work, activities shall cease immediately until the animal is removed and relocated by a Service-approved biologist. California red-legged frogs found within construction areas shall be captured and released well away from construction. California red-legged frogs shall not be captured or handled by anyone other than a Service-approved biologist. Suitable release sites for any captured California red-legged frogs shall be approved by the Service prior to the start of construction activities. Nets or bare hands may be used to capture red-legged frogs. Service-approved biologists will not use soaps, oils, creams, lotions, repellents, or solvents of any sort on their hands within two hours before and during periods when they are capturing and relocating red-legged frogs. To avoid transferring disease or pathogens between aquatic habitats during the course of surveys or handling of red-legged frogs, Service-approved biologists will follow the Declining Amphibian Populations Task Force's "Code of Practice." Service-approved biologists shall limit the duration of handling and captivity of red-legged frogs. While in captivity, individuals of these species shall be kept in a cool, moist, aerated environment, such as a bucket containing a damp sponge. Containers used for holding or transporting adults will not contain any standing water.
- c. All construction activities shall be conducted outside the "wet season," which in the Sierra begins with the first frontal system that results in at least 0.25 inches of precipitation after October 15 (as measured from the closest published location and elevation by the National Weather Service) and continues until April 15.
- d. All construction within 300 feet of aquatic sites will be completed as quickly as possible. For any lapses longer than one week on construction within 150 feet of a pond edge, a new preconstruction survey for the presence of CRLFs shall be completed prior to the re-initiation of construction.
- e. Permanent and temporary construction disturbances and other types of project-related disturbance to red-legged frog habitat shall be minimized to the maximum extent possible and confined to the project site. To minimize temporary disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas shall be established in locations disturbed by previous activities to prevent further adverse effects.
- f. A vehicle speed limit of 10 miles per hour shall be posted and enforced on all non-public access roads during construction. Construction crews shall be given weekly tailboard instruction to travel only on designated and marked existing, cross country, and project-only roads.
- g. Because dusk and dawn are often the times when red-legged frogs and tiger salamanders are most actively foraging and dispersing, all construction activities shall cease one-half hour before sunset and shall not begin prior to one-half hour before sunrise.
- h. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the project site to ensure that the red-legged frogs do not get trapped. This limitation shall be communicated to the contractor through use of

special provisions included in the bid solicitation package. Coconut coir matting is an acceptable erosion-control material. No plastic mono-filament matting will be used for erosion control.

- i. The Sacramento Fish and Wildlife Office (SFWO) shall be notified within one working day of the finding of any dead listed species or any unanticipated take of the California red-legged frog.
- j. Staging areas as well as fueling and maintenance activities shall be a minimum of 66 feet from riparian or aquatic habitats. The applicant shall prepare a spill prevention and clean-up plan.
- k. To prevent inadvertent entrapment of wildlife, all excavated, steep-walled holes or trenches will be covered at the end of each work day with plywood or similar materials. If this is not possible, one or more escape ramps constructed of earth fill or wooden planks will be established in the hole. These holes will be inspected for trapped animals prior to the start of construction each day. Before such holes or trenches are filled, they will be thoroughly inspected for any animals. If at any time a red-legged frog is found trapped or injured in these holes, work will cease until the Service is contacted for further guidance.

Timing: *Prior to issuance of the grading and improvement permits and during project operation*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

25. **Minimize Impacts to Resident and Migratory Deer Populations (Mitigation Measure 4H):** The project applicant shall enforce existing guidelines for protecting resident and migratory deer populations, as follows:

1. Cluster development to concentrate access and services and preserve open space
2. Preserve standing oaks and oak groves to the extent possible
3. Maintain open meadows and clear brush within forests for fire safety
4. Remove old agricultural fences and discourage installation of new fencing (except to protect gardens from deer)
5. Enforce the rule against dogs (generally, no resident dogs, visiting dogs must be on a leash) and hunting within Ananda Village.

These measures shall be incorporated into the Comprehensive Master Plan narrative for the project, which shall be updated prior to the issuance of any grading or improvement permits for the property.

Timing: *Prior to issuance of the grading and improvement permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

26. **Protect Landmark Oaks and Other Large Diameter Trees from Accidental Harm during Construction (Oak Habitat Management Plan) (Mitigation Measure 4I):** To ensure that no accidental harm comes to landmark oaks and other trees that have been designated as trees to be left undisturbed, the following measures shall be implemented with the timing shown. The measures shall be incorporated into the grading and construction plans and specifications for all new construction projects, including individual structure construction, septic system construction, and road and driveway construction.

1. Prior to issuance of any grading, improvement, or building permits for the project, the applicant shall submit a final Comprehensive Master Plan map that identifies the location of all landmark oak trees and groves as mapped in the project biological reports, and identifies the location of the potential Sages Road re-alignment for the benefit of the neighbors to the east.
2. Prior to any tree or vegetation removal, grading, or construction activities, the applicant shall survey the development areas and flag landmark oak trees, large diameter snags, and acorn granary trees that will be left undisturbed. Other large diameter trees (e.g., greater than 18 inches diameter) shall be flagged and preserved wherever possible, with preference for the larger diameter trees. Whenever possible, landmark oak trees and other trees 36 inches diameter or greater shall not be removed and impacts to them minimized.
3. Precise surveyed locations of the trees to be left undisturbed shall be shown on improvement, grading, and building plans, and identified within non-disturbance buffers. The boundary of the non-disturbance buffer for landmark oak groves shall be established at the dripline of the protected groves. The boundary of the non-disturbance buffer for landmark oak trees shall be established at a distance that is equal to 1.5 times the radius of the dripline. No soil grading, placement of fill, soil compaction, paving or hardscaping, irrigation, or changes in drainage patterns shall occur within that non-disturbance area. Only non-irrigated plantings shall be permitted within that buffer.
4. Where buffers occur within 50 feet of any work activity, they shall be delineated on the ground, prior to construction, with temporary orange construction fencing or flagging spaced at 20-foot intervals and signage.
5. Soil surface removal greater than one foot located within the driplines of groves and trees, fill placement within five feet of their trunks, impervious paving (asphalt, concrete, etc.) laid within the dripline of groves and trees shall be considered as disturbances, and the impact will require mitigation as specified in Mitigation Measure 4J. Underground utility line trenching shall not be placed within the dripline of non-mitigated trees. If necessary to install underground utilities within the driplines of oak trees, the trench shall not be placed within five feet of the trunk.
6. The applicant is encouraged to implement these or similar measures for trees that they wish to preserve but that may be indirectly impacted by encroachment within the designated non-disturbance buffers; however, any trees that may be impacted by buffer encroachment must be compensated for potential long-term, indirect impacts, under Mitigation Measure 4J.
7. A qualified professional biologist shall periodically monitor onsite construction and grading activities occurring near all identified oak tree protection zones to ensure that damage to the protected oak trees does not occur. Prior to final inspection, the biologist shall provide a memo to the Planning Department indicating whether any oaks were damaged during construction that need to be added to the compensation totals.
8. Contractors shall stay within designated work areas. No vehicles, construction equipment, mobile offices, or materials shall be parked or located within the established non-disturbance buffers.

Timing: Prior to issuance of grading, improvement, and building permits

Reporting: Agency approval of permits

Responsible Agency: Planning Department

27. **Provide Compensation for Impacted Landmark Oaks and Oak Groves (Oak Habitat Management Plan) (Mitigation Measure 4J):** For all oak woodlands and landmark oaks and madrones that are impacted either directly or indirectly by new development and ground disturbance, including road and infrastructure construction, compensation shall be provided in the following ratios. In currently undeveloped woodlands: 1.5:1 ratio; infill development areas and leach field construction: 0.5:1 ratio. Compensation shall be provided prior to the finalization of any grading, improvement, or building permits. Compensation shall be implemented by the enhancement and restoration of oak woodlands as described in the Oak Habitat Management Plan, including retaining a Registered Professional Forester to conduct the management prescriptions outlined in Appendix B of the Oak Habitat Management Plan. The management prescriptions are summarized below:

1. Conduct all large-scale tree and shrub removal in the non-breeding season (August 1-February 28).
2. Promote growth of larger trees through thinning and fuels reduction.
3. Preserve representations of all tree species present on the site.
4. Encourage structural diversity; retain a variety of size and age classes of understory trees; and retain a variety of habitat types, including large and small patches of shrubby species, small trees, dense patches of conifers, and existing open areas and canopy openings.
5. Leave Himalayan blackberry patches along streams for wildlife cover and foraging.
6. Protect the mitigation area streams (including ephemeral headwater reaches) and riparian habitat (including Himalayan blackberry scrub) as Environmentally Sensitive Areas during construction and fuels management activities.
7. Construct trails away from stream corridors and riparian vegetation.
8. Preserve large standing dead trees and leave some large logs on the ground.
9. Remove and control existing medium to large Scotch broom infestations from the forest understory.
10. Implement measures to minimize the introduction of new weed species or the spread of weeds into new areas on infested vehicles and equipment.

Timing: Prior to finalization of grading, improvement, and building permits

Reporting: Agency approval of permits

Responsible Agency: Planning Department

28. **Educate Residents and Guests on Oak Habitat Management (Oak Habitat Management Plan) (Mitigation Measure 4K):** On an ongoing basis following approval of the Comprehensive Master Plan, the applicant shall implement the following:

1. Educate residents about the goals and objectives of the Oak Habitat Management Plan.
2. Enforce dog leash policy and requirements to discourage wildlife from garbage feeding.
3. Educate residents about permitted and prohibited activities in mitigation areas and infill areas.
4. Encourage residents' participation in the management of oak mitigation areas and commons.
5. Educate residents in oak woodland management for maintaining the health of adjacent oaks, managing for fire-safety, and minimizing disturbance to wildlife.

Timing: On an ongoing basis

Reporting: *Enforced through code compliance process*

Responsible Agency: *Planning Department and Code Compliance Division*

29. **Preserve the Oak Habitat Mitigation Areas in Perpetuity (Oak Habitat Management Plan) (Mitigation Measure 4L):** Prior to issuance of any grading or building permits, the applicant shall designate 54 acres of oak mitigation areas as identified in the Oak Habitat Management Plan as non-disturbance and non-buildable areas on the Comprehensive Master Plan, with a note that these areas are to be preserved in perpetuity. No uses requiring grading or building permits shall be allowed within these areas. Commercial harvesting may not occur in the Oak Mitigation Areas (except as forest products are produced in the course of performing prescribed mitigation treatments) and will be guided only by the overall goals listed in the Oak Habitat Management Plan (Beedy 2016). This condition shall run with the land and shall be noted on the face of the final approved Comprehensive Master Plan map and within the Comprehensive Master Plan narrative.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

30. **Halt Work and Contact the Appropriate Agencies if Human Remains or Cultural Materials Are Discovered during Project Construction (Mitigation Measure 5A):** All equipment operators and persons involved in any form of ground disturbance at any phase of project improvements shall be advised of the possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately within 200 feet of the suspected resource and the Nevada County Planning Department shall be contacted. A professional archaeologist shall be retained by the developer and consulted to assess any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for each phase of this project.

Timing: *Prior to issuance of the grading and improvement permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

31. **Limit Construction Activities to Reduce Noise Impacts (Mitigation Measure 12B):** Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday. These limited hours of operation shall be noted on all grading, improvement, and construction plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Permit issuance*

Responsible Agency: *Nevada County Planning Department*

32. **Appropriately Dispose of Vegetative and Toxic Waste (Mitigation Measure 17A):** Neither stumps nor industrial toxic waste (petroleum and other chemical products) are accepted at the McCourtney Road transfer station and if encountered, shall be properly

disposed of in compliance with existing regulations and facilities. This mitigation measure shall be included as a note on all grading and improvement plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

Timing: Prior to issuance of grading and improvement permits

Reporting: Agency approval of permits and plans

Responsible Agency: Nevada County Planning Department

B. DEPARTMENT OF PUBLIC WORKS

1. Road Improvements:

- a. New roads and road segments constructed as part of the Use Permit approval shall be improved in conformance with minimum Fire Safe Road standards in effect at the time the road is constructed. Road improvements shall be completed prior to occupancy permits for residential and non-residential construction except as noted below.
- b. *Residential Road Improvements:* Residential access road improvements shall be completed as follows prior to the issuance of the first building permits for any residential construction within the specified cluster, except as otherwise noted.
 - i. Any Cluster: Prior to issuance of the first residential building permit under the updated Master Plan, the applicant must complete construction of the secondary access road extending Almora Way from existing Cluster B to Sages Road. Construction completion consists of applying for a grading permit and receiving County approval, with engineer's certification, that the road meets the all-weather, compacted surface and load requirements for a Fire Safe Road.
 - ii. Cluster A: Ranikhet Way shall be extended to Ayodhya Way.
 - iii. Clusters I and J: Village Drive shall be improved from the Village Center to Almora Way, and Kashi Court to Varanasi Drive shall be developed.
 - iv. Cluster K: Village Drive shall be improved from Almora Way to Cluster K, and Puri Lane developed.
 - v. Cluster L: No further improvements to Almora Way will be required once Almora Way is extended to Sages Road for emergency access. Brindaban Way shall be extended from the Almora Way extension toward Clusters M and N, together with a hammerhead turnaround, for those dwellings within Cluster L that need Brindaban Way for access.
 - vi. Cluster M: Brindaban Way shall be improved from Ayodhya Way to the Almora Way extension, and Brindaban Circle shall be developed.
 - vii. Cluster N: Rishi Road shall be improved and either 1) Brindaban Way shall be improved from Ayodhya Way to Rishi Road or 2) Brindaban Way shall be improved from Almora Way to Rishi Road. That portion of Sages Road needed for access to Cluster N as identified in Proof of Concept plan POC-5 shall be improved.
 - viii. Cluster O: Gangotri Way shall be improved from Ayodhya Way, and Badrinath Drive from Gangotri Way to the point needed for dwelling unit access.
 - ix. Cluster P: Janaka Circle shall be constructed.

- c. *Non-residential Road Improvements:* Non-residential access road improvements shall be completed as follows to Fire Safe Road standards:
- i. UPA #1: Living Wisdom School: Access shall be according to the approved Use Permit U08-013 site plan as shown on Exhibit E-1. No further improvements are required.
 - ii. UPA #2: Village Center: Access shall remain as existing. No further improvements are required.
 - iii. UPA #3: Rajarshi Business Park: The addition to Rajarshi Park requires the development of Janaka Circle to Fire Safe Road standards, as a one-way loop, in conformance with the Proof of Concept plans on Exhibit POC-7.
 - iv. UPA #4: Expanding Light Retreat: The new temple shall require improvements to Assisi Hill Drive and associated parking areas, connecting with the existing loop off Expanding Light Drive. The office building (Building #12) and guest accommodations (Building #16) shall require improvements to Assisi Hill Drive connecting with the existing loop off Expanding Light Drive, if not already completed with construction of the temple improvements. The yoga hall (Building #11) does not require road improvements. The shower house, dormitory lodging, and tent cabins (Buildings #8, 9, 10) shall require improvements to Dharma Drive from the Expanding Light Drive to the County standard hammerhead immediately southeast of Lotus Lake. The shower houses, tent cabins, and yoga hall (Buildings #9, 10, and 18) shall require the development of Dharma Drive from Assisi Hill to the County standard hammerhead.
2. Improvement Plans. Improvement plans for each building area, prepared by a licensed engineer, shall be submitted to and approved by the Department of Public Works prior to issuance of building permits within that building area. These plans shall include the design of onsite drainage and stormwater runoff, road, driveway, and utility improvements. If portions of residential clusters or non-residential use areas are constructed, the applicant shall install all access and fire-safe turnaround infrastructure prior to issuance of building permits for that portion to ensure that the unit(s) being constructed can function independently should no further development within that cluster occur, and to ensure that the construction is designed to connect to future development allowed under the approved Comprehensive Master Plan.
3. Utilities. Utilities, including water, sewage disposal, electrical, and telephone shall be extended to each new residential cluster and non-residential uses prior to building occupancy as needed to serve the structures as they are developed. All new electric power and telephone lines shall be shown on the detailed site plans associated with the respective building and grading permits, and shall be installed underground unless utilizing existing aboveground poles.
4. Road Maintenance. All roads shall be maintained to the standards set forth herein for the life of the project.
5. Engineer's Certification. The applicant's engineer shall certify that the required improvements were constructed in conformance with the approved plans.

6. Road Improvement Fee. A Road Improvement Fee in accordance with Nevada County Ordinance No. 1829, creating and establishing the authority for imposing and charging a Road Improvement Fee with the unincorporated territory of Nevada County, will be levied at the issuance of building permits and will be based on the latest fee schedule adopted by the Nevada County Board of Supervisors.
7. Lot Line Adjustments (LLA16-0008 and LLA-0014)
 - a. The boundary line adjustments LLA16-0008 and LLA-0014 shall not be recorded concurrently but shall be recorded separately prior to issuance of building permits for any development that does not meet setbacks pursuant to Condition A.13.
 - b. Each boundary line adjustment is not effective until recorded in the Office of the County Recorder. Upon recordation of each boundary line adjustment, all pre-existing lot lines are deemed erased by the newly recorded adjustment. Documents used to record the boundary line adjustment shall be submitted to the County Surveyor for review and recordation and shall include the transfer deeds that reflect the new property descriptions, executed by all affected owners of record. **Any existing deeds of trust shall be revised to reflect the new property descriptions and shall be approved by the beneficiaries of said deeds of trust.** Boundary line adjustments shall be reflected in recorded documents in one of the two following ways:
 - i. The boundary description for the recorded documents that are used to legally convey the property for this boundary line adjustment shall be signed and sealed by a land surveyor or civil engineer licensed to practice land surveying in California and be in compliance with Subdivision Map Act, Section 66412(d). The boundary description shall include the following wording, unless the entire resulting parcel is described:

“NOTE: The herein described land area has not been approved as a separate building site, and is created as an approved boundary line adjustment for the express purpose of being combined with, and used in conjunction with, adjoining lands.”
 - ii. If a Record of Survey is not prepared for the boundary line adjustment, the document used to convey the property shall be accompanied by a sketch map depicting the adjusted boundaries which shall be submitted to the County Surveyor for review and recordation along with the transfer deeds and description. The sketch map shall be signed and sealed by a licensed land surveyor or civil engineer and shall include: 1) a statement that the record of survey is not required in conformance with Section 8762 of the Business and Professions Code; 2) the County File Number, LLA16-0008/LLA16-0014; and 3) the following statement:

Approved by Nevada County: _____

Date

By: _____

Title: _____

Nevada County Department of Public Works

- c. The following information shall appear on the exhibit map or Record of Survey map that is recorded for this adjustment:
 - i. Approval of this boundary line adjustment does not constitute approval nor guarantee sewage disposal or water availability on these parcels.
 - ii. All pre-existing lot lines shall be considered erased or merged by this boundary line adjustment.
- d. A Tax Clearance Certificate from the Nevada County Tax Collector shall be provided to the Nevada County Department of Public Works prior to recording each boundary line adjustment.
- e. Documents used to complete each lot line adjustment shall ensure that:
 - i. The grantor's name(s) are the same as they currently hold title to the parcel; and
 - ii. The grantee's name(s) and vesting are the same as for the parcel with which the boundary line adjustment portion will be combined.

C. NEVADA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

Sewage Disposal:

1. The applicant has conducted soils testing to identify appropriate locations of new sewage disposal areas. These areas where soil test pits were opened for inspection and where percolation testing was conducted and submitted for review of the Environmental Health Department appear as available for appropriately scaled sewage disposal systems. All proposed sewage disposal systems shall be designed, permitted, and constructed according to standards and requirements of the current Nevada County (On-Site) Sewage Disposal Ordinance and its implementing regulations. Centralized systems with more than five connections shall not require the formation of a public entity pursuant to page A1 of the Centralized (On-Site Sewage) Disposal System Design Package Guidebook. The applicant shall obtain final approval of the sewage disposal system permits prior to issuance of building permits for uses requiring sewage disposal. Prior to approval of occupancy, the applicant shall obtain final approval for the sewage disposal system permitted installation.
2. The applicant shall provide a site plan(s) that shows relevant and proximate existing development features such as existing sewage disposal systems, water system components, and any other structures, together with all proposed development, with each Wastewater System Construction Permit application. The intent is that relevant setback requirements pertaining to the water supply system and others can be reviewed prior to permit issuance.
3. An aspect of the nonresidential component is an intended inclusion of an RV dump station for Expanding Light Retreat guests. Prior to permitting of a holding tank to accommodate this wasteflow, the applicant shall submit a plan for review and approval of the Environmental Health Department that references the existing Use Permit. Until such time

as an appropriate sewage disposal facility is permitted for this, no dumping of RV waste shall be permitted onsite.

4. Parcels within the Master Plan area where septic system elements cross parcel lines as configured now, or in the future, are required to submit a notarized, recorded Declaration(s) with surveyed boundary descriptions, obligating at time of sale/transfer the creation of a sewage disposal easement(s), that provide understanding to a future property owner the existence of such elements and entitled constraints on property use.
5. The applicant shall comply with the Land Use and Development Code Ordinance and Regulations governing on-site sewage disposal for special events, which include festivals within the Village Center; Spiritual Renewal Week, concerts, performances at the amphitheater area; and weddings and tulip garden open house at the Crystal Hermitage. Portable toilets shall only be permitted for the special events and not for permanent residential and non-residential uses. Prior to the first building permit issuance, the applicant shall submit a site plan showing the location and required number of portable toilets for the various proposed events onsite, in compliance with all Environmental Health setbacks.
6. Annual fees for operating permits for the existing and future centralized sewage disposal fields will be billed on a time and materials basis.

Water Supply:

7. Water Supply Thresholds. Because development may occur over an extended time, in order to ensure an adequate water supply as development occurs, the applicant shall submit data and make necessary well and infrastructure improvements when specified Water Supply Thresholds are met, as set forth in Condition C.8. The thresholds are triggered either by completion of a certain number of residential units or by water usage reaching a certain Maximum Day Demand, whichever comes first. Once a threshold has been reached, prior to issuance of building permits for any further development, applicant shall provide adequate water storage and water infrastructure, and adaptive groundwater management strategies considering sustainable well capacity, as set forth in the Condition C.8.
 - a. Threshold 1 is triggered after the earliest of 1) the completion of 36 new residential units (for a total of 123 total dwelling units on the project site) or, 2) if Maximum Day Demand (MDD) in the previous year exceeds 86 gpm. Once Threshold 1 is triggered, further review of the water system is required as outlined in Condition of Approval C.8.
 - b. Threshold 2 is triggered after the earliest of 1) the construction of an additional 36 new units (for a total of 159 total dwelling units on the project site), or, 2) if MDD in the previous year exceeds 112 gpm. Once Threshold 2 is triggered, further review of the water system is required as outlined in Condition of Approval C.8 for the remaining development allowed under the Master Plan.
 - c. Note that there are currently 85 units on the site: two more units may be constructed under previous approvals (87 units total) before new units associated with the Use Permit will begin to be counted toward Threshold 1.
 - d. Notwithstanding the number of units constructed, Developer agrees and warrants that the dwelling units shall be capped at, and shall not exceed 195 dwelling units.

8. **Provide Adequate Water Supply for New Development (Mitigation Measure 9B):**

Prior to issuance of building permits for each phase as specified below, the applicant shall provide adequate water storage and sustainable well capacity as required by State Waterworks standards. Storage and capacity requirements may change if system maximum daily demand (MDD)/unit changes.

1. The thresholds defined in Condition A.7 relate to three “phases” of development, which are defined herein for the purpose of water supply and demand monitoring. Phase 1 is defined as all development up until Threshold 1 is reached. Phase 2 is defined as all development up until Threshold 2 is reached. Phase 3 is defined as all development after Threshold 2 up to full build out.
2. Prior to issuance of permits for each phase of development defined in Condition C.7, the applicant shall submit a plan check for the review and approval of the Environmental Health Department. Additional sources and/or storage shall not be connected to the potable water system without prior approval. The applicant shall demonstrate that the water system has sufficient source capacity and infrastructure to meet the storage/source requirements, including any dedicated fire storage requirements, prior to initiating development of the next phase of the referenced project per CCR Title 22, Section 64554.
3. Prior to issuance of the first building permit for Phases 2 and 3, the applicant shall provide monitoring data and documentation to the Environmental Health Department to demonstrate current water use and the resultant need for source capacity and storage required for buildout of that phase. The entire source capacity and storage required for the next phase will be permitted and added to the water system prior to occupancy of any buildings in the next phase. If sufficient water supply does not exist for any units up to the maximum allowed in the respective phase, those units may not be constructed until such time as sufficient supply is permitted by the County.
4. The applicant shall keep all wells active, to potable water standards, and perform all the required water quality testing for each well that is used to demonstrate the source capacity for each phase of the project they are currently in and all prior phases.

Timing: *Prior to issuance of building permits for each phase*

Reporting: *Permit approval*

Responsible Agency: *Nevada County Environmental Health Department*

9. **Implement an Adaptive Groundwater Management Program (Mitigation Measure 9C):**

An Adaptive Groundwater Management Program, as detailed in Section 6.4 of the Source Capacity Planning Study (Knibb 2014) shall be implemented during project operations to provide the data needed to prove adequate water supply prior to each Threshold of development and to provide adaptive measures as needed during project operations. Measures include the following:

1. Manage Monitoring:
 - a. Water levels shall be recorded via pressure transducers and dataloggers at least every 45 minutes (more frequently if warranted). Data from the transducers shall be downloaded at least monthly. In peak irrigation periods, from June 1 to October

- 31, data shall be downloaded more frequently (twice monthly to weekly), depending on the perceived need for closer monitoring.
- b. Pumping volumes shall be measured daily at all operating wells.
 - c. Water samples shall be collected from each well and analyzed for general physical properties and mineral and inorganic constituents, as required by the California Department of Public Health for public domestic water supplies.
 - d. Precipitation shall be monitored from the Grass Valley climatological station, as well as from several local, unofficial sources.
 - e. Ananda shall consult annually with a certified hydrogeologist to verify the integrity of monitoring systems and equipment, and to analyze the data described above. The hydrogeologist shall identify trends and recommend adjustments to operating procedures, as needed, to ensure achievement of these goals.
 - f. Raw data shall be sampled for a variety of parameters, including maximum and minimum depth-to-water in a 24-hour period, number of daily pumping cycles, recovery levels and rates between pumping cycles, and proximity of water levels to water-producing fractures. Water quality sampling results shall be reviewed for consistency with historical sampling at the same wells.
 - g. Data shall be presented graphically, when appropriate, to allow easy interpretation and comparison, including the display of historical data with current readings. A number of key parameters shall also be generated for each download period to allow a quick check on the water system as shown in sample hydrographs in Appendix 3 of the Source Capacity Planning Study.
 - h. All monitoring data shall be stored in digital files that are backed up to at least two locations.
2. Manage Groundwater Pumping:
- a. Manage pumping to maintain water levels above the fractures identified in the well driller's report for each well. The initial goal for each well will be that the maximum depth-to-water is always at least five feet above a major producing fracture. This goal may be modified as more data becomes available for each well.
 - b. Manage pumping to ensure that recovery patterns and rates remain in the range observed in historical data, which have proven to be sustainable. Daily recovery levels (maximum water level measured in a 24-hour period) shall be compared with previously observed values of this parameter for that date. Wells that lack historic data will be phased in gradually until a "normal" recovery range is established. In addition, each well shall periodically be taken out of service long enough to allow full water level recovery, while recovery levels and rates are monitored. Deviation from previously observed recovery rates and levels could signal the need for modification of the pumping regime. Pumping shall be managed so water level recovery stays within the ranges established for each well.
 - c. Adjust pumping if monitoring shows that water levels have exceeded the depth-to-water threshold for a well, or a change is observed in the behavior or water quality of a well from historic patterns. Management options include redistributing pumping among the wells to reduce demand on the affected well and reducing system demand (for example, coordinating large irrigation uses to avoid unnecessary peaks in demand or instituting the drought contingency plan described below). If monitoring or onsite observations result in a significant change in water quality, water data shall be monitored more frequently until the affected constituents stabilize.

3. **Manage Supply and Demand:**

- a. When or if additional source capacity is needed, Ananda shall shift summer irrigation demand from potable systems to other known but undeveloped or underutilized sources; and/or develop new sources of supply.
- b. The applicant shall track water consumption within the Village and use the data to manage demand (e.g., managing MDD and implementing drought contingency measures).
- c. During times of drought, conservation measures shall be used as appropriate and when needed to manage groundwater supply.

Timing: *Ongoing*

Reporting: *As needed*

Responsible Agency: *Nevada County Environmental Health Department*

Food Facilities:

10. The applicant shall submit a retail food plan check to Nevada County Environmental Health Department prior to the Village Market kitchen remodel.

Hazardous Materials:

11. The applicant shall maintain a hazardous waste permit with CUPA and comply with all applicable laws and regulations regarding the handling and storage of hazardous waste. The applicant shall obtain the appropriate permits from the Environmental Health Department for hazardous materials generation and storage for the proposed vehicle repair shop and any other facilities using or handling hazardous materials. Prior to building occupancy, if any quantity of hazardous material is to be stored onsite, or any quantity of hazardous waste is to be generated or stored onsite, the applicant shall contact the Nevada County Environmental Health Department. If required, complete plans and specifications pertaining to any hazardous material materials storage, or hazardous waste generation, storage, and/or disposal shall be prepared, subject to the approval of the Environmental Health Department.

12. **Physically Close any Encountered Mine Features (Mitigation Measure 6D).** Mining features such as open or partially-collapsed shafts, tunnels or pits may present physical hazards and may not be suitable for support of structures, roads or other improvements. Therefore, if mining features are encountered near proposed development areas, they shall be physically closed in accordance with recommendations developed as part of a design-level geotechnical investigation, which may include recommendations for shallow mining excavations such as excavation to reveal the underlying, competent native soil and rock, and then backfilling with engineered fill; and for deeper features, plugging with concrete or foam in accordance with an engineered plan and under the oversight of the local building department.

Timing: *If encountered during construction*

Reporting: *Agency approval of permits*

Responsible Agency: *Environmental Health Department*

13. **Characterize the Chemical Properties of any Encountered Mine Waste (Mitigation Measure 6E).** Mine waste (including soil and rock in exploratory spoils piles, mine waste

rock, and processed mine tailings) may contain heavy metals and metalloids such as mercury, lead and arsenic that present a health hazard in the case of dust inhalation, ingestion or dermal contact. Therefore, if mine waste is encountered, soil sampling and analysis shall be conducted to determine whether the mine waste presents a potential health risk. Exposure to mine waste shall be avoided, and mine waste shall not be disturbed without prior permitting and approval of the Nevada County Environmental Health Department (NCDEH). If mine waste is found to present a potential health risk, neutralization, removal, or encapsulation shall be conducted as determined appropriate by NCDEH, to levels that do not represent a potential health or other environmental risk.

Timing: *If encountered during construction*

Reporting: *Agency approval of permits*

Responsible Agency: *Environmental Health Department*

D. NEVADA COUNTY BUILDING DEPARTMENT

1. The applicant shall submit complete construction, utility, grading, drainage and erosion control plan for review at the time of building/grading submittal in conformance with Nevada County Land Use and Development Code Chapter V.
2. Two sets of wet stamped/signed complete geotechnical evaluation reports shall be submitted at the time of building/grading permit submittal.
3. All improvements are required to meet the current California Building Standards Codes that are in effect at time of plan submittal for each project improvement.
4. **Implement the Recommendations of a Geotechnical Evaluation for Project Grading and Structural Work (Mitigation Measure 6A):** Prior to issuance of grading, improvement, and building permits, a design-level geotechnical report shall be prepared by a licensed engineer and submitted to Nevada County and recommendations therein followed for all subsequent grading and structural work. The final report shall provide recommendations that ensure that any highly erodible soils, if present, are accounted for in the grading design and structural specifications for the site. Performance standards shall include the following:
 1. All grading and structural work shall meet the performance standards of applicable CBC regulations;
 2. Construction methods shall be used which minimize risks to structures and do not increase the risk to the site, or to adjacent properties and their structures, from the geologic hazard;
 3. Development shall not increase instability or create a hazard to the site or adjacent properties, or result in a significant increase in sedimentation or erosion;
 4. Site planning shall minimize disruption of existing topography and vegetation;
 5. Excavation and grading shall be minimized to the greatest extent practicable; and
 6. Any limitations to site disturbance, such as clearing restrictions, imposed as a condition of development approval shall be marked in the field and approved by the county prior to undertaking the project.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Approval of permits*

Responsible Agency: Building Department

5. **Prepare and Implement an Erosion and Sediment Control Plan (Mitigation Measure 6B).** Prior to issuance of grading and improvement permits for all project-related grading, said permits or plans shall incorporate, at a minimum, the following erosion and sediment control measures:

1. During construction, Best Management Practices (BMPs) for temporary erosion control shall be implemented to control any pollutants that could potentially affect the quality of storm water discharges from the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in accordance with California State Water Resources Control Board (SWRCB) requirements. This SWPPP includes the implementation of BMPs for Erosion Control, Sediment Control, Tracking Control, Wind Erosion Control, Waste Management and Materials Pollution Control.
2. If applicable, topsoil shall be removed and stockpiled for later reuse prior to excavation activities. Topsoil shall be identified by the soil-revegetation specialist who will identify both extent and depth of the topsoil to be removed.
3. Upon completion of grading, stockpiled topsoil shall be combined with wood chips, compost and other soil amendments for placement on all graded areas. Revegetation shall consist of native seed mixes only. The primary objectives of the soil amendments and revegetation is to create site conditions that keep sediment on site, produce a stable soil surface, resist erosion and are aesthetically similar to the surrounding native forest ecosystem.
4. Geo-fabrics, jutes or other mats may be used in conjunction with revegetation and soil stabilization.

Timing: Prior to issuance of grading and improvement permits

Reporting: Approval of grading and improvement permits

Responsible Agency: Building Department

6. **Limit the Grading Season (Mitigation Measure 6C):** Grading plans shall include the time of year for construction activities. No grading shall occur after October 15 or before May 1 unless the Chief Building Inspector or his/her authorized agent determines project soil conditions to be adequate to accommodate construction activities. This condition shall be noted on all grading plans.

Timing: Prior to issuance of grading permits

Reporting: Approval of grading permits

Responsible Agency: Building Department

7. **Minimize Impacts to Steep Slopes (Mitigation Measure 6F):** The following mitigation measures shall be implemented for disturbance of all slopes 30 percent and greater, according to the timing noted in each item. The following shall also be shown as notes on all grading and improvement plans:

1. Soil disturbance is strictly prohibited within steep slopes during the wet season, between October 15 and April 15 of each year.
2. Roadway fills shall be compacted to minimum 90 percent relative compaction and surfaced with 4 inches aggregate base (or asphalt if over 16 percent grade). Roadside ditches shall be lined with 8 inches minus riprap in areas over 12 percent slope.

3. Best management practices shall be used for site development. Soil disturbance to graded areas shall be limited. Sediment traps such as straw bale barriers or fiber rolls shall be properly installed downhill of soil disturbance areas. The applicant shall implement periodic cleanup of work areas. All sediment devices shall be maintained until a vegetative ground cover is established.
4. A fiber roll or barrier (or a row of straw bales) shall be installed on an even contour (barrier may be staggered with about 5 feet of horizontal overlap) as close to the limit of activity as practical (the road area plus about 10 feet for circulation and access, plus any additional length to stay on an even contour). The erosion barrier shall be located on the fall line downhill from the construction activity and shall be wider than the construction area by about 5 feet.
5. Both temporary and permanent erosion control measures shall be used. Vegetative ground covers shall be established on all disturbed areas prior to October 15 of each year. A minimum of 10 pounds per acre of creeping wild rye (*Leymus triticoides*), California brome (*Melica californica*), red fescue (*Festuca rubra*), and California melic (*Melica californica*) shall be applied, and cover shall be watered until established. Seed shall be reapplied as necessary to establish a cover for disturbed areas, and the ground cover shall be maintained on a permanent basis.
6. The applicant shall inspect erosion control measures on a regular basis and after the first rains and shall remedy any areas which develop erosion by appropriate measures as listed in this mitigation measure.
7. Interceptor drains with 8 inches minus riprap lining shall be incorporated above all cut and fill slopes where the ditch slope is 12 percent or greater, to direct drainage around such slopes.
8. All slopes created shall be 2:1 or less in steepness.
9. Road cross slope shall direct runoff away from fill slopes.
10. In areas of 30 percent slope disturbance, it may be necessary to reduce the slope height by using a retaining wall. This will be determined on a case-by-case basis with an onsite inspection by the project engineer to make the final determination.
11. Construction shall be completed within 24 months.

Timing: Prior to issuance of grading and improvement permits

Reporting: Approval of grading and improvement permits

Responsible Agency: Building Department

8. **Avoid Increased Stormwater Runoff (Mitigation Measure 9A):** Prior to issuance of permits for each development area, the applicant shall provide a drainage report prepared by a registered civil engineer that demonstrates no net stormwater runoff from the proposed project. The drainage report shall include an analysis of net runoff from the project site and design for 1-year, 10-year, and 100-year storms. All stormwater drainage shall be designed by a registered civil engineer, and the designer shall utilize County standard plans and specifications. No additional net stormwater runoff offsite shall be permitted.

Timing: Prior to issuance of grading, improvement, and building permits

Reporting: Permit approval

Responsible Agency: Nevada County Building Department

E. NEVADA COUNTY CODE COMPLIANCE

1. **Limit Exterior Property Line Noise Levels to County Noise Standards (Mitigation Measure 12A):** Exterior property line noise levels generated by the approved discretionary uses shall not exceed the Rural standards of Section L-II 4.1.7 of the Nevada County Land Use and Development Code at the time of the given noise generation. This condition shall be enforced through a complaint-driven process through the Nevada County Code Compliance Division.
Timing: During project operation
Reporting: As needed
Responsible Agency: Nevada County Code Compliance

F. NEVADA COUNTY FIRE MARSHAL'S OFFICE

1. All roads serving this project shall meet the minimum requirements of a Fire Standard Access Road as set forth in the Department of Public Works conditions of approval. Strategically placed turnouts as shown in project plans shall be constructed to improve access and egress while providing protection for heritage oak trees and topographic features. Exceptions to the Fire Safe Road Standard are permitted as follows:
 - a. Service Drive #1 from Expanding Light to the hammerhead shown just east of the Lotus Lake Dam and also immediately west of Lotus Lake Dam to Dharma Drive.
 - i. In areas of the existing and proposed roadway that are impeded by landmark oaks or oak groves, the roadway may narrow for that specific section as to not adversely affect those specific trees.
 - ii. Any area where it is agreed by the applicant and the Nevada County Fire Marshal's Office that it is infeasible to meet the width requirements, turnouts shall be utilized that meet the Public Resources Code 4290.
 - b. Dharma Drive from Service Drive #1 to Assisi Hill Drive. For areas that do not meet the standard of two 9-foot traffic lanes due to landmark oaks and oak groves, the roadway may narrow for that specific section as to not adversely affect those specific trees.
 - c. The loop off of the southernmost point of Dharma Drive. This loop will be shown to only have one-way traffic due to roadway width.
 - d. Village Drive. The extension of Village Drive may have a 100-foot section with up to an 18 percent grade. All other roadway standards shall apply.
2. No dead-end roadway serving residential development shall be in excess of 1,320 feet in length.
3. A 10-foot wildland fire fuel modification area shall be provided on both sides of all roads. This area shall be maintained in a fire safe condition at all times, including removal of brush, 20-foot spacing between trees, and limbing of all tree branches to not less than 6 feet off the ground. Vertical clearance, over the driving surface, shall be not less than 15 feet.

4. The Fire District has adopted development fees for new construction and fees for services provided by the Fire Prevention Bureau. Fees for services provided by the Fire Prevention Bureau are based on an hourly rate. Fees for service provided by the Fire Prevention Bureau shall be paid at the time services are rendered. The Fire District's approval of this application is not valid until all plan review fees have been paid.
5. All meetings and inspections require a minimum of 48-hours advance request.
6. Maintenance of vegetation clearance around structures shall meet the minimum requirements of Public Resources Code Section 4291. Structures shall have a maintained fuel reduction zone by removing and clearing away all brush, flammable vegetation or combustible growth no less than 100 feet from structures or to the property line, whichever is closer. Such clearing does not apply to individual isolated trees, ornamental shrubbery or similar plants, which are used for ground cover unless such vegetation forms a means of rapidly transmitting fire from ground vegetation to canopy trees.
7. Fire Hydrants. Service Drive #1, a fire hydrant will be placed near Building #9 East of Lotus Lake Dam.
 - a. The hydrant will be located in between Buildings #9 and #10 and will be located within 10 feet of the roadway on the North side.
 - b. The specific location will be agreed upon by the Applicant and the Office. The location will be determined by operational need and suitability of topography.
8. The existing water storage and delivery system is compliant with the National Fire Protection Association (NFPA) 1142 and is comprised of a 30,000-gallon storage tank in an elevated location on the Ananda grounds. This tank pressurizes and feeds four-inch distribution lines to fire hydrants strategically placed throughout the development. The hydrants are capable of delivering 250 gallons of water per minute for a minimum of two hours. A draft style fire hydrant is also in place at an approved turnout near the pond on the southwest portion of the development. This draft fire hydrant can provide a minimum of an additional 30,000 gallons of water to be pumped by Fire Department personnel and equipment. All future identified development will continue to be served by the 30,000-gallon water storage tank. Additional distribution lines will feed fire hydrants located at appropriate locations approved by the Fire Marshal's Office and will be compliant with NFPA 1142 and CCR-Title 14. Plans shall be submitted to the Fire Marshal's Office and approved prior to any work on the system.
9. All construction shall be reviewed by the Fire Marshal's Office at the time of building permit to determine the need for smoke and fire detection and sprinkler system requirements.
10. All items stored within the new warehouse building shall comply with the 2013 California Fire Code, Section 315.
11. Fire Safety During Construction and Demolition: All applicable sections of the 2013 California Fire Code, Chapter 33 will be enforced.

12. All residential driveways shall meet the driveway standards of Land Use and Development Code Section L-XVI 3.2.
13. All gates installed on the Almora Way emergency access road are subject to standards of Nevada County Ordinance 2310, which include the following:
 - a. At no time shall a gate on an emergency access road be locked.
 - b. The following standard signage shall be required on all gates on emergency access roads: "Emergency Access Only. This Gate Shall Remain Unlocked."
 - c. Pursuant to the enforcement powers established by the Nevada County Land Use and Development Code Section L-XVII 8.3 and 8.4, the County, or an agent of the County, reserves the right to remove locks from gates or to remove other encumbrances, including but not limited to boulders, ditches, and berms, that inhibit the use of an emergency access road for its intended purpose.

G. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT

1. If any source of air contaminants is included in the project (such as a diesel generator, spray booth, boiler exceeding 3 million BTUs/hour), the applicant shall contact the Northern Sierra Air Quality Management District regarding the potential need for an Authority to Construct/Permit to Operate and shall obtain any required permits as needed.
2. **Reduce Emissions during Construction (Mitigation Measure 3A):** The following measures shall be included as notes on all plans prior to issuance of all grading, improvement, and building permits. In addition to these measures, all statewide air pollution control regulations shall be followed, including diesel regulations (which may be accessed at www.arb.ca.gov/diesel/diesel.htm).
 1. Alternatives to open burning of vegetative material shall be used to dispose of site-cleared vegetation. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel.
 2. Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.
 3. At least 50% of the mobile off-road construction equipment in use at any time on the project shall be equipped with Tier 1 engines (or cleaner).
 4. All architectural coatings shall comply with the California Air Resources Board's 2007 Suggested Control Measure for Architectural Coatings (available at www.arb.ca.gov/coatings/arch/Approved_2007_SCM.pdf).
 5. Construction equipment idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) and all construction equipment shall also be maintained and properly tuned in accordance with manufacturer's specifications." Clear signage shall be provided for construction workers at all access points.

Timing: Prior to issuance of grading, improvement, and building permits

Reporting: Agency approval grading, improvement, and building permits

Responsible Agency: Northern Sierra Air Quality Management District

3. **Implement a Dust Control Plan (Mitigation Measure 3B):** Prior to issuance of any grading or improvement permits proposing disturbance of topsoil, the applicant shall submit a dust control plan for the review and approval of the Air Pollution Control Officer. For the purpose of this regulation, the disturbance of topsoil includes any clearing, grubbing or grading. The Dust Control Plan requirement shall be fulfilled by clearly phrased and enforceable conditions included on the project grading and improvement plans with their own descriptive heading, such as “Dust Control.” The following set of dust control measures would constitute an approvable Plan:

1. The applicant (or other responsible party, which should be indicated) shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction.
2. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering shall occur at least twice daily in active areas during dry weather, including once before initial morning disturbance.
3. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for minimizing dust emissions.
4. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
5. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent windblown dust from leaving the property boundary when winds are expected to exceed 20 mph.
6. All inactive portions of the development site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying County-approved non-toxic soil stabilizers (according to manufacturers' specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.
7. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance, and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle.
8. Paved streets adjacent to the project shall be swept or washed at the end of each day, or more frequently if necessary to remove excessive accumulations of silt and/or mud which may have resulted from activities at the project site.
9. Prior to final occupancy, the applicant shall re-establish ground cover on the site through seeding and watering in accordance with the local grading ordinance.

Timing: Prior to issuance of grading or improvement permits

Reporting: Approval of grading or improvement permits

Responsible Agency: Northern Sierra Air Quality Management District

4. **Limit Wood Stoves (Mitigation Measure 3C):** The project shall include no more than one wood-fired heat source in any residential unit, which may be a pellet stove or an EPA-certified wood stove, and open fireplaces shall not be permitted within this project. Each residence shall also be equipped with a non-woodburning source of heat. This mitigation shall be implemented prior to the issuance of residential building permits.

Timing: Prior to issuance of residential building permits

Reporting: Agency approval of building permits

Responsible Agency: Northern Sierra Air Quality Management District

5. **Mitigate any Asbestos Discovered during Construction (Mitigation Measure 3D):** If serpentine, ultramafic rock or naturally occurring asbestos are discovered during construction or grading, the applicant shall notify the Northern Sierra Air Quality Management District within 24 hours and comply with specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations.

Timing: *During construction*

Reporting: *As needed*

Responsible Agency: *Northern Sierra Air Quality Management District*

6. **Provide Energy-efficient Utilities (Mitigation Measure 7A):** Residential improvement plans shall include documentation that they comply with the following measures prior to issuance of building permit:

1. The project shall use energy efficient lighting (includes controls) and process systems beyond Title 24 requirements where practicable (e.g. water heating, furnaces, boiler units, etc.)
2. The project shall utilize water heating featuring low-NO_x water heating burners if electric water heating is not used.
3. The project shall use energy efficient, automated controls for air conditioning beyond Title 24 requirements where practicable.

Timing: *Prior to issuance of the residential building permits*

Reporting: *Agency approval of building permits*

Responsible Agency: *Northern Sierra Air Quality Management District*

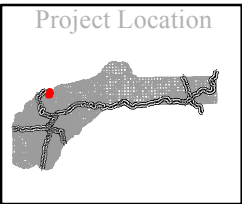
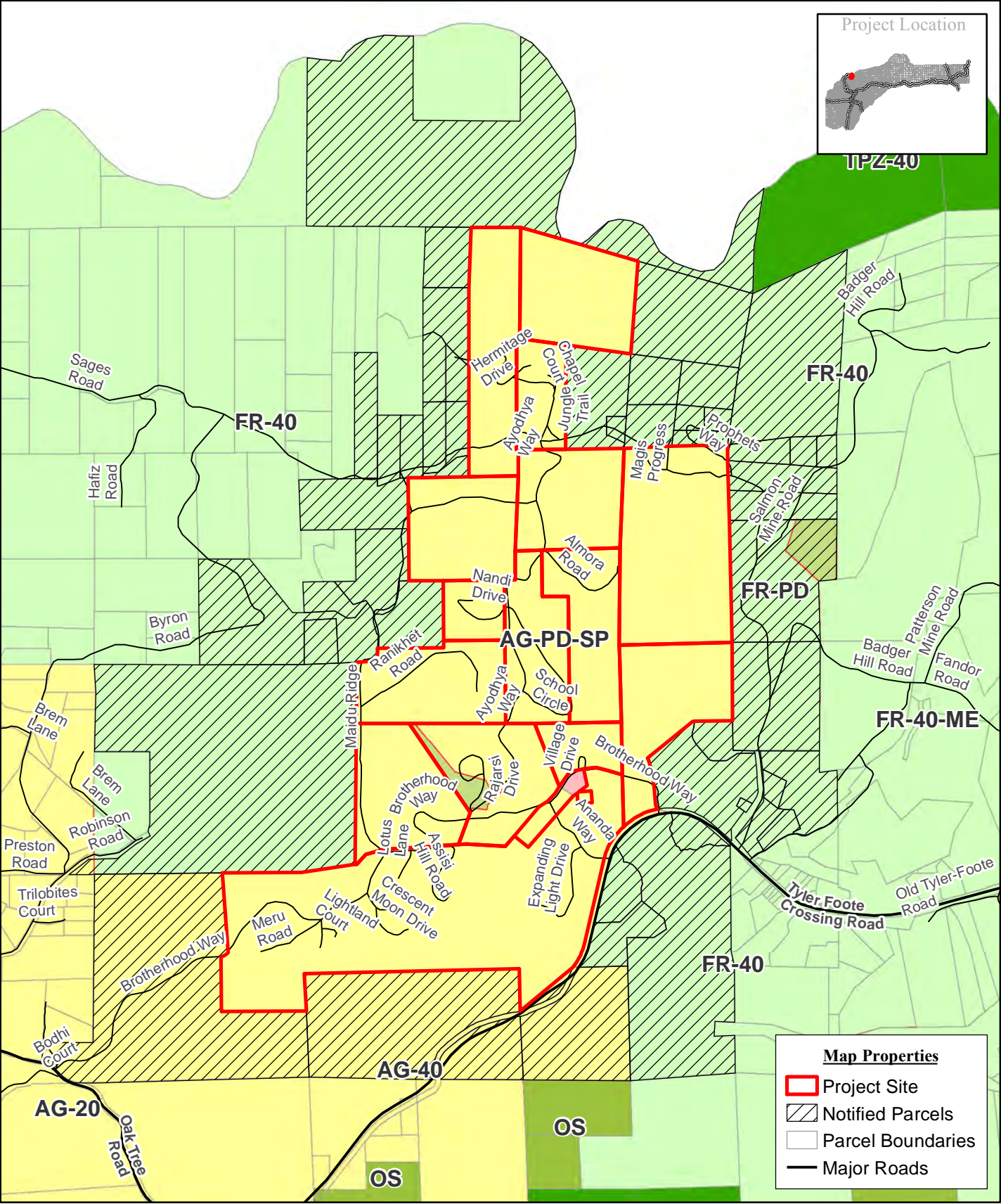
H. NEVADA JOINT UNION HIGH SCHOOL DISTRICT

1. A school impact fee will be levied at the time of issuance of building permits for residential and commercial buildings as authorized under Education Code Section 17620 et seq. The applicable fee amounts shall be consistent with the most recent fees in effect as levied by the Nevada Joint Union High School District, which are currently \$3.36 per square foot of living space for residential units, and \$0.54 per square feet for commercial buildings.

I. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

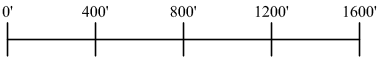
1. Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Game Code, a fee in the amount of \$2,216.25 must be paid as a condition of filing the Notice of Determination for this project. This fee must be submitted to the Planning Department within 10 days of the permit approval with the check made payable to the County Clerk, County of Nevada. Without payment of this fee, the 30-day Statute of Limitations on court challenges to this project's approved environmental document will remain open, which could affect the permit validity. This fee is required to be collected on behalf of the State Department of Fish & Wildlife; it is not for County purposes.

Ananda Comprehensive Master Plan U15-002
Zoning, Vicinity and Public Notice Map



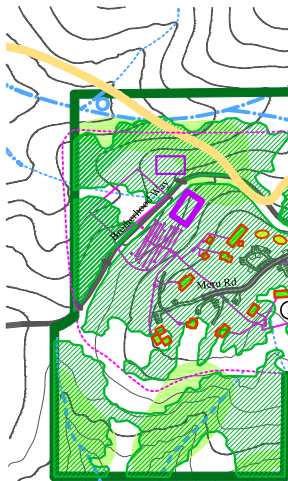
Every reasonable effort has been made to assure the accuracy of the maps and data provided; nevertheless, some information may not be accurate. The County of Nevada assumes no responsibility arising from use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Before making decisions using the information provided on this map, contact the Nevada County Public Counter staff to confirm the validity of the data provided.

Overall Site Plan / Environmental Constraints



Legend

- Existing C1 Zone



3. For greater detail, see Exhibits POC-1 thru POC-7 and E-2a, E-2b and E-3

Printed: 8/9/2016

Ananda Comprehensive Master Plan
Overall Site Plan / Environmental Constraints

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2016 Master Plan Update



Residential Sites


A horizontal number line with tick marks at 0', 600', 900', 1200', and 1500'.

 Existing PD Boundary
  Existing Buildings

 25' Contour Intervals
  Proposed Non Residential Buildings

 Existing Roads
  Proposed Residential Sites

 Proposed Roads
  08 Cluster Site Number

 Ponds

