COUNTY OF NEVADA

(Attach pages if needed) NOV 1 6 2017

APPEAL TO BOARD OF SUPERVISORS

(Per Article 5 of Chapter II of the Land Use and Development Code)

NEVADA COUNTY BOARD OF SUPERVISORS

Any applicant or interested party may file an appeal with the Board of Supervisors requesting review of any final action taken by Various County Agencies. Such appeal shall be filed with the Clerk of the Board of Supervisors within ten (10) calendar days from the date of the decision, except for recommendations on general plan amendments which by State law are subject to a five (5) calendar day appeal period. Filing shall include all information requested herein and shall be accompanied by the appropriate filing fee. The statements (required below) must contain sufficient explanation of the reasons for and matters being appealed in order to facilitate the Board of Supervisors initial determination as to the propriety and merit of the appeal. Any appeal which fails to provide an adequate statement may be summarily denied. The filing of such an appeal within the above stated time limit shall stay the effective date of the action until the Board of Supervisors has acted upon the appeal.

I. APPEAL: I/We, the undersigned, hereby appeal the decision/recommendation of the

		Planning Commission	
Agency	Name		
DP1	4-001, MG1	Г 14-010	11/09/2017
Agency File No.			Date of Decision
PLANN	ING AGEN	CY DECISIONS:	
\$?	Airport Zo	oning L-III Airport Zoning; Truckee-Tahoe Airport, 2. County Air Park, 3.10	12 Appeals; Nevada
	Environme	ental Impact Report L-XIII California Environmental Quality Act; C and Procedures, 1.20 Appeals of the Adequacy of	ounty CEQA Guidelines of the EIR
	Floodplair	n Management Regulations (Floodplain Administ L-XII Floodplain Management Regulations; 1.4	
:	Historic P	reservation Combining District L-II Zoning Regulations; Zoning Districts; 2.7.2	HP Combining District
₹ <u></u>	Inoperable	e Vehicles L-II Zoning Regulations; Administration and En Abatement and Removal of Inoperable Vehicles	aforcement, 5.20
<u> </u>	Land Use	Applications L-II Zoning Regulations; 5.12 Administration ar	nd Enforcement
	Negative I	Declaration L-XIII California Environmental Quality Act; C and Procedures, 1.12 Negative Declaration	ounty CEQA Guidelines

	Rules of Interpretation L-II Zoning Regulations; 1.4 Rules of Interpretation Regarding:
PUBLIC	WORKS DECISIONS:
	Roadway Encroachment Permit G-IV General Regulations; 4.A Regulating Roadway Encroachments; 15.1 Appeals
FIRE AC	GENCY DECISIONS:
	Fee Assessments (Fire Protection District) L-IX Mitigation and Development Fees; Fire Protection Development Fees; 2.6 Appeal from Fee Assessment
	Fire Safety Regulations; General Requirements (Fire Safety Reg. Hearing Body) L-XVI Fire Safety Regulations; General Requirements; 2.7 Appeals
	Fire Safety Standards (County Fire Marshal or Fire Chief) L-V Buildings; 5.8 Fire Agency Appeals
ENVIRO	ONMENTAL HEALTH DECISIONS:
-	Sewage Disposal (Sewage Disposal Technical Advisory Group) L-VI Sewage Disposal; 1.18 Appeals
-	Water Supply and Resources (Health Officer) L-X Water Supply and Resources; 5.1 Appeal Procedures
List All	Agency Action(s) Taken That Are Being Appealed:
Deniál	of DP14-001 and MGT 14-010 for a Dollar General store at 10166 Alta Sierra
Drive in	n Alta Sierra, CA.
II. STAT	EMENT OF THE REASONS FOR THE APPEAL:
Project	as applied for, after significant County Staff input and changes, meets all
County	codes. Proffered rationale for denial, such as that the Project conflicts with
County	's General Plan, is entirely subjective, and such denial is therefore an
abuse	of discretion.

III. STATEMENT OF THE SPECIFIC PROVISIONS WHICH ARE BEING A	PPEALED
n/a	
IV. STATEMENT OF THE CHANGES OR ACTION REQUESTED OF THE	E BOARD
OF SUPERVISORS: Approve DP14-001 and MGT 14-010	
	s
	
V. SUMMATION OF THE ARGUMENTS TO BE RAISED BY THE APPELL	LANT(S):
See paragraph II above, which comments are incorporated here by this refe	erence.
	
VI INFAMERICATION OF THE ADDELL ANTEGO	
VI. IDENTIFICATION OF THE APPELLANT(S):	
Simon CRE, CJS Development II, LLC 6900 E. 2d St., Scottsdale, AZ 85251	
	elephone)
(400)745 4050	
(480)745-1956	

VII. NOTICE: (Multiple appellants should select one representative for purposes of notice.

All notices to appellant(s) should be mailed to: (Please Print)

Peter Dunn Lemmon, Esq. 210 Magnolia Ave., Ste. 2, Auburn, CA 530-265-6100 (Name/Representative) (Mailing Address) (Telephone)

Appellant:

Appellant:

Peter Dunn Lemmon
(Print)

FOR OFFICE USE ONLY

Appeal form to be returned to: Nevada County Board of Supervisors Office, Eric Rood Administrative Center, 950 Maidu Avenue, Nevada City, CA 95959-8617. (530) 265-1480



COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617 (530) 265-1222 FAX (530) 265-9854 http://www.mynevadacounty.com

Planning Department

Environmental Health

Building Department

Department of Public Works Agricultural Commissioner

AGREEMENT TO PAY LAND USE APPEAL

Nevada County Community Development Agency (NCCDA) Appeal fees are based on Board of Supervisor approved fee schedules. Hourly fees and fees for services by departments not included in the original appeal fees are billed to the applicant based on the Board approved fee schedule in effect at the time services were performed and once the final appeal decision has been rendered by the Board. This Agreement To Pay form must be signed and original signatures submitted to the Clerk of the Board along with the completed forms and the initial payment of fees. Copy of current fee schedule is attached to the appeal packet.

I/We understand that the NCCDA may bill for services not included in the original appeal fee, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. The collection of fees, however, will have no effect upon the decision of the appeal by the Board of Supervisors.

Invoices and/or notices to be mailed to: Appellant Information: Project: Dollar General-Alta Sierra Simon CRE Harley V, LLC Address: 6900 E. 2nd Street Scottsdale, AZ 85251 480) 745-1956

NCCDA staff is authorized to consult with necessary governmental agencies concerning this project. They are also authorized to consult with the following individuals concerning this appeal:

i certify under proof of perjury that I am the party authorized to enter into this fee concerning Nevada County Community Development Agency fees and I understand have indicated does not pay required fees, I will be responsible for payment. If writing should I no longer be associated with the above referenced project/properly the change of the date the letter is received by the Nevada County Community Devel	d thal in the ex rther agree to rendering thi	vent that the billing part advise the department is accessed invalid as
	DL#;!	001384668
Joshua Simon, Manager - CJS Development II, LLC	PH#: #	502-672-4559
Printed Name	-	702-072-4559

COUNTY OF NEVADA CLERK OF THE BOARD OF SUPERVISORS FEE SCHEDULE

Land Use Appeals to the Board: (L-II 5.12) Planning Agency Appeals (Res. 17-242) Planning Commission Appeals (Res. 17-242) Zoning Administrator Appeals (Res. 17-242)	\$1,457.80 \$1,457.80 \$1,457.80
Additional Costs if other Departments involved: Building Department (Res. 17-242) County Surveyor (Res. 17-242) Environmental Health (Res. 17-242)	\$153.34/hr. min. \$165.90/hr. min. \$176.14/hr. min.
Other Appeals: Assessment Appeals Board (Res. 14-485) Building and Accessibility Standards Board of Appeals (Res. 17-242) Code Compliance Citation Request for Administrative Hearing (Res. 17-242) On-Site Sewage Disposal Technical Advisory Group Appeal (Res. 17-242)	\$30.00/Application \$306.68/2 hr. min. \$150.00 Deposit \$358.08/2 hr. min.
Cost to continue Public Hearings (Res. 14-485)	\$180.00
Copies: (Res. 14-485) 8 ½" x 11" photo copies: 11" x 17"photo copies: Certification of document Fax	\$.10/pg. \$.25/pg. \$.25 \$.25 \$.25/pg.
Electronic Copies of Documents: (Res. 14-485) The minimum fee includes the cost of the formatted disc, set-up time, and one document file. Additional document files may be added for \$2.00 per document, however, no more than \$19.00 will be charged for any single disc, regardless of the number of document files obtained. In the event the County and the requestor agree that the requested documents shall be provided on media other than CD or DVD, such as a flash drive, the actual cost of that media shall be charged to the requestor in addition to the charges described above.	P II
Verbatim Transcription Fees: (Res. 14-485)	\$65.96/hr

Verbatim Transcription Fees: (Res. 14-485)
The transcription deposit shall be computed based on the hourly fee of service provided by the Clerk of the Board cost plan allocation rate for the fiscal year in which the services are provided.

Preparation of Findings of Fact for Assessment Appeals Board: (Res. 14-485) Actual cost to prepare findings equals County Counsel's time to prepare them. County Counsel's hourly fee is County Counsel cost plan allocation rate for the fiscal year in which services are provided.

\$178.15/hr.