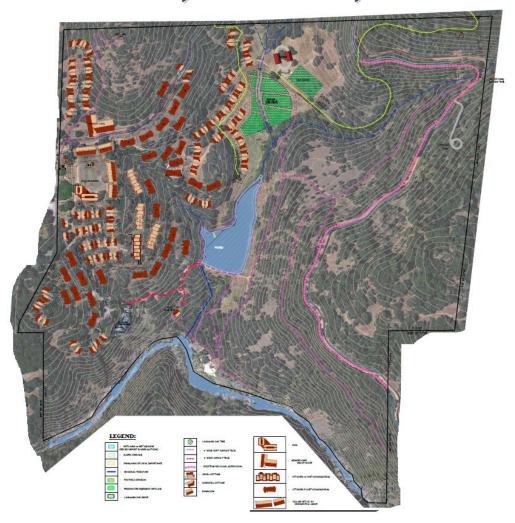
Rincon del Rio PLN19-0024; TFM19-0008; CUP19-0010; MGT21-0001; PFX19-0003; MIS20-0001; EIS19-0010

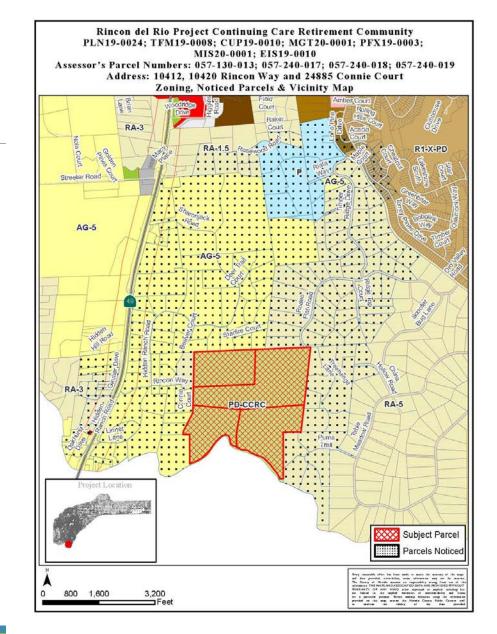




APN: 057-130-013; 057-240-017; 057-240-018; 057-240-019

Project Site

- Parcel Size: Approximately 215 acres.
- Located in unincorporated Southern Nevada County at the terminus of Rincon Way. ½-mile east of Highway 49 and south of the Lake of the Pines community
- Site developed with an existing single-family residence, located in the site's southwestern corner overlooking the Bear River and an approximately 3.25-pond near the center.
- Project site contains rolling hills to steep slopes, relatively flat near the center.
 - Vegetation consists of moderately dense annual grasses and deciduous trees including black, live and blue oaks.
 - Riparian vegetation contains tall green grasses, reeds blackberries, and other bushes along unnamed tributaries.
- Zoning: Planned Development (PD) Continuing Care Retirement Community (CCRC)
- General Plan Designation: Planned Development (PD)
 Continuing Care Retirement Community (CCRC)



Project Background and Previously Approved Project

- Rincon del Rio Continuing Care Retirement Community EIR
 - Approved Rincon del Rio Project April 9, 2013
- Certification of a Final Environmental Impact Report (EIR10-001)
- General Plan Amendment, New Continuing Care Retirement Community (CCRC)
- General Plan Amendment, PD-EST to PD-CCRC
- Zoning Ordinance Text Amendment for CCRC, Established new CCRC Zoning District
- Rezoning of the project site RA-3-PD to PD-CCRC
- Management Plan Steep Slopes, Oak Woodlands, Watercourses and Important Farmlands
- Petition for Exceptions
- Local Class 1 Road Standards on portions of Rincon Way
- Rodeo Flat Road as an emergency access route, grade excess of 16%
- A Tentative Final Subdivision Map
 - Four (4) lots into fourteen (14) lots
- Use Permit
 - Comprehensive Master Plan to develop project site as CCRC
- Development Agreement
 - Project Phasing, Infrastructure, Service Responsibility, Project Operations
- Settlement Agreement
 - November 21, 2013

Modified Project Description CUP19-0010; MGT20-0001; PFX19-0003; MIS20-0001

- Combined application for a Use Permit to amend the Comprehensive Master Plan
- Revise the Tentative Final Subdivision Map
- Development of a Continuing Care Retirement Community (CCRC)
 - Maximum of 415 residents and 345 attached and detached housing units.
 - Up to 43 employees.
 - Development clustered within the western approximately 48-acre portion of the 215-acre project site.
 - Approximately 4 acres of the site would be used for agricultural uses (row crops, orchard), with approximately 163 acres remaining as undeveloped open space.
- Project would be constructed in ten (10) phases

Modified Project Description, Continued

- •Use Permit and revised Comprehensive Master Plan, for the proposed modified project would offer a self-contained Village environment
 - Similar variety of amenities and services as previously analyzed by the certified Rincon del Rio EIR
 - Maintain same Campus design use and service amenities
 - Relocation of some of the uses
 - Allow for individual fee title ownership of the residential attached and detached units
- Amend the Village Center
 - Relocating five buildings in the Support Service Village Center to four smaller two-story buildings
 - Support uses would be located on the first floor
 - Twenty (20) single-ownership Independent Living Condominium on second floor
- Relocate the 22-unit approximately 46,000-square-foot Group Home Memory Care
 / Assisted Living Facility

Modified Project Description, Continued

- Reduce the size of the five apartment buildings and the 98 Independent Living
 Apartment Units
 - 56 units in Four (4) 14-units buildings
 - 145 units in twenty-nine (29) 5-unit buildings
 - 14-Plex and 5-Plex condominium buildings, on common ownership parcels
 - Condominium units single-ownership airspace units
 - 24 condominium units to be used as rental units
- •Change residential independent living units from 216 Cottages, Duplex's, 4-Plexe's, Cohousing and lodges
 - 78 Independent Living one and two-bedroom single and two-story Cottage Units
 - 24 Independent Living one-bedroom Bungalow units
 - Cottage and Bungalow units on individually owned residential parcels.
- Relocate the tennis and pickle ball courts east of the orchard.

Project Elements

Use Permit (CUP19-0010)

Requires the adoption of a revised Comprehensive Master Plan

- A description of the proposed project and discussion of the existing environmental setting;
- Description of existing and proposed infrastructure;
- Identification of project phasing and the improvements associated with each phase;
- Open space management provisions, including creation of CC&R's
- Visual assessment and site design guidelines
- Site and architectural design summary

Tentative Final Map (TFM19-0008)

- Subdivide four parcels into 102 single-family residential parcels, from 4,699 square feet to 8,391 square feet
- 221 Single Ownership Condominium parcels from 1,300 square feet to 1,500 square feet
- 23 common area parcels from 11,807 square feet to 130.42 acres

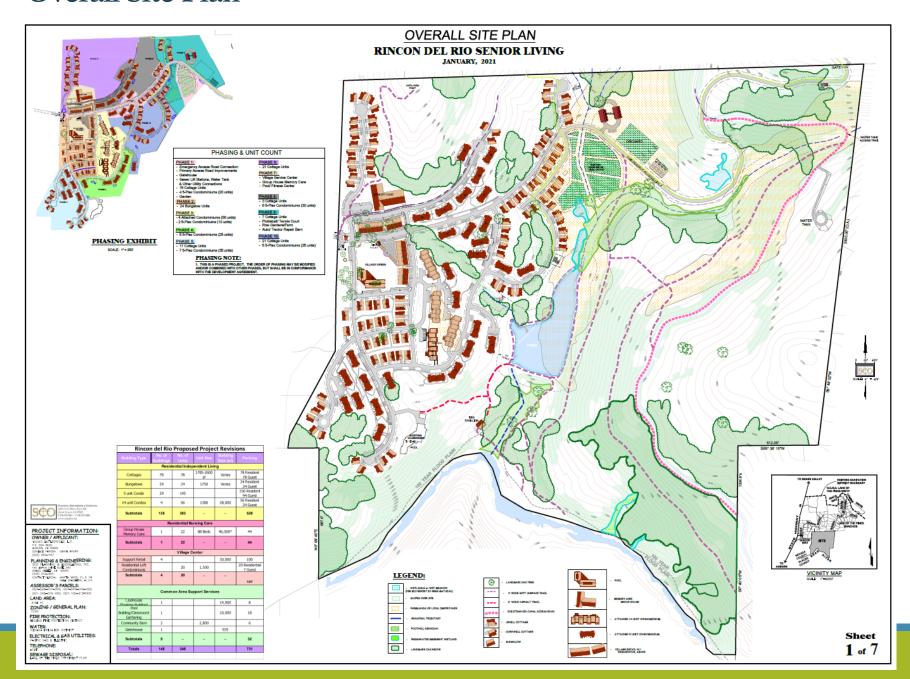
Management Plan (MGT20-0001)

• Steep Slopes, Landmark Oak Groves including Landmark Oak Trees and Water Resources.

Petition for Exception (PFX19-0003)

- For an emergency access roadway exceeding maximum allowable roadway grate of 16%
- For road right-of-way width on Rincon Way reduced from a 50-foot width to a 30-foot width
- Interior primary access roads, constructed to Local Class 2 Standards
 - Exception of allowing a reduction of the right-of-way width from 50 feet to 40 feet
 - Shoulder width from 4 feet to 2 feet when AC dike is used.

Overall Site Plan



Residential Units (345 Total)

Cottages – 78 independent living one and two-bedroom single and two-story detached single-family units with one-car garage.

Bungalows – 24 independent living one story detached single-family units with one-car garage.

5-Plex Condominium – 29 two-story buildings containing 5 two-bedroom independent living single-ownership units.

14-Plex Condominium – 4 three-story buildings containing 14 two-bedroom independent living single-ownership units.

Village Center Loft Condominiums — 20 single-ownership independent living single-ownership units with village center community services located on the first floor contained within four buildings.

Group Home Memory Care /Assisted Living Facility – Two-story 22 unit assisted living units (nursing care) containing 88 beds.

Condominium Rental Units — 24 condominium units would be retained by the applicant that would be utilized as independent living units whose ownership would remain with the applicant

Village Center

Building One – 12 independent living two-bedroom single ownership units on second floor. Café bistro, bakery, ice cream, restaurant, computer room and sundry store on first floor.

Building Two – 4 independent living two-bedroom single ownership units on second floor. Doctor's Office, post office/mail room, gave/club room and flexible space on first floor.

Building Three — 6 independent living two-bedroom single ownership units on second floor. Exercise room spa/massage, pharmacy, grocery store, barber, deli, art gallery/studio and beauty parlor on first floor.

Building Four – 4 independent living two-bedroom single ownership units on second floor. Recycling center, business-concierge, appointment bank, dry cleaner and laundromat on first floor.

Village Center Loft Condominiums — 20 single-ownership independent living single-ownership units with village center community services located on the first floor contained within four buildings.

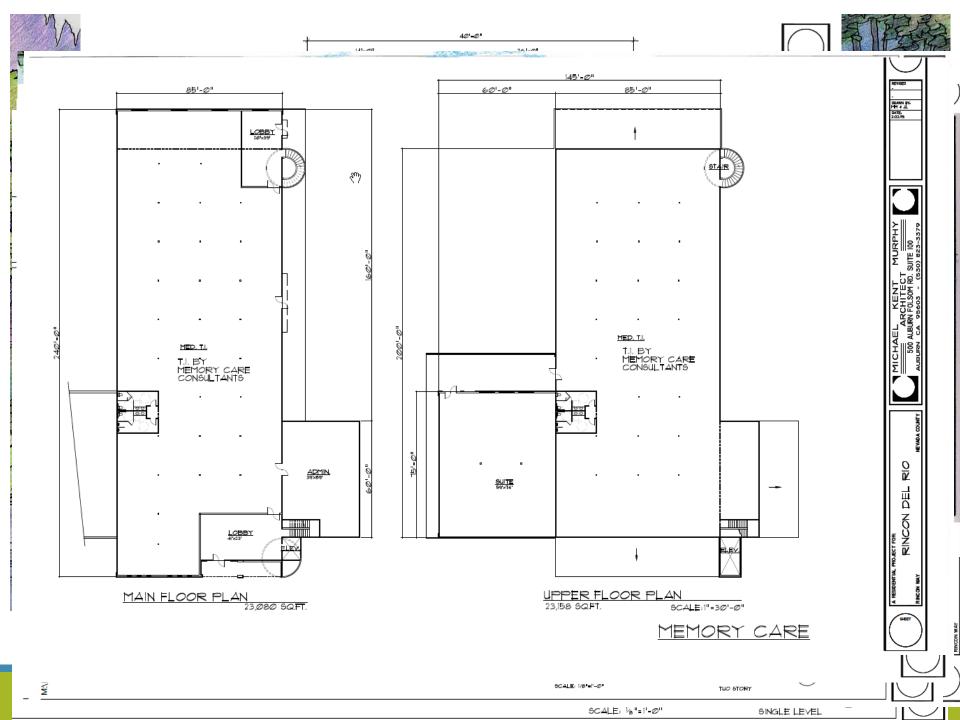
Common Facilities and Accessory Buildings

Gatehouse – An approximately 935-square-foot gatehouse at the western entry to the project site where Rincon Way leads into the site

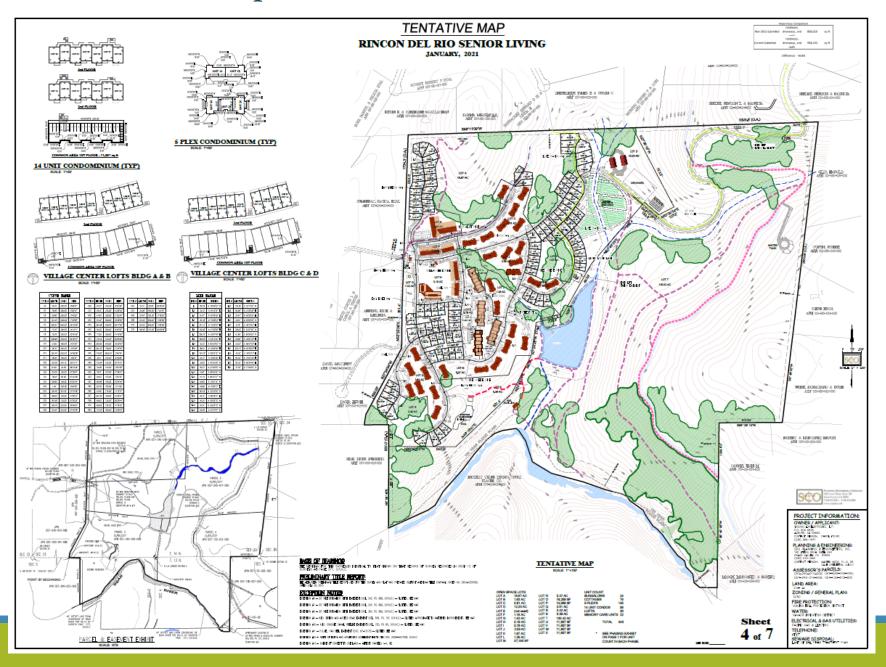
Community Barns – Two community barns totaling approximately 5,600 square feet (2,800 square feet each)

Pool House – An approximately 10,000-square-foot pool house within the eastern portion of the Village Center

Clubhouse – The existing main residence on the project site, at 14,000 square feet, would be modified to serve as a clubhouse.



Tentative Final Map



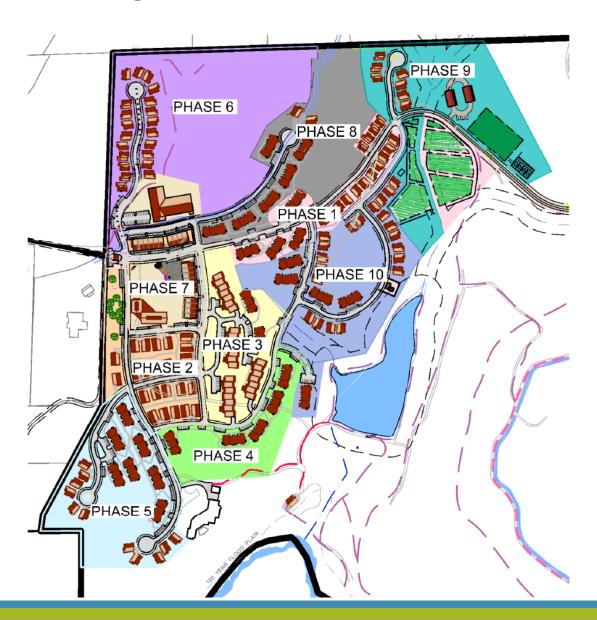
Amendment No. 2 to the approved Development Agreement

- •Amend the term of the agreement such that the established 25-year timeline for the life of the Development Agreement shall become effective upon the execution of Amendment No. 2 and it's enacting Ordinance.
- •Project Phasing and Occupancy Thresholds-requires at least a 70% occupancy of a phase before the next phase can begin construction;
- Population Caps-establishes a maximum population of 415 residents;
- Payment and timing of wastewater treatment and capacity fees; and,
- •That in all other respects, the Development Agreement and all terms and conditions shall remain in full force and effect
- •Includes provisions and agreements on procedural matters

Project Phasing

- •Modified Project is proposed as a phased development to be constructed in ten (10) phases.
 - Phases my be combined and/or modified based on site demands and market conditions.
- Phase 1 would include core infrastructure improvements.
 - Water and sewer and other infrastructure improvements. Primary and emergency access roads, ingress/egress control elements (Gatehouse & Emergency Access Road Control Gate)
 - Fourteen (14) residential Cottage Units and Four (4) 5-Plex Condominium units
- Phase 2 will initial construction upon verification that Phase 1 is occupied at 70%.
 - Twenty-four (24) residential Bungalow Units.
 - Temporary gravel construction roadway.
- •Phases 3 10 would continue build-out of the project and construction of Village Service Center.
- •Memory Care / Assisted Living Facility proposed in Phase 7, in order for base campus population to be established.

Project Phasing



Site Planning / Design

- Modified project allow for the development of a Continuing Care Retirement Community on the project site
- •Nevada County Land Use and Development Code, Section L-II 2.6.B.3
 - Project site zoned PD (Planned Development Base District) & Continuing Care Retirement Community
 - General Plan Land Use Policy 1.2.4.t
 - District encourages innovative and creative design
 - Flexibility in site design including front yard, side yard and rear yard building setbacks and minimum parcel size.

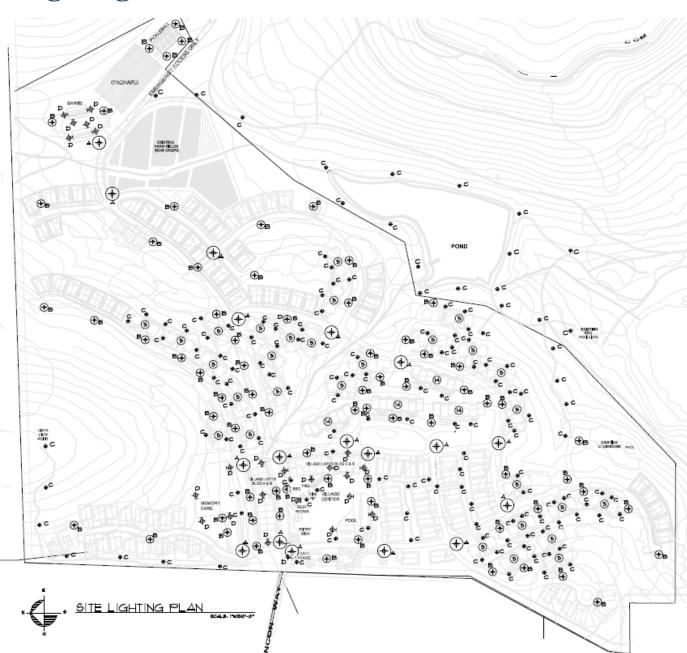
Comprehensive Master Plan:

- 20-foot frond yard setback, 5-foot side yard setback, 10-foot rear yard setback.
- 30-foot setback from property lines for residential structures
- 50 feet for administrative, dining hall and related ancillary uses

Lighting

- Project site lighting would include 89 pole lights
 - 71 of which would be 8 feet tall
 - 18 of which would be 12 feet tall
 - Increase of one pole light from that of the approved project
- Modified project would include:
 - 139 bollard-style lights
 - Increase of 91 lights from that of the approved project
 - 225 wall-mounted lights
 - Increase of 126 lights from that of the approved project.
- Cottage and bungalow residential units would have porch entry lights
- Condition of Approval A.24
 - All Lighting Downcast and Shielded
 - All Lighting to comply with International Dark Sky Association Standards

Lighting



LIGHTING LEGEND			
SYMBOL	DESCRIPTION	FIXTURE COUNT	
⊕△	(OK 8MITAK) IS, BOTE DOWNS SWATT SEKIES	18	
⊕в	COR 6MILAR) 8' POLE	71	
⊕ C	OR SMILAR) BOLLARD	139	
⊕₽	COR SIMILARS WALL MOU	225 INT	

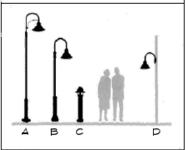
LIGHT FIXTURE CRITERIA & QUALITIES

- IDA (INTERNATIONAL DARK SKY ASSOCIATION) APPROVED.
- 2. LOW ENERGY USAGE LED BULB OPTIONS
- MATCHING CONFIGURATIONS FOR POLE LIGHTS, BOLLARDS AND WALL LIGHTS.
- 4. DURABILITY SUITED TO APPLICATION

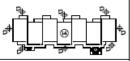
GENERAL NOTES

- L THIS PLAN DOME NOT SHOW INDIVIDUAL UNIT MITTENT PORCH LAMPS. THESE LAMPS WILL BE CONTROLLED BY THE INDIVIDUAL OCCUPANTS OR MOTION SENSORS
- 2. THE PLAN DOES NOT SHOW LIGHTS AT EXISTING BUILDINGS
- 3. THE ENTRY SIGN TO HAVE CLISTOM DESIGNED ARCHITECTURAL TEATURE LIGHTING.

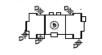
LIGHT FIXTURE EXAMPLES







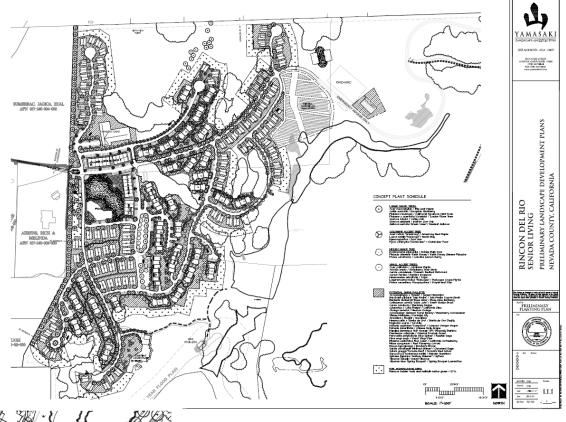
5 UNIT LIGHTING DIAGRAM

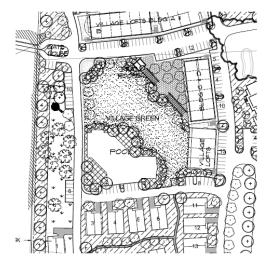


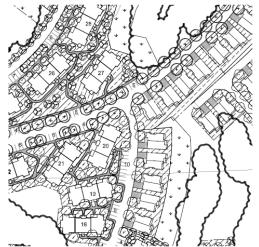
Landscaping

- •Preservation of existing blue oak trees and other native vegetation wherever possible.
- •Utilization of native and adaptive plant materials in new landscaping.
- Placement of deciduous trees for passive cooling of buildings and paved areas.
 - Shading of parking areas would achieve 50 percent in 15 years.
 - Deciduous trees would be positioned on south- and west-facing exposures to limit heat gain during summer months.
- •Condition of Approval A.14 requires the submission of a Final Landscaping Plan.

Landscaping







Domestic Water Service and Wastewater Options

- Water service provided by the Nevada Irrigation District (NID), from the Lake of the Pines Water Treatment Plant
- •Two water and wastewater service options (Alternative A & B) were considered and analyzed in the certified Environmental Impact Report and in the Addendum to the Final Environmental Impact Report as part of original approved project.

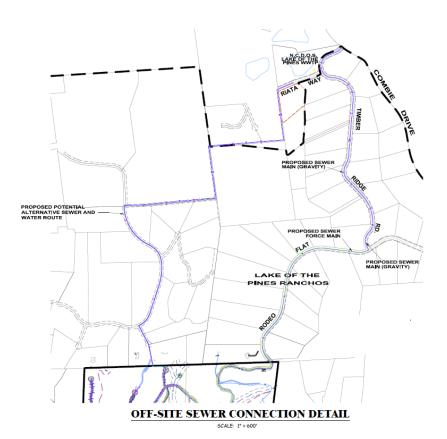
Alternative A:

- Extension of an existing 8-inch waterline of the existing off-site NID water service line at Rodeo Flat Road.
- Install new water pumps in the existing Timber Ridge tank/pump building to supply the project.
- All off-site work would be within existing utility easements.
- Wastewater service extend an existing 6-inch force main from the project site to Rodeo Flat Road.
- Project would be required to acquire future sewer capacity from the Nevada County Sanitation District No. 1, within the Lake of the Pines wastewater treatment plant.
 - 68 existing EDU's available for new proposed projects. Once EDU's are use or paid for, additional expansion of the wastewater treatment plant will be required.

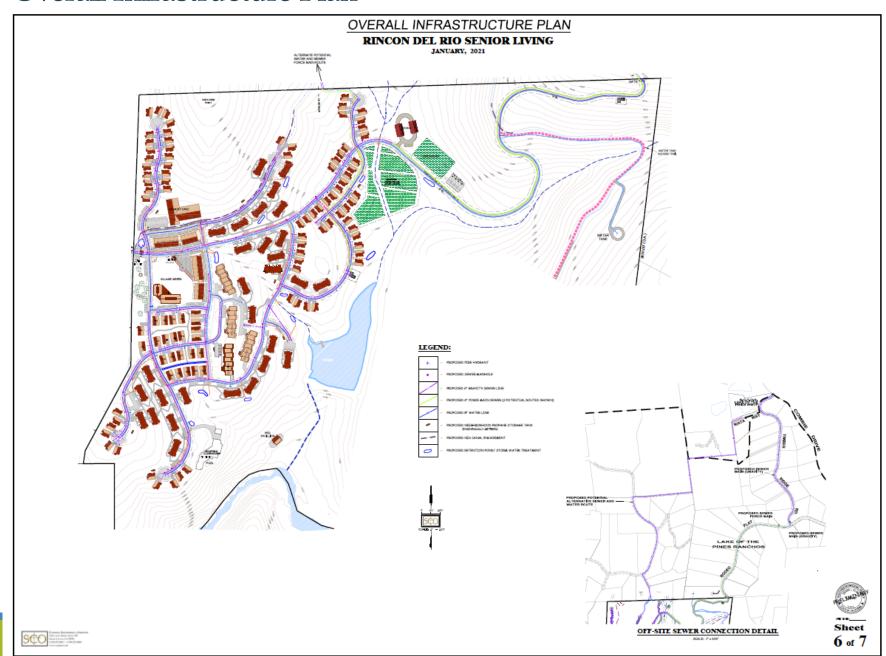
Domestic Water Service and Wastewater Options

Alternative B:

- •Extension of a 12-inch water supply line and sewer force main south, approximately 8,300 feet from the Lake of the Pines Wastewater Treatment Plant,
 - Riata Way to Hidden Ranch Road and Pleasant Court
 - Public utility easements along privately owned parcels
- Extension require all necessary easements, rights-ofway, permits and permission to install the infrastructure to facility installation of the water and sewer line.
- Applicant acquire future sewer capacity in the Lake of the Pines wastewater treatment plant, similar to Alternative A.
- Condition of Approval C.2 indicates that the County will not be responsible for implementation in any way given that Alternative A is feasible.



Overall Infrastructure Plan



Fire Suppression

- Same elements as previously approved project
- 300,000-gallon on-site water storage tank to augment required storage and fire flow
- Extension of 10- or 12-inch mainline from new tank to developed areas of the site
- Installation of new pumps at the Timber Ridge storage tank
- Project will meet all fire flow requirements of the County, State and Higgins Fire Protection District

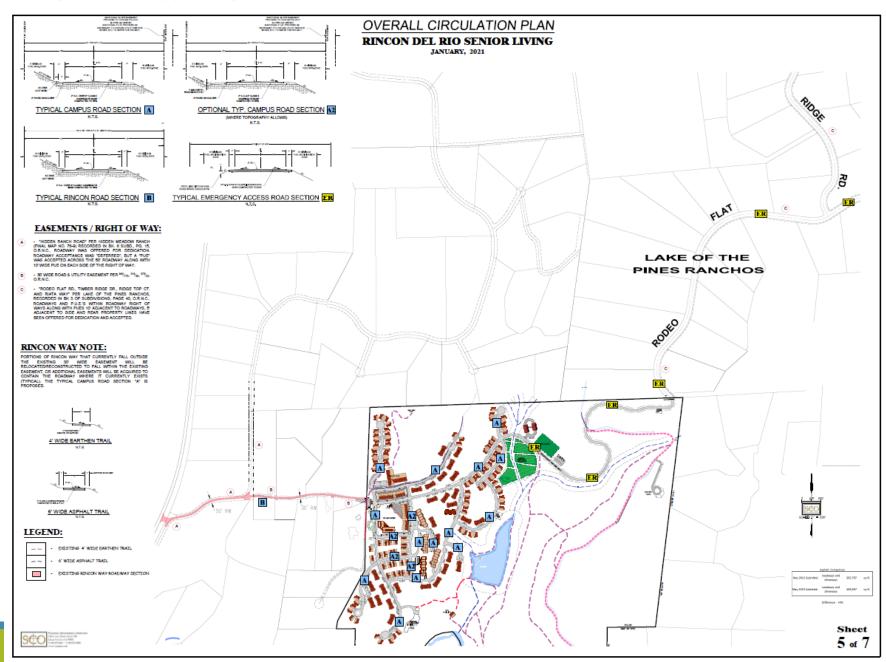
Circulation & Traffic / Emergency Access

- Primary access via Highway 49 and Hidden Ranch Road to Rincon Way
- Secondary emergency-only access via a connection to Rodeo Flat Road
- Emergency access would be constructed to meet two-lane fire standard access road as required by County standards
- Modified project includes same Petition for Exceptions for both Rincon Way and Rodeo Flat Road as previously approved project, except for interior access roads
 - Rincon Way Existing 30-foot road easement width does not meet County's 50-foot easement standard
 - Rodeo Flat Rd Short stretch of road exceeds maximum road gradient of 16 percent
 - Interior primary access roads, constructed to Local Class 2 Standards, exception of allowing a reduction of the right-of-way width from 50 feet to 40 feet shoulder width from 4 feet to 2 feet when AC dike is used.

Circulation & Traffic / Emergency Access

- Combination of staffed and video monitored gatehouse and controlled-access point would ensure no cut-through traffic using primary public access point
- Emergency vehicle access only road proposed on the project site to connect to Rodeo Flat Road
- Emergency road would be gated with a heavy gauge steel gate, control by Cal Fire and Higgins Fire.
- Gate would be installed as soon as the emergency access road was constructed.
- COA and Development Agreement address requirements for access control

Overall Circulation Plan



Continuing Care Retirement Community Operation

- Modified project would be an age-restricted 55 and over adult Continuing Care Retirement Community campus similar to the original approved project
 - Would allow for individually owned residential parcels and condominiums and would operate as an Equity Model CCRC, limited to a maximum population of 415 residents within 345 residential units.
- Department of Social Services and the Department of Real Estate allow for the operation of an Equity Model CCRC, where there is no entry fee.
 - Residents pay only for services they need personally
 - Does not require a sizeable entry-fee for Entry Model
- Each member of the community would receive a continuing care contract in conjunction with the purchase of a single-family residence or condominium
- Homeowners' purchase of a residence includes a membership in the Rincon del Rio Home Owners Association which would govern the operation of the CCRC

Continuing Care Retirement Community Operation

- Also as proposed, the modified project (similar to the original approved project), would further be required to limit the population to 415 age-restricted residents within 345 residential units, through the implementation of five tools including:
 - •1.) Conditions Covenants and Restrictions (CC&Rs)
 - •2.) Membership Services Agreement
 - •3.) Department of Real Estate Regulations regarding reasonable burden on common areas
 - •4.) Occupancy Verification Annual Report
 - •5.) Limitation of twenty-four (24) Condominium Units to be retained as rental units.
- •Using these tools, the applicant will be able to limit the maximum population to 415 age-restricted residents, as required by the proposed modified project and recommended Conditions of Approval A.9, A.18 and A.19.

Zoning and General Plan Consistency

- Project site has a General Plan Land Use Designation and is Zoned Planned Development (PD)
 with combining district of Continuing Care Retirement Community (CCRC)
 - Comprehensive Master Plan and PD Base Zone allow flexibility
- Proposed modified project is consistent with Section L-II 2.7.12 CCRC Zoning District, which provides for housing and care services in age-restricted setting
- Proposed modified project is consistent with General Plan Policy 1.3.3, which requires that for CCRC's located in Rural Regions, requiring that at least 50% of the project site remain in open space.
- Proposed modified project is consistent with General Plan Policy 1.5.t, which is intended to provide for a variety of residential, non-residential, commercial, service, open space and public uses emphasizing the minimization of impacts to the physical environment, public health and aesthetic impacts.
- Proposed modified project is consistent with General Plan Policy 3.19A, which requires that onsite stormwater runoff resulting form a proposed development project does not increase pre-project levels.

Environmental Review

- Prepared and Circulated an Addendum to the Certified Final Environmental Impact Report (State Clearing House No. 2011052030).
 - An agency may prepare an Addendum to a previously certified Environmental Impact Report (EIR), pursuant to California Environmental Quality Act Guidelines Section 15164.
 - None of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- Addendum evaluated the environmental resource categories within Appendix G Environmental Checklist Form.
 - Review focused on proposed modified project and if the project would result in environmental impact significance conclusions different from those found in previously certified EIR.
- Public review between December 8, 2020 to January 21, 2021 for agency and public comments.
- Through the preparation of the Addendum, staff concluded that no new significant impacts would occur
 as a result of the proposed modified project, nor would there be any substantial increases in the
 severity of any previously-identified adverse environmental impacts.
- Based on the technical information submitted with the application, the Addendum concluded that no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment alternative.

Comments Received on Addendum to Final Environmental Impact Report

• 11 Comment letters on the proposed modified project were received during the comment period for the Addendum to the Certified Final Environmental Impact Report.

Summary of Comments Received:

- Tentative Final Map Subdivision Requires a New EIR:
 - Comments were received that expressed concern with the use of an Addendum to the EIR, which feel that due to the change in subdivision from the approved project containing 14 lots to the proposed modified project containing 346 lots.
- Emergency Access and Fire Hazards:
 - Comments were received that continue to express concerns about the effectiveness of providing an emergency
 access connection to Rodeo Flat Road and general fire hazards for the modified project.
- Population Limitation and CCRC:
 - Comments were received which express concern that the Addendum to the EIR does not address the population limitation cap and how it would be enforced.

Recommendation

- Staff Recommends the Board of Supervisors take the following actions as further recommended by the Planning Commission:
- I. <u>Environmental Action</u>: After reviewing and considering the proposed Addendum to the Certified Final Rincon del Rio Environmental Impact Report (EIS19-0010, SCH# 2011052030), and Mitigation and Monitoring and Reporting Program adopt the attached Resolution approving the Addendum to the Certified Final Rincon del Rio Environmental Impact Report (EIS19-0010, SCH# 2011052030) to the Certified Final Rincon del Rio Environmental Impact Report (EIR10-001, SCH#2011052030) pursuant to Section 15164 of the California Environmental Quality Act Guidelines and making the findings contained within the attached Resolution (Attachment 1).
- II. Project Action: Adopt the attached Resolution approving the Petition for Exceptions (PFX19-0003) pursuant to Nevada County Land Use and Development Code Sections L-IV 2.4 and 2.6 and L-XVII 3.12 and California Government Code Section 66474, and Management Plan (MGT20-0001) pursuant to Nevada County Land Use and Development Code Section 4.3.3, and Tentative Final Map (TFM19-0008) pursuant to Nevada County Land Use and Development Code Section L-IV 2.4 and California Government Code Section 66474, and Use Permit (CUP19-0010) to establish a Comprehensive Master Plan for the project site pursuant to Nevada County Land Use and Development Code Sections L-II 5.6.G and 5.5.2.C, subject to the Mitigation Measures and Conditions of Approval making the findings contained within the attached Resolution (Attachment 2).
- III. <u>Project Action</u>: Introduce, waive further reading and adopt the attached Ordinance approving the Second Amendment to the Development Agreement (MIS20-0001) between the County of Nevada and Young Enterprises, L.P., making findings A through E contained within the attached Ordinance, pursuant to Nevada County Land Use and Development Code Section L-II 5.18.E (Attachment 3).

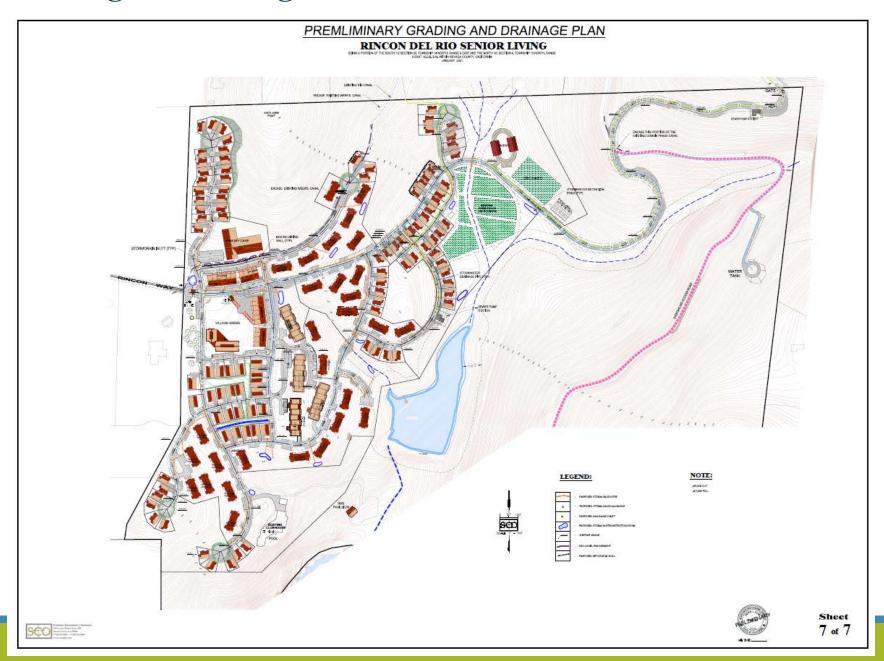
Staff Memorandum

- Received a number of public comment letters various Nevada County Organizations and Business Owners in support and opposition to the proposed project.
- Comment on Comprehensive Master Plan.
 - Previously Approved Project allows for 55 years of age and older residents
 - Proposed Modified Project allows for 55 years of age and older residents
 - Comprehensive Master Plan, Page 2 revised to change from 60 years of age to 55 for consistency
- Condition of Approval A.37 Modified for consistency with 2013 Settlement Agreement
 - Staff requests that should the Planning Commission choose to recommend that the Board of Supervisors approve the requested Conditional Use Permit and supportive Comprehensive Master Plan, that the action reflect the recommended revised Condition of Approval A.37 as shown on the on the March 25, 2021 Memorandum.

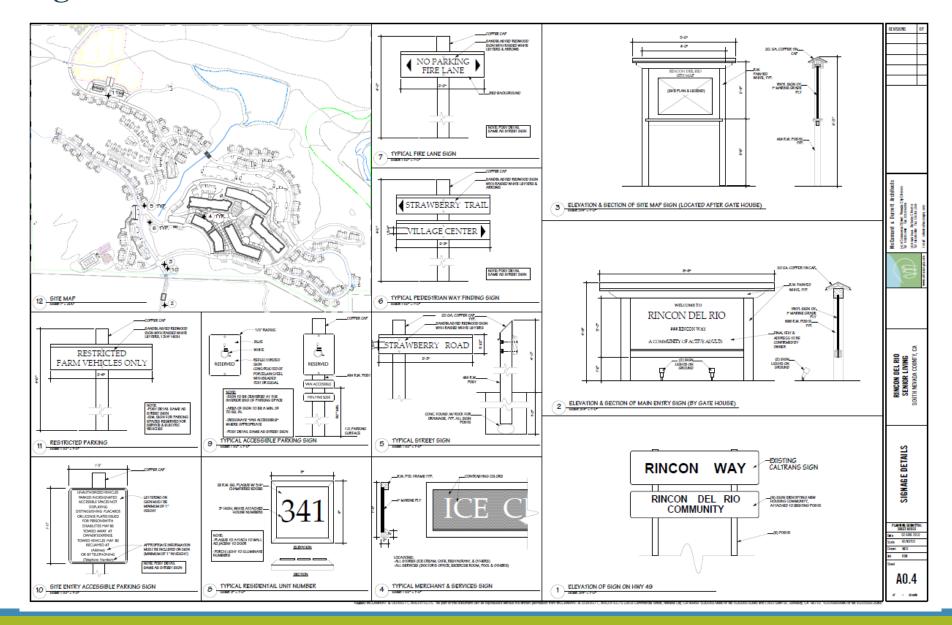
Project Phasing

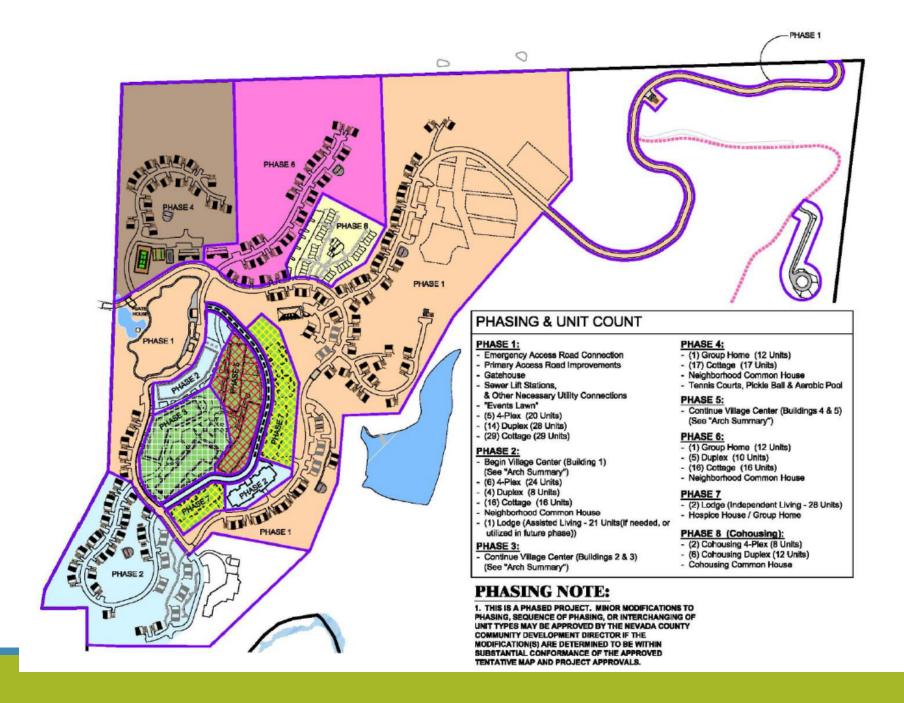
Project Phasing and Unit Count (1)		
PHASE 1: - Emergency Access Road Connection - Primary Access Road Improvements - Gatehouse - Sewer Lift Stations, Water Tank & Other Utility Connections - 14 Cottage Units - 4 5-Plex Condominiums (20 Units) - Garden	PHASE 6: • 21 Cottage Units	
PHASE 2: - 24 Bungalow Units	PHASE 7: - Village Service Center - Group House Memory Care - Pool / Fitness Center	
PHASE 3: - 4 Attached Condominiums (56 Units) - (2) 5-Plex Condominiums (10 Units)	PHASE 8: - 3 Cottage Units - (6) 5-Plex Condominiums (30 Units)	
PHASE 4: - (5) 5-Plex Condominiums (25 Units)	PHASE 9: - 9 Cottage Units - Pickle Ball / Tennis Court - Row Gardens / Farm - Auto / Tractor Repair Barn	
PHASE 5: - 11 Cottage Units - (7) 5-Plex Condominiums (35 Units)	PHASE 10: - 20 Cottage Units - (5) 5-Plex Condominiums (25 Units)	

Grading and Drainage Plan



Sign Plan





Comprehensive Master Plan Map

