

Nevada County Planning Commission

Staff Report
August 27, 2015

*Housing Element Rezone Program
Implementation Project
(GP12-002; Z12-002; EIR12-002)*



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County of Nevada
Community Development Agency-Planning Department

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ATTACHMENTS:

1. Draft Board Resolution: EIR Certification
 - a. Mitigation Monitoring and Reporting Program
 - b. CEQA Findings and Statement of Overriding Considerations
2. Draft Board Resolution: General Plan Amendments
3. Draft Board Ordinance: Zoning District Map Amendments
4. LUDC Section L-II 2.7.11: Regional Housing Need Combining District Zoning Excerpt
5. Noticing Maps
6. Final EIR- Includes Draft EIR, Written Response to Comments*, Draft EIR Errata**
(Planning Commissioners Only, available at:
<http://www.mynevadacounty.com/nc/cda/planning/Pages/2009-2014-Housing-Element-Rezone-Program-Implementation.aspx>)
7. *Revised Response to Letter 6: City of Grass Valley
8. ** Revised Final EIR Errata

EXECUTIVE SUMMARY

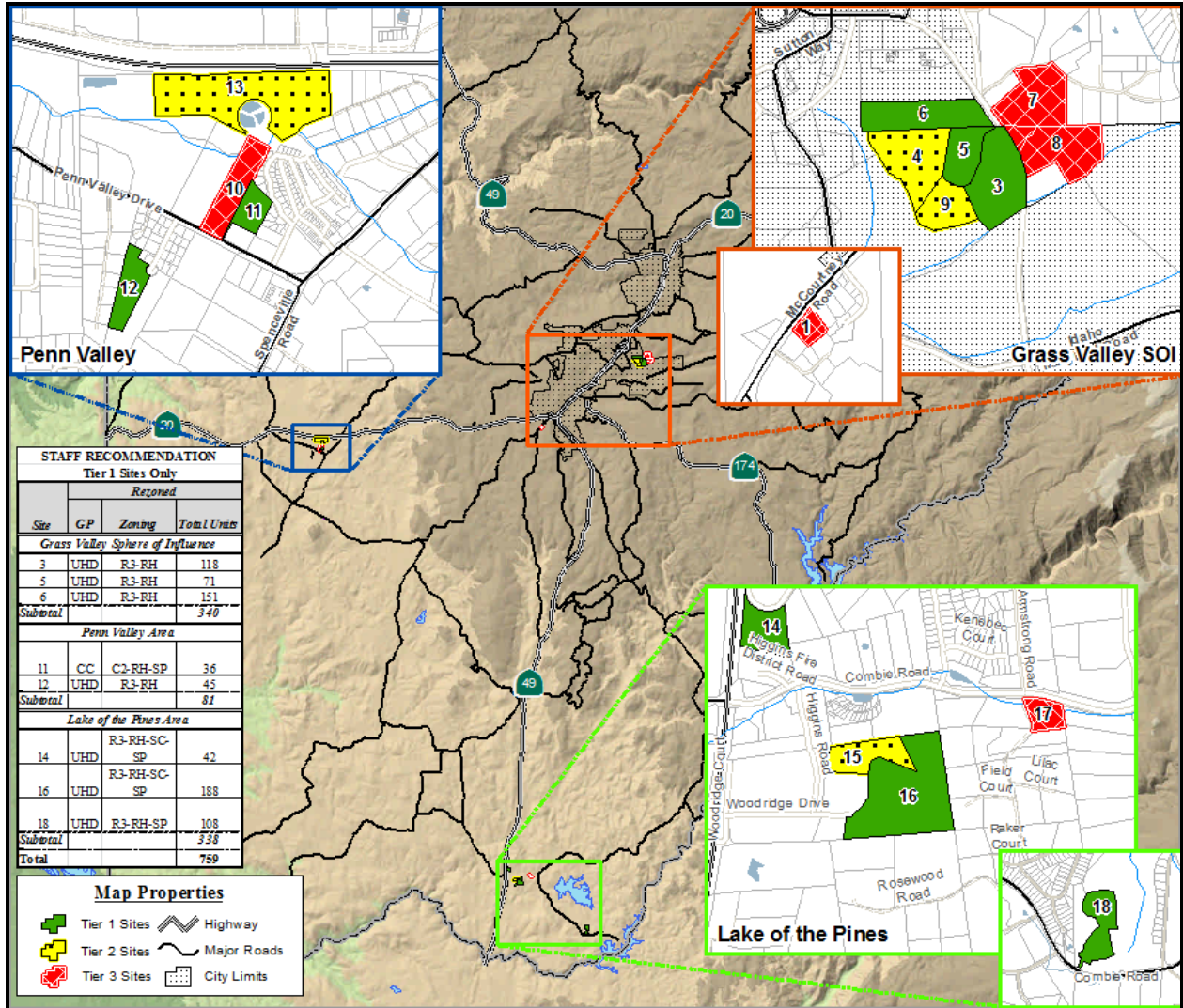
The project that is discussed throughout this staff report is a proposed series of General Plan Land Use and Zoning District Map Amendments, titled the “Nevada County Housing Element Rezone Program Implementation Project”, that will implement the state mandated rezone program(s) contained within the County’s 4th and 5th revision to the Housing Element (Chapter 8 of the Nevada County General Plan). To execute this project, the County has prepared an Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) and the CEQA Guidelines (California Code of Regulations Title 14, Section 15000 et seq.), which provides both a programmatic and project level review. The purpose of the project is to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre and to allow those sites to develop as a by-right use, not subject to further discretionary action by the County as regulated by the County’s Regional Housing Need (RH) Combining District.

The project/EIR analyzes the potential to rezone 18-candidate sites to establish a menu of options to the County decision-making bodies that would allow the greatest amount of flexibility when making a final decision on the project. Geographically the site are distributed to three specific areas of western Nevada County with Sites 1-9 in the City of Grass Valley Sphere of Influence (SOI), Sites 10-13 in the Penn Valley Village Center, and Sites 14-18 in the Lake of the Pines Village Center/Community Region. This project/EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to meet the minimum state mandated rezone requirements and to consider additional high density residential zoning to address anticipated future housing needs on those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

The Planning Department has developed a tiered system of grouping sites to achieve the current project goal of providing sufficient R3-RH zoning (or the equivalent) to accommodate 699-high density residential units, with Tier 1 sites being the most suitable for accommodating future high density housing, Tier 2 sites still being adequate for rezoning but slightly less suitable than Tier 1 sites for a variety of reasons, and Tier 3 sites being the least suitable to accommodate future high density housing. Tier 1 properties are determined to be: Sites 3, 5, 6, 11, 12, 14, 16 and 18; Tier 2 properties are Sites 4, 9, 13 (at 91-units only) and 15; and Tier 3 properties are Sites 1, 7, 8, 10, and 17. Should the Planning Commission and Board of Supervisors follow **staff’s recommendation to rezone only Tier 1 sites**, as shown on Exhibit A, to meet the state’s objective, it would result in the following density increases by location: 340-units in the Grass Valley SOI (an increase of 201 units over existing allowed densities); 81-units in the Penn Valley Village Center (an increase of 43-units over existing allowed densities); and 338-units in the Lake

of the Pines Village Center/Community Region (an increase of 3-unit over existing allowed densities*).

Exhibit A. Staff Recommended Rezone Sites



*Site 16 has existing density for 271-units with its existing designation of Planned Development (PD): Urban High Density (UHD). Through the EIR, it was determined that the building footprint on this 18.12-acre property is 11.81-acres, allowing for a potential of 188-units, which attributed towards the only small increase of units in the Lake of the Pines Village Center/Community Region.

As outlined in the Table of Contents, this staff report is broken into four distinct sections:

- Section I provides background on the project and discusses actions and the guiding documents which led to the County undertaking this extensive rezoning effort.
- Section II provides a discussion of the overall project, including the candidate site selection process and criteria, a services and infrastructure analysis by geographic location, a detailed discussion of each of the individual sites including the building footprint map, a description of surrounding land uses, availability of infrastructure and services, site access, land use/density, parking requirements, environmental resources, applicable mitigation measures/development standards, and staff's recommendation on that particular site. Finally Section II provides the Planning Department's final recommendation and other potential options for meeting the project goals and objectives.
- Section III outlines and discusses the EIR and CEQA process that was followed for this project, including the EIR consultant contract, the various steps in the public EIR process such as public meetings and comment periods, the components of the draft and final EIR, the EIR identified significant and unavoidable impacts, and the required CEQA Findings/Mitigation Monitoring and Reporting Program.
- Section IV provides a discussion of the project's General Plan and Zoning Consistency, a summary of the staff report, and the Planning Department's recommended actions on the environmental document and the project.

NEVADA COUNTY PLANNING COMMISSION
STAFF REPORT

APPLICANT: Nevada County

HEARING DATE: August 27, 2015

OWNER(s): Nevada County

FILE NO: GP12-002; Z12-002; EIR12-002

PROJECT: Recommendation to the Board of Supervisors regarding the Nevada County Housing Element Rezone Program Implementation Project and Environmental Impact Report.

LOCATION: Unincorporated area of Nevada County

PROJECT PLANNER: Tyler Barrington, Principal Planner

ATTACHMENTS:

1. Draft Board Resolution: EIR Certification
 - a. Mitigation Monitoring and Reporting Program
 - b. CEQA Findings and Statement of Overriding Considerations
2. Draft Board Resolution: General Plan Amendments
3. Draft Board Ordinance: Zoning District Map Amendments
4. LUDC Section L-II 2.7.11: Regional Housing Need Combining District Zoning Excerpt
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<http://www.mynevadacounty.com/nc/cda/planning/Pages/2009-2014-Housing-Element-Rezone-Program-Implementation.aspx>)
7. *Revised Response to Letter 6: City of Grass Valley
8. ** Revised Final EIR Errata

RECOMMENDATIONS:

- I. Environmental Action: Recommend Certification of the Final Environmental Impact Report (EIR12-002/ SCH2009072070) subject to the recommended Mitigation Measures found in the Mitigation Monitoring and Reporting Plan (*Attachment 1*).
 - II. Project Action:
 1. General Plan Amendment: Recommend approval of General Plan Amendment GP12-002 to re-designate specific “Tier 1” sites to Urban High Density (*Attachment 2*).
 2. Zoning Amendment: Recommend approval of Zoning Map Amendment Z12-002 to amend specific Zoning District Maps to change existing zoning of “Tier 1” sites to High Density Residential (R3) or the equivalent of R3, including adding the Regional Housing Need (RH) Combining District (*Attachment 3*).
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SECTION I.

BACKGROUND:

Housing Element of the General Plan

Every jurisdiction in California (cities and counties) must adopt a General Plan, and every General Plan must contain a Housing Element. While jurisdictions review and revise all or individual elements of their General Plan regularly to ensure that the documents remain up to date and relevant, California Law is much more specific in regards to the scheduling for updating the Housing Element, requiring an update at least every five years. The County last adopted an updated Housing Element on June 24, 2014 for the 5th Planning Cycle, which was certified by the State Department of Housing and Community Development (HCD) as meeting the minimum requirements of State Housing Element law on July 17, 2014. The County's prior update (4th Planning Cycle) was adopted on May 10, 2010 and certified by HCD on July 1, 2010.

Regional Housing Need Allocation (RHNA)

The regional housing need is determined by the California Department of Housing and Community Development (HCD) based on State Department of Finance estimates, projections of population and households and other data. The Sierra Planning Organization (SPO) acts as the Council of Governments (COG) for both Nevada and Sierra County during the RHNA process and is mandated by Government Code 65584.04 to develop a methodology for distributing a share of the Regional Housing Need Allocation, for each income category, to every local government. The RHNA Plan is required to be consistent with the following four objectives:

1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low and very low-income households.
2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.
3. Promoting an improved intraregional relationship between jobs and housing.
4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent decennial United States Census.

In general, the RHNA Plan is a projection of additional housing units needed to accommodate projected household growth of all income levels from the start until the end date of the projection period. Jurisdictions are required to demonstrate within their Housing Elements that the jurisdiction has adequately planned for these units through identifying vacant lands with appropriate zoning to accommodate the various income groups. It is important to note that these projections are not a prediction of additional housing units or building permit activity and are not a quota of housing that must be produced.

The RHNA Plan provides the methodology for how units were assigned to each jurisdiction and outlines each jurisdiction's housing unit allocation between the very-low, low, moderate and above moderate income groups which are defined below:

- Very Low Income (less than 50 percent area median income [AMI])
- Low Income (50 to 80 percent AMI)
- Moderate Income (80 to 120 percent AMI)
- Above Moderate Income (above 120 percent AMI)

The intent of the allocation is to ensure that the County provides adequate sites and adequately zoned land to accommodate the RHNA. The Housing Element is required to describe how the County will provide capacity in the General Plan Land Use and Zoning districts to accommodate the assigned units within the planning period.

Unmet RHNA Need

Planning Cycles 3rd vs. 4th vs. 5th

The County had an unmet need for both the 3rd and 4th revision to the County's Housing Element of the General Plan, which resulted in the two specific Rezone programs within the 2014-2019 Housing Element Update (4th Planning Cycle/revision) requiring the County to rezone sufficient land to accommodate 1,270 high density housing units. Following the adoption of the County's 2009-2014 Housing Element update, the County embarked on a substantial Environmental Impact Report (EIR) process, which commenced in late 2011 to implement the Rezoning programs. As the Planning Department began working on the 5th revision to the County's Housing Element (2014-2019), it became evident that the two processes (the EIR and the Housing Element update) were going to overlap and due to limited staff and state Housing Element update timing requirements, staff focused on the pending update to the Housing Element. At this time County leadership was also working with HCD in an effort to reduce the overall rezoning requirements. Since it was evident that the implementation of the Rezone programs would not occur in time to be incorporated into the 2014-2019 Housing Element update, HCD provided the County with three options moving forward. The option chosen was to put the processing of the EIR on hold to work towards updating the Housing Element, focused on demonstrating that there were sufficient sites within the County to accommodate the 5th Planning Cycle RHNA.

The County was able to prove within the 2014-2019 Housing Element update that there are adequate vacant sites with appropriate zoning and availability of infrastructure to provide a variety of housing types that can meet the needs of all income segments of the County's population as shown in the 2014-2019 Regional Housing Need Plan. Consistent with State Housing Element law, all jurisdictions are required to identify suitable sites to accommodate the RHNA for the current (5th) and previous (4th) Housing Element (Planning) cycles. After July 1, 2014, the County moved into the 5th Housing Element planning cycle which relinquished the County's responsibility for providing suitable sites for the 3rd revision (2003-2008) of the Housing Element. But, the County is still responsible for the 4th Housing Element cycle, and subsequently the State has continued to identify an existing unmet need of 699-units and therefore the updated Housing Element contains a single rezone program (Program HD-8.1.1) to address this. HCD reviewed the County's 5th revision to the Housing Element and found that the update met the minimum statutory requirements of State Housing Law, and conditionally certified the 2014-2019 Housing Element update contingent upon the County following through

with the implementation of the single Rezone. This conditional certification gave the County one year from the adoption of the element to complete the rezoning, which would be June 2015.

Vacant Land Inventory

To demonstrate how the County has adequately planned for future housing growth pursuant to the RHNA, a Housing Element must contain a substantial review of undeveloped lands and provide factual evidence that sufficient vacant (or underutilized) properties exist within the boundaries of the jurisdiction that have appropriate residential zoning to accommodate all income categories. State law has established specific requirements for how to conduct the Vacant Land Inventory, including establishing default densities for accommodating the very-low and low income categories of the RHNA. For Nevada County, the default density to accommodate very-low and low income units of the RHNA is zoning that allows 15-units per acre, which is the County's High Density Residential (R3) zoning district. The 2009-2014 Nevada County Housing Element Vacant Land Inventory found that the County had adequate sites to accommodate all moderate and above moderate RHNA units, but had a deficit in sites zoned to accommodate lower income housing development. The County did get some credit for the historical development of manufactured homes and second dwelling units, but of the 1,183 low and very low income RHNA units, the County's Housing Element was only able to demonstrate suitable sites for 484-units leaving a deficit or unmet need of 699-units.

State Criteria for Rezoning Sites for an Unmet RHNA Need

California Government Code Section 65583.2, as a result of Assembly Bill 2348 (Mullin) which took effect January 1, 2006, sets forth the criteria for which jurisdictions must follow for rezoning properties when that jurisdiction is unable to identify enough suitable sites with appropriate zoning to meet an existing or prior Regional Housing Need Allocation. In short, these measures include requiring rezoned sites to be zoned for a minimum density of 16-units per acre and mandating that the rezoned sites be developed with higher density housing as an allowed use, not subject to further discretionary or planned development permits. Design review is allowed, but that review is restricted to the design elements of the project and the density of the site is not subject to this review. Additional, state law requires that sites made available as a part of a rezone program must permit owner-occupied and rental multifamily uses with at least 50-percent of the remaining need planned on sites that exclusively allow residential uses and once rezoned the site must accommodate a minimum of at least 16-units (e.g. it must have at least 1-acre of developable area). The State's rezoning criteria does not dictate that the rezoned sites be restricted to housing that is affordable to lower income residents through a deed restriction or other method, because it is assumed that higher density housing will inherently be more affordable than the lesser densities allowed under existing land use and zoning designations.

Regional Housing Need (RH) Combining District

During the HCD review process for the 2009-2014 Housing Element update, the Planning Department foresaw the potential for conflicts with existing land use policy and zoning code requirements due to the States' criteria for rezoning to accommodate a previously identified unmet RHNA need. To ensure these conflicts could be addressed, the County also included a Program (HD-8.1.5) in the 2009-2014 Housing Element that required the County to create an "Affordable Housing" combining district to ensure adequate environmental review would occur

for the rezoned sites, the State's required minimum densities could be applied, and that the Land Use and Development Code (LUDC) Comprehensive Site Development Standards would be adhered to. In developing the combining district standards, the title of the combining district was changed to the Regional Housing Need (RH) Combining District, which was consistent with the model that the County used for developing the combining district (Santa Cruz County). The Regional Housing Need Combining District was reviewed by the Planning Commission on August 25, 2011 and ultimately adopted by the Board of Supervisors on September 27, 2011.

Codified as LUDC Chapter II Section L-II 2.7.11, (*Attachment 4*) the RH Combining District established the criteria for a site to be considered for rezoning, the process for assigning minimum densities to rezoned sites including allowing for lesser densities and interim uses under certain circumstances, as well as the specific criteria necessary to allow a site to development with multi-family housing as a by-right or allowed use including the development of a Regional Housing Need Implementation Plan. This Plan is discussed in more detail below. While state law required that sites rezoned to accommodate an unmet RHNA need must be allowed to develop as an allowed use, not subject of further discretionary action, the law does allow for Design Review to occur at the Planning Commission level. The Design Review process required by LUDC Sec. L-II 2.7.11.C.5 will allow the County to apply the specific development standards outlined in the LUDC and Regional Housing Need Implementation Plan. In addition, Staff and the Planning Commission will be allowed to review the layout of the site and ensure the proposed parking, lighting, landscaping, setbacks, signage and other site development standards are being adhered too and that the design of the buildings are consistent with established County design guidelines. The use and density of the site however are not subject to this review.

Regional Housing Need Implementation Plan

Once the sites are chosen for rezoning the "Regional Housing Need Implementation Plan" will be created in order to provide guidance to staff and property owners/developers on requirements for development the site. The requirement to create this document was in anticipation of the difficulty of assuring that all identified mitigation measures and site development standards are adhered to when allowing a multi-family housing project to be developed as an allowed use only subject to Zoning Compliance and Building Permit without further discretionary action. The RH Combining District establishes the timing for the development of the "Regional Housing Need Implementation Plan" which is required to be prepared when rezoning a site to add the RH district. Specifically, LUDC Section L-II 2.7.11.C.3 states the following:

"In addition to assigning density, the Regional Housing Need (RH) Combining District shall outline site specific development standards and any CEQA mitigation measures adopted for each site at the time the site is rezoned. All identified site specific development standards and CEQA mitigation measures shall be included within the Regional Housing Need Implementation Plan and all development of multi-family housing on a Regional Housing Need (RH) site shall be done in compliance with said plan."

This plan is intended to outline those standards and requirements that are in addition those that are required by the RH Combining District and other applicable sections of the Land Use and

Development that are enforced through zoning compliance. The Plan will show the location of building envelopes, potential road and driveway encroachments and applicable mitigation measures that must be addressed as a part of or prior to development occurring on a candidate rezone site. The information contained within the Plan will be essentially the same information that is contained in Individual Rezone Candidate Site Discussion section below and will also highlight the site specific mitigation measures, including acknowledging the Mitigation Monitoring and Reporting Plan, as well as the applicable standards of the RH Combining District and the Land Use and Development Code that apply to the project. Once the sites have been vetted by the Planning Commission and the Board of Supervisors and a final decision is made on which sites will be rezoned to add the RH Combining District, staff will complete the final Regional Housing Need Implementation Plan for the project.

SECTION II.

THE PROJECT:

The proposed project includes the consideration of an Environmental Impact Report that analyzes the anticipated impacts and develops mitigation to reduce the impacts of the proposed site specific General Plan Amendment Land Use Designation and Zoning Map Amendments to change the designation of specific sites to accommodate the development of high density residential dwelling units. The original project considered Land Use Map and Zoning Changes to accommodate 1,270-units. As discussed above, the number of units was reduced to 699-units as the result of the certification of the most recent update to the County's Housing Element. The Draft EIR however, does reflect the original 1,270 units throughout because it was completed prior to latest Housing Element update. The County has determined that the original Draft EIR was sufficient for implementing the revised rezone Project and that it was unnecessary to completely overhaul the document to reflect that the rezoning requirement was now 699-units instead of 1,270-units as this change was a reduction in the overall intensity of the Project. Staff's recommendation however, is based on a single 2014-2019 Housing Element Rezone Program (HD-8.1.1) and focuses on providing adequate sites for at least 699-units.

Rezone Candidate Site Selection

2009-2014 Housing Element Update

As described above, the County was required to include programs within its last two Housing Element updates that require the County to rezone properties to create additional R3 zoning subject to specific State mandated rezone criteria. In addition to including these programs, the County's Housing Element(s) were required to show a list of sites, "rezone candidate sites" with a preliminary analysis of the overall suitability of those sites to be rezoned. Within the 2009-2014 Housing Element update, two distinct sets of rezone candidate sites were provided. The first set was a list of fourteen (14) properties within the Grass Valley Sphere of Influence (SOI) that were identified in the 2003-2008 as sites that could be rezoned to provide additional high density residential opportunities. These sites were included with the intention of meeting the unmet need of 571-units from the 3rd Housing Element revision (2003-2008). In addition, the 2009-2014 Housing Element included a second set of rezone candidate sites that were identified as potentially suitable to be considered for rezoning based on a specific set of criteria. This criterion is discussed in greater detail below. In total twenty-five (25) properties were included to address the unmet need of 699-units from the 4th Housing Element revision (2009-2014). In total the County identified thirty-nine (39) rezone candidate sites in the 2009-2014 Housing Element update that had the potential to accommodate the identified unmet housing need of 1,270-high density units. When adopting the 2009-2014 Housing Element update, the County Board of Supervisors directed staff to work with willing property owners to implement the rezone programs. As a result of this direction, the Planning Department went through an extensive outreach process prior to beginning environmental review for the project which reduced the number of rezone candidate sites to eighteen.

2014-2019 Housing Element Update

For the 2014-2019 Housing Element update, the County recognized that there would be a reduction in the overall rezoning need from 1,270 to 699-units. Therefore, the County included

only those sites that were currently being reviewed by the EIR and no new sites were added nor were any sites removed. While it was anticipated that the certification of the Housing Element would result in the reduction, the County had spent a significant amount of time and financial resources of reviewing the eighteen sites and felt it would be premature to start removing sites at this stage. By keeping all eighteen sites (later reduced to seventeen) it provided the greatest amount of flexibility to the County's decision makers to choose the sites that made the most sense from a planning, infrastructure and environmental standpoint.

Rezone Candidate Site Selection Criteria

When selecting potential rezone candidate sites, the County created a specific set of criteria for a property to be considered. The most critical and primary determiner for a site to be considered as a rezone candidate site was related to the fact that for a site to be developed with high density residential use it must have access to public sewer, water and roads and therefore should be within a designated Community Region or Village Center. With that in mind, rezone candidate sites were required to meet the majority of the following factors to be added to the list: 1) the site is currently undeveloped; 2) the site has ingress and egress on a County maintained road or is in close proximity to a County maintained road; 3) the site is located within or in close proximity to a Community Region or Village Center that has access to services and jobs; 4) the site is on or in close proximity to a public transit route; 5) the site is within or in close proximity to an existing sanitation district; 6) the site is within an existing or in close proximity to a public water district; 7) the site has areas that are relatively flat that could accommodate higher density development; 8) the site is relatively clear of environmental constraints, such as wetlands, watercourses, excessive slopes, etc.; 9) the site is zoned Planned Development (PD) that anticipated high density residential development; and/or 10) the Planning Commissioner or Supervisor from the Supervisorial District identified the site as a viable option for rezoning. These standards were later incorporated into Land Use and Development Code Section L-II 2.7.11: Regional Housing Need (RH) Combining District as the "Site Selection Criteria" for future properties to be considered for the addition of the RH Combining District. As briefly mentioned above, for a site to actually be rezoned to add the RH Combining District, the Board also added a requirement for staff to work with willing property owners.

In addition to adhering to the rezone candidate site criteria, Planning Department staff also followed a logical zoning progression when looking at existing zoning of potential rezone candidate sites. The most logical first place to look for sites to increase density on was sites that were zoned for Urban Medium Density (UMD/R2) uses, which would be the smallest increase in density. Next was Urban Single Family (USF/R1), which was a larger jump in density but still in areas that are typically near more built up areas with existing infrastructure. Next were Planned Development (PD)/Interim Development Reserve (IDR) properties that already had an allocation of either R3 or at least R2 zoning assigned to the PD/IDR. It was found that while these sites had anticipated some residential growth at either R2 or R3 densities because they required further legislative action to actual build out at those densities, HCD would not give the County credit for those sites to accommodate the low and very-income RHNA units. The next designations that were considered were both Business Park (BP) and Office Professional (OP) because staff recognized that the County had a good amount of BP and OP properties that could meet the rezone candidate site criteria and particularly related to the fact that these properties were located primarily in areas that had public roads, sewer and water. Additional, there hadn't

been a great deal of Business Park or Office Professional development that had occurred in the unincorporated area over the last 5 to 10-years. The final existing zoning designation that was considered for the candidate rezone sites was Commercial. Typically, sites that are zoned commercial are located in areas that most easily meet the rezone candidate site criteria. Staff viewed these properties not for conversion to Urban High Density, but as sites that could be built out as a mixed-use development that still retained the underlying commercial designation with an increase in the allowed residential units from four units per acre to the state required 16-units minimum per acre.

Unless added by the Planning Commission or the Board of Supervisors, the Planning Department did not consider Rural designations such as General Agriculture (AG), Agriculture Exclusive (AE), Forest (FR), Recreation (REC) or Timber Production Zone (TPZ) as potential candidate rezone sites because in most cases properties with these designations are in areas that do not have public sewer and other necessary infrastructure needed to support high density residential housing and subsequently could not meet the candidate rezone site criteria. Staff also did not include the potential rezoning of Industrial designated properties primarily because a lack of suitable industrial designated properties for industrial use had been identified by the local development community and because typically industrial uses are the least compatible with residential uses. As a side note, a site with an Industrial designation was included as a potential candidate site in the 2009-2014 Housing Element update at the direction of the Planning Commission as allowed by rezone candidate site criteria #10. That site was later removed from consideration at the request of the property owner.

Community Regions

Pursuant to General Plan Policy 1.1.2, the County is divided into Community and Rural Regions. All of the land area of the unincorporated County is placed in one of these regions. Within the Rural Regions, growth is limited to those types and densities of development which are consistent with the open, rural lifestyle, pastoral character and natural setting and surrounding land use patterns which exists in these areas. Within the Community Regions, balanced growth is encouraged to provide managed housing, community, located for convenience, efficiency and affordability. According to General Plan Policy 1.1.3, Community Regions are established as the areas of the County within which growth should be directed to provide compact areas of development where such development can be served most efficiently and effectively with necessary urban services and facilities. In addition to the Town of Truckee, Grass Valley and Nevada City, Community Regions are established for Higgins Corner/Lake of the Pines, Lake Wildwood and Penn Valley. One of the common threads that lead to these areas being designated as Community Regions was the fact that there is public sewer in these areas. Since public sewer would be required to support high density residential development, the Planning Department was limited to Community Regions as delineated on the County General Plan maps when identifying suitable rezone candidate sites. Therefore, besides the Sphere of Influences of the incorporated areas (Grass Valley, Nevada City and the Town of Truckee), the Planning Department was limited to the Higgins Corner/Lake of the Pines Area, Penn Valley and Lake Wildwood as potential locations to implement this project. No other areas of the unincorporated County, with the exception of the Soda Springs Area which is designated as Rural Center by the General Plan, had access to public water and sewer.

Sphere of Influence (SOI) vs. Unincorporated Area

It is a longstanding Goal of the County's General Plan to promote and encourage growth in Community Regions while limiting growth in rural regions (Land Use Element Goal 1.1). Keeping this Goal in mind, staff looked at the areas surrounding the three incorporated cities as potential locations for rezone candidate sites. The area surrounding the Town of Truckee (at that time the Town boundary and the Sphere of Influence were coterminous) was ruled out because the majority of the areas on the fringe of the Town either lacked public sewer or were constrained in a way that was not conducive to the development of high density housing. Also, originally there was a property in the Nevada City Sphere that was being considered but was later dropped from the program at the request of the property owner.

With the area around the Town of Truckee and the Nevada City Sphere of Influence excluded from consideration that left only the City of Grass Valley Sphere of Influence and the remaining Community Regions as the only areas that had adequate infrastructure to support higher density residential development. As discussed above, fourteen sites within the Grass Valley SOI were carried over from the 2003-2008 Housing Element update. In addition, nine new sites within Grass Valley's SOI were added as candidate sites to accommodate the 2009-2014 identified unmet need. Since the Grass Valley SOI is directly adjacent to the largest developed city in Western Nevada County, this is an area that would seem to be the most likely to be able support high density residential growth. As a result, staff has identified several sites within the Grass Valley SOI to be considered by the Planning Commission and ultimately the Board of Supervisors for rezoning along with sites in Penn Valley and the Lake of the Pines areas. The individual merits of each site and staff's recommendation regarding a given site are provided below.

The following paragraphs outline some of the benefits and issues associated rezoning sites within a Sphere of Influence verses within the unincorporated area.

Some of the key benefits with rezoning a site within a SOI include but are not limited to: closer proximity to jobs, infrastructure and services; enhanced walkability; and the experience of the local jurisdiction with developing and supporting higher density residential development. Some of the key issues with rezoning a site within a SOI include but are not limited to: the loss of the ultimate oversight of the site development including implementation of development standards and mitigation measures; forces the City to annex the site; the potential for the site to be pre-zoned to a different land use designation during the annexation process; lack of consistency with General Plan Policy, specifically General Plan Policy 1.8.3 that basically states that the County land use maps will generally reflect the City's General Plan land use mapping and states that the County's Plan will not preclude implementation of the City's Plan by provided for a significantly more intensive land use than the City's Plan; the necessity to establish a RHNA transfer agreement with the City for each site; the longevity of the site to be eligible to accommodate RHNA units; an increase in high density residential zoning and development in an area that already provides the majority of residential apartments in western Nevada County; and the potential to stress city and county relations.

Some of the key benefits with rezoning a site in the unincorporated area include but are not limited to: providing increased housing opportunities for all income segments within established

unincorporated community regions; control over implementation of development standards and mitigation measures; guaranteed retention of rezoned sites land use and zoning designations; ability to continue to utilize sites for future RHNA's without requiring annexation. Some of the key issues identified with rezoning a site to higher density residential in the unincorporated area include but are not limited: greater commuting distances to jobs and services; creation of urban density islands within more predominately rural community regions; and a greater potential of the presence of sensitive environmental resources being located on the site.

When making a decision on which sites to include in the final recommendation and action by the Board of Supervisors, it is important that the Planning Commission keep in mind that in addition to having a project goal of providing increased housing opportunities for all income segments and special needs populations in the County, the implementation of this project plays a vital role in the County's current and future compliance with State Housing Law regarding providing adequate suitable sites to accommodate existing and future Regional Housing Need Allocations. Any site that is rezoned as a result of this project will remain eligible to be utilized as a suitable site for very low and low income RHNA units for future Housing Element update cycles, until such time that the site is actually developed. Should sites be annexed to the City of Grass Valley, and a mutually acceptable RHNA transfer agreement cannot be agreed upon by the City and County, the County runs the risk of losing out of being able to gain any future RHNA credit for any of the sites that were annexed, thereby reducing the County's benefit of this project.

Willing Property Owners

The final criteria to be met for a rezoned candidate site to actually be rezoned as a part of the project was the result of direction from the Board of Supervisors when they adopted the 2009-2014 Housing Element update on May 11, 2010. In adopting the 2009-2014 Housing Element update that included the two Rezone programs and the original rezoned candidate sites, the Board of Supervisors received public testimony from one of the rezoned candidate site property owners requesting that his property be removed. The Board directed staff to remove this person's property from consideration (and the final Housing Element update) and directed the Planning Department to notify the rezoned candidate sites property owners who did not attend the Board meeting to request their consent to have their property considered for up-zoning to ensure the County was not forcing anyone to rezone. Shortly following the adoption of the Housing Element and the creation and codification of the Regional Housing Need Combining District, staff performed this outreach. As a result, the original 39 rezoned candidate sites that were included within the 2009-2014 Housing Element were reduced to 18-sites with property owner interest in participating in the project.

During the preliminary stages of the project implementation process and the development of the draft EIR (2012), the property owners of the site within the Nevada City SOI, a site in North San Juan and a site within the Grass Valley SOI withdrew their interest effectively removing their property from consideration. Fortunately, three other property owners that owned land immediately adjacent to sites already being considered, submitted formal requests and justifications (pursuant to the Site Selection Criteria) for why the County should add their properties to the project. Since the County was only in the preliminary EIR development and because three sites had been removed, the Planning Department elected to include these three properties as a part of the project after determining that these sites met the Site Selection Criteria

outlined in LUDC Section L-II 2.7.11.B.2. Finally in November 2013, following the release of the public draft of the EIR and prior to the expiration of the public comment period for the Draft EIR, the property owner of Site 2 (within the Grass Valley SOI) provided a formal request to the County to remove his property for consideration for rezoning. Because this request came late in the EIR process, Site 2 is still included in the Draft EIR, but is no longer considered a candidate rezone site.

The Planning Department has received public comments that the willing property requirement restricted the Planning Department from choosing the best sites from a comprehensive planning perspective and as a result the Department has excluded sites that had an existing residential designation and included sites with commercial designations instead. The only areas that have adequate public services from an infrastructure and services (jobs, shopping, medical, etc.) standpoint are those Community Region areas that have already been included as a part of this project. If this was not a requirement of this project, the primary difference is the project would have continued to consider sites within the Nevada City SOI and the sites within the Grass Valley SOI would be less likely to be clustered in one specific area of the City's Sphere. The Planning Department would still be considering the Penn Valley Village Center as well as the Higgins Corner/Lake of the Pines area due to the fact that public sewer, water and roads exist in those areas. Regarding the comment about the removal of more appropriate sites that had existing residential designations, Table 1 on the following page provides a list of the sites that were removed at the request of the property owner. As evident in Table 1, several of the sites that were removed, with a few exceptions, are designated as Business Park (BP), are located in the Grass Valley SOI, and were carried over from the 2003-2008 Housing Element. Additionally, when reviewing the 2003-2008 Housing Element, the actual purpose of including these sites for rezoned was to gain consistency with the City's General Plan 2020 Land Use designations which had them designated as Urban Medium Density residential and not necessarily to meet a Regional Housing Need Allocation.

TABLE 1
SITES THAT WERE REMOVED FROM REZONING CONSIDERATION AT
REQUEST OF PROPERTY OWNER

<i>APN</i>	<i>Acres</i>	<i>County General Plan</i>	<i>County Zoning</i>	<i>Grass Valley SOI General Plan</i>	<i>Notes</i>
09-560-33*	13.04	BP	BP	UMD	*2003-08 Sites
09-560-34*	5.32	BP	BP	UMD	
09-560-05*	7.92	BP	BP	UMD	
09-560-32*	2.43	BP	BP	UMD	
09-560-37*	8.91	BP	BP	UMD	
09-560-39*	4.03	BP	BP	UMD	
09-560-38*	2.03	BP	BP	UMD	
09-560-13*	1.31	BP	BP	UMD	
09-560-10*	8.86	BP	BP	UMD	
07-550-16	20.02	OP	OP	OP	2009-2014 Sites
07-400-01	4.87	OP	OP	OP	
09-680-50	2.97	BP	BP	BP	
09-680-51	3.56	BP	BP	BP	
09-680-53	4.55	BP	BP	BP	
09-680-52	9.62	BP	BP	BP	
12-010-59	4.30	BP	BP-SP	n/a (Cedar Ridge Y)	
23-300-54**	2.01	UMD	R2-MH	n/a (Hwy 49 Near Alta Sierra Entrance)	
51-160-24	1.19	CC	C2-SP	n/a (Penn Valley)	
51-130-14	2.16	CC	C2	n/a (Penn Valley)	
60-100-18	3.57	NC/ RUR-10	C1/AG-10	n/a (North San Juan)	
09-270-04*	10.68	USF	3.62-acres R3 Remainder R1	UHD	Withdrawn Late
37-050-69	4.54	IND	M1	PD (NC SOI)	
29-350-12	11.36	BP	BP	BP	

** Removal of this site was mutual.

THE PROJECT- REZONE:

Rezone Candidate Sites

The proposed project is the consideration of amending the General Plan Land Use and Zoning Designation of a combination of seventeen different rezone candidate sites to provide sufficient density at 16-units minimum per acre to provide sites for 699 high density residential units or a minimum of 43.7-acres of high density residential zoning. In order to achieve the desired outcome of the project it doesn't require that the County change the designation of all of the sites. In total the seventeen sites make up approximately 137-acres and have the potential to provide 1,490-units of density based on identified development potential or "aggregate density" for the sites that has been determined through the EIR process. These site are located in three district areas of Western Nevada County, including 9 sites with an overall development potential of 735-units in the Grass Valley Sphere of Influence, 4 sites with the overall development potential of 330-units in the Penn Valley Village Center, and 5 sites with the overall development potential of 425 units in the Lake of the Pines/Higgins Corner Community Region.

General Area Discussion

Grass Valley

The City of Grass Valley is the largest incorporated area in western Nevada County. Located at the junction of State Highway, 20, 49, and 174, Grass Valley serves as the economic hub for western Nevada County and is the primary location in this part of the County for employment, shopping and services (medical, recreational, educational, etc.). The area identified as the Grass Valley SOI is an area within the unincorporated area of Nevada County but adjacent to the city limits of Grass Valley. The land uses transition from the typically higher residential densities and commercial and industrial intensities uses to more rural residential and commercial areas in the unincorporated area. The areas within the SOI have been identified in the City of Grass Valley General Plan as areas that have potential to be annexed into the City at some future time. As such, these areas within the SOI are typically areas that have transitional land uses. According to the Bureau of Census 2008-2012 American Communities Survey (ACS), there are approximately 6,810 housing units within the City of Grass Valley of which approximately 11.5% were vacant. Approximately 58% of those housing units are rental housing units and the current Housing Element for Grass Valley notes the City has 783 publically assisted rental units. According to the ACS, the median income for the City of Grass Valley was \$36,612, which is approximately 36% below the countywide median income of \$57,382. In Grass Valley, approximately 45% of homeowners were overpaying for housing, with overpayment being considered payment of 30% or more of an annual income towards housing, and approximately 61% of all renters were overpaying for housing.

For reference Figure B.1 on the following page, provides the location of each of the nine rezone candidate sites within the Grass Valley Sphere of Influence by site number. As you can see in Figure B.1, Site 1 is located on McCourtney Road across from the Nevada County Fairgrounds. Site 2, which is no longer being considered as a rezone candidate site, is located near the intersection of La Barr Meadows and McKnight Way. Sites 3-9 are all located along Brunswick Road just outside of the Glenbrook Basin and are virtually surrounded on all sides by the incorporated area. Each site is discussed in more detail below. It is recognized that the City has

the available infrastructure (public water, sewer, roads, police, and fire services) and well as the associated amenities (grocery stores, pharmacies, parks, medical offices and services, a hospital, schools including elementary, high school and junior college extension, and employment opportunities) that could accommodate higher density residential uses. To further document the availability of services, Table 2 below provides a list of services that are available to the candidate sites along Brunswick Road. Table 2 was created utilizing Google Maps and is not intended to be an exhaustive list. There is the potential the some of the businesses that are listed may no longer be in existence or other more recent business may be operating in the area that are not included in Table 2. Additionally, Table 2 is only focused on the general area surrounding the rezone candidate sites along Brunswick Road and does not include many of the other services that are available throughout the greater Grass Valley and Nevada City areas. As discussed above, Grass Valley is the primary area that provides services (shopping, medical, employment, etc.) for much of Western Nevada County's population and therefore these services are also available to citizens of Penn Valley, which is approximately 8-miles to the west and to Lake of the Pines which is approximately 12-miles to the south.

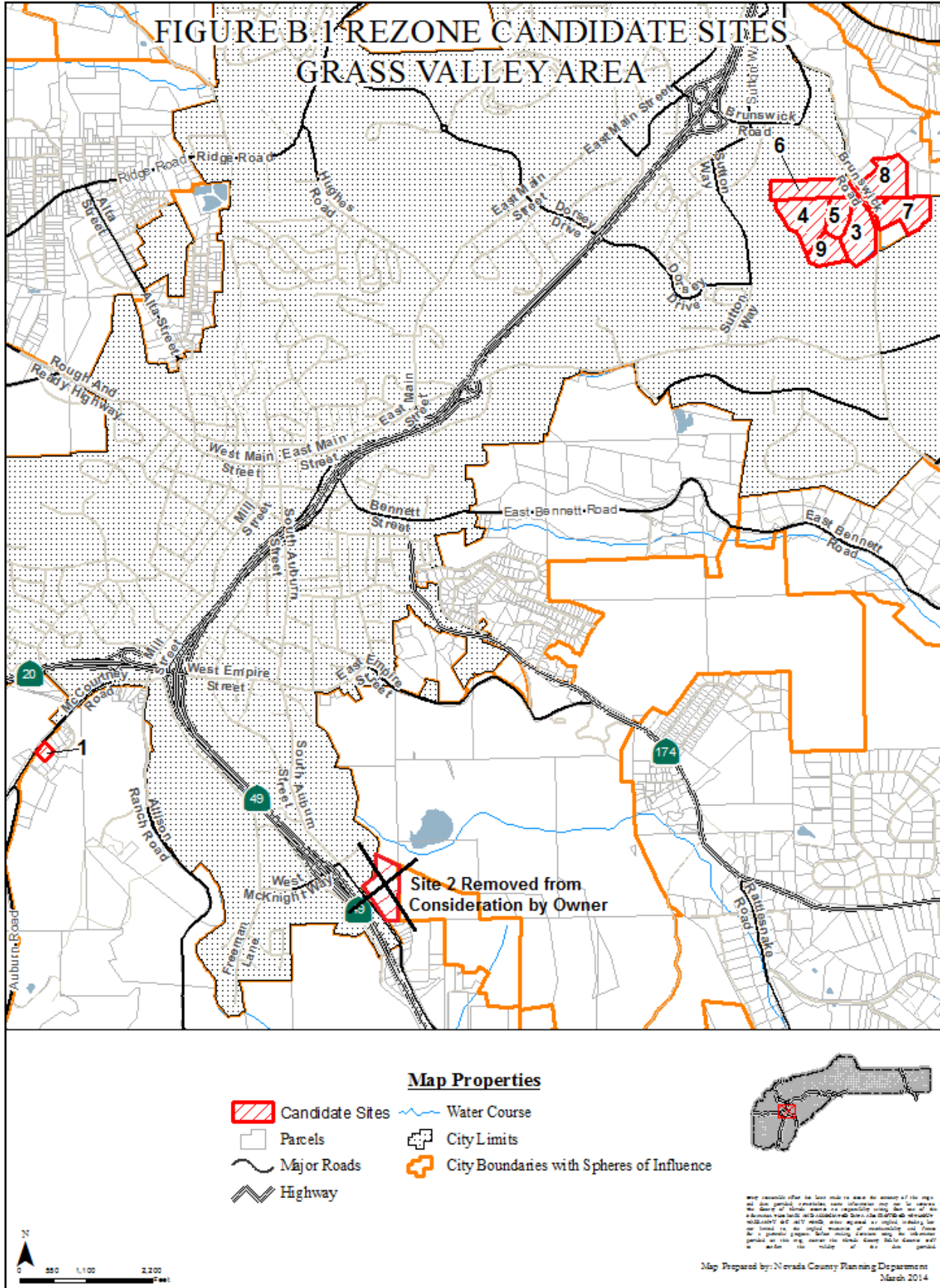


TABLE 2
GRASS VALLEY SERVICES AND AMENITIES

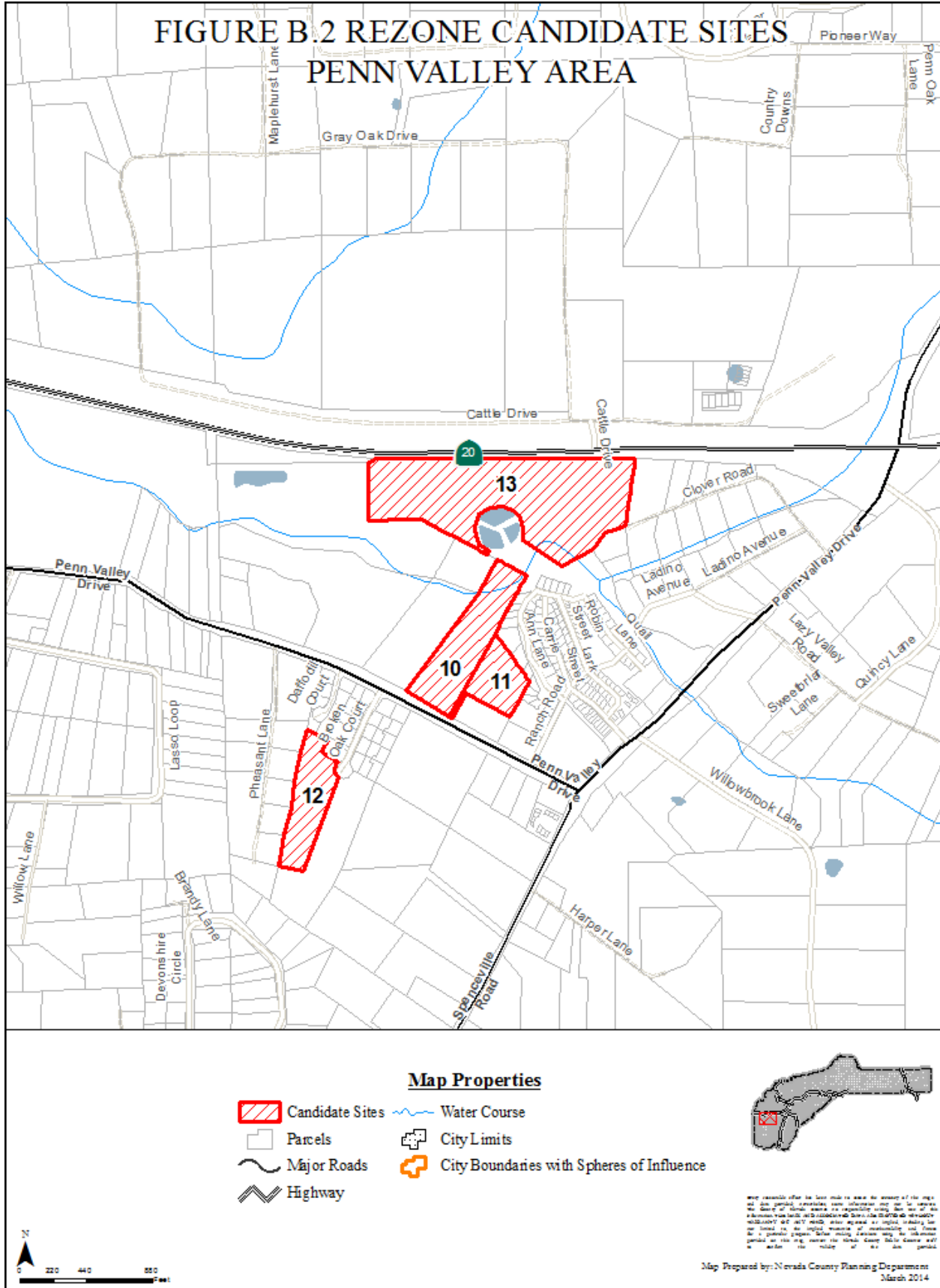
<i>Location, Distance, Drive Time</i>	Varies- Services listed are focused around the Brunswick Road Candidate Sites. For example from Site 3 to the Safeway Shopping Center, which includes a variety of services including a pharmacy, is approximately 0.7-miles or approximately 2 minutes of drive time. Site 3 to the Sierra Nevada Memorial Hospital is approximately 1.7-miles or 6 minutes of drive time.
<i>Shopping</i>	Safeway, Grocery Outlet, Walgreens, CVS, Rite Aid, Ben Franklin, Incredible Pets, Staples, B&C True Value, Radio Shack, O'Reilly Auto Parts, AutoZone, Wooden Spoon, the Dollar Store, and several others.
<i>Medical/Dental/Veterinarian</i>	Sierra Nevada Memorial Hospital, Chapa De Indian Health Clinic, Yuba Docs Urgent Care, Wolf Creek Care Center, Crystal Ridge Care Center, Miner's Family Health Center, Several private practices offering dental, vision, medical and veterinarian services.
<i>Financial Institutions</i>	Wells Fargo, Bank of the West, Bank of America, Placer Credit Union, First US Community Credit Union, Edward Jones Financial, and several others.
<i>Restaurants</i>	Taco Bell, McDonalds, Burger King, Paulette's Country Kitchen, Margarita's Mexican Restaurant, Subway, Starbucks, Flour Garden Bakery, Port of Subs, Round Table Pizza, Panda Express, Humpty Dumpty Kitchen, Kentucky Fried Chicken, Lumberjacks' Restaurant, China Garden, and several others.
<i>Misc.</i>	Big 1 Appliance TV and Mattress, Sierra Motor Sports, Flyers Gas Station and Market, AM-PM Gas Station and Market, Country Club Golf Course, Volz Bros Automotive, Gold Country Automotive, many other miscellaneous services throughout Grass Valley.
<i>Public Services</i>	Empire Mine State Park, Condon Park, Memorial Park, Nevada County Child Protective Services, Big Brothers and Big Sisters of Nevada County, United Way, Foodbank of Nevada County, Hospitality House, Nevada County Public Health, FREED Center for Independent living, Sierra Forever Families Nevada County, Habitat for Humanity, Domestic Violence and Sexual Assault Coalition, CORR, multiple Real Estate Offices, Department of Motor Vehicles and several others
<i>Transit</i>	Bus stops: Sutton way and Oak Ridge Apartments, Sutton Way at Glenbrook Apartments, Old Tunnel Road at Bank of the West (closest, approximately 1/2 mile from candidate sites on Brunswick), Dorsey Drive across from Crystal Ridge Care Center, Old Tunnel Road at Miner's Family Clinic, Sutton Way at Olympia Garden Apartments. Several others in the area.
<i>Primary Roads</i>	County/City Maintained
<i>Sewer</i>	City of Grass Valley
<i>Water</i>	NID/City of Grass Valley

Source: Google Maps, 6/9/14

Penn Valley

Penn Valley, an unincorporated community, is located in the western portion of Nevada County. Penn Valley has a “small town” feel with a population of approximately 1,621, but approximately 12,000 people consider Penn Valley home. The Penn Valley area is located in the western part of Nevada County along State Highway 20 approximately 8 miles from the City of Grass Valley and includes the Penn Valley Village Center, the Commercial Avenue development at the corner of State Highway 20 and Pleasant Valley Road, the Lake Wildwood Community Region and the surrounding rural residential and agricultural areas. According to the Bureau of Census 2008-2012 American Communities Survey (ACS), there are approximately 602 housing units within the Penn Valley Census Designated Place (CDP) of which 0% were vacant. Approximately 28% of those housing units are rental housing units and the current Housing Element for Nevada County notes the Penn Valley has 42 publically assisted rental units. According to the ACS, the median income for the Penn Valley CDP was \$41,855, which is approximately 28% below the countywide median income of \$57,382. In the Penn Valley CDP, approximately 42% of homeowners were overpaying for housing, and approximately 72% of all renters were overpaying for housing.

Figure B.2 on the following page, provides the location of each of the four rezone candidate sites within the Penn Valley Village Center by site number. Site 10 and 11 are located on Penn Valley Drive between the Post Office and the Penn Valley Mini Storage. Site 12 is located off of Broken Oak Court across for the Courtyard at Penn Valley apartment complex. Finally, Site 13 is located north of Sites 10 and 11 between State Highway 20 and Squirrel Creek. Each site is discussed in more detail below. There are three distinct local areas that provide services to the residents of Penn Valley, not including the City of Grass Valley which is approximately 8-miles away and the cities of Marysville and Yuba City which are approximately 30-miles to the west. Both Grass Valley and Marysville/Yuba City are full service urban areas that augment the local services that are available in Penn Valley. Table 3 was created utilizing Google Maps as a way to show the types of services available in Penn Valley, where they exist and the distance from the proposed rezone candidate sites. This is not intended to be an exhaustive list and there is the potential the some of the businesses that are listed may no longer be in existence or other more recent business may be operating in the area that are not included in Table 3.



**TABLE 3
PENN VALLEY SERVICES AND AMENITIES**

<i>Location, Distance, Drive Time</i>		Commercial Ave./Pleasant Valley Road 1.5 miles, 4 minutes	Lake Wildwood Center 2.7miles 6 minutes
<i>Shopping</i>	PV Gas and Mini Mart, True Value Hardware, Hospice Thrift Store, Penn Valley shopping Center (27 shops and service); Penn Valley Market and B Liquor	Sierra Energy Chevron Convenience Store	Holiday Foods
<i>Medical/Dental/ Veterinarian</i>	Animal Clinic of Penn Valley, Miner's Mobile Clinic, Cater Calante Orthodontic Specialist, Sierra Equine, Penn Valley Yoga/Dragonfly Yoga massage and Wellness, Penn Valley Chiropractic Clinic, Head to Heal Therapy and Spa, Penn Valley Acupuncture	Pleasant Valley Veterinary Center, Anderson Health Center	Sierra Care Physicians , Penn Valley Family Medical, Pleasant Valley Pharmacy, Wildwood Physical Therapy, Sierra Nevada Memorial Hospital Lab, Wildwood Dental
<i>Financial Institutions</i>	Wells Fargo	First American Title Insurance.	Tri-Counties Bank, Citizens Bank, Independent Planners Group, Westamerica Bank
<i>Restaurants</i>	Tack Room, Northridge, Blue Cow Deli, Daybreak Café, Taco Bell	Pleasant Valley Grill, Players Pizza Pasta and More.	Tuscany Gardens, June's Café and Deli
<i>Misc.</i>	Bright Beginnings Learning Center (day care), Garden Fare, PV Mini Storage, Abercrombie & Co Stoves and Awnings, Empire Fence, Anything Green Hydroponics, Penn Valley Books and Gift Store, Pilot Peak Internet Marketing, Rolling Hills Realty, Penn Valley Laundromat, Penn Valley Pony Express, Eagle Sales, Plaza Tire and Auto Service, Rolling Hills Realty, King Realty, Four Seasons	Gold Country Tanning, Penn Valley Auto Services, Wildwood Storage	Radiant Light Nutrition, Coldwell Banker, Skies Realty, Trujillo Insurance, Falcon Driving School, Intero Real Estate, Buttes Insurance, All the Best Video, Network Real Estate, Reflections at Wildwood Center

	Landscape Materials, Sierra Water Systems, Complete Bookkeeping and Tax, All Kids and Critters, Simply You Salon and Spa, Designers, Charimia's Hair and Nails, Shell Service Station		
Public Services	Western Gateway Park, Bike Path on PV Drive , US Post office, PV Fire Dept.		Sheriff Substation, PV Fire Substation
Transit	Valley Oak Ct. and PV Drive. PV Drive and Easy St. PV Drive and Horton St., PV Drive and Broken Oak Ct., PV Drive at Willobrook Rd, Penn Valley Drive at PV Drive.	Pleasant Valley Rd and Commercial/Branding Iron. Pleasant Valley Rd and Penn Valley Drive.	Gold Country Stage Bus Stop with Services to GV, Pleasant Valley at Black Forest , PV at Biladeau Ln
Primary Roads	County Maintained	County Maintained	County Maintained
Sewer	Public with Pipeline Ext.	n/a	n/a (public)
Water	NID	NID	NID

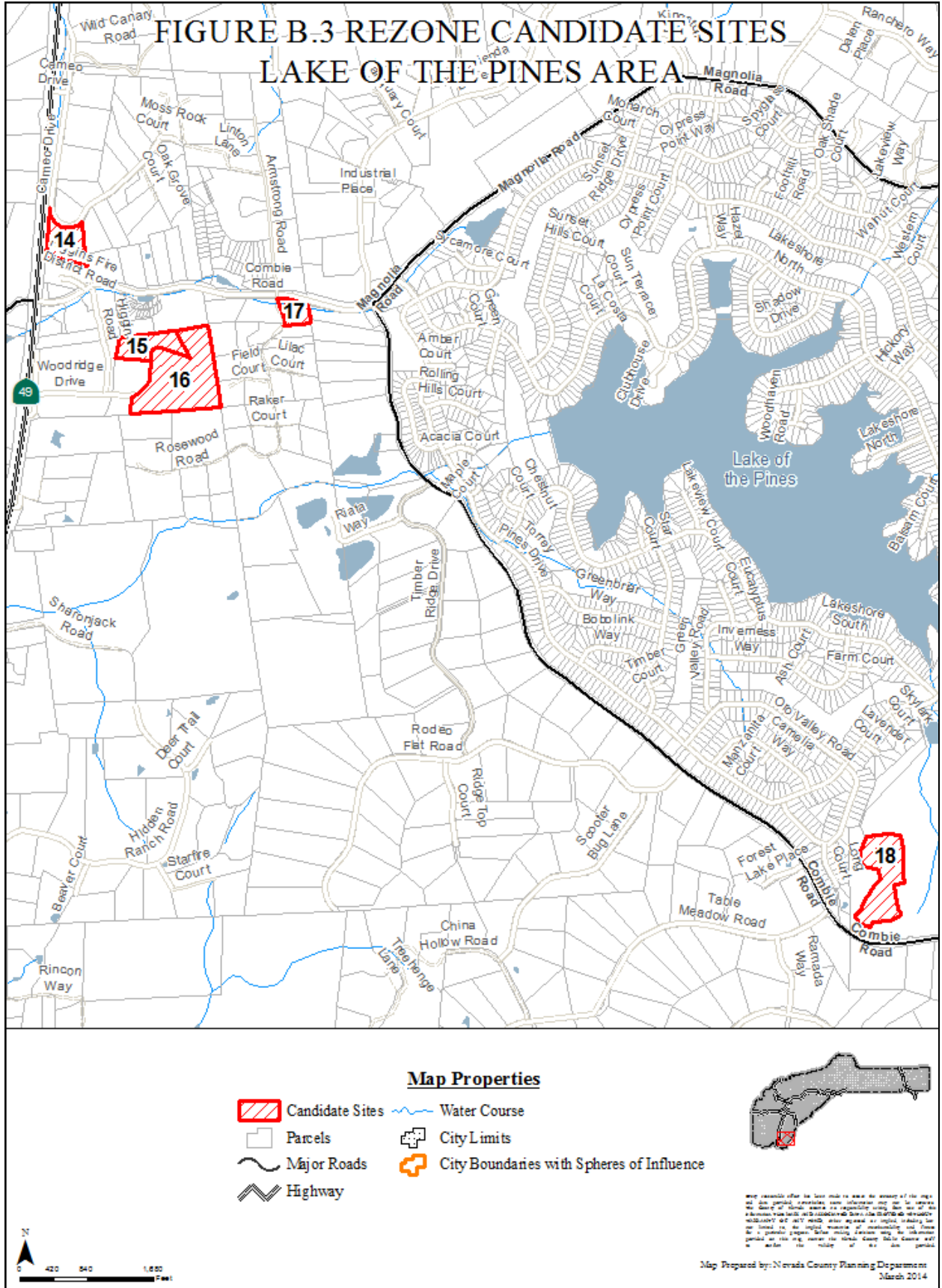
Source: Google Maps, 6/9/14

Lake of the Pines/Higgins Corner

The Lake of the Pines/Higgins Corner area is located in southwest Nevada County along State Highway 49 approximately 12-miles to the City of Grass Valley and about 10 miles to the City of Auburn (Placer County) and includes the developed commercial areas at the corner of State Highway 49, Wolf and Combie Roads, the Combie Road corridor, the Lake of the Pines Center located at Combie and Magnolia Roads and the Streeter Road industrial park located approximately 1 and a 1/2 mile south on Highway 49. Additional Lake of the Pines development within the outlying areas consists of rural residential uses, educational facilities, such as Forest Lake Christian School and the Bear River High School, and the Lake of the Pines gated residential community. According to the Bureau of Census 2008-2012 American Communities Survey (ACS), there are approximately 1,612 housing units within the Lake of the Pines Census Designated Place (CDP) of which 12.2% were vacant. Approximately 88% of those housing units are owner occupied households and the remaining 12% are rental housing units. According to the ACS, the median income for the Lake of the Pines CDP was \$84,531, which is approximately 47% above the countywide median income of \$57,382. In the Lake of the Pines CDP, approximately 44% of homeowners were overpaying for housing, and approximately 43% of all renters were overpaying for housing.

Figure B.3 on the following page, provides the location of each of the five rezone candidate sites within the Lake of the Pines Community Region by site number. Site 14 is located off of Cameo Drive via State Highway 49 directly north of the Higgins Fire Station. Site 15 and 16 are located

off of Woodridge Drive southeast of the Higgins Corner commercial development. Site 17 is off of Rosewood Road along Combie Road across from the Cascade Crossing residential development. Site 18 is located on Combie Road immediately south of the Lake of the Pines gated residential community. Each site is discussed in more detail below. There are several pockets of areas in the Lake of the Pines/Higgins Corner Community Region that provide services to the residents of Lake of the Pines, not including the City of Grass Valley which is approximately 12-miles away and the City of Auburn is approximately 10-miles to the south. Both Grass Valley and Auburn are full service urban areas that augment the local services that are available in the Lake of the Pines Community Regions. Similar to Tables 2 and 3 above, Table 4 was also created utilizing Google Maps as a way to show the types of services available in the Lake of the Pines area, where they exist and the distance from the proposed rezone candidate sites. This is not intended to be an exhaustive list and there is the potential the some of the businesses that are listed may no longer be in existence or other more recent business may be operating in the area that are not included in Table 4.



**TABLE 4
LAKE OF THE PINES SERVICES AND AMENITIES**

Location, Distance, Drive Time	Combie and Magnolia and Combie at Armstrong. No dedicated Path, - Distances from Combie and Magnolia Shopping: Site 14, 1.8 miles 4 minutes no direct access. Site 17 0.3 miles 1 minute. Site 18 Approximately 1.9 miles 3 min. Sites 15 and 16 approximately 1.3 miles 4 minutes.	Combie Corner and Wolf Road- Site 18 2.6 miles 4 minutes no walking path, Rest of Sites are within easy walking distance, except no direct access to Site 14.	Streeter Road 4.1 miles 8 minutes from Site 18. Sites 15 and 16 1.6 miles 5 minutes, Site 14 2.3 miles 6 minutes, Site 17 2.1 miles 6 minutes.
Shopping	Lake of the Pines Ace Hardware, Holiday Quality Foods, the Red Chair	CVS Pharmacy, Chevron, Wolf Road Gas Station Market	none
Medical/Dental/Veterinarian	Animal Clinic at LOP. Christian Layne Optometrist	Sutter Physical Therapy: Sutter Medical Foundation, Lake of the Pines Care Center	none
Financial Institutions	El Dorado Saving, Tri Counties Bank	Chase ATM	none
Restaurants	Stinky Mulligans Sports Bar, Gristmill Bakery and Deli	El Agave Taqueria, Starbucks, Subway, Northridge, School House Yogurt	none
Misc.	Generations Health Club, Northern Air, Micro Precision Calibration, Bear River Storage, Care Campus, Titan America Manufacturing, RCI Real Estate, Curves, Farmers Insurance, Auburn Florist, International Hobbies, Soil Broker, Coldwell Banker Realty, Nexcycle, Seeley Insurance Services	Century 21 Realty (2), Gateway Realty, Cut and Curl, LOP Music, 530 Hydro and Soil, Concept Sales and Associates, Chevron Auburn. On-Trac Drop Box	Auto Glass Express, Sierra Cad-Cam, WFO Concepts, Uhaul, M &M Machine Shop, Sudden link Communications, Hay Barn, Auburn Euro Motors, USA Golf Products, Bear River Auto Tech, Auburn Carpet one, Aquacide.
Public Services	Higgins Fire Protection District, US Post Office, Bear River High School Ball Fields, Sheriff's Substation	Higgins Fire District	
Transit (Bus Stops)	Combie at Lake Center	Combie at Higgins Center	Hwy 49 and Streeter Road, Hwy 49 and Macy Place
Roads	County	County	n/a
Sewer	Public	Public	n/a
Water	NID	NID	na

Source: Google Maps, 6/9/14

Individual Rezone Candidate Site Discussion by Area

The following section will provide a discussion of each individual rezone candidate sites including the site map showing the location of the development footprint and environmental constraints, a basic description of the site and its location, uses, and zoning in the surrounding area, availability of infrastructure and services, site access, the current and recommended general plan land use designation and zoning including the existing and proposed residential density, a breakdown of the parking requirement for the site, any identified environmental resources, a summary of the mitigation that applies to the site, and finally the Planning Department's recommendation regarding whether or not the site should be included within the final action of the Board of Supervisors.

The Planning Department has developed a tiered system of grouping sites to achieve the current project goal of providing sufficient R3-RH zoning (or the equivalent) to accommodate 699-high density residential units, with Tier 1 sites being the most suitable for accommodating future high density housing, Tier 2 sites being still adequate for rezoning but slightly less suitable than Tier 1 sites for a variety of reasons and Tier 3 sites being the least suitable to accommodate future high density housing. The purpose of the tiered system is to develop a menu of suitable candidate rezone sites that have the potential to be rezoned to allow the County to create additional opportunities for high density housing at a minimum zoning for 699-units total, including adding the RH Combining District to those properties. Additionally, to address future housing needs, this menu provides the potential for a site to be rezoned with just the R3 zoning (without the state mandated criteria outlined in the RH Combining District) that are beyond the minimum of 699-units necessary to address state mandated rezone requirements.

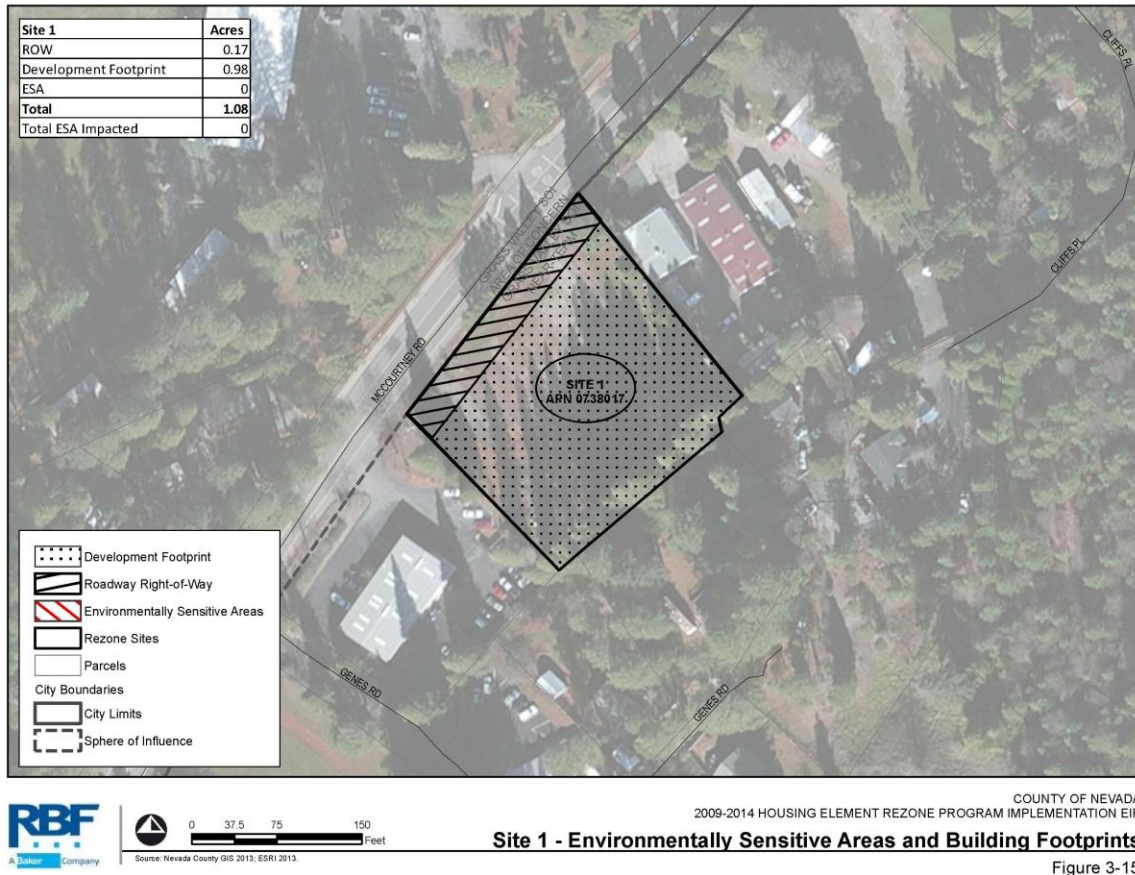
The following sites have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These are considered the first tier for implementing the project and meeting the project objectives. There are several different combinations however that will accomplish the same goal. The second tier of sites have been determined to be almost equally suitable as the tier one sites and include Sites 4, 9, 13 (at 91-units only) and 15. The justification for considering these properties as tier two sites is provided within the individual site discussion below. These sites could be mixed in with the first eight sites to go beyond the unmet need of 699-units or could be switched with one or multiple first tier sites with similar identified aggregate densities to meet the minimum of 699 units of density. The least desirable sites, or the third tier sites, are those that are considered the most constrained or only minimally implement the project goals and include Sites 1, 7, 8, 10, and 17. As a result of this EIR, the third tier sites could effectively be chosen for rezoning, but are less suitable than the twelve sites that are identified as first and second tier sites.

Grass Valley Sphere of Influence

In total there are eight rezone candidate sites that are located within the Grass Valley Sphere of Influence with the removal of Site 2. It is assumed the any site that is rezoned for high density housing in the Sphere of Influence will need to be annexed into the City of Grass Valley so the development can be served by with city sewer and other related services.

Site 1. APN: 07-380-17

Building Footprint Map:



Description/Surrounding Land Uses: Site 1, rectangular in shape and approximately 1.08 acres in size, is located in the southern portion of the Grass Valley SOI on the southeast side of McCourtney Road between Cliffs Place and Genes Road. The site is generally undeveloped and gently slopes to the northwest, toward McCourtney Road, with no notable landforms, drainage features, or vegetation. This site has previously been cleared and is periodically used as a fee parking lot for events at the Nevada County Fairgrounds, which are located across McCourtney Road, northwest of the site. Site 1 is located in an area with other existing development primarily designated as Office Professional (OP) on the County Land Use Maps, and is bounded by commercial buildings to the west and east and single family residences to the southeast. Beyond the single family residences is the northwest boundary of the North Star property, a site of historical hard rock gold mining and known environmental hazards.

Infrastructure: Site 1 is located on a County maintained public road. Water and sewer infrastructure is available in the area from the City of Grass Valley if annexed. Electrical service from PG&E and other common services, such as phone, internet and cable television are available to the site.

Services: Site 1 is served by the Nevada County Sheriff for police services and the Nevada County Consolidated Fire District for fire protection and safety services. If annexed, the City of Grass Valley would be responsible for providing these services. Table 2 above provides a short list of available shopping, medical, recreation, transit and related services that are available to the residents of western Nevada County in the City of Grass Valley. Grass Valley provides a wide variety of urban services with several options to choose from, as a result there adequate services to serve future populations associated with development of the rezone candidate sites in the region.

Access: Site 1 has direct access to McCourtney Road, a public roadway. Access to the site is assumed to be anywhere along the property frontage depending on the ultimate layout of the site.

Land Use/Density: Existing Land Use/Zoning: Office Professional (OP)/OP. Proposed Land Use/Zoning: OP-Regional Housing Need (RH). Under the existing Office Professional (OP) designation the current allowed residential density is 4 units as a part of a mixed use project. The proposed addition of the Regional Housing Need (RH) combining district to OP designation would increase the number of residential units to a minimum of 16 units as a part of a mixed use project.

Parking: Parking for the residential portion of the development of this site would range from 16 to 40 spaces depending on the size of the units being provided. Additionally, since the RH combining district requires that a use consistent with the base zoning district be developed in conjunction with or prior residential uses, parking would have to be provided for any office professional use that is developed on the site in addition to the residential parking. According to the County parking standards, general office requires 1 parking space for every 200 square feet of gross floor area.

Environmental Resources: Site 1 has no identified environmental constraints and the developable footprint covers the entire site (see site map). The site is generally undeveloped and nearly flat with only a gentle slope to the northwest. This site was previously cleared, graded and surfaced with gravel and is used for overflow parking during fairgrounds events. The entire site is in a disturbed condition and supports no natural plant communities. Vegetation onsite includes sparse weeds growing at the edge of the parking area and ponderosa pines along the perimeter of the site. Stormwater from the site infiltrates or flows off of the site via sheet-flow; no defined drainage features occur on the site. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 1:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-2b, 4.4-2c*
Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*
Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, and 4.8-3*
Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c, 4.10-1b,*
Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2,*
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2*
Recreation: *Mitigation Measure 4.14-1*
Transportation and Traffic: *Mitigation Measures 4.15-7*

Staff Recommendation: Due to its small size, the type of surrounding land uses (Public, Office Professional, the County Fairgrounds), and the fact that it would be difficult to fit a total of 16-units on the site in addition to an Office Professional use (as required by the RH Combining District Section L-II 2.7.11.D) this site has been determined to be a Tier 3 Site and subsequently staff does not recommend that Site 1 be included within the final project action.

Site 2. APN: 29-350-12

As a result of the property owners request, Site 2 has been removed from consideration for rezoning as a part of this project and therefore no further discussion regarding this site will be provided with the exception of a brief property description. Site 2, approximately 11.36 acres, is located on La Barr Meadows Road south of the intersection with McKnight Way and the western property boundary is coterminous with the Grass Valley City limit.

Sites 3, 4, 5, 6, and 9. APNs: 35-412-15; -16; -17; -18; -19

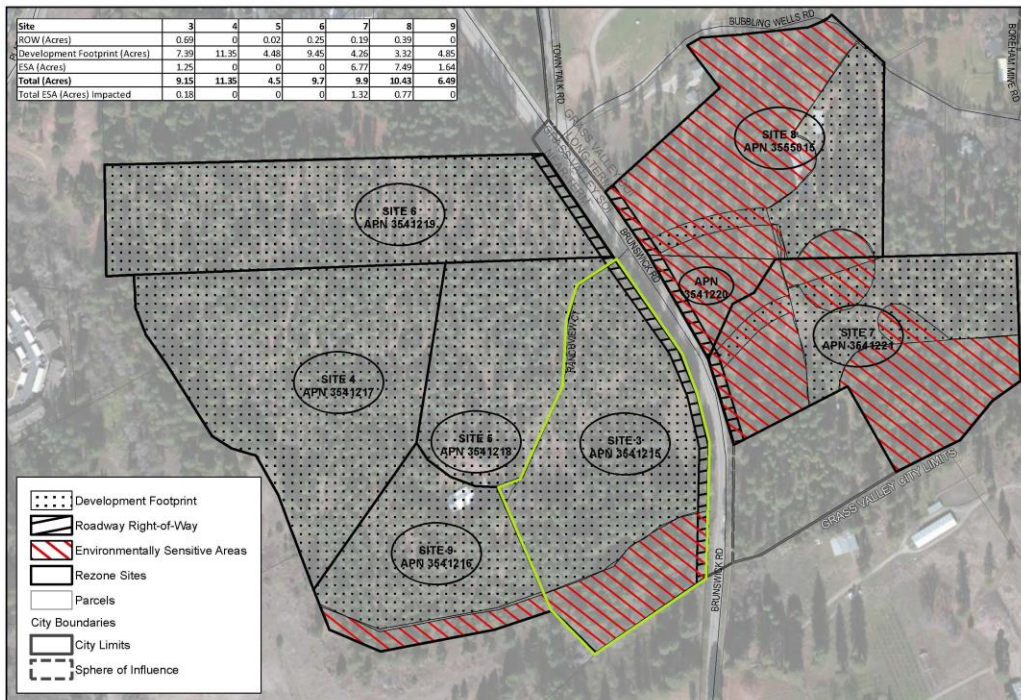
Description/Surrounding Land Uses: Due to the fact that Sites 3-6 and 9 are located adjacent to one another, the general description of those sites will be grouped. The discussion specific to Site 9, however will fall in chronological order below. Sites 3-6 and 9 are located on Brunswick Road, north of Idaho Maryland Road and south of Bubbling Wells Road. Sites 3, 4, 5, 6, and 9 are on the west side of Brunswick Road and are accessed by Triple Crown Drive. The Nevada County Airport is located approximately one half mile to the southeast. Due to the proximity to the airport, all seven of these sites are also located within the Nevada County Airport Influence Area. Specifically these sites are within the Urban Overlay Zone (Zone D*), which allows a density of up to 20-units per acre. Sites 3, 4, 5, 6, and 9 are undeveloped contiguous parcels with an irregular shape. Sites 3 through 6, and 9 are generally located on a forested hilltop location, forested with madrone, incense cedar, ponderosa pines, and associated chaparral typical of the area. Site 3 contains a minor apparent rock outcrop in the eastern portion of the parcel and an abandoned small wood structure in the eastern, downslope portion of the site, near an abandoned irrigation ditch alignment. An unnamed tributary to Wolf Creek traverses the southernmost area of this property. Sites 3, 4, 5 and 9 are all under the same ownership. Sites 3, 5 and 6 have direct road frontage on

Brunswick Road. The southern half of irregularly shaped Site 4 is dominated by a broad swale, sloping downward to the southwest; with the only evidence of significant surface water flow in the swale located in the lowermost portions of the site, near the southwestern property boundary.

Site 5 is an undeveloped property that is completely surrounded by other properties within the project area (Sites 3, 4, 6, and 9). The majority of this site and the surrounding sites are covered with forested vegetation. A knoll in the center of Site 5 is the top of the slope as it comes up from Brunswick Road and transitions down toward the developments off of Sutton Way in the City of Grass Valley. Sites 4 and 6 are bound by undeveloped land to the southwest, west, and north. A portion of the western boundary of Site 4 and the western and northern borders of Site 6 are coterminous with the boundary of the Grass Valley city limits. Undeveloped land lies southeast of Site 3. Site 9 is adjacent to Sites 3, 4, and 5 and contains one existing residence that takes access off of Brunswick Road from Triple Crown Drive through Site 5. Similar to Sites 3, 4, and 5 the majority of the site is covered with mature forested vegetation and slopes from north to south. Property to the south of Site 9 is generally flat and has been cleared for agricultural uses. The southern boundary is along the proposed alignment for the future extension of Dorsey Drive from Sutton Way east to Brunswick Road planned by the City of Grass Valley.

Site 3. APN: 35-412-15

Building Footprint Map:



RBF COUNTY OF NEVADA
 2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
Sites 3-9 - Environmentally Sensitive Areas and Building Footprints
 Figure 3 - 17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: Site 3 has direct frontage along Brunswick Road, a publically maintained roadway. Public water is provided to the site via an existing 18" line that is located in the Brunswick Road right of way. Public sewer would need to be provided by the City of Grass Valley, and subsequently this site would need to be annexed to the City prior to developing. As with all of the other sites, it is the burden of the future developer to ensure that adequate capital facilities (sewer lines/pump or lift stations, etc.) are in place and that adequate capacity is available at the City's wastewater treatment plant to service the project. Common utilities such as PG&E electrical and AT&T phone/internet as well as cable television are available to be extended to the site.

Services: Site 3 is served by the Nevada County Sheriff for police services and the Nevada County Consolidated Fire District for fire protection and safety services. Once annexed, the City of Grass Valley would be responsible for providing these services. Table 2 above provides a short list of available shopping, medical, recreation, transit and related services that are available to the residents of western Nevada County in the City of Grass Valley. Site 3 is within walking distance (approximately ½ mile) to the Sutton Way/Brunswick Road commercial area, which provides a wide variety of urban services with several options to choose from including bus stops that link the area to other locations in the city and the County. As a result there adequate services to serve future populations associated with development of the rezone candidate sites in the region.

Access: Mitigation Measure 4.15-4 requires that the existing access to Site 3 shown as Ranchview Court on County map data and marked as Triple Crown Road be realigned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northwest corner of Site 6.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 3 is Urban Medium Density (UMD)/R2-PD with the PD standing for Planned Development. At 9.15-acres, the R2 zoning would allow a maximum of 54-units on the site. The proposed General Plan Designation/zoning for Site 3 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 7.39-acres which at the minimum density of 16-units per acres would result in the potential density of 118-units; an increase of 64-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 29-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements,

the range of required parking spaces (based on the density of 118-units) would be anywhere from 118-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 295-spaces (if all units were 3 bedroom units).

Environmental Resources: A perennial tributary to Wolf Creek bisects the southern portion of Site 3 and is the only defined hydrologic feature on any of the five sites located west of Brunswick Road. Riparian vegetation is associated with this stream. Representative species in the riparian zone include white alder, red willow, arroyo willow, Himalayan blackberry, California wild rose, cutleaf blackberry, and California blackberry. Site 3 contains an abandoned wood structure in the eastern, downslope portion of the site. Except for a narrow riparian strip along the site's southern boundary, the site is Sierran mixed conifer forest. A small meadow occurs in a forest clearing in the east-central portion of the site and contains non-native upland species of grasses and forbs. The site slopes moderately to the southeast. An unnamed perennial tributary to Wolf Creek bisects the parcel along its southernmost boundary and supports a riparian vegetation community. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 3:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4, 4.4-2a*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3,*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c*

Noise: *Mitigation Measure 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

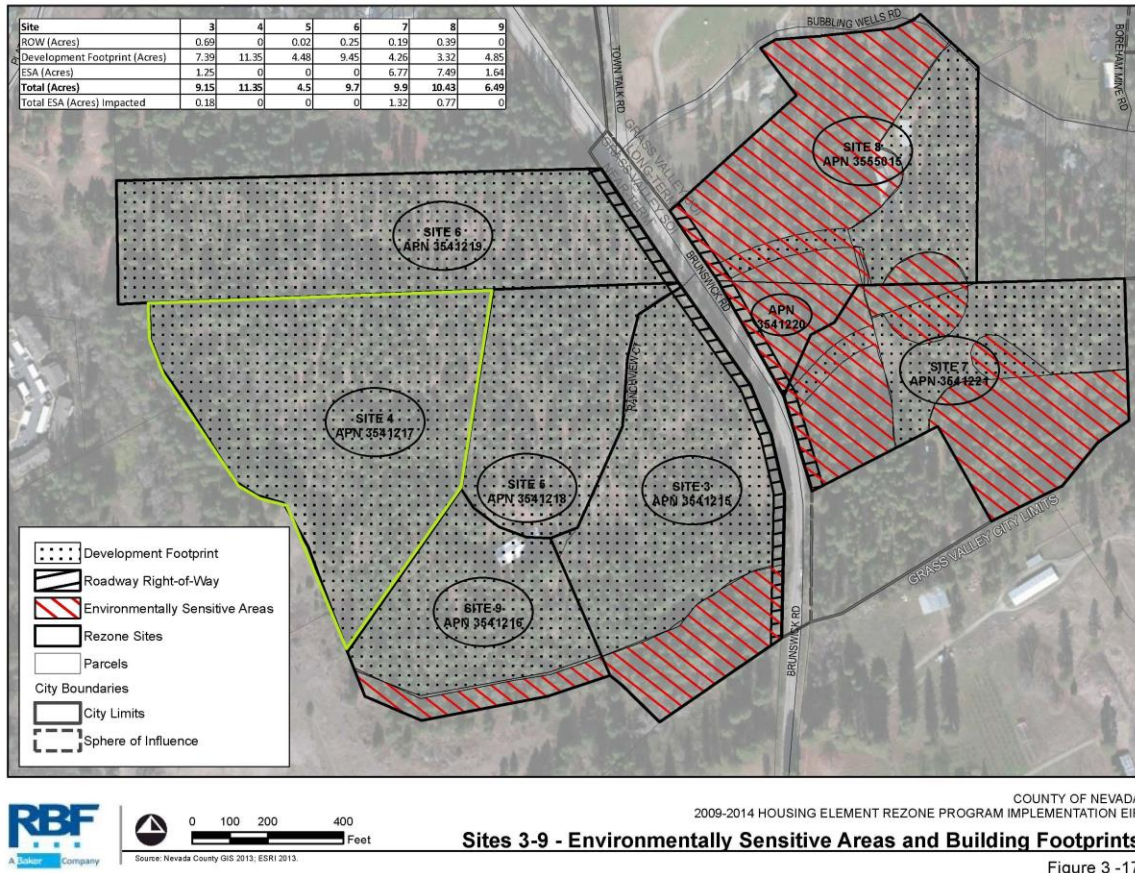
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: Due to the fact that development can avoid environmental sensitive areas on the site, the existing UMD/R2 designation, the potential to integrate the site design with Sites 5 and 6, the availability of infrastructure and services, and its directed frontage on Brunswick Road, this site has been determined to be a Tier 1 Site and subsequently staff recommends that Site 3 be included in the final rezoning.

Site 4. APN: 35-412-16

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3. Because Site 4 is farther away from Brunswick Road, it likely will require a greater expense for capital improvements to ensure that multi-family development on the site could tie into existing sewer, water and utility infrastructure.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 4 does not have road frontage onto Brunswick Road, however existing access to Site 4 is likely via existing ranch roads shown as Ranchview Court on County mapping date. Mitigation Measure 4.15-4 requires that the existing access to Site 3 shown as Ranchview Court on County map data and marked as Triple Crown Road be realigned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northwest corner of Site 6.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 4 is Urban Medium Density (UMD)/R2-PD. At 11.35-acres, the R2 zoning would allow a

maximum of 68-units on the site. The proposed General Plan Designation/zoning for Site 4 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that Site 4 is free from any environmental constraints that would limit the full build-out of the site. Subsequently, the site has a developable footprint of 11.35-acres which at the minimum density of 16-units per acres would result in the potential density of 181-units; an increase of 113-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 45-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 181-units) would be anywhere from 181-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 452-spaces (if all units were 3 bedroom units).

Environmental Resources: Sites 4 is undeveloped and supports a Sierran mixed conifer forest community. The site slopes moderately to steeply to the southwest. No notable hydrologic features occur on this site, though a broad and shallow swale occurs in the southern half of the parcel. This swale follows the slope to the southwest. Aerial imagery and topography indicates that surface water may be present at the base of this swale near the western site boundary. This area was not investigated due to steep slopes and dense brush. If hydrology is present in this area it would represent a negligible constraint to site development. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 4:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

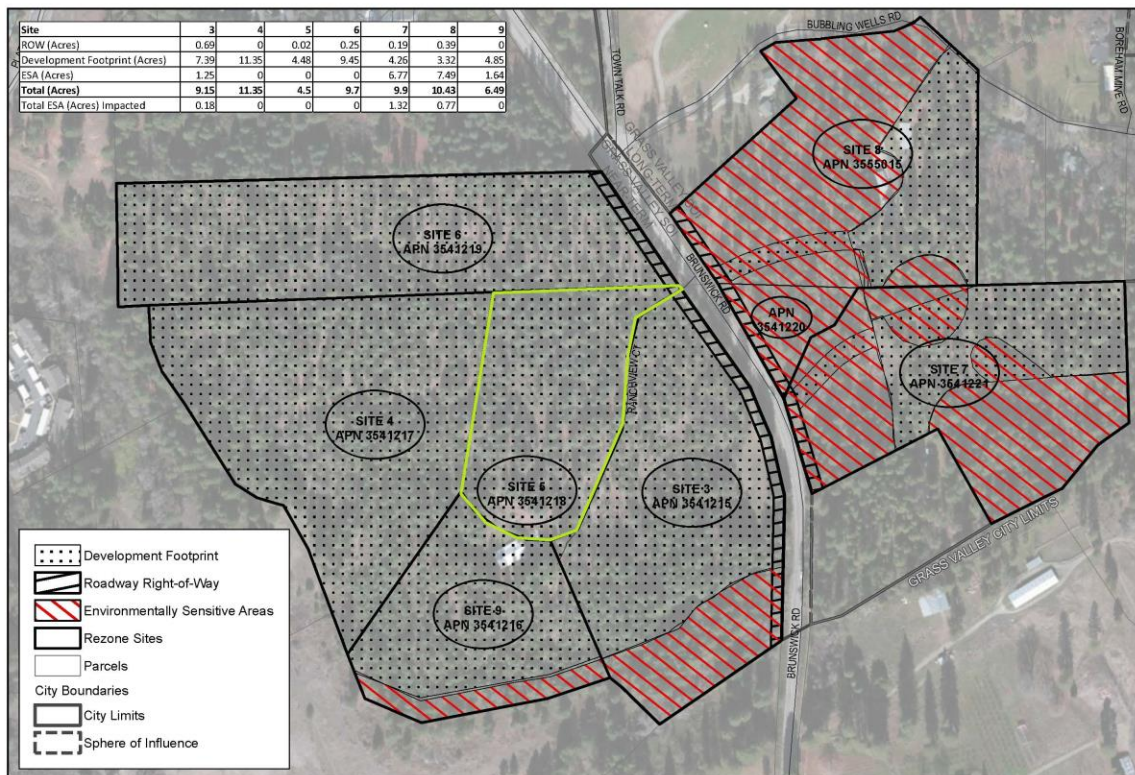
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: While Site 4 is a suitable site for rezoning for similar reasons as sites 3, 5 and 6, because it does not have direct frontage on Brunswick Road, and due to the fact that this project, if the Planning Commission follows staff’s preferred alternative, is already increasing the density in this area by rezoning three of the seven sites located here this site has been determined to be a Tier 2 site and subsequently staff is not recommending that it be included in the final rezoning.

Site 5. APN: 35-412-17

Building Footprint Map:





 2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
Sites 3-9 - Environmentally Sensitive Areas and Building Footprints
 Figure 3 -17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 5 has road frontage along Brunswick Road. Mitigation Measure 4.15-4 requires that future access to Site 5 be aligned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northeast corner of Site 6. This new intersection will serve the internal access roads for sites 3-6 and 9.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 5 is Urban Medium Density (UMD)/R2-PD. At 4.05-acres, the R2 zoning would allow a maximum of 27-units on the site. The proposed General Plan Designation/zoning for Site 5 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that Site 5 is free from any environmental constraints that would limit the full build-out of the site. Subsequently, the site has a developable footprint of 4.48-acres after removing the anticipated right of way dedication, which at the minimum density of 16-units per acres would result in the potential density of 90-units; an increase of 63-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 22-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 90-units) would be anywhere from 90-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 225-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 5 is an undeveloped property that is completely surrounded by other properties within the study area (Sites 3, 4, 6, and 9). This site is situated on a low hilltop knoll and supports a Sierran mixed conifer forest type. The site slopes in all directions away from the top of the knoll. No defined hydrologic features occur on this site. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 5:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

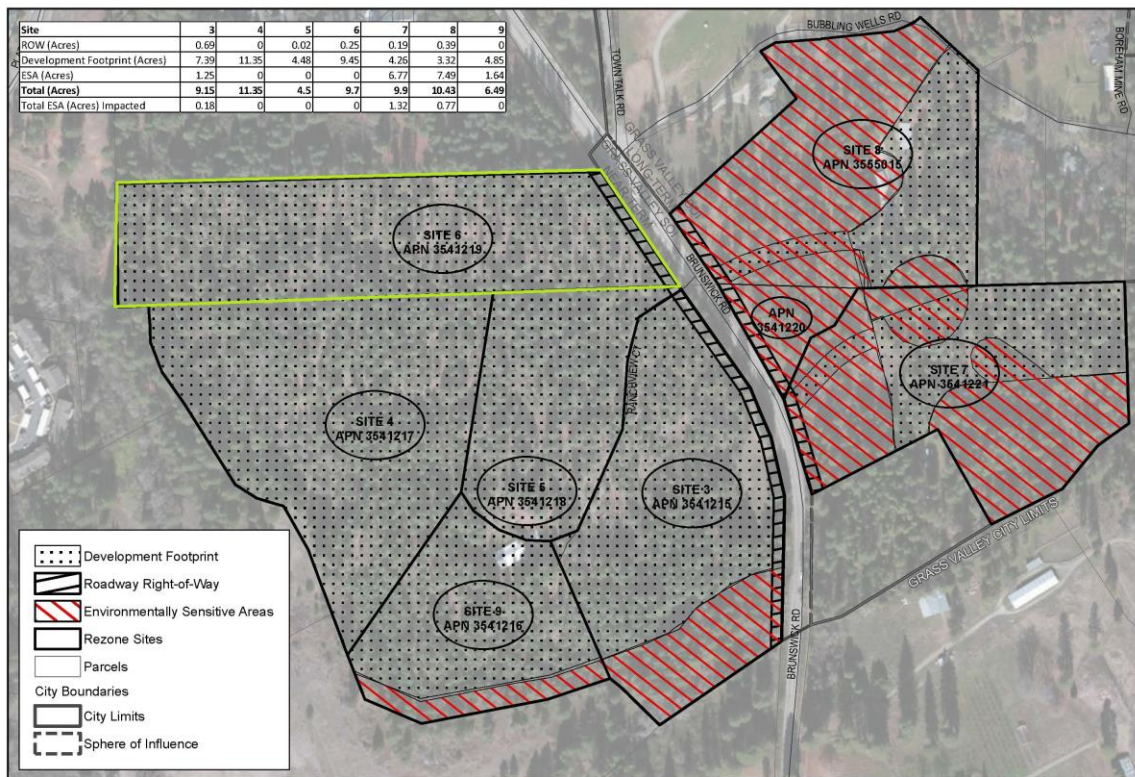
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*
 Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1e*
 Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
 Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*
 Recreation: *Mitigation Measure 4.14-1*
 Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: Due to the fact that there are no identified environmental sensitive areas on the site, the existing UMD/R2 designation, the potential to integrate the site design with Sites 3 and 6, the availability of infrastructure and services, and its directed frontage on Brunswick Road, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 5 be included in the final rezoning.

Site 6. APN: 35-412-18

Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Sites 3-9 - Environmentally Sensitive Areas and Building Footprints

Figure 3 - 17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 6 has road frontage onto Brunswick Road. Mitigation Measure 4.15-4 requires that a new signalized intersection at Brunswick Road and Town Talk Roads near the northwest corner of Site 6 be built for this project. This new intersection will serve the internal access roads for sites 3-6 and 9.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 6 is Urban High Density (UHD)/R2-PD. The underlying UHD General Plan Designation supports higher densities than would be allowed by the R2 (Medium Density Residential) base zoning district. At 9.70-acres, the R2 zoning would allow a maximum of 58-units on the site. Site 6 would only require a rezoning as the General Plan Land Use Designation is already UHD. The proposed zoning for Site 6 is R3-RH. Through the environmental review process, it has been determined that Site 6 is free from any environmental constraints that would limit the full build-out of the site. Subsequently, the site has a developable footprint of 9.45-acres after removing the anticipated right of way dedication from the overall building footprint. At the minimum density of 16-units per acres, Site 6 would result in the potential density of 194-units; an increase of 163-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 48-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 194-units) would be anywhere from 194-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 485-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 6 is an undeveloped parcel that supports Sierran mixed conifer forest that has been heavily modified by thinning activities. Access roads occur throughout the site and appear to have at one time been surfaced with gravel. Haul roads, cut stumps, and tree and shrub stature, as well as a lower stand density and canopy closure than the other sites in this area indicate that the forest on Site 6 was thinned relatively recently. The understory has been thinned, likely during harvesting, and soils exhibit evidence of disturbance associated with timber operations. Seedling and sapling-sized California black oak are sparsely distributed in open, thinned areas. Open areas recently disturbed by forest thinning support grasses and herbaceous species. Site 6 occurs on a small knoll and slopes gently in all directions away from the high point at the center of the site. No defined hydrologic features occur on Site 6. For greater detail regarding environmental resources, including how potential impacts will be mitigated,

please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 6:

Land Use and Planning: *Mitigation Measures 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

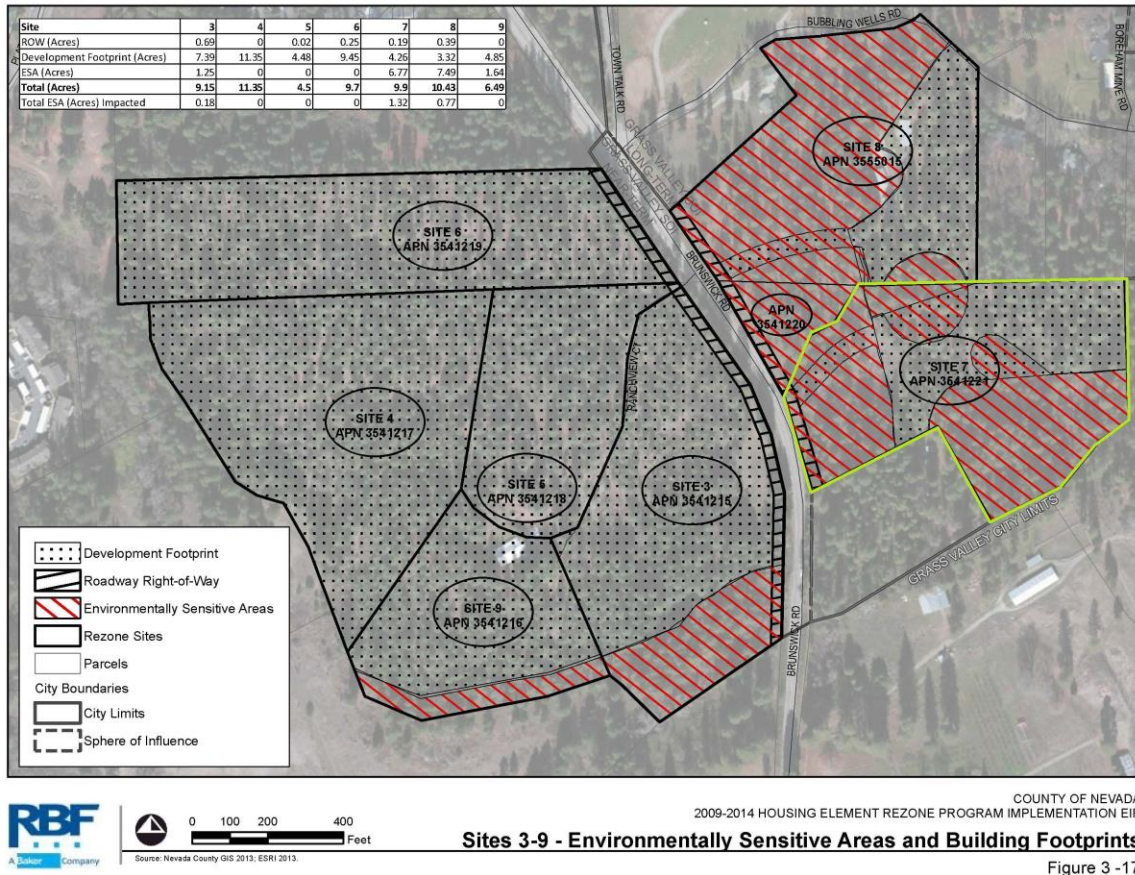
Staff Recommendation: Due to the fact that there are no identified environmental sensitive areas on the site, the existing UHD/R2 designation, the potential to integrate the site design with Sites 3 and 6, the availability of infrastructure and services, and its directed frontage on Brunswick Road, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 6 be included in the final rezoning.

Sites 7 and 8. APNs: 35-412-21 and 35-550-15; 35-412-20

Description/Surrounding Land Uses: Due to the fact that Sites 7 and 8 are located adjacent to one another, the general description of those sites will be grouped. Sites 7 and 8 are located along Brunswick Road just outside of the Glenbrook Basin and contiguous to the Grass Valley City Limits. These parcels have gentle to moderate slopes with no areas that exceed 30-percent. Site 7 and 8 are located to the east of Sites 3 through 6 and 9, on the east side of the Brunswick Road alignment. Site 7 is a forested site, with a rock outcrop in the western portion of the site. Site 7 is gently to moderately sloped to the southwest toward Brunswick Road. A previously graded, gently sloping bench crossing the site, descending from northwest to southeast, is presumed to be attributable to the historical Nevada County Narrow Gauge Railroad alignment. The portion of the site contains an unnamed tributary to Wolf Creek. Agricultural development is apparent south of Site 7 and single family residences are located to the north. Site 8 is located adjacent to Site 7 to the north with access from Brunswick Road. Like Site 7, this site is a forested site that gently slopes from the northeast to the southwest. There are two existing structures on site 8, one residence and one outbuilding.

Site 7. APN: 35-412-21

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3

Services: See Table 2 and the services discussion for Site 3.

Access: Access to Site 7 would come directly from Brunswick Road and would traverse a perennial stream and an area of foothill riparian vegetation associated with this stream course.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 7 is Urban Medium Density (UMD)/RA 1-5 (Residential Agricultural with a 1.5-acre density limitation). The underlying UMD General Plan Designation supports higher densities than would be allowed by the RA-1.5 base zoning district. At 9.90-acres, the RA-1.5 zoning would allow a maximum of 6-units on the site. The proposed General Plan Land Use Designation/zoning for Site 7 is R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 4.26-acres which at the minimum density of 16-units per acres would result in the potential density of 68-units;

an increase of 62-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 17-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 68-units) would be anywhere from 68-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 170-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 7 abuts the east side of Brunswick Road across from the cluster of candidate sites abutting Brunswick Road from the west. The site is accessed via a culvert crossing of a small drainage, and slopes gently to moderately toward Brunswick Road to the southwest. Small shed structures and abandoned equipment are scattered throughout upland portions of this site and there is evidence of historical grading on the site. The majority of the site supports Sierran mixed conifer forest, albeit heavily modified by timber operations. The site is substantially disturbed as a result of timber harvesting conducted in 2012, which cleared most of the understory vegetation and merchantable timber from the site. Trees remaining on the site are mostly madrone and California black oak. Well-developed riparian corridors associated with perennial tributaries to Wolf Creek occur along the western and southern site boundaries. Shallow swales that could be the result of past mining disturbance also occur on this site. Several small wetland seeps are scattered around the site and support hydrophytic species. The source of the hydrology in these wet areas is unclear. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 7:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

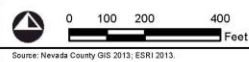
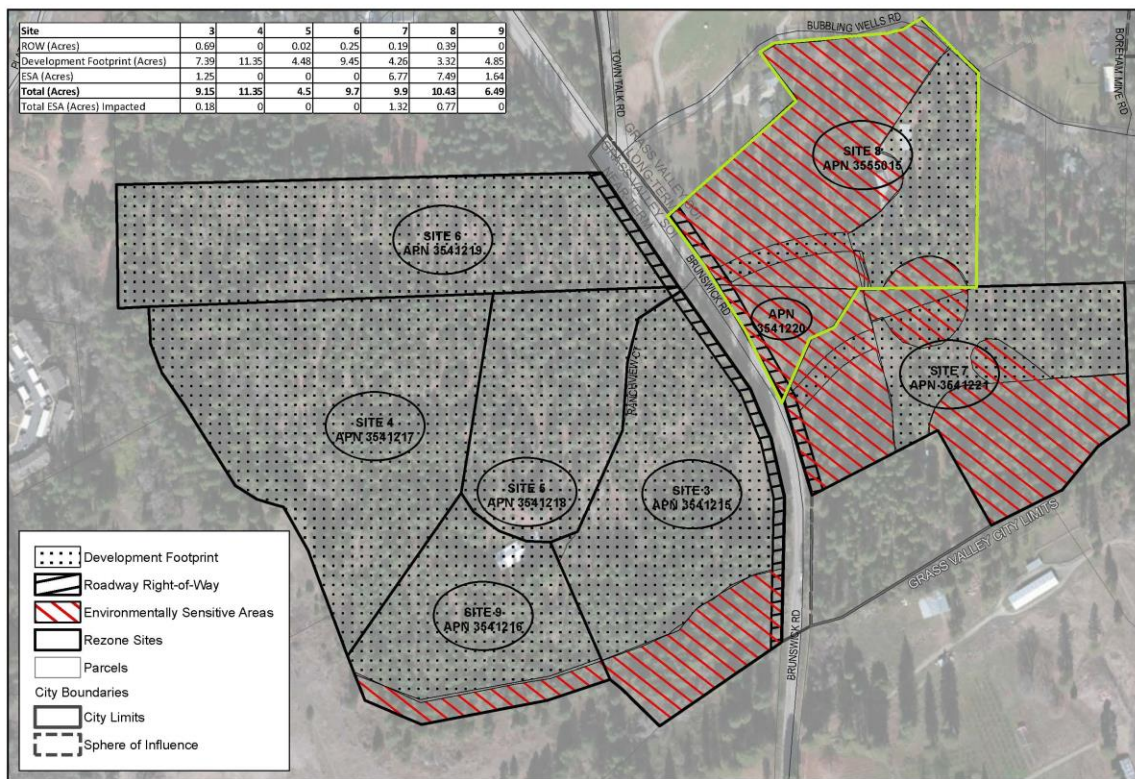
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: As a result of the significant amount of environmental constraints on Sites 7, the overall potential density of the whole project within this one area of the City's Sphere, and finally because there is a greater increase in density from the existing RA-1.5 (Residential Agriculture-1.5-acre density limitations) Zoning that applies to this sites than the R2 designation of the sites across Brunswick Road, this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Site 7 be included in final action for this project.

Site 8. APNs: 35-550-15 and 35-412-20

Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
Sites 3-9 - Environmentally Sensitive Areas and Building Footprints

Figure 3-17

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3.

Services: See Table 2 and the services discussion for Site 3.

Access: Like the access to Site 7, the driveway/road that would provide access to Site 8 would come directly from Brunswick Road and would traverse the same perennial stream and area of foothill riparian vegetation associated with this stream course.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 8 is Urban Medium Density (UMD) and Residential (RES)/RA 1-5. At 10.43-acres, the RA-1.5 zoning would allow a maximum of 6-units on the site. The proposed General Plan Land Use Designation/zoning for Site 8 is R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 3.32-acres which at the minimum density of 16-units per acres would result in the potential density of 53-units; an increase of 47-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 13-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 68-units) would be anywhere from 53-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 132-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 8 abuts the northern parcel boundary of Site 7 and consists of two separate parcels. This site is partially developed with two existing structures on site, one single family residence and one outbuilding. The existing development is accessed from Bubbling Wells Road via a gravel surfaced road that crosses a small perennial drainage over culverts. A secondary access to the site is provided by a gate off of Brunswick Road that accesses a dirt ranch road that crosses the same drainage over culverts. The site shows evidence of past mining disturbance in the form of waste piles and small depressions where soil has been excavated. The majority of the site is Sierran mixed conifer forest that has been thinned and in which the understory has been largely cleared. Ponderosa pine is the dominant species and some large specimens grow on this property. An intermittent stream runs parallel to Brunswick Road along the southwestern boundary of the site and supports sparse riparian vegetation and a grouping of willows at the northern parcel boundary. A perennial stream runs in a narrow ditch that bisects the site generally north-south and accepts runoff from a small intermittent tributary ditch to the west. This stream supports riparian vegetation, including white alder, willows, and Himalayan blackberry within a corridor that ranges from about 10 feet to up to 100 feet wide. Other hydrologic features include small depressions from past mining activities in which wetland plant species were observed.

These features could be jurisdictional pursuant to Section 404 of the Clean Water Act. The site slopes gently to the west and the area between the perennial and intermittent streams is nearly level. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 8:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-d, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

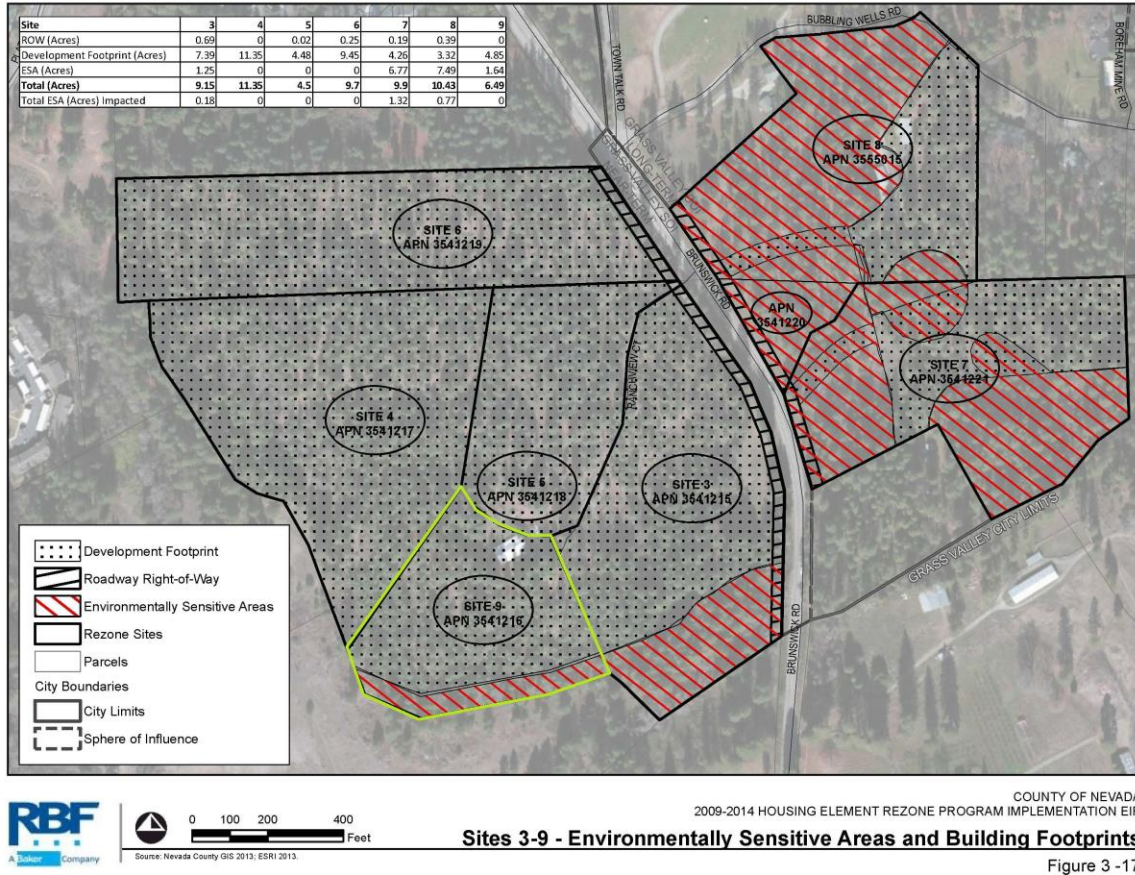
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: As a result of the significant amount of environmental constraints on Sites 8, the overall potential density of the whole project within this one area of the City's Sphere, because Site 8 is already developed with an existing residence and outbuilding and finally because there is a greater increase in density from the existing RA-1.5 (Residential Agriculture-1.5-acre density limitations) Zoning that applies to these sites than the R2 designation of the sites across Brunswick Road, this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Sites 8 be included in final action for this project.

Site 9. APN: 35-412-19
Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 3. Because Site 9 is farther away from Brunswick Road, it likely will require a greater expense for capital improvements to ensure that multi-family development on the site could tie into existing sewer, water and utility infrastructure.

Services: See Table 2 and the services discussion for Site 3.

Access: Site 9 does not have direct road frontage along Brunswick Road. Mitigation Measure 4.15-4 requires that future access to Site 9 be aligned with Town Talk Road to establish a new signalized intersection at Brunswick Road near the northeast corner of Site 6. This new intersection will serve the internal access roads for sites 3-6 and 9.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 9 is Urban Medium Density (UMD)/R2-PD. At 6.49-acres, the R2 zoning would allow a maximum of 38-units on the site. The proposed General Plan Designation/zoning for Site

9 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 4.85-acres which at the minimum density of 16-units per acres would result in the potential density of 77-units; an increase of 39-units above what would currently be allowed and will likely be one to three story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 19-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would be subject to the City of Grass Valley's parking requirements, as it is assumed this site would have to be annexed to be built as high density housing. For discussion purposes, utilizing the County's parking requirements, the range of required parking spaces (based on the density of 118-units) would be anywhere from 77-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 192-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 9 is contiguous with Sites 3, 4, and 5 and contains one existing residence in the northern half of the site. The site slopes moderately to the south. The site supports Sierran mixed conifer forest. The forest has been thinned and the understory cleared for defensible space within an approximately 100 foot radius of the residence. The remaining forest has a higher stem density and a more developed understory, though it has been harvested in the past. One patch of blackberry grows incongruously southeast of the residence and could be associated with the septic leach field. No defined hydrologic features occur onsite. Vacant land occurs on all sides of this parcel. The forest onsite transitions to open annual grassland just beyond the southern boundary of the parcel. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 9:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.9-4, 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d, 4.10-1c, 4.10-d*

Noise: *Mitigation Measures 4.4-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-2, 4.15-4, 4.15-7, 5.2.14-1, 5.2.14-2*

Staff Recommendation: While Site 9 is a suitable site for rezoning for similar reasons as sites 3, 5 and 6, because it is currently developed with an older ranch home, does not have direct frontage on Brunswick Road, and due to the fact that this project, if the Planning Commission follows staff's recommendation, is already increasing the density in this area by rezoning three of the seven sites located here this site has been determined to be a Tier 3 site and subsequently staff is not recommending that it be included in the final rezoning.

Penn Valley

In total there are four rezone candidate sites that are located within the Penn Valley Village Center. Future multi-family projects on sites rezoned as a part of this project in Penn Valley will be required to be consistent with the Penn Valley Area Plan adopted in 2000 (Resolution 00-046), which will be ensured through the design review process required by the RH Combining District. Additionally, staff has determined that the proposed rezoning of sites within Penn Valley is consistent with and furthers the goals and objectives of the Penn Valley Village Focused Economic Development Study (Resolution 00-468) because: 1) the project as designed will not change the base commercial zoning for any sites in Penn Valley regardless of which sites are ultimately rezoned; and 2) this project will provide for an increased mix of housing opportunities in the Penn Valley area that will serve the needs of the area's labor force which is an objective of the economic study (*Objective 2 under Goal 3*).

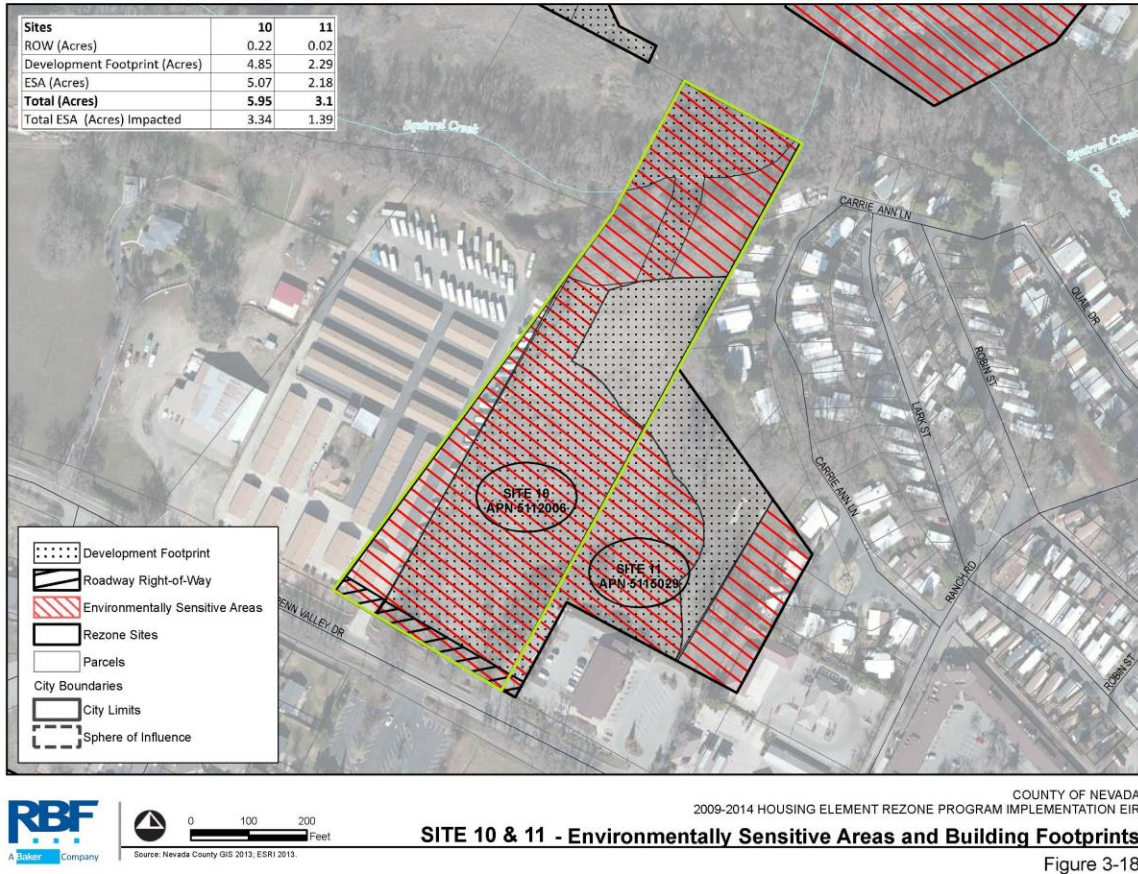
Sites 10 and 11. APNs: 51-120-06 and 51-150-29

Description/Surrounding Land Uses: Sites 10 and 11 are undeveloped contiguous parcels located in the Penn Valley Area south of State Route 20, on the north side of Penn Valley Drive, and east of the intersection with Broken Oak Court. Site 11 is approximately 3.1 acres, located west of and adjacent to a commercial development. The site is relatively flat, gently sloping to the northwest towards Site 10, and is vegetated primarily with grasses and a few oak trees. Site 10 is undeveloped and very gently slopes to the northeast toward Squirrel Creek and contains drainage courses meandering throughout the property. Site vegetation consisted of primarily grasses, localized blackberry bushes, and riparian zone plants near Squirrel Creek. The northern section of Site 10 is transected by Squirrel Creek, and is bound by a riparian zone, the Creekside Village mobile home park wastewater percolation ponds, and Site 13. Mixed use commercial and residential properties surround the sites on the east, west, and south. In 2005, the County approved the Penn Valley Oaks project which included development on both Site 10 and 11. This project was approved for approximately 12,100 square feet of commercial development in three buildings on the frontage of Site 10 and a mix of 19- residential units consisting of 12 zero lot line 2-story homes and 7 custom homes behind the commercial buildings on Site 10 and encompassing most of Site 11. The Penn Valley Oaks project was a horizontally mixed use project. As a result of state mandated extensions for pending

tentative maps, the Planning Department has determined that the entitlements for the Penn Valley Oaks project are still active and will expire in 2017.

Site 10. APN: 51-120-06

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: The development of all of the sites in Penn Valley, including Site 10 is dependent upon the completion of the Penn Valley to Lake Wildwood Wastewater Treatment Plant Pipeline project to ensure that adequate capacity and sewer infrastructure is available to accommodate future multi-family housing development. As with other sites, it is the burden of the future developer to perform the necessary capital infrastructure improvements through appropriate permits to tie into the public wastewater system. Additionally, the developer will also be required to demonstrate that adequate capacity is available at the wastewater treatment plant to support their project. Should it be determined that adequate capacity is not available, the developer will also have to perform necessary upgrades prior obtaining building permit approval. According to the Water Supply Assessment prepared for this project, the Nevada Irrigation District has adequate water for both domestic use and fire flow purposes. There is currently a 10” water line located in the Penn Valley Drive right of way and an existing 8’ water line that

runs along the “flag-pole” property line of Site 11 which is adjacent to Site 10. Site 10 has direct road frontage onto Penn Valley Drive, a publically maintained road way.

Services: The Penn Valley area is served by the Nevada County Sheriff for police protection services and there is a Sheriff’s substation located in the Lake Wildwood Center which is approximately 3 miles away. The Penn Valley Fire Protection District provides fire protection and first response emergency services to the area. Penn Valley is home to the County’s largest regional park, Western Gateway Park which is approximately ¼ mile from Site 10. Across from Penn Valley Drive is the a separated paved bike and walking path that allows access to the park and other services in Penn Valley. As discussed above, Penn Valley is served by three primary commercial areas. The main area is the Penn Valley Village Center where Site 10 is located. Other limited amenities and services are provide at the commercial center at Pleasant Valley Road and Highway 20 and the Lake Wildwood Center, which is approximately 3 miles away and hosts the areas larger grocery store, Holiday Market. Table 3 provides a more extensive list of services and amenities that are available to the residents of Penn Valley, which include by are not limited to medical, dental and veterinarian services, a Tru-value Hardware store, a handful of restaurants and deli’s, a variety of real estate and financial institutions, an elementary school and a variety of personal services such as beauty salons. Residents of Penn Valley can also access services in the City of Grass Valley which is approximately 8-miles away or the metropolitan areas of Marysville and Yuba City which are an approximately ½ hour drive to the west.

Access: Site 10 has road frontage on Penn Valley Drive, a publically maintained road. Access to the site could occur anywhere along the project frontage.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 10 is Community Commercial (CC)/Community Commercial (C2)-PD. At 5.95-acres, the C2 zoning would allow a maximum of 23-residnetial units as the part of a mixed use development. Under the proposed project, the General Plan Land Use Designation and base zoning would remain as CC/C2 and the RH combining district would be added to the base zoning. Through the environmental review process, it has been determined that the site has a developable footprint of 4.85-acres which at the minimum density of 16-units per acres would result in the potential density of 77-units; an increase of 54-units above what would currently be allowed. Consistent with the requirements of the RH combining district, LUDC Sec. L-2.7.11.D: “...the site shall be developed with a use consistent with the base zoning district, subject to the development standards shown within said district, prior to or in conjunction with mixed use residential that can be either vertically or horizontally mixed...”. This would mean that a future commercial development of the site would have to account for the potential of 77-residential units on the site. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 19-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 77-units) would be anywhere from 77-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 192-spaces (if all units were 3 bedroom units). Additionally, the County parking standards required 1 parking space per 200-square feet of general commercial plus an additional space per 600 square feet of outdoor use. For discussion purposes, if the developer built a hypothetical 6,000 square foot commercial building without any outdoor use it would require an additional 30-parking spaces.

Environmental Resources: Site 10 is undeveloped and nearly level with only a gradual slope to the northeast toward Squirrel Creek. Small, intermittent drainages meander across the site and join with an intermittent stream that flows in an eroded and incised channel along the western boundary of the property. Stormwater is delivered onto the site via three 36-inch culverts under Penn Valley Drive and a large culvert discharging to the central west portion of the site from the adjacent self-storage facility. Runoff from Site 11 is also delivered onto the site from the east. Site vegetation consists primarily of non-native annual and perennial pasture grasses, though wetland species and blackberry grow within the drainages. Common species in the grassland community include wild oat, ripgut brome, Mediterranean barley, yellow star-thistle, wild carrot, bull thistle, orchard grass, and Italian ryegrass. Common species observed in drainages onsite include rushes and sedges, Himalayan blackberry, curly dock, English plantain, Harding grass, mugwort, and willow herb. Squirrel Creek bisects the northern end of the site and supports a foothill riparian plant community. Species representative of the riparian community along Squirrel Creek include valley oak, Oregon ash, white alder, willows, cherry plum, and blue elderberry. Several elderberry bushes, the unique habitat of the valley elderberry longhorn beetle, were noted growing along the banks of Squirrel Creek. Where mitigation is provided for potential impacts to environmentally sensitive areas the building footprint and environmentally sensitive areas do overlap. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 10:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3b*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

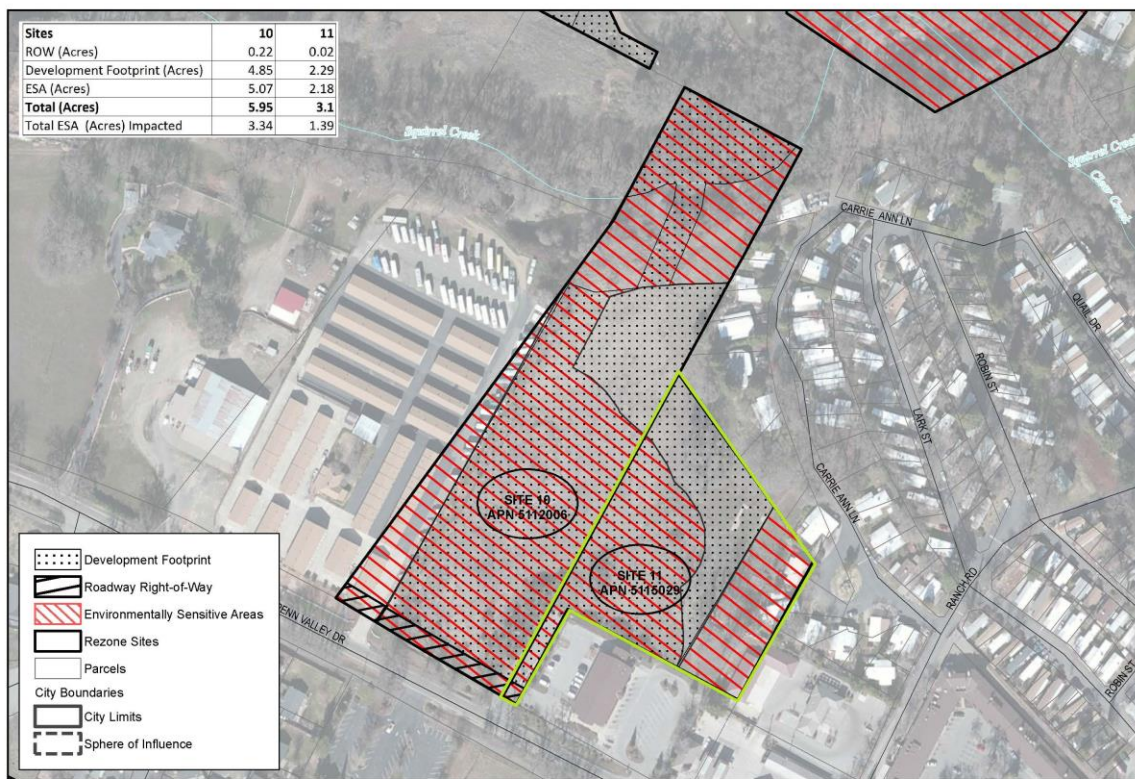
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1a, 4.10-1b, 4.10-1c, 4.10-1d*
 Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
 Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*
 Recreation: *Mitigation Measure 4.14-1*
 Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: Due to the fact that Site 10 is highly constrained by environmentally sensitive areas, the uncertainty of whether or not 77-units plus a viable commercial development could fit on the site and because the site has the potential to provide much desired stand-alone commercial development in Penn Valley with direct road frontage on Penn Valley Drive this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Site 10 be included the final action for this project.

Site 11. APN: 51-150-29
Building Footprint Map:



RBF COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
SITE 10 & 11 - Environmentally Sensitive Areas and Building Footprints
Figure 3-18

Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion for Site 10 above.

Services: See Table 3 and the services discussion for Site 10 above.

Access: Site 11 has road frontage on Penn Valley Drive, a publically maintained road, via a 50-foot wide flag pole. Access to the site would occur within this flag pole, which also acts as an access easement to Site 13.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 11 is Community Commercial (CC)/Community Commercial (C2)-PD. At 3.10-acres, the C2 zoning would allow a maximum of 12-residential units as the part of a mixed use development. Under the proposed project, the General Plan Land Use Designation and base zoning would remain as CC/C2 and the RH combining district would be added to the base zoning. Through the environmental review process, it has been determined that the site has a developable footprint of 2.29-acres which at the minimum density of 16-units per acres would result in the potential density of 36-units; an increase of 24-units above what would currently be allowed. Consistent with the requirements of the RH combining district, LUDC Sec. L-2.7.11.D: "...the site shall be developed with a use consistent with the base zoning district, subject to the development standards shown within said district, prior to or in conjunction with mixed use residential that can be either vertically or horizontally mixed...". This would mean that a future commercial development of the site would have to account for the potential of 36-residential units on the site. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 9-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 36-units) would be anywhere from 36-spaces (if all units were 1 bedroom units or restricted to be senior or disabled housing) up to 9-spaces (if all units were 3 bedroom units). Additionally, the County parking standards required 1 parking space per 200-square feet of general commercial plus an additional space per 600 square feet of outdoor use. For discussion purposes, if the developer built a hypothetical 2,000 square foot commercial building without any outdoor use it would require an additional 10-parking spaces.

Environmental Resources: Site 11 is undeveloped and supports annual grassland. The site has a mild slope to the west. Three large valley oaks with a dbh of greater than 36 inches grow around the perimeter of this site and qualify as Landmark Oaks. An abandoned concrete house foundation is located near the eastern boundary of the site and a few ornamental trees grow in this area. A wetland swale receives stormwater runoff from the post office development south of the site and delivers it west into the wetland swale complex on Site 10. Since much of the potential impacts to environmentally sensitive areas on Site 11 can be mitigated the building footprint and environmentally sensitive

areas are shown to overlap. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 11:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3b, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-1, 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

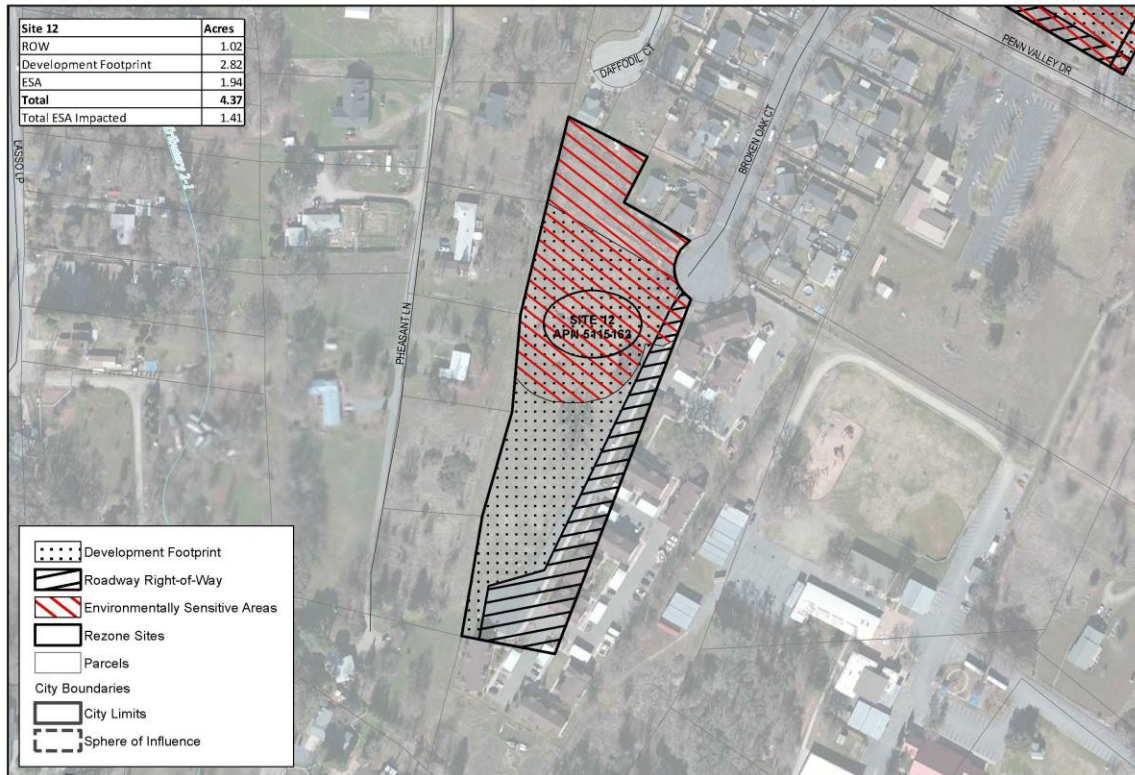
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: This site has been determined to be a Tier 1 site and subsequently staff recommends that Site 11 is included in final action on this project for the following reasons: 1) The relatively small increase in units from what would be allowed under current C2 zoning as a part of a mixed use project (12 to 36); 2) The availability of public water and sewer (with the completion of the pipeline to the Lake Wildwood Treatment Plan); 3) The identification of appropriate mitigation measures to reduce anticipated environmental impacts; 4) The availability of services in the Penn Valley Area as discussed above and in Table 3; 5) The site does not have direct frontage to Penn Valley Drive that would be conducive to a commercial store front; 6) The site would keep its commercial base zoning; 7) The property backs up to other higher density housing; and 8) The approved project for this site and Site 10 (Penn Valley Oaks) was a mixed use development with the bulk of the residential homes located on this site.

Site 12. APN: 51-151-62
Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Site 12 - Environmentally Sensitive Areas and Building Footprints

Figure 3 - 19

Description/Surrounding Land Uses: Site 12, approximately 4.37 acres, is southwest of Sites 10 and 11 across Penn Valley Road on Broken Oak Court. This site is undeveloped and flat lying. Broken Oak Court by which the site is accessed is a paved road. Vegetation on this site consisted of grasses and a few large oak trees. A seasonal drainage swale is present on the north side of the site and appears to follow the property boundary from the east, then passes through the northwest portion of the site. This site is surrounded on all sides by single and multifamily residential development with the 42-unit Courtyard at Penn Valley Apartments located directly across from Broken Oak Court.

Infrastructure: See infrastructure discussion for Site 10 above. Site 12 is current served by an existing 8” water line and infrastructure improvements to provide a connection to public sewer would be minimal because those facilities are already available to the site due to it being located immediately adjacent to apartments across the street.

Services: See Table 3 and the services discussion for Site 10 above.

Access: Access to Site 12 is provided by Broken Oak Court via Penn Valley Drive.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 12 is Urban Medium Density (UMD)/R2-PD. At 4.37-acres, the R2 zoning would allow a maximum of 26-units on the site. The proposed General Plan Designation/zoning for Site 12 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 2.82-acres which at the minimum density of 16-units per acres would result in the potential density of 45-units; an increase of 19-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add 11-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 45-units) would be anywhere from 45-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 112-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 12 is undeveloped and generally flat. An unpaved drive traverses the northern part of the site and appears to provide access to recently developed areas west and north of the site. This site supports an annual grassland community. Three valley oaks with diameters in excess of 36 inches occur on this site and qualify as Landmark Oaks. Two of these large trees are in fair to good condition; one is in declining health and has dropped most of its large limbs. A man-made drainage basin with wetland species is present on the north end of the site and generally follows the northern boundary. It appears maintenance of this area includes periodic vegetation removal. This feature appears to be isolated and to serve as a retention basin for stormwater runoff from the residential properties north of the site. The only other hydrologic feature is a small concave depression in the north central portion of the site that supports some hydrophytic species that are indicative of wetland conditions. The building footprint and environmentally sensitive areas are shown to overlap where mitigation has been identified for anticipated impacts. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 12:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

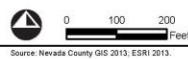
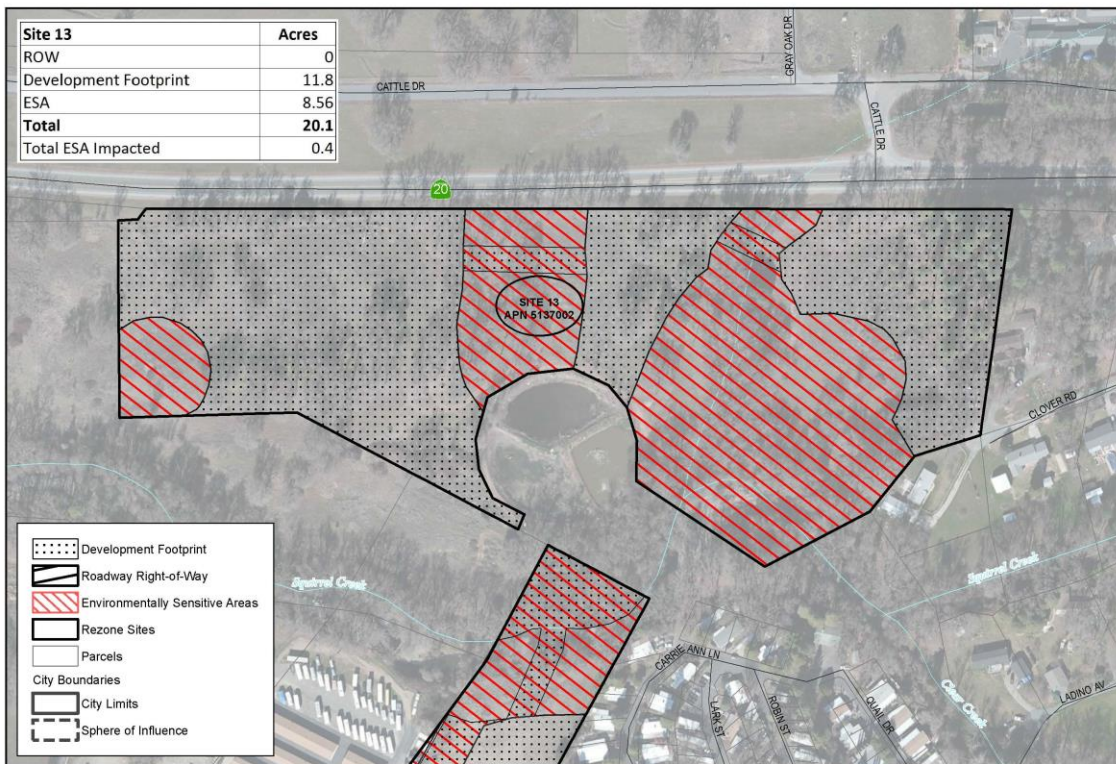
Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3b, 4.4-1a, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

- Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
- Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*
- Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
- Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*
- Noise: *Mitigation Measure 4.11-1a, 4.11-1b, 4.11-2*
- Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*
- Recreation: *Mitigation Measure 4.14-1*
- Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: Due to its proximity to existing higher density residential development, a relatively small increase in units from what would be allowed under current R2 zoning (26 to 45), the availability of public water and sewer (with the completion of the pipeline to the Lake Wildwood Treatment Plan), the identification of appropriate mitigation measures to reduce anticipated environmental impacts, and the availability of services in the Penn Valley Area, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 12 be included within the final project action.

Site 13. APN: 51-370-02
Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

SITE 13 - Environmentally Sensitive Areas and Building Footprints

Figure 3-20

Description/Surrounding Land Uses: Site 13, approximately 20.1 acres, is bordered by State Route 20 to the north, rural residential development to the east, Squirrel Creek to the south, and presently undeveloped land to the west. Site 13 is undeveloped, consists of gently rolling terrain with vegetation including grasses, shrubs, oak and pine trees. Two indistinct seasonal drainage swales transect the site from the State Route 20 boundary and flow is toward Squirrel Creek to the south. An existing, circular percolation pond is located adjacent to Site 13, near Squirrel Creek. The percolation pond functions as the primary component of the wastewater treatment and disposal system for the Creekside Village mobile home park, which is located south of Site 13, across Squirrel Creek.

Infrastructure: See infrastructure discussion for Site 10 regarding general infrastructure in Penn Valley. Prior to development, Site 13 would have to be annexed into the Penn Valley Sanitation Zone as it is currently in the Penn Valley Zone Sphere of Influence. Sewer and water infrastructure would need to be extended from Penn Valley Drive anticipated to be through Site 10 via an existing access easement. This infrastructure will also have to cross Squirrel Creek to serve the site. Other basic infrastructure such as electricity, phone/internet and cable television is available in the area but would need to be extended to the site.

Services: See Table 3 and the services discussion for Site 10 above.

Access: Existing access to Site 13 from the south is provided by a concrete stream crossing over Squirrel Creek. The site has two existing access easements. The assumed primary access is an access easement which traverses the flagpole portion of Site 11 and meanders through Site 10. The easement was planned and designed to accommodate the development associated with the Penn Valley Oaks project. The second access to the site is through the existing Creekside Mobile Home Park along Ranch Road/Carrie Ann Drive and is assumed to act as the secondary access to the site. A new bridge or culvert crossing will be required for Squirrel Creek for the primary access and, at a minimum, improvements will be required to the existing concrete stream crossing for the secondary access or a new secondary access crossing will need to be constructed if improvements are infeasible.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 13 is Planned Development (PD): Urban Medium Density (UMD) (26 ac.) Open Space (OS) (8 ac.)/Interim Development Reserve (IDR)-PD. When adding the assigned designations together it equals 34-acres, which is inconsistent with the size of the property which is just over 20-acres. To determine the existing density on the site, staff calculated that approximately 76-percent of the overall PD was designated as UMD development ($26/34 = 0.7647$) which allows 6-units per acre (upa) and the remaining acreage was slated as open space. Applying this formula to the 20.1-acre property ($20.1 \times 76\% = 15.27$ -acres: $15.27\text{-ac} \times 6 \text{ upa} = 91.656$) staff determined that the site has the existing density for 91-residential units after rounding down. This logic is further supported by a 2003 letter from the Planning Department to SCO Planning & Engineering (applicant's representative for the Penn Valley Oaks Project) discussing the Penn Valley Oaks application which outlines that the site had a density of 91 units. The proposed General Plan Designation/zoning for Site 13 is Urban High Density (UHD)/R3-RH. Through the

environmental review process, it has been determined that the site has a developable footprint of 11.60-acres which at the minimum density of 16-units per acres would result in the potential density of 185-units; an increase of 94-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 46-units to a future multi-family housing project.

As a result of comments received during the public comment period for the Draft EIR, staff has developed a second density scenario that may be more acceptable by the community. Under this second density option, for which staff will be recommending, the property could be rezoned to R3-RH (91 DU) to reflect the existing allowable density on the site. This would benefit the property owner because it would remove the more onerous PD/IDR designations, and allow the site to develop subject to the environmental work that was done for this project and the applicable standards of the RH combining district. The County would benefit because it would establish 5.69-acres of R3 zoning that could assist the County with future Housing Element update cycles. The community would benefit because it would not increase the allowable density of the site above what was currently allowed. A density bonus could increase the number of units by 25% or 22 additional units.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided and the number of units that are assigned to the site. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 185-units) would be anywhere from 185-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 462-spaces (if all units were 3 bedroom units). Under the 91-unit scenario, the range of required parking spaces would be anywhere from 91-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 227-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 13 is an undeveloped parcel bordered by State Route 20 to the north, residential development to the east, Squirrel Creek, wastewater percolation ponds, a mobile home park to the south, and undeveloped land to the west. Vegetation communities onsite include annual grassland, valley oak woodland, Sierran mixed conifer, and foothill riparian. Valley oaks occur sparsely throughout the annual grassland community and likely were more uniformly distributed on the site prior to historical clearing activities. Two areas of the valley oak woodland vegetation type are mapped on the site. The eastern woodland area is comprised of a mix of oak species including interior live oak, valley oak, and blue oak. Several large oak trees occur on this parcel and likely qualify as Landmark Oak trees. The oak woodland community intergrades with the Sierran mixed conifer habitat type at the site's eastern margin where some valley oaks and interior live oaks grow in a forest dominated by ponderosa pine with a subcanopy of scattered California black oaks. A remnant walnut orchard grows in the

southeastern corner of the site. Foothill riparian vegetation occurs where Squirrel Creek runs through the southeast portion of the site. Species representative of this riparian zone include valley oak, white alder, willow, blackberry, and wild grape. Elderberry shrubs were observed near Squirrel Creek.

Topography onsite is gently rolling with a slight slope toward Squirrel Creek to the south. A wetland swale runs in a general north-south alignment within the western band of valley oak woodland and supports some wetland plant species. A small intermittent stream enters the site at the northern boundary near the edge of pavement on SR 20 and bisects the site, splitting into at least two shallowly incised channels through most of the site, and connects to Squirrel Creek at the south end of the site. Vegetation in this area is dominated by a narrow band of blackberry bushes that grow under a dense canopy of mixed oak species. Hydrophytic species grow within the intermittent stream channel in places. The only other hydrologic feature onsite is a small depression in the southwest corner of the site that supports blackberry bushes. Circular wastewater percolation ponds are located just south of Site 13, near Squirrel Creek. All vegetation is cleared around the ponds, which are surrounded by an earthen berm. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 13:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-1a, 4.4-3b, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3, 4.7-1*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1a, 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measure 4.15-7*

Staff Recommendation: As discussed above, the draft EIR, consistent with LUDC Section L-II 2.7.11, determined that Site 13 had the potential for 185-units. In light of neighborhood concerns and to provide more realistic build-out of the site, staff would recommend that if Site 13 is to be included in the final action on the project, that is be rezoned for only 91-units, which is consistent with the sites existing density. As a result of the site access being constrained due to environmental resources and because the project objectives can be accomplished by rezoning Tier 1 sites only, this site has been

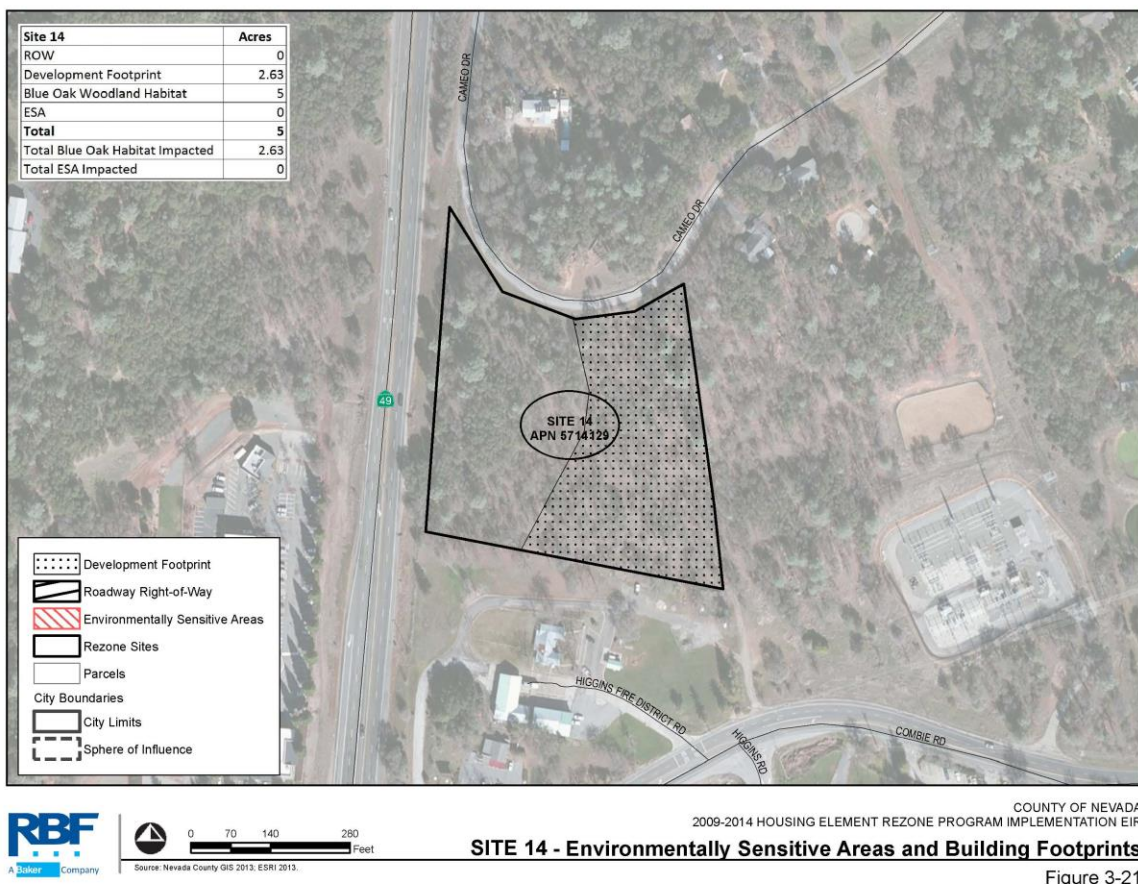
determined to be a Tier 2 site and subsequently staff is not recommended that this site be included in the final rezoning project.

Lake of the Pines

In total there are five rezone candidate sites that are located within the Lake of the Pines/Higgins Corner Area. Future multi-family projects on sites rezoned as a part of this project in Lake of the Pines Area will be required to be consistent with the Higgins Area Plan adopted in 2000 (Resolution 00-572), which will be ensured through the design review process required by the RH Combining District.

Site 14. APN: 57-141-29

Building Footprint Map:



Description/Surrounding Land Uses: Site 14 is 5.00 acres in size and is located northeast of the intersection of State Route 49 and Combie Road, on the south side of Cameo Drive. Site 14 is located in an area of other successful development, bound by State Route 49 on the west, rural residential development to the north and east, and commercial development to the south. Most of the existing development immediately adjacent to the parcel to the north is single family residential development. To the west is State Highway 49, to the east is an electrical substation and some other utility infrastructure. South of the site are some commercial businesses that include some professional office uses and retail

commercial area, including a commercial shopping center (Higgins Village) with a drugstore anchor tenant and the Higgins Fire Station.

Infrastructure: Site 14 is located on Cameo Drive, which is a County maintained roadway. Public water is provided to the site by NID and would require a mainline extension from either the existing 8” line located along/in Cameo Drive or from the existing 10” line that extends to the southern boundary of the property from Combie Road. Wastewater treatment will be provided to Site 14 at that Lake of the Pines Wastewater Treatment Plant. Prior to issuance of any permits for the development of this site, it is the responsibility of the developer to ensure that adequate capital improvements have been made through appropriate permits to connect to the treatment plant, including obtaining any necessary utility easements. The developer is also required provide documentation that adequate capacity is available at the treatment plant to serve the development or the developer is responsible for funding improvements to the treatment plant to support their development. The property is currently in the Lake of the Pine Sanitation Zone Sphere of Influence will also have to be annexed into the Zone prior to development. Basic services such as electrical, telephone, internet and cable television are available in the area but will likely need to be extended to the site.

Services: Police services are provided to the Lake of the Pines area by the Nevada County Sheriff who has an office in the Combie/Armstrong Road commercial center. Fire safety and protection services are provided by the Higgins Fire Protection District, which has a station immediately to the south of Site 14, with support from CalFire. Other basic services including power, phone and cable television are available in the Lake of the Pines Area. As documented in Table 4, there are a variety of basic support services that are available in the Lake of the Pines area. These services include but are not limited to a grocery store, a pharmacy, a limited number of eating establishments, educational and religious facilities, some limited recreational opportunities and a variety of other small businesses that serve the community. These services are not centralized and fall into three or four distinct areas in the Lake of the Pines, including the Streeter Road Industrial complex, the Higgins Corner (Wolf Road/Combing and Highway 49 intersections), at Armstrong Road and Combie and at Magnolia Road and Combie Roads. In addition, residents of this area are also regionally served by both the City of Auburn and the City of Grass Valley for more urban type services.

Access: Access to Site 14 is anticipated to be provided at the northwest corner of the property at the frontage on Cameo Drive. Sight distance at this location is highly constrained due to the tight curve and uphill grade on Cameo Drive. An alternative access to Site 14 could be achieved by securing an access easement through the Higgins Fire District property to Combie Road at the planned future signalized intersection at Combie and Higgins Road.

Land Use/Density: The existing zoning on for Site 14 is Office Professional (OP)- Scenic Corridor (SC)- Site Performance (SP) with a potential residential density of 20-units as a part of a mixed use development. The proposed zoning for Site 14 is High Density Residential (R3) with the addition of the Regional Housing Need (RH) combining district

while keeping the existing SC-SP combining districts in place. Through the environmental review process, it has been determined that the site has a developable footprint of 2.63-acres which at the minimum density of 16-units per acres would result in the potential density of 42 units; an increase of 22-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 10 units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 42-units) would be anywhere from 42-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 105-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 14 is an undeveloped parcel on moderately sloped terrain, containing two rock outcrops and vegetation consisting of grasses, shrubs, oak and pine trees. This site contains mature blue oak woodland which covers an estimated 80 percent of the site, which is considered a landmark oak grove (oak grove with a canopy closure of 33% or greater). The remainder of the site is covered with mixed interior live oak and blue oak. No hydrologic features occur on the site. Future development is anticipated to occur in the eastern half of the site with the development footprint shown in Figure 3-21 below, which will allow existing native vegetation to remain and will also provide a sound buffer from State Highway 49 for the future residents. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 14:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.41c, 4.4-2a, 4.4-2b, 4-4.2c, 4.4-5*

Air Quality: *Mitigation Measures 4.5-1a, 4.51b, 4.5-1c, 4.5-2a, 4.5-2b*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measure 4.8-1*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 5.2.14.4*

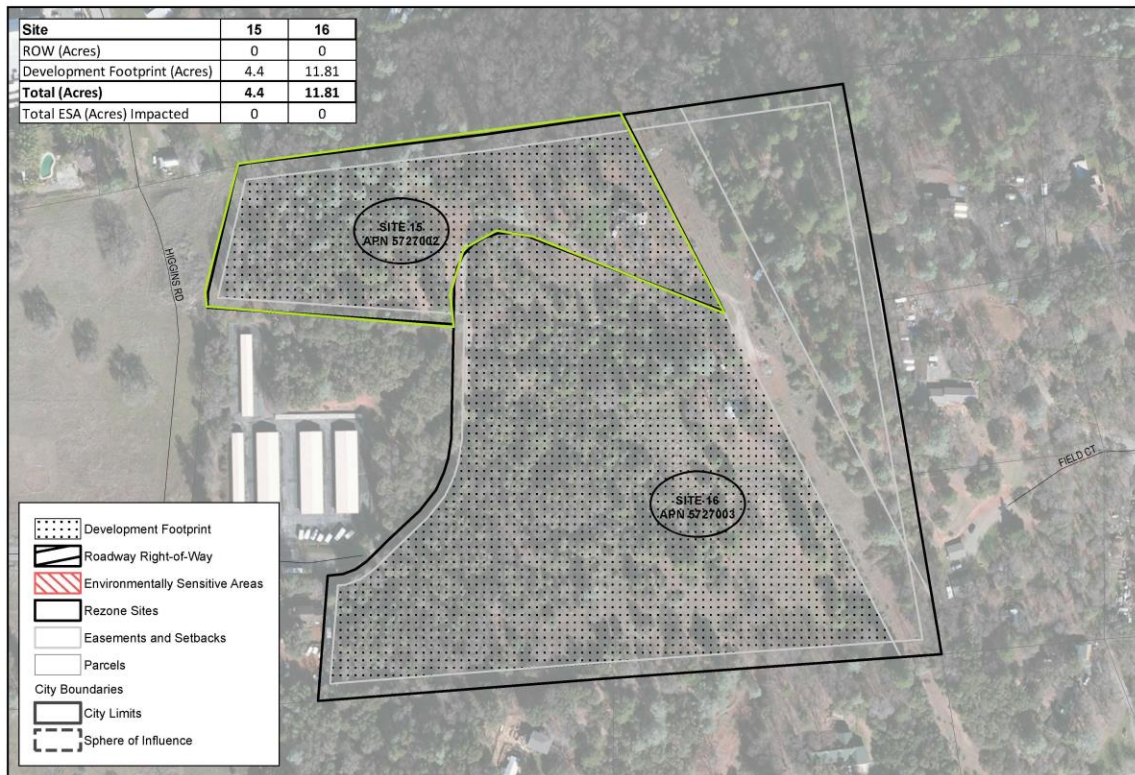
Staff Recommendation: Staff finds that Site 14 is a suitable site as a result of its location, the availability of public infrastructure, and lack of environmental impacts that cannot be mitigated. As a result this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 14 be included in the final action on this project.

Sites 15 and 16. APNs: 57-270-02 and 57-270-03

Description/Surrounding Land Uses: Sites 15 and 16 are located southeast of the intersection of State Route 49 and Combie Road and Site 14. Access to these sites is from Woodridge Drive off of State Route 49. Site 15 and 16 are contiguous parcels, occupy moderately sloping terrain, and are vegetated with grasses, shrubs, oak and pine trees. Vegetation is dense on the westerly facing slopes. Site 15 is presently developed with a single family residence. Site 16 is largely undeveloped, except for a wastewater disposal field and associated groundwater monitoring well network and pump building. The wastewater disposal field services the commercial development on the corner of State Route 49 and Combie Road to the northwest. Power transmission lines transect the eastern portion of the property.

Site 15. APN: 57-270-02

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See infrastructure discussion under Site 14 for a discussion of general infrastructure in the area. Like Site 14, Site 15 is within the Lake of the Pines Sanitation Zone Sphere of Influence and will need to be annexed prior to development. Additionally, the development of this site is contingent upon the planned extension of the Lake of the Pines wastewater infrastructure to the property immediately adjacent to the west of the property which has been approved for a large shopping center. The Draft EIR anticipates that a 10" water line will need to be extended to the property to serve the development. As with other sites in the area, basic infrastructure is available in the area and will need to be extended to the site.

Services: See Table 4 and the services discussion under Site 14 above.

Access: Access to Site 15 from State Route 49 is via Woodridge Drive, which runs along the boundary of Site 15 and 16 terminating under the powerlines near a small wastewater facilities building on Site 16. Future primary access will be required to utilize the anticipated extension to Higgins Road to minimize impacts to State Highway 49 and take advantage of existing/future improvements in this area.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 15 is Planned Development (PD): Urban High Density (UHD)/Interim Development Reserve (IDR)-Scenic Corridor (SC)- Site Performance (SP). At 5.00-acres, the UHD designation would allow a maximum of 75-units on the site. The proposed General Plan Designation/zoning for Site 15 is Urban High Density (UHD)/R3-RH-SP-SC. Through the environmental review process, it has been determined that the site has a developable footprint of 4.40-acres which at the minimum density of 16-units per acres would result in the potential density of 70-units; a decrease of 5-units below what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add 17-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 70-units) would be anywhere from 70-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 175-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 15 is moderately to steeply sloped to the northeast and east. Site 15 is partially developed with rural residential uses and a horse corral. Undeveloped portions of Site 15 are characterized by a montane hardwood woodland community dominated by California black oak. Sub-dominant species include interior

live oak and foothill pine. Trees are closely spaced and generally of small diameter. Canopy cover ranges from 80 to 100 percent and the woodland on this site qualifies as a Landmark Grove. Dominant species in the understory of the woodland area include poison oak, whiteleaf manzanita, hoary coffeeberry, and small diameter trees. No defined hydrologic features were noted on this site. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 15:

Land Use and Planning: *Mitigation Measure 4.2-1*

Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c,*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-1, 4.8-3*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3*

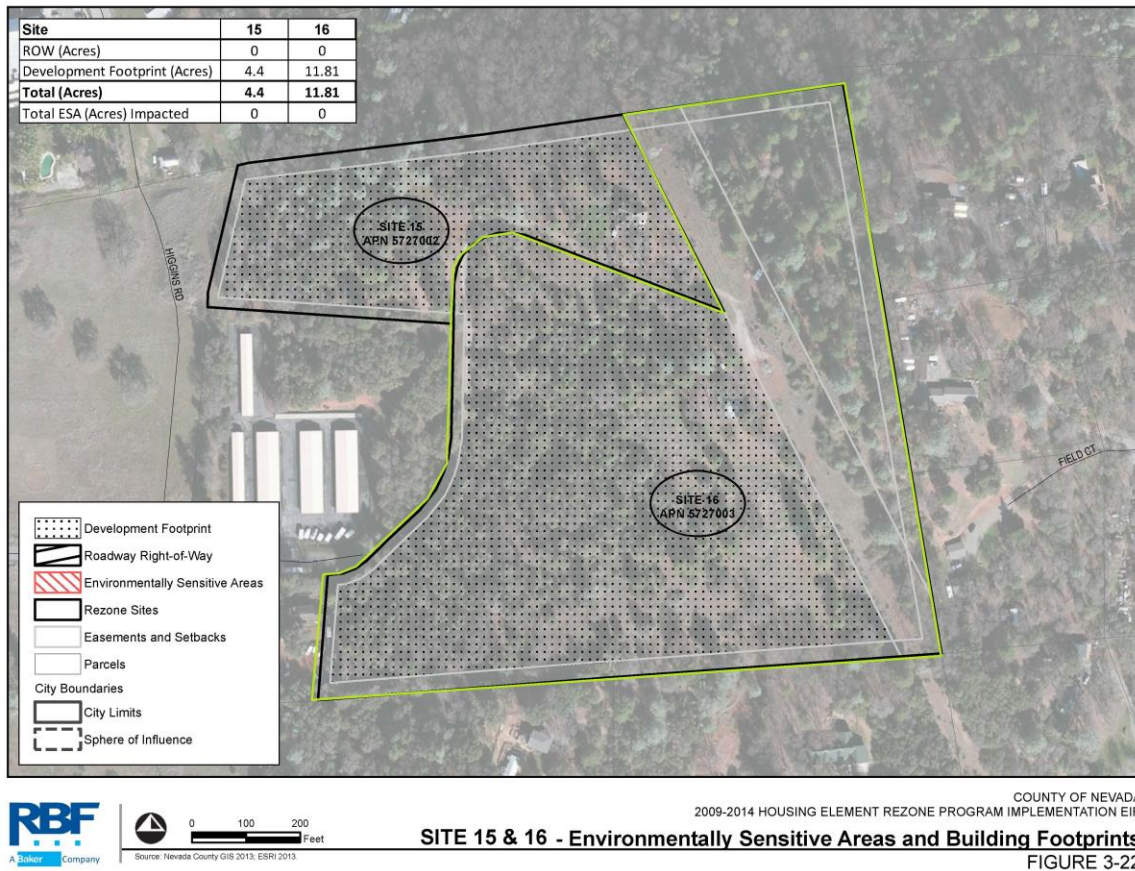
Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-7, 4.15-5, 4.15-6, 4.2.14-4*

Staff Recommendation: Based on the environmental analysis prepared for this project, Site 15 is a suitable site for rezoning. As a result of the reduction in the overall unmet need for this project and staff's recommendation to include the larger Site 16, which is immediately adjacent to this property, this site has been determined to be a Tier 2 site and subsequently staff does not recommend that Site 15 for final action.

Site 16. APN: 57-270-03

Building Footprint Map:



Description/Surrounding Land Uses: See grouped discussion above.

Infrastructure: See the infrastructure discussion for both Sites 14 and 15 above. A unique feature to Site 16 is the fact that it currently acts as the sewer treatment area for the Higgins Village shopping center located at the corner of Highway 49 and Combie Road. Prior to development of Site 16, the Higgins Village shopping center will have to be tied into the Lake of the Pines Wastewater Treatment Plant, which is planned for as a part of the FHK Shopping Center project that is approved on the property located to the west of Site 16. Since the existing treatment facility is an underground system (leach field) any contaminated soil will need dealt with through appropriate state and local regulatory agencies.

Services: See Table 4 and the services discussion under Site 14 above.

Access: Access to Site 15 from State Route 49 is via Woodridge Drive, which runs along the boundary of Site 15 and 16 terminating under the powerlines near a small wastewater facilities building on Site 16. Future primary access will be required to utilize the

anticipated extension to Higgins Road to minimize impacts to State Highway 49 and take advantage of existing/future improvements in this area.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 16 is Planned Development (PD): Urban High Density (UHD)/Interim Development Reserve (IDR)-Scenic Corridor (SC)- Site Performance (SP). At 18.12-acres, the UHD designation would allow a maximum of 271-units on the site. The proposed General Plan Designation/zoning for Site 16 is Urban High Density (UHD)/R3-RH-SP-SC. Through the environmental review process, it has been determined that the site has a developable footprint of 11.81-acres which at the minimum density of 16-units per acres would result in the potential density of 188-units; a decrease of 101-units below what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add 47-units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 70-units) would be anywhere from 188-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 470-spaces (if all units were 3 bedroom units).

Environmental Resources: Site 16 is undeveloped, except for a wastewater disposal field and associated groundwater monitoring well network and pump building that serves the Higgins Corner Shopping Center. The site slopes steeply to the west along the access road, but is more moderately sloped toward the interior and eastern portions of the site. The western half of this site supports a montane hardwood woodland community dominated by interior live oak with scattered California black oaks. A mixed chaparral community occurs in the central portion of the site, likely the result of defined past disturbances on this parcel. Dominant species observed in this small chaparral community include whiteleaf manzanita, buckbrush, yerba santa, coyote brush, and coffeeberry. The remainder of the site supports a low density mixed blue-oak foothill pine community. On Site 16 this habitat is characterized by a low density mix of tree species interspersed with groups of shrubs and non-native annual grasslands. Representative tree species in this community include interior live oaks, foothill pine, and ponderosa pine. Representative shrubs include whiteleaf manzanita and poison oak. No defined hydrologic features were noted on Site 16. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

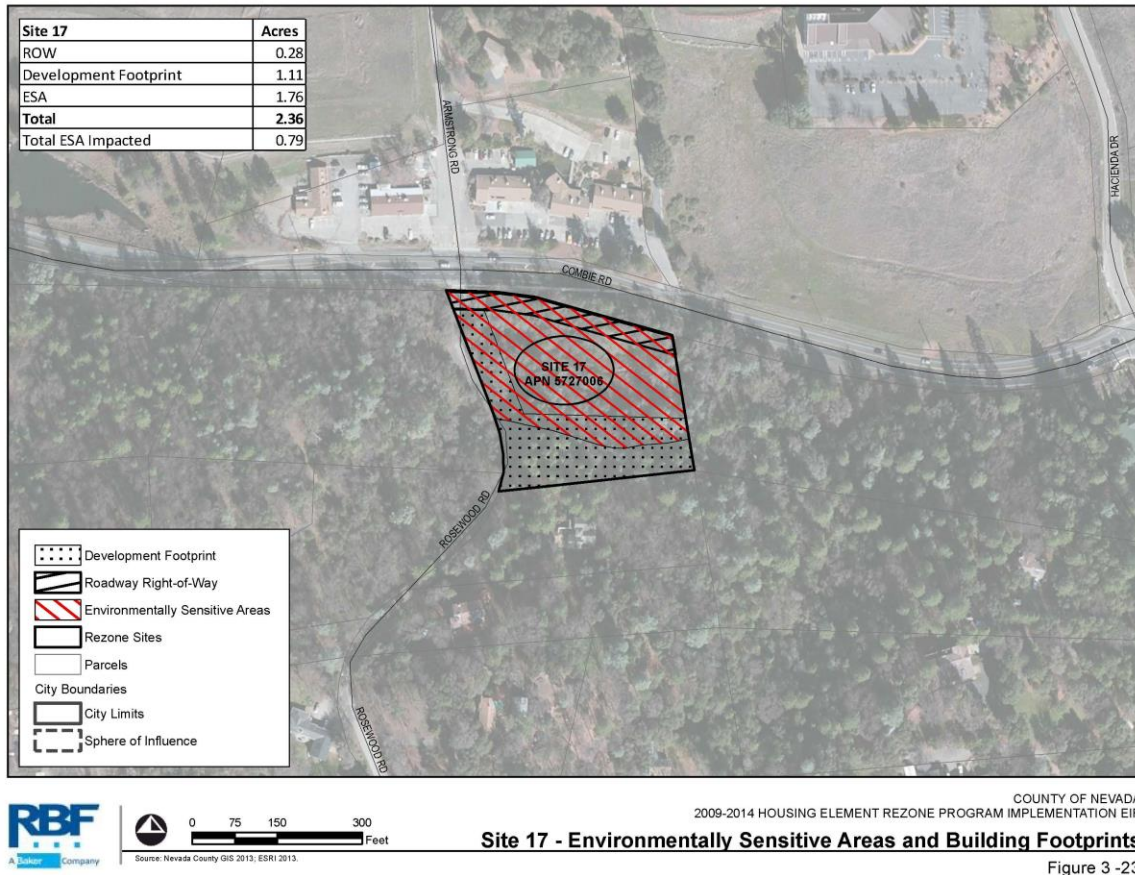
Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 16:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*
Biological Resources: *Mitigation Measures 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-5*
Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b*
Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3*
Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*
Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*
Recreation: *Mitigation Measure 4.14-1*
Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 4.2.14-4*

Staff Recommendation: The environmental review prepared for overall project determined that Site 16 is a suitable site for rezoning. Also, this site currently is designated as a Planned Development/Interim Development Reserve site that was slated for urban high density development at 15-units per acre. Through the environmental review process and consistent with the Regional Housing Need combining district is has been determined that the appropriate density for this site would be significantly less (approximately 100-units) than what could be considered under current land use designations, but still provide a robust development of much needed multi-family units that are needed in the County. For the reasons discussed above, this site has been determined to be a Tier 1 site and subsequently, staff recommends that Site 16 be included in the final project rezoning.

Site 17. APN: 57-270-06

Building Footprint Map:



Description/Surrounding Land Uses: Site 17 is a 2.36-acre undeveloped property on moderately sloping terrain with very dense vegetation. Ragsdale Creek runs along the north boundary of Site 17. Site 17 is bound by single family residential property on the south, Rosewood Road and undeveloped land to the east, undeveloped land to the west, and commercial development across Combie Road to the north.

Infrastructure: Site 17 is located at the southeastern side of the Rosewood and Combie Road intersection. Primary access is taken off of Rosewood Road which is privately maintained. Public water is provided to the site by NID via an existing 8” waterline that runs down Rosewood Road along the western property. Wastewater treatment will be provided to Site 17 at that Lake of the Pines Wastewater Treatment Plant. Prior to issuance of any permits for the development of this site, it is the responsibility of the developer to ensure that adequate capital improvements have been made through appropriate permits to connect to the treatment plant, including obtaining any necessary utility easements. The project developer would be required to provide new sewer line infrastructure from the site to tie into existing sewer line in Combie Road. The developer is also required provide documentation that adequate capacity is available at the treatment

plant to serve the development or the developer is responsible for funding improvements to the treatment plant to support their development. Additionally, provide to development Site 17 would have to be annexed into the Lake of the Pines Sanitation Zone as it is currently only in the Zone's Sphere of Influence.

Services: See Table 4 and the services discussion under Site 14 above.

Access: Primary access to the site is off of Rosewood Road, via Combie Road.

Land Use/Density: The existing General Plan Land Use Designation/Zoning for Site 14 is UMD/R2-SC-SP, with the potential for 14-dwelling units. The proposed General Plan Land Use Designation/Zoning for the site is Urban High Density (UHD)/R3-RH-SC-SP. Based on the findings of the Environmental Impact Report, the developable acreage of Site 17 is 1.11-acres, which results in an anticipated aggregate density of 17-units; an increase of 3-units over existing zoning. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20, the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 4 units to a future multi-family housing project.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided and the type of housing provided. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, based on the aggregate density of 17-units the number of parking spaces would vary from 17, if all of the units were 1 bedroom units up to 42 if all of the units were 3 bedroom units. If all of the units were senior restricted units than a total of 17-parking spaces would be required.

Environmental Resources: Site 17 is an undeveloped, densely vegetated parcel. The site slopes moderately to the north down to Ragsdale Creek, and bisects the site east-west along the site's northern boundary and supports a dense foothill riparian corridor. Ragsdale Creek is the only substantial hydrologic feature on the site. Himalayan blackberry, willows, and valley oak are dominant species in the riparian corridor on this site. The remainder of the site supports a densely wooded montane hardwood community of mostly smaller diameter trees. California black oak is the dominant species in this community, with interior live oak as a subdominant species and valley oak intergrading along the riparian corridor. Canopy cover of this woodland is 90 – 100 percent, qualifying the woodland onsite as a Landmark Grove. Scattered ponderosa pine and foothill pine also occur. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures shall be required to be met prior to development on Site 17:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*

Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4-4.2c, 4.4-5, 4.4-3b, 4.4-3a*

Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*

Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*

Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3,*

Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*

Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*

Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*

Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*

Recreation: *Mitigation Measure 4.14-1*

Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 4.2.14-4*

Staff Recommendation: As a result of this site being highly constrained by Ragsdale Creek and its environs and the sites oak woodlands, which provide suitable habitat for several sensitive plant and animal species, as well as the relatively low yield of units provided by this site (17), this site has been determined to be a Tier 3 site and subsequently staff does not recommend that Site 17 be included in the final action for this project.

Site 18. APN: 11-181-03

Building Footprint Map:



COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Site 18 - Environmentally Sensitive Areas and Building Footprints

Figure 3 -24

Description/Surrounding Land Uses: Site 18 is located southeast of Sites 15, 16, and 17 on the north side of Combie Road. The northern portion of Site 18 is adjacent to Hole 6 green of the adjacent Darkhorse Golf Course. Site 18 is bound on the north and east by the Darkhorse Golf Course, on the west and south by single family residential development and open space. Site 18 is generally an undeveloped parcel on moderately to steeply sloped terrain with a rock outcrop in the southern portion of the site centered on the topographic high and extending southwest along the ridge. Vegetation consists of grasses, shrubs, and oak and pine trees. An ephemeral drainage transects the northwest portion of the property. As part of the Darkhorse development and the subsequent Hilltop Estates subdivision, the Site 18 property was designated for to accommodate the inclusionary housing requirements for those projects.

Infrastructure: Site 18 is located in the Darkhorse Sanitation Zone, yet treatment of domestic sewage to the site would be managed at the Lake of the Pines Wastewater Treatment. Like other sites associated with the project, the future development of the site with multi-family housing would be contingent upon the developer making the necessary capital infrastructure and capacity improvements needed to serve the site through appropriate permits. NID water is available in the area, but a water line would need to be extended to the site. The Draft EIR provides two options for an 8"-12" water line to be extended to the site. Other basic infrastructure is available in the area, but would need to be appropriately extended to serve Site 18.

Services: See Table 4 and the services discussion under Site 14 above. Site 18 is likely the most isolated of the candidate rezone sites, being approximately 2 miles from the Lake Center commercial area. Being a rural county, some reliance upon the automobile to access basic services is assumed regardless of location.

Access: Access to Site 18 would be directly off of Combie Road and would traverse through an area shown as a landmark oak grove.

Land Use/Density: The existing General Plan Land Use designation/zoning for Site 18 is Urban Single Family (USF)/R1-PD-SP. The USF/R1 zoning allows for 4-units per acres so at 11.03-acres, the site has the existing potential for a maximum of 44-units. Also worth noting, Site 18 was designated to accommodate the inclusionary housing component of both the Dark Horse and Hilltop Estates residential developments. In total 30-affordable units have been slated to this site. The proposed General Plan Designation/zoning for Site 18 is Urban High Density (UHD)/R3-RH. Through the environmental review process, it has been determined that the site has a developable footprint of 6.81-acres which at the minimum density of 16-units per acres would result in the potential density of 108-units; an increase of 64-units above what would currently be allowed and will likely be one to two story apartments or condominiums. Should the property owner elect to pursue a density bonus consistent with LUDC Sec. L-II 3.16 and/or Section L-II 3.20 (or more likely consistent with the provisions of the City of Grass Valley's codes and regulations), the allowable density bonus (up to 25% depending on specific provisions allowed by ordinance) could add an additional 27-units to a future multi-family housing project.

Like Site 13, staff views Site 18 as a site that has the potential for some flexibility when assigning density to the site because of its existing zoning and pre-designation as Phase IV of the Dark Horse development, which was intended to accommodate the affordable housing component of both the Dark Horse and Hilltop Estates developments. The Planning Commission could elect to assign the EIR identified density of 108-units or to address potential neighborhood concerns, staff would support adding the R3-RH zoning to only 2.75-acres of the site which would establish a density of 44-units total which would be consistent with what would be allowable under the current R1 zoning designation. If the PC/Board of Supervisors elected to assign a lesser density to Site 18, it would require that those units are made up elsewhere.

Parking: The number of required parking spaces associated with the future multi-family development of the site would vary dependent upon the size (in bedrooms) that would be provided and the number of units that are assigned to the site. While this would be determined at the time of design review required by LUDC Sec. L-II 2.7.11.C.5, the range of required parking spaces (based on the density of 108-units) would be anywhere from 108-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 270-spaces (if all units were 3 bedroom units). Under the 44-unit scenario, the range of required parking spaces would be anywhere from 44-spaces (if all units were 1 bedroom units or restricted to only senior or disabled housing) up to 110-spaces (if all units were 3 bedroom units).

Environmental Resources: A small knoll occurs within the southern half of Site 18 and the site slopes moderately away from this high point in all directions. A rock outcrop occurs at the high point of the site. Vegetation onsite is split between two plant communities. The southern half of the site supports a montane hardwood woodland community in which blue oak is the dominant species, and interior live oak and California black oak also occur. Trees on this site are generally of larger diameter and well-spaced. Some large diameter blue and black oak specimens grow on this property and likely meet County criteria for Landmark Oak status. The canopy cover in this oak woodland is 80 to 90 percent, which exceeds the County's criteria for a Landmark Grove. Understory throughout this site is primarily non-native grasses and forbs. Species recorded in the understory include gray ripgut brome, dogtail grass, blue wildrye, mule ears, whiteleaf manzanita, arrowleaf balsamroot, crimson clover, and yellow star tulip. The northern half of the site supports a Sierran mixed forest community and is dominated by well-spaced, mature ponderosa pines. No significant hydrologic features occur on this site, though a small ephemeral drainage occurs in the northwest portion of the property. Stormwater entering this drainage traverses through the site to the northeast. For greater detail regarding environmental resources, including how potential impacts will be mitigated, please refer to the Draft EIR Section 4.4: Biological Resources and Appendix E of the Technical Appendices.

Mitigation Measures/Development Standards: The following Mitigation Measures s all be required to be met prior to development on Site 18:

Land Use and Planning: *Mitigation Measure 4.2-1*
Aesthetics: *Mitigation Measures 4.3-1, 4.3-3, 4.3-4*
Biological Resources: *Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-5, 4.4-3a, 4.4-3b*
Air Quality: *Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, 4.5-2b, 4.5-2*
Cultural Resources: *Mitigation Measures 4.7-2, 4.7-3*
Geology and Soils: *Mitigation Measures 4.8-1, 4.10-1b, 4.10-1d, 4.8-3, 4.8-1*
Hazards and Hazardous Materials: *Mitigation Measures 4.13-1b, 4.13-1c*
Hydrology and Water Quality: *Mitigation Measures 4.10-1b, 4.10-1c, 4.10-1d*
Noise: *Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2*
Public Services, Utilities and Service Systems: *Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4-13.2, 4.13-3*
Recreation: *Mitigation Measure 4.14-1*
Transportation and Traffic: *Mitigation Measures 4.15-5, 4.15-6, 4.15-7, 4.2.14-4*

Staff Recommendation: As discussed in the Land Use/Density section above, there are two potential options for density for Site 18. These options include 108-units as determined through the environmental review process or 44-units which is consistent with existing allowable densities under current zoning regulations. Under both scenarios, this site has been determined to be a Tier 1 site and subsequently staff recommends that Site 18 be included in the final project action, since it was originally designated as Phase IV of the Darkhorse development and was intended to provide the inclusionary housing component associated with that and a subsequent project in the area. In staff's preferred recommendation (see Table 6 below), Site 18 would have a density of 108-units and a developable footprint of 6.81-acres. The overall density for the site however, would be contingent upon which other sites the Planning Commission and ultimately the Board of Supervisors chooses for final approval.

Potential Rezone Options/Staff Recommendation

As outlined in the individual rezone candidate site discussion above, Staff's recommendation and preferred alternative includes rezoning all Tier 1 sites, which includes Sites 3, 5, 6, 11, 12, 14, 16 and 18 to address the County's unmet Regional Housing Need Allocation. There are several different combinations of sites however that would accomplish the same goal. The breakdown of each site including the proposed zoning and General Plan land use designation as well as the identified building capacity ("aggregate density") and development footprint is provided in table form below. Table 5 includes all of the eligible candidate rezone sites, Table 6 shows the Planning Department's recommended option of Tier 1 sites and Tables 7 and 8 outline a couple of other alternatives for the Planning Commission's consideration that include both Tier 1 and Tier 2 sites. The Planning Commission is not limited to staff's recommendation and it is within the Planning Commission's discretion to choose which sites the Commission determines to be the most suitable for a recommendation to the Board of Supervisors for final rezoning.

Pursuant to the state mandated Housing Element Rezone Program, the County is required to rezone sufficient land to accommodate 699 RHNA units. As the economy recovers, it is anticipated that future Regional Housing Need Allocations will increase above the historical low that was provided to the County during the 5th Housing Element cycle. Additionally, once the

rezoned sites are developed they will no longer be eligible to be considered to accommodate future very low and low income RHNA units. Anticipating that the RHNA will eventually increase overtime, it is likely that in ten to fifteen years the County could again be in a position where it is unable to demonstrate to HCD that there is a sufficient inventory of vacant high density zoning to accommodate the very low and low income RHNA units. Due to the extensive amount of staff time and financial resources that has been allocated to this particular project, including hiring a private consultant to prepare the EIR, staff would highly recommend that the Planning Commission and ultimately the Board of Supervisor's strongly considered going beyond the bare minimum of 699-units.

Through the EIR process, the County has taken the necessary steps required to rezone additional rezone candidate sites at this time. While, recognizing that this will likely be an unpopular decision, it could end up saving the County a significant amount of financial resources in the future and it is anticipated that many of the sites not chosen as a part of this project, will likely become future candidate sites for reasons described in Section II of this staff report. Another significant benefit of going beyond 699-units at this time is the County would have the option of just rezoning the site to UHD/R3 and would not be required to add the RH Combining District. This would mean that any sites that were rezoned beyond the mandated 699-units would not be subject to the minimum density requirements nor would the County be mandated to allow the site to develop as a by-right use. Should the Planning Commission and ultimately the Board of Supervisors elect to pursue rezoning more than the minimum of 699-units, staff would recommend that Tier 2 sites be utilized for this purpose.

TABLE 5. REZONE CANDIDATE SITE DENSITY BREAKDOWN

ALL SITES										
Site	Total Acres	Existing			Rezoned				Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres		
Grass Valley Sphere of Influence										
1	1.08	OP	OP	4	OP	OP-RH	16	0.98	2.29%	2.24%
2	Site Removed by Owner 11/8/13								0.00%	0.00%
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%
4	11.35	UMD	R2-PD	68	UHD	R3-RH	181	11.35	25.89%	25.97%
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%
7	9.90	UMD	RA-1.5	6	UHD	R3-RH	68	4.26	9.73%	9.75%
8	10.43	UMD/ RES	RA-1.5	6	UHD	R3-RH	53	3.32	7.58%	7.60%
9	6.49	UMD	R2-PD	38	UHD	R3-RH	77	4.85	11.02%	11.10%
Subtotal	62.60			261			735	46.08	105.15%	105.45%
Penn Valley Area										
10	5.95	CC	C2-SP	23	CC	C2-RH- SP	77	4.85	11.02%	11.10%
11	3.10	CC	C2-SP	12	CC	C2-RH- SP	36	2.29	5.15%	5.24%
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%
13	20.10	PD: UMD (26ac) OS (8ac)	IDR-PD	91	UHD	R3-RH	185	11.60	26.47%	26.54%
Subtotal	33.52			152			343	21.56	49.07%	49.34%
Lake of the Pines Area										
14	5.00	OP	OP-SC- SP	20	UHD	R3-RH- SC-SP	42	2.63	6.01%	6.02%
15	5.00	PD: UHD (15)	IDR-SC- SP	75	UHD	R3-RH- SC-SP	70	4.40	10.01%	10.07%
16	18.12	PD: UHD (15)	IDR-SC- SP	271	UHD	R3-RH- SC-SP	188	11.81	26.90%	27.03%
17	2.36	UMD	R2-SC- SP	14	UHD	R3-RH- SC-SP	17	1.11	2.43%	2.54%
18	11.03	USF	R1-PD- SP	44 (30 approved)	UHD	R3-RH- SP	108	6.81	15.45%	15.58%
Subtotal	41.51			424			425	26.76	60.80%	61.24%
Total	137.63			837			1,503	94.4	215.02%	216.02%

**TABLE 6. REZONE CANDIDATE SITE DENSITY BREAKDOWN
STAFF RECOMMENDATION (Tier 1 Sites Only)**

Site	Total Acres	Existing			Rezoned					
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres	Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
Grass Valley Sphere of Influence										
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%
Subtotal	23.35			139			340	21.32	48.64%	48.79%
Penn Valley Area										
11	3.10	CC	C2-SP	12	CC	C2-RH-SP	36	2.29	5.15%	5.24%
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%
Subtotal	7.47			38			81	5.11	11.59%	11.69%
Lake of the Pines Area										
14	5.00	OP	OP-SC-SP	20	UHD	R3-RH-SC-SP	42	2.63	6.01%	6.02%
16	18.12	PD: UHD (15 DU)	IDR-SC-SP	271	UHD	R3-RH-SC-SP	188	11.81	26.90%	27.03%
18	11.03	USF	R1-PD-SP	44	UHD	R3-RH-SP	108	6.81	15.45%	15.58%
Subtotal	34.15			335			338	21.25	48.35%	48.63%
Total	64.97			512			759	47.68	108.58%	109.11%

**TABLE 7. REZONE CANDIDATE SITE DENSITY BREAKDOWN
ALTERNATIVE 2 (Tier 1 and 2 sites)**

Site	Total Acres	Existing			Rezoned					Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres			
<i>Grass Valley Sphere of Influence</i>											
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%	
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%	
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%	
Subtotal	23.35			139			340	21.32	48.64%	48.79%	
<i>Penn Valley Area</i>											
11	3.10	CC	C2-SP	12	CC	C2-RH-SP	36	2.29	5.15%	5.24%	
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%	
13	20.10	PD: UMD (26ac) OS (8ac)	IDR-PD	91	UHD	R3-RH	91	5.69	13.02%	13.02%	
Subtotal	27.57			129			172	10.80	24.61%	24.71%	
<i>Lake of the Pines Area</i>											
14	5.00	OP	OP-SC-SP	20	UHD	R3-RH-SC-SP	42	2.63	6.01%	6.02%	
16	18.12	PD: UHD (15 DU)	IDR-SC-SP	271	UHD	R3-RH-SC-SP	188	11.81	26.90%	27.03%	
18	11.03	USF	R1-PD-SP	44	UHD	R3-RH-SP	44	2.75	6.29%	6.29%	
Subtotal	34.15			335			274	17.19	39.20%	39.34%	
Total	85.07			603			786	49.31	112.45%	112.84%	

**TABLE 8. REZONE CANDIDATE SITE DENSITY BREAKDOWN
ALTERNATIVE 3 (Tier 1 and 2 sites)**

Site	Total Acres	Existing			Rezoned				Density as % of Total Unmet Need (699)	Acres as % of Total Unmet Need (43.7-ac.)
		GP	Zoning	Density	GP	Zoning	Aggregate Density	Aggregate Acres		
Grass Valley Sphere of Influence										
3	9.15	UMD	R2-PD	54	UHD	R3-RH	118	7.39	16.88%	16.91%
5	4.50	UMD	R2-PD	27	UHD	R3-RH	71	4.48	10.16%	10.25%
6	9.70	UHD	R2-PD	58	UHD	R3-RH	151	9.45	21.60%	21.62%
Subtotal	23.35			139			340	21.32	48.64%	48.79%
Penn Valley Area										
12	4.37	UMD	R2-PD	26	UHD	R3-RH	45	2.82	6.44%	6.45%
13	20.10	PD: UMD (26ac) OS (8ac)	IDR-PD	91	UHD	R3-RH	91	5.69	13.02%	13.02%
Subtotal	24.47			117			136	8.51	19.46%	19.47%
Lake of the Pines Area										
14	5.00	OP	OP-SC- SP	20	UHD	R3-RH- SC-SP	42	2.63	6.01%	6.02%
15	5.00	UHD (15	SP	75	UHD	SC-SP	70	4.40	10.01%	10.07%
16	18.12	PD: UHD (15 DU)	IDR-SC- SP	271	UHD	R3-RH- SC-SP	188	11.81	26.90%	27.03%
Subtotal	28.12			366			300	18.84	42.92%	43.11%
Total	75.94			622			776	48.67	111.02%	111.37%

SECTION III.

ENVIRONMENTAL REVIEW:

RBF Consulting Contract

In December 2011, the County entered into a contract with RBF Consulting to prepare an Environmental Impact Report and provide Planning Services to implement the Housing Element rezone programs. To date RBF Consulting has completed a Housing Element Rezone Preliminary Site Analysis Report, which performed a cursory review of each candidate rezone site and ranked those sites relative to their overall suitability to accommodate the anticipated density for each site. In late 2012, RBF Consulting/the Planning Department released a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the 2009-2014 Housing Element Rezone Program Implementation and held a public scoping meeting for the NOP on Oct. 3, 2012. Based on the comments received as a part of the NOP process, RBF Consulting prepared a draft Environmental Impact Report (EIR) that was released for public comment on September 12, 2013 for a period of 60-days, which is two weeks longer than the standard 45-day public comment period. During the public comment period, approximately 134 letters (including petitions) were received addressing both the EIR and the project. As a result the Final EIR provides a written response to these letters, an Errata to the Draft EIR to revise specific areas of the Draft EIR based on public comment, the Mitigation Monitoring and Reporting Program and the CEQA Findings including a Statement of Overriding Considerations.

The Environmental Impact Report (EIR)

The following sections will discuss the Draft EIR in more detail including outlining the purpose, process, and content of the document. It will also discuss the key impacts and identified mitigation to reduce those impacts, where the impacts cannot be mitigated and the components of the Final EIR.

Purpose

The California Environmental Quality Act (CEQA) requires the preparation of an Environmental Impact Report (EIR) prior to approving any project that may have a significant effect on the environment. County Staff determined that the scope of the proposal known as the County of Nevada Housing Element Rezone Implementation Program was such that significant environmental impacts might occur, and ordered that an EIR be prepared. Under the direction of Staff, RBF Consulting prepared the County of Nevada Housing Element Rezone Implementation Program, Draft Environmental Impact Report (State Clearinghouse No. 2009072070) in fulfillment of the state CEQA Guidelines. The entire EIR, constituting the whole of the record has been previously provided.

CEQA Guidelines Section 15121(a) defines an EIR as a public informational document that analyzes the significant environmental effects of a project, identifies ways to minimize the significant impacts, and describes reasonable alternatives to the project. As an information document the EIR neither makes a recommendation concerning the merits the project, nor whether the agency should approve or deny the proposal. The EIR is only concerned with addressing the physical environmental impacts associated with the project should the County approve the proposal.

Draft EIR

Notice of Preparation and Scoping Meeting

To determine the scope of the EIR, the County prepared and distributed a Notice of Preparation (NOP), dated September 21, 2012, for the proposed project. The purpose of an NOP is to solicit comments from public agencies and interested parties, and to identify specific environmental issues that should be considered in the EIR.

The NOP identified the following issues to be addressed in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gases
- Hydrology and Water Quality
- Land Use and Planning
- Transportation/Traffic

The NOP was sent to trustee and responsible agencies, and the State Clearinghouse for a 30-day public review period, extending from September 21 to October 26, 2012. On October 3, 2012, a public meeting on the scope of the EIR was held. A public notice of the meeting was sent to members of the public and interested parties. At the meeting, members of the public had the opportunity to identify issues of special concern and to suggest additional issues to be considered in the EIR.

Content/Components of the EIR

All of the environmental issues listed in the NOP were determined to have potentially significant impacts, and the issues identified during the NOP public review period were incorporated into the EIR. For each environmental issue, the EIR describes the environmental setting (current conditions), then discusses and analyzes the potential related impacts that could be caused by project implementation.

For each potentially significant impact, the EIR specifies ways to mitigate the impact, including implementation of one or more of the following mitigation measures:

- Existing goals, objectives, policies and programs of the General Plan
- Applicable mitigation measures of the Draft and Final EIR for the General Plan
- Project-specific mitigation measures designed to mitigate one or more project impacts, as described in this EIR

Future development must implement all mitigation measures identified in the EIR or their environmental equivalent as identified for the specific sites in the program. “Environmental equivalent” means any mitigation measure and/or timing thereof, subject to the approval of the

County, that, when compared to the mitigation measure, would have the same or superior result and would have the same or superior effect on the environment. The Community Development Agency, in conjunction with appropriate agencies or other County departments, would determine the adequacy of any proposed environmental equivalent. Any costs associated with information or environmental documentation required to determine environmental equivalency would be borne by the project developer. As with other mitigation measures, the County would ensure compliance with an environmental equivalent through the mitigation monitoring process.

Staff Review- Administrative Drafts

Prior to the Draft EIR’s release for the public review, Staff reviewed multiple administrative drafts of the document to ensure the analysis was consistent with existing County Guidelines and Regulations in addition to the approved Housing Element Rezone Programs HD-8.1.3 and HD-8.1.4 including adding the “RH” Zoning Combining District included in Program HD-8.1.5.

Upon completion of the Draft EIR, the Draft EIR was circulated for a 60-day public review period. Staff determined that a 60-day review period rather than the 45-day minimum review period was appropriate given the scope and complexities of the project. The Draft EIR review period extended from September 12 to November 12, 2013. During the 60-day public review period, the Nevada County Planning Commission held a public meeting on October 10, 2013 to take public comment and to provide feedback to staff on the Draft EIR. Also during the public comment period, evening public “town-hall” style meetings were held in each of the affected communities. These meetings included:

- Grass Valley Area Community Meeting, October 24, 2013
- Lake of the Pines Area Community Meeting, October 28, 2013
- Penn Valley Area Community Meeting, October 29, 2013

A summary of EIR milestones and the opportunities for public comment is provided in Table 9 below.

**TABLE 9
SUMMARY OF HOUSING ELEMENT REZONE EIR PROCESS**

<i>Milestone</i>	<i>Dates</i>
Notice of Preparation	September 21, 2012
Notice of Preparation Public Comment Period	September 21, 2012 – October 26, 2012
Public Scoping Meeting	October 3, 2012
Notice of Availability of Draft EIR	September 12, 2013
Public Comment Period for Draft EIR	September 12, 2013 – November 12, 2013
Public Comment Meeting on Draft EIR	October 10, 2013
Grass Valley Area Community Meeting	October 24, 2013
Lake of the Pines Area Community Meeting	October 28, 2013
Penn Valley Area Community Meeting	October 29, 2013
Final EIR	September 2014

Significant and Unavoidable Impacts

The analysis in the Draft EIR determined that implementation of the proposed project would result in the following significant unavoidable impacts even with the implementation of all feasible mitigation measures:

1. Land Use and Planning, Impact 4.2-1: The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.
2. Air Quality, Impact 4.5-1: The Proposed Project would result in temporary construction-related dust and vehicle emissions during construction within the project area.
3. Air Quality, Impact 4.5-2: The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.
4. Air Quality, Impact 4.5-5: The project may not be consistent with the air quality attainment plan (AQAP) criteria.
5. Cumulative Impact (Air Quality): The project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area classified as nonattainment for federal and State O₃ and State PM₁₀ standards.
6. Cumulative Impact (Air Quality): The Housing Element Rezone's GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would potentially hinder the intent and statewide reduction goals of AB 32.
7. Greenhouse Gas Emissions, Impact 4.6-1: Greenhouse gas emissions generated by the project would have a significant impact on the environment.
8. Population and Housing, Impact 4.12-1: The Proposed Project would directly induce population growth in the City of Grass Valley.
9. Public Services and Utilities, Impact 4.13-2: The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity to provide for the project's projected demand in addition to the provider's existing commitments.
10. Public Services and Utilities, Impact 4.13-3: Sufficient water supplies are not available to serve the Proposed Project from existing entitlements and resources; new or expanded entitlements may be required.

11. Transportation and Traffic, Impact 4.15-2: The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.
12. Transportation and Traffic, Impact 4.15-3: The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.
13. Transportation and Traffic, Impact 4.15-4: The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.
14. Transportation and Traffic, Impact 5.2.14.1: The Proposed Project would add traffic to the signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.
15. Transportation and Traffic, Impact 5.2.14.2: The proposed project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.
16. Transportation and Traffic, Impact 5.2.14.3: The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the PM Peak Hour.

Unincorporated Area vs. GV SOI

The project sites are located with the unincorporated areas of Nevada County. Sites 1 through 9 are located within the Sphere of Influence of the City of Grass Valley. Some of the impacts listed above are identified as Significant and Unavoidable based on the assumption that the project sites would be annexed into the City as part of the development process. Once annexation occurs, mitigation timing and enforcement would no longer be the responsibility of the County and would be assumed by the City. As such, for some mitigation measures, specifically items 1, 8, and 11 through 16 listed above, the responsibility of ensuring mitigation is implemented would fall outside the County, and could not be assured. For this reason, impacts were identified as significant and unavoidable.

Written Comments- Agency, Public

The County received 134 comments on the EIR. The comments consisted of 5 comments from State Agencies, 2 comments from local agencies, 7 comments from local organizations, and 120 comments from individuals. Responses to all of the comments received on the Draft EIR are provided in Section 3.0 of the Final EIR. The County received many comments on why the County is undertaking the proposed project and how the specific project sites were chosen. There were eight main topics that were common issues or questions throughout many of the comment letters received on the Draft EIR.

1. Why is the County proposing this project, and how were the proposed sites chosen?
2. Where will future residents work in the surrounding area?
3. How will the project impact commercial development in the Penn Valley?
4. What are the sewer and water infrastructure responsibilities of the developer?
5. Why doesn't the EIR discuss effect on economic impacts, property values, or crime?
6. Does the project include low income housing?
7. Why not locate high density housing in the more urban areas of the cities?
8. How many units will be on each site?

The Final EIR includes a master response that discusses the topics based on all of the comments received. By responding in this manner, the County is better able to address all aspects of the topic by:

- Simplifying the responses to comments by avoiding unnecessary repetition in individual responses, and
- Addressing issues in a broader context than might be required by individual comments. The County prepared these Master Responses to address these common comments and questions.

No new significant environmental impacts or issues, beyond those already covered in the Draft EIR for the project, were raised during the public review period for the Draft EIR. The County, acting as the lead agency, directed that responses to the comments on the Draft EIR be prepared. Responses to comments received during the comment period do not involve any new significant impacts, an increase in severity of previously identified impacts, or significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

Final EIR and Draft EIR Errata

In addition to the Draft EIR, the following components collectively compose the Final EIR:

- Chapter 1.0. Introduction
Chapter 1.0 provides an overview of the EIR process and what the FEIR is required to contain.
- Chapter 2:0. Executive Summary
This chapter summarizes the characteristics of the proposed project and provides a concise summary matrix of the project's environmental impacts and associated mitigation measures.
- Chapter 3.0. Comments and Responses to Comments on the EIR
Chapter 3.0 provides a list of commenters, copies of written comments, and the responses to those written comments made on the Draft EIR.

- Chapter 4.0. Errata

Chapter 4.0 consists of revisions to the Draft EIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or conclusions of the analysis or mitigation measures. Attachment 8 provides the revised Errata that was amended to address specific issues raised by the City of Grass Valley as a result of the City's review of the Final EIR.

CEQA Findings

Pursuant to Section 15091 of the CEQA Guidelines, environmental findings have been prepared that state that: (i) changes or alterations have been required, or incorporated into, the project which avoid or substantially lessen many of the significant environmental effects identified in the DEIR; and (ii) specific economic, legal, social, technological, or other considerations make it infeasible to substantially lessen or avoid the remaining significant impacts, as further described in the Statement of Overriding Considerations below.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the following Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, legal, social, and other benefits of the project. The following are abbreviated excerpts of the overriding considerations provided in the CEQA Findings:

1. Maintain a current and valid comprehensive General Plan.

The requirements for updating and maintaining Housing Elements in the state of California are established by the California Department of Housing and Community Development (HCD). If the (HCD) determines that a Housing Element fails to substantially comply with the State's Housing Element Law, there are potentially serious repercussions for the local jurisdiction that extend beyond conflicts in residential land use planning. When a jurisdiction's Housing Element is found to be out of compliance, its General Plan is at risk of being deemed inadequate, and therefore invalid. Another repercussion of not having a legally compliant housing element includes the possibility of legal action against the jurisdiction.

2. Maintain the County's eligibility to meet the minimal qualifications for California Strategic Growth Bonds and other important housing grant and loan programs such as Community Development Block Grant, HOME, Liheap, etc. funding.

In addition to meeting the requirements of state law, the County also seeks to have a certified Housing Element in order to be eligible for state grant funding programs such as Community Development Block Grants (CDGB), HOME, Liheap, and other programs which are used to fund a variety of public projects in the County.

3. The project will help meet the increasing demand for new housing opportunities in Nevada County.

To meet State housing requirements identified in the County's Housing Element, high-density residential zoning (R3) for an additional 699 housing units are required to meet the County's unmet housing needs.

4. The project will allow for the construction of needed affordable housing within Nevada County while ensuring that impacts on the natural environment are minimized as development occurs.

As described in the Project Summary on page 2-2 of the DEIR, the project will result in development of a Regional Housing Need Implementation Plan, as outlined in the "RH" Zoning Combining District Ordinance (Section L-II 2.7.11.C.3 of the Nevada County Land Use and Development Code). This Plan will outline site-specific development standards and any CEQA mitigation measures adopted for each site that must be adhered to in order for the site to develop consistent with the purpose of the rezone and to ensure that the development of the site does not result in a significant environmental impact.

5. The project provides regionally significant roadway and intersection improvements that would improve existing local and regional traffic operations.

The Project Developer of each site will be required to mitigate for traffic impacts through contribution to the County's Traffic Impact Mitigation Program, established through adoption of a Local Traffic Mitigation Fee (LTMF). Further, the adoption of a Regional Traffic Mitigation Fee (RTMF) recognized cross-jurisdictional traffic between western County cities and unincorporated County.

Mitigation Monitoring

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Section 21081.6 of the California Public Resources Code which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." The MMRP is included as an exhibit to Attachment 1. An MMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts. Nevada County will be the primary agency, but not the only agency, responsible for implementing the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County's role is exclusively to monitor the implementation of the measures. In those cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

SECTION IV.

GENERAL PLAN AND ZONING CONSISTENCY:

As discussed through this staff report, the proposed project includes amending the General Plan Land Use and Zoning Map Designations for a specific set of properties located in the Grass Valley Sphere of Influence, the Penn Valley Village Center and the Lake of the Pines Community Region. These two actions will be made in combination with one another and therefore the resultant underlying General Plan Land Use Designations will be consistent with the proposed zoning designations. Tables 4.2-1 and 4.2-2 of Chapter 4 of the EIR outline specific policies of both the Nevada County General Plan and the City of Grass Valley 2020 General Plan and discuss the project's consistency with those policies. In addition each impact discussion chapter/section provides an outline of the applicable goals and policies relative to the proposed project for both the County General Plan (for sites in the unincorporated area) and the City's General Plan (for sites within the SOI). The tables referenced above, as well as, the applicable policies discussed in the individual chapters are lengthy and exhaustive and since there are included as an attachment to this staff report (*Attachment 6*) to be included as a public record for the Planning Commission's consideration, they will not be discussed in detail here. The application of the standards of the RH Combining District, the Regional Housing Need Implementation Plan, and applying the applicable standards of the Land Use and Development Code as required by the RH Combining District will ensure that future project developed as a result of this project will remain consistent with a given sites Zoning and General Plan Designation.

SUMMARY:

Through the last two General Plan Housing Element updates, the State of California Department of Housing and Community Development (HCD) have identified an unmet Regional Housing Need Allocation (RHNA) of 699-units. Subsequently, HCD has required that the County include specific rezoning programs to address this unmet need. As a result the County has prepared an Environmental Impact Report (EIR) that analyzes the impacts of up zoning seventeen different sites spread out between the City of Grass Valley Sphere of Influence, Penn Valley and the Lake of the Pines area. Staff is recommending eight of these sites (Tier 1 Sites) for the Planning Commission and ultimately the Board of Supervisor's consideration. The Planning Commission, in making a recommendation to the Board of Supervisors is not limited to staff's recommendation and it is within the Commission's purview of delete, modify and add to this recommendation. HCD has given the County until June 30, 2015 to complete this rezoning, at which time there is the potential that HCD may de-certify the County's Housing Element, putting the County at risk of not being eligible for significant state and federal grant and loan programs. Prior to taking action on the project (General Plan Amendment/Rezone), the Board will be required to certify the EIR as adequate for this project, including adopting the required CEQA Findings and making the applicable Statement of Overriding Consideration for any project impacts that adequate mitigation has not been identified. The project will result in an increase in high density residential zoning with the intention of providing a variety of housing opportunities for all income categories and special needs groups in the County.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- I. Environmental Action: Recommend Certification of the Final Environmental Impact Report (EIS12-002/ SCH2009072070) subject to the recommended Mitigation Measures found in the Mitigation Monitoring and Reporting Plan provided as (*Attachment 1*).

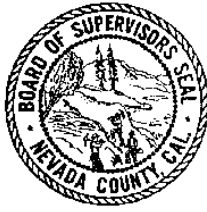
- II. Project Action:
 1. General Plan Amendment: Recommend approval of General Plan Amendment GP12-002 to re-designate specific “Tier 1” sites to Urban High Density, including Sites 3, 5, 12, 14, 16, and 18 (*Attachment 2*).

 2. Zoning Amendment: Recommend approval of Zoning Map Amendment Z12-002 to amend specific Zoning District Maps to change existing zoning of “Tier 1” sites to High Density Residential (R3) or the equivalent of R3, including adding the Regional Housing Need (RH) Combining District to Sites 3, 5, 6, 11 (retain C2 base zoning and add the RH Combining District only), 12, 14, 16, and 18 (*Attachment 3*).

Respectfully Submitted,



Brian Foss, Director of Planning



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION OF THE COUNTY OF NEVADA CERTIFYING THE ADEQUACY OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION PROJECT (SCH NO. 2009072070) IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND MAKING CERTAIN FINDINGS CONCERNING ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND ALTERNATIVES TO THE PROJECT, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, IN CONNECTION WITH APPROVAL OF THE SITE SPECIFIC GENERAL PLAN AND ZONING DISTRICT MAP AMENDMENTS CONTEMPLATED BY THE FINAL ENVIRONMENTAL IMPACT REPORT.

WHEREAS, on May 10, 2010, the Board of Supervisors adopted the Nevada County 2009-2014 Housing Element update (County Resolution No. 10-202) which contained two Programs that required the County to rezone sufficient lands to accommodate for an unmet Regional Housing Need of 1,270-units.

WHEREAS, on July 1, 2010, the State of California Department of Housing and Community Development certified the Nevada County 2009-2014 Housing Element update finding the County must complete the required rezoning by August 30, 2010.

WHEREAS, the County of Nevada is the Lead Agency pursuant to Public Resources Code Section 21067, as it has principal and legislative authority to approve General Plan Land Use Map and Zoning District Map amendments.

WHEREAS, based on the nature of the Project, including the potential for new significant environmental impacts as a result of the proposed Project, the County determined that an Environmental Impact Report (EIR) was required for the Project foregoing the preparation of individual site specific initial study documents.

WHEREAS, after going through the Request for Proposal process, the County exercised its independent judgment in accordance with Public Resources Code Section 20182.1(c), in retaining the independent consulting firm RBF Consulting to prepare the Final Environmental Impact Report, and RBF Consulting prepared the Final EIR under the supervision and direction of the Planning Department and Community Development agency.

WHEREAS, on September 21, 2012, the County, as lead agency, published a Notice of Preparation (NOP) of an EIR for the proposed Project.

WHEREAS, the NOP provided notice of the County's determination, and solicited public input on the proposed scope and content of the EIR for the proposed Project.

WHEREAS, the County, through RBF Consulting, prepared the Draft EIR and circulated it for review by responsible and trustee agencies, the public and submitted it to the State Clearinghouse for review and comment by State agencies, for a comment period that ran from September 12, 2013 to November 12, 2013 (60-days). The Final EIR includes the Draft EIR, copies of all comments on the Draft EIR submitted during the comment period, the County's response to those comments, and changes made to the Draft EIR following its public circulation.

WHEREAS, during the 60-day public comment period, the County hosted four public meetings to take public comment and answer Project specific questions, including a duly noticed public hearing at the Nevada County Planning Commission on October 10, 2013, and three publicly noticed town hall style meetings in the impacted jurisdictions including at the Veteran's Hall in the City of Grass Valley on October 24, 2013, at the Higgins Lions Community Center in the Lake of the Pines Area on October 28, 2013 and the Seventh Day Adventist Church in Penn Valley on October 29, 2013.

WHEREAS, during the 60-day public comment period the County received 131 letters and numerous public testimonials.

WHEREAS, RBF Consulting, with direction and guidance from the County prepared written responses to all written comments received on the Draft EIR, said responses being contained in the Final Environmental Impact Report (FEIR) for the proposed Project, which the FEIR was prepared pursuant to Section 15089 of the California Environmental Quality Act (CEQA) Guidelines.

WHEREAS, on June 24, 2014, the Board of Supervisors adopted the Nevada County 2014-2019 Housing Element update (Resolution No. 14-319). This update included a single Program that required the County to rezone sufficient lands to accommodate for an unmet Regional Housing Need of 699-units; a reduction of 571-units.

WHEREAS, on July 17, 2014, the State of California Department of Housing and Community Development conditionally certified the Nevada County 2014-2019 Housing Element update finding that the County must complete the required rezoning to provide adequate zoning for 699-units by June 30, 2015 in order for the Element to remain in compliance.

WHEREAS, after receiving certification for the State, the County determined that the original Draft EIR was sufficient for implementing the revised rezone Project, and that it was unnecessary to completely overhaul the document to reflect that the rezoning requirement was now 699-units instead of 1,270-units as this change was a reduction in the overall intensity of the Project.

WHEREAS, the FEIR was published and distributed on September 19, 2014, and consists of the Draft EIR, a list of commenters and copies of all written comments received,

responses to those comments that raised environmental issues, and any revisions to the text of the Draft EIR made in response to the comments or as staff-initiated changes, as required by Section 15132 of the CEQA Guidelines.

WHEREAS, the County proposes to approve and adopt the proposed General Plan Land Use Map and Zoning District Map Amendments for a finite number of the selected rezone candidate sites as analyzed by the FEIR.

WHEREAS, recommendation of certification of the FEIR and approval of the proposed Project were scheduled for hearing before the Planning Commission on October 9, 2014, in the Board of Supervisors Chambers located at 950 Maidu Avenue, Nevada City, California, at which date and time evidence both oral and documentary was received and considered by the Planning Commission.

WHEREAS, certification of the FEIR and approval of the proposed Project were scheduled for hearing by the Board of Supervisors on _____, 2015, in the Board of Supervisors Chambers located at 950 Maidu Avenue, Nevada City, California at which date and time evidence both oral and documentary was received and considered by the Board.

WHEREAS, the County Planning Commission and the Board of Supervisors have received and considered the FEIR for the proposed Housing Element Rezone Program Implementation Project (SCH. NO 2009072070) which analyzes the potential environmental effects of the proposed Project.

WHEREAS, the County Planning Commission recommended the Board of Supervisors certify the EIR and adopt the Findings set forth in Exhibit "A" attached hereto.

WHEREAS, CEQA requires that, in connection with the certification of a FEIR, the decision-making agency make certain written findings.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada that is it hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The FEIR has been completed in compliance with CEQA.
3. The FEIR has been presented to the Board of Supervisors and the Board has reviewed and analyzed the FEIR and other information in the record and has considered the information contained therein, including the written and oral comments received at the public hearing on the FEIR.
4. That the Findings set forth in Exhibit "A" and incorporated by this reference are hereby adopted as the County's findings under the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000, et. seq., and the CEQA Guidelines, Title 13, sec. 15000, et. seq., relating to the Project. The Findings provide the written analysis and conclusions of the Board regarding the Project's environmental impacts, mitigation measures and alternatives to the Project.

5. That pursuant to Public Resources Code Section 21091 and CEQA Guidelines Sections 15091, et. seq., the Board of Supervisors hereby adopts and makes the Statement of Considerations as set forth in Section V of Exhibit "A" attached hereto and incorporated by this reference, regarding the remaining significance and unavoidable impacts of the Project and the anticipated environmental, economic, legal, social, technological, and other benefits of the Project. The significant and unavoidable impacts identified in the FEIR cannot be avoided or substantially reduced by feasible changes or alterations to the Project, other than the changes or alterations already adopted.
6. The Mitigation Monitoring and Reporting Program (MMRP) for the FEIR is contained in the FEIR and is attached to this resolution as Exhibit "B", incorporated by reference. The MMRP identifies impacts of the Project, corresponding mitigation, which candidate rezone site each mitigation measure applies too, designation of responsibility for mitigation implementation, and the agency responsible for monitoring the action. The Board hereby adopts the MMRP.
7. The FEIR contains additions, clarifications, modifications and other information in its responses to comments on the Draft EIR for the Project and also incorporates information obtained by the County since the Draft EIR was issued. The Board hereby finds and determines that such changes and additional information are not significant new information as that term is defined under the provisions of CEQA, because such changes and additional information do not indicate that an new significant environmental impacts not already evaluated would result from the proposed Project and do not reflect any substantial increase in the severity of any environmental impact; no feasible mitigation measure considerably different from those previously analyzed in the Draft EIR have been proposed that would lessen significant environmental impacts of the proposed project. Accordingly, this Board hereby finds and determines that recirculation of the FEIR for further public review and comment is not warranted.
8. The Board of Supervisors does hereby designate the Planning Department at 950 Maidu Avenue, Nevada City, California 95959 as the custodian of documents and record of proceedings on which this decision is based.
9. The Board of Supervisors does hereby make the foregoing findings with the stipulations that all information in these findings is intended as a summary of the full administrative record supporting certification of the FEIR, which the full administrative record should be consulted for the full details supporting these findings, and that any mitigation measures and/or alternatives that were suggested by commenters to the Draft EIR and were not certified as part of the FEIR are hereby expressly rejected for the reasons stated in the responses to the comments set forth in the FEIR and elsewhere in the record.
10. The FEIR and all findings contained herein represent the independent judgment of the County of Nevada; and

BE IT FURTHER RESOLVED by the Board of Supervisors that it hereby certifies the Final Environmental Impact Report for the Housing Element Rezone Program Implementaion

project (SCH No. 2009072070), a copy of which is available in the Office of the County Clerk of the Board of Supervisors.

DRAFT

NEVADA COUNTY

HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION

MITIGATION MONITORING AND REPORTING PROGRAM

SCH No. 2009072070



Prepared for:

**County of Nevada
Community Development Agency
Planning Department
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MAY 2015

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INTRODUCTION

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Nevada County Housing Element Rezone Implementation Program project. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed project because the Environmental Impact Report (EIR) has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the Draft EIR as well as any measures that were revised as part of the Final EIR.

Nevada County will be the primary agency, but not the only agency, responsible for implementing the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County’s role is exclusively to monitor the implementation of the measures. In those cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken verbatim from the Draft EIR, as well as any measures which were revised as part of the Final EIR, in the same order that they appear in the Draft EIR.
- **Monitoring Responsibility:** Identifies the department within the County, project applicant, or consultant responsible for mitigation monitoring.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.

MITIGATION MONITORING AND REPORTING PROGRAM

- Compliance Verification Responsibility: Identifies the department of the County or other State agency responsible for verifying compliance with the mitigation.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Land Use and Planning				
MM 4.2-1	The County of Nevada shall develop a policy agreement with the City of Grass Valley regarding exchange density calculations between the jurisdictions. The purpose of this agreement is to obtain parity among the jurisdictions regarding the provision of urban high density residential housing to satisfy state mandated housing requirements and other housing or density needs as appropriate. The County shall develop this agreement and submit to the City prior to the issuance of development permits for this first project site.	County of Nevada	Prior to the issuance of development permits for project sites located within the Grass Valley Sphere of Influence.	
Aesthetics				
MM 4.3-1	The following mitigation measure applies to all sites. Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be approved by the County or City Engineer prior to the commencement of construction of each phase of the project.	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to the commencement of construction of each phase of the project.	
MM 4.3-3	The following mitigation measure applies to all sites. Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation request for Sites 1-9), the project shall require design review approval by the Planning	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County	Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Commission to ensure landscaping, lighting, parking, layout and building design are compatible with the surrounding development, natural resources, and/or historic features within the project area. However, since the density of development is determined at the time the site is rezoned to add the RH Combining District, design review will not include a review of the density of the project. The density shall be based on the State mandated 16 units minimum per acre but will allow for a maximum of 20 units per acre on sites within the Grass Valley Sphere of Influence.</p> <p>All future developments associated with the proposed project would be required to follow the specific design principles and standards that respect the goals, objectives, and policies of the Nevada County General Plan and the City of Grass Valley 2020 General Plan, as well as any area plan design guidelines that each site may be located within. Such design guidelines will ensure each development is providing a balance between development and the natural environment.</p>	<p>of Nevada for Sites 10-18.</p>	<p>request for Sites 1-9).</p>	
<p>MM 4.3-4</p>	<p>The following mitigation measure applies to all sites. For all future projects in the in the proposed project area, all potentially reflective building materials and surfaces shall be painted or otherwise treated to minimize reflectivity, except as necessary to achieve desired green building objectives. All glass used on external building walls shall be low-reflectivity.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation request for Sites 1-9).</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Biological Resources				
MM 4.4-1a	<p>The following mitigation measure applies to Sites 2, 3, 7 through 13, 17, and 18.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 2, 3, 7, 8 and 9):</p> <p>Designate wetland and riparian habitat areas an Environmentally Sensitive Area (ESA) consistent with the ESA exhibits shown in Section 3.0 of this EIR on all Site Plans, grading plans, or any permit authorizing construction for a property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a management plan consistent with Nevada County Land Use and Development Code Section L-II 4.3.17, is approved by the County Planning Department. For projects located within the Grass Valley SOI, a Wetland and Riparian Mitigation Monitoring Program shall be approved by the City Planning Department. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.4.4-1b - During ground disturbance activities associated with the Grass Valley sites, the construction contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing NOA (Section 93105 and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and</p>	<p>For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	surface mining operations, as well as surfacing applications.			
MM 4.4-1b	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>i) Conduct focused special status plant surveys within and adjacent to (within 100 feet, where appropriate) the proposed impact area, which will include impacts from project construction (temporary construction zone and staging areas) or by post-construction fuel management. Surveys shall be conducted during the appropriate time of year to determine the presence of special-status plant species that have been identified as potentially occurring on the project site. Surveys shall be conducted in accordance with the Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000). Field surveys shall be scheduled to coincide with known flowering periods (for the specific species) and/or during periods of physiological development that are necessary to identify the plant species of concern. According to the known blooming periods, surveys would need to be conducted in May or June and again in July or</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>August; however, unusual weather may affect blooming periods so reference sites should be checked.</p> <p>It is important for the required plant survey to be scheduled in time to allow for salvage and transplantation, if required, prior to initiation of project grading. Specifically, if construction is to be initiated during or prior to September in any year, the survey will need to be completed during the previous calendar year in order to satisfy the mitigation measure requirements. Project approval conditions should include language that alerts project proponents to this circumstance to avoid costly construction delays.</p> <p>The survey report, including a description of methods, map of area surveyed, results, and a complete list of all plant taxa found during the survey, shall be provided to County staff prior to initiation of any grading or equipment operation. If no occurrences of special-status species are found, no further mitigation is required.</p> <p>ii) If any federally or State-listed, CNPS Rare Plant Rank 1 or 2 plant species are found within or adjacent to (within 100 feet) the proposed impact area during the surveys, the CDFW (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants), as applicable, shall be notified regarding the status and location of the plant and the necessary approval and/or permits obtained. These plant species shall be avoided to</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the extent feasible. Avoidance measures shall include fencing of the population(s) before construction, exclusion of project activities from the fenced-off areas (no ingress of personnel or equipment), and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. If these plants cannot be avoided completely, the following mitigation measures shall be applied:</p> <ul style="list-style-type: none"> • Before the approval of grading plans or any groundbreaking activity within the project site, the project developer shall submit a mitigation plan concurrently to the CDFW (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants) for review and comment, and the developer may consult with these entities before approval of the plan. The plan shall include mitigation measures for the population(s) to be directly affected. Possible mitigation for the population(s) that would be removed during construction of the project includes implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites. The mitigation ratio for directly impacted plant species shall be at a minimum ratio of 2:1. The actual level of mitigation may vary depending on the sensitivity of the species (its rarity or endangerment status), its prevalence in the area, and the current state of knowledge 			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by the project developer at an approved mitigation bank should such credits be available.</p> <ul style="list-style-type: none"> • Transplantation of existing special-status plants could be undertaken to move the plant(s) to a suitable habitat location, either within the project site or at an off-site preserve to be protected in perpetuity. The off-site preserve shall include similar soil, climate, and associated plant species as are currently present at the project site. This location will be protected in perpetuity under a conservation easement and managed appropriately to ensure the transplantation is a success. Please note, however, that for some species transplantation may not be a successful or effective method for conservation, as requirements for some species are highly specialized and not clearly understood. Thus, transplantation shall only be used where success can be assured. Avoidance shall be required for special-status plant species that cannot be transplanted, salvaged or cultivated. • If on-site preservation is determined to be feasible, a conservation easement shall be placed over project open space areas to preserve the mitigation areas in perpetuity. 			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 4.4-1c	<p>The following mitigation measure applies to all sites. Appropriate Permits: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the project developer has obtained all permits and authorizations required by federal, state, regional and local jurisdictions to proceed with their development proposals. These could include incidental take permits that set forth specific measures to minimize, avoid, or fully mitigate impacts to listed species. This should also include, for sites with mapped ESAs, a demonstration of how the development footprint will avoid all ESAs on the project site. Measures could also include limiting operating periods such as prohibiting grading during the wet season (October to May), requiring 100 foot buffers to disturbance and fencing for sensitive areas, design revisions, and species relocation by soil salvage, seed collection, or other means approved by the agencies with jurisdiction. Prior to development of any individual site, additional species could be listed or designated as special-status, and the future developers of the Housing Element Rezone Implementation Program project sites shall comply with any new requirements of the USFWS or CDFW for such species, as may be imposed through subsequent consultation, if necessary.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>MM 4.4-2a</p>	<p>The following mitigation measure applies to Sites 2 through 18:</p> <p><i>Valley Elderberry Long Beetle</i></p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 3-9):</p> <p>Conduct surveys for the elderberry shrub VELB host plant prior to site disturbance within riparian or wetland areas depicted in the ESA figures in Section 3.0: Project Description. Prior to development, any elderberry shrubs measuring 1.0 inch or greater in diameter shall be mapped and clearly marked in the field. At all times during development of the project, developers shall comply with the conservation guidelines set forth in USFWS’s Conservation Guidelines for the Valley Elderberry Longhorn Beetle (July 9, 1999), which guidelines generally require a buffer of 100 feet around each elderberry shrub with stems measuring 1.0 inch or greater in diameter at ground level. If encroachments into the ESA are required, consultation with USFWS shall be required as contemplated by USFWS 1999 Guidelines.</p> <p>Mitigation for impacts on VELB habitat shall be determined via consultation with USFWS pursuant to Section 7, Section 10, or USFWS 1999 Guidelines, as applicable, and may include onsite mitigation planting or the purchase of mitigation credits from an</p>	<p>For Sites 2-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>approved conservation bank. To avoid adverse effects on VELB, Mitigation Measures 4.4-1a, and 4.4-1c shall be implemented to ensure avoidance of elderberry shrubs and appropriate protection for this species. If necessary, agency-approved mitigation developed through the permitting process would establish the appropriate and required mitigation for impacts to this species. Note: If VELB is de-listed by the USFWS or if there is any change in the listing status of this species, the USFWS guidance in effect at the time of site development shall be followed for impacts to VELB and elderberry shrubs. Additionally, if development does not occur within 5 years on any of the proposed project sites, additional surveys would be required upon development to reassess the location of the elderberry shrub VELB.</p>			
MM 4.4-2b	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Conduct Pre-construction Surveys for Nesting Birds. The future developers within the RH Combining District shall avoid disturbance to active nests within or near disturbance areas. To avoid take of any active raptor nest or disturbance of other protected native birds, to the extent feasible, site disturbance shall be avoided from March 1 through August 31, which</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>coincides with the typical nesting season for most common bird species in the region.</p> <p>If construction, grading or other project-related activities will occur during the typical nesting season, a pre-construction nesting survey shall be conducted by a qualified wildlife biologist to determine if any raptors or protected native birds are nesting in or in the immediate vicinity of vegetation that will be removed. The survey shall be conducted within 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and within 30 days prior to the start of work from June through August. If active nests are found in the work area, the biologist shall determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist, and if necessary, in consultation with the CDFW (and USFWS as appropriate). Buffer widths shall be determined based on the nesting species and its sensitivity to disturbance. The no-work buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Monitoring of nest activity by a qualified biologist may be required if the project-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity shall commence within the no-work buffer area until a qualified biologist confirms</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	that the nest is no longer active.			
MM 4.4-2c	<p>The following mitigation measure applies to all sites:</p> <p>Protect Special-Status Wildlife Species: Where construction of future development projects within RH Combining District would occur within or near known or potential habitat for special-status species, as defined the following measures shall be implemented:</p> <p>Employ Approved Biological Monitors: Prior to commencement of grading for any phase of the project or portion thereof, a project biologist should be designated as an environmental monitor. The qualified biologist should be approved by the County and shall be present at clearing and grubbing stage or as mandated through the regulatory permitting process. Qualified biologists shall be responsible for pre-construction surveys, staking sensitive resources, onsite monitoring, documentation of violations and compliance, coordination with contract compliance inspectors, and post-construction documentation.</p> <p>Foothill Yellow-legged Frog. Suitable breeding, aestivation, and dispersal habitat for the foothill yellow-legged frog is present along perennial waterways within several of the proposed rezone sites. If disturbance would occur within 100 feet of known or potential habitat for foothill yellow-legged frog (i.e., perennial streams), pre-construction surveys shall be conducted to determine if this species is present in the disturbance area. If surveys determine that foothill yellow-legged frogs are</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to commencement of grading for any ground disturbing activities (e.g., grading, clearing, excavation).	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>present, a determination shall be made in consultation with CDFW as to whether or not construction would adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, or other measures approved by CDFW.</p> <p>Western Pond Turtle. Potential basking, foraging, and dispersal habitat for the western pond turtle is present along perennial waterways within some of the RH Combining District. Where disturbance would occur within 200 feet of potential habitat for western pond turtle (i.e., near perennial streams), pre-construction surveys shall be conducted to determine whether the proposed disturbance would adversely affect this species. This determination shall be made by a qualified biologist based on the suitability of the affected habitat for this species and/or the presence or absence of this species in the affected area as determined by surveys of suitable habitat. If pond turtles are observed, a determination shall be made in consultation with CDFW as to whether or not construction will adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, relocation, or other measures approved by CDFW.</p> <p>Other Special-Status Wildlife Species. Prior to approval of a Site Plan, grading plan, or any permit</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>authorizing construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the site has been assessed for habitat suitability for special-status species of wildlife and that appropriate surveys have been carried out, as necessary, and according to the protocol of State or federal agencies with jurisdiction over the special-status species under review. Should any special-status species be identified, the developer shall retain a qualified biologist to develop and oversee implementation of a management plan. Depending on the species identified, appropriate measures could include avoidance, impact minimization, relocation or other measures and must incorporate measures to satisfy regulatory requirements of agencies with jurisdiction over the species at issue (Mitigation Measure 4.4-1b). Where onsite avoidance is feasible, barrier fencing, stakes, flagging or other measures shall be implemented prior to site disturbance to ensure impacts are avoided.</p>			
MM 4.4-3a	<p>The following mitigation measure applies to Sites 2, 3, 7, 8 within the Grass Valley SOI.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the Grass Valley Planning Department:</p> <p>Develop and implement a Wetland and Riparian</p>	<p>For Sites 2, 3, 7, 8, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Mitigation Monitoring Program that provides measures that avoid, minimize, and compensate for damages and/or losses of wetland and riparian vegetation resulting from the future development proposals by completing the following:</p> <ul style="list-style-type: none"> • Avoidance of wetlands and riparian areas through project design. • Maximum avoidance of wetlands and riparian areas by including fencing and using appropriate buffer zones during construction activities. Unless otherwise required through consultation with state and federal agencies, the minimum development-free setback from the top of creek bank for linear water features shall be 50 feet. For non-linear wetlands or Waters of the U.S., the minimum development-free setback shall be 25 feet. Development-free shall mean building construction and grading. • Provide measures for creek enhancement and added habitat value. • If wetlands cannot be avoided, a minimum 1:1 replacement ratio to compensate for lost extent and functioning of wetland areas. • Supervision and verification of the implementation of adopted measures, including provisions for an onsite Environmental Monitor (a qualified biologist approved by the City, USFWS and CDFW) during construction activities. <p>Unavoidable direct impacts on wetland vegetation</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>types during construction of future development projects on Sites 2, 3, 7, and 8 shall require consultation with the appropriate jurisdiction (USACE and RWQCB) and would require a permit from these agencies. Potential impacts shall be mitigated by restoration of the affected area to pre-construction conditions, offsite compensatory mitigation, or purchase of credits in a mitigation bank, in accordance with permits issued by the ACOE, RWQCB and CDFW.</p>			
<p>MM 4.4-3b</p>	<p>The following mitigation measures apply to Sites 10 – 13, and 17:</p> <p>Where potential wetland impacts are involved, the following mitigation measure would apply.</p> <p>A formal wetland delineation shall be conducted for areas that will be permanently or temporarily impacted by the proposed project including driveway improvements where access to the site would otherwise be prohibited. If jurisdictional waters cannot be avoided, the project developer shall apply for a CWA Section 404 permit from the USACE and a Section 401 permit from the RWQCB. These permits shall be obtained prior to issuance of grading permits and implementation of the proposed project.</p> <p>The project developer shall ensure that the project will result in no net loss of waters of the U.S. by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permits. Mitigation must also be</p>	<p>County of Nevada</p>	<p>Prior to issuance of grading permits and/or commencement of construction activities.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>consistent with any permitting requirements of the CDFW Section 1602 Streambed Alteration Agreement.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This last type of compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The project proponent/permit applicant retains responsibility for the implementation and success of the mitigation project. Written documentation of compliance with this mitigation measure shall be provided to the County prior to construction and grading activities for the proposed project.</p>			
MM 4.4-5	<p>The following mitigation measure applies to Sites 13 through 18:</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within</p>	County of Nevada	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the RH Combining District, the project developer shall prepare an oak woodland Management Plan (Management Plan) as required under the Nevada County Tree Preservation and Protection Ordinance. The Management Plan shall specify measures to mitigate for the loss of oak woodland habitat values as a result of site development to ensure no net loss of oak woodland habitat. Measures could include preservation of onsite oak woodlands in a conservation easement, purchase and preservation of offsite oak woodlands, on or offsite enhancement of degraded oak woodlands, or by paying in-lieu fees into a County-approved fund used to purchase and preserve comparable oak woodland communities in the region.</p> <p>The Management Plan shall also include measures to protect trees during construction and following site development. Measures could include specifications for protective fencing and construction buffers, project design modifications, woodland maintenance prescriptions for fuel reduction, forest health, and habitat improvements, and specifications for appropriate uses of the woodland area following site development. The plan shall identify financial responsibility and funding sources for all measures.</p>		within the RH Combining District.	
Air Quality				
MM 4.5-1a	The following mitigation measure applies to all sites. Prior to the issuance of grading permits, all construction contracts shall include dust control	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not	Prior to the issuance of grading permits.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>mitigation requirements. All improvement plans shall require the following:</p> <ul style="list-style-type: none"> • All construction activities shall be subject to the requirements of the NSAQMD’s Regulation 2, Rule 226 regarding dust control. • Alternatives to open burning of vegetative material on the project site shall be used unless deemed infeasible by the NSAQMD. Suitable alternatives are chipping, mulching, or conversion to biomass fuel. • Contractors shall be responsible for ensuring that adequate dust control measures are implemented in a timely manner during all phases of project development and construction. • 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 violation of an ambient air standard. Watering shall occur at least twice daily, with complete site coverage, preferably in the mid-morning and after work is completed each day. • All areas (including unpaved roads) with vehicle traffic shall be watered or have a dust palliative applied as necessary for stabilization of dust emissions. • All onsite vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. • All land clearing, grading, earth moving or 	<p>annexed. County of Nevada for Sites 10-18.</p>		

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>excavation activities shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour. Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by the County and/or applicable local agencies.</p> <ul style="list-style-type: none"> • Construction activities shall be scheduled to direct construction traffic flow to off-peak hours as much as possible. • All inactive portions of the construction site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, apply nontoxic soil stabilizers (according to manufacturer’s specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with County standards. Acceptable materials that may be used for chemical soil stabilization include petroleum resins, asphaltic emulsions, acrylics, and adhesives, which do not violate Regional Water Quality Control Board or California Air Resources Board standards. • Track-out devices (e.g., gravel pads, wheel shakers, etc.) or wheel washers shall be installed where project vehicles and/or equipment enter and/or exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip, as necessary to prevent visible dust emissions from adhering dirt or 			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>deposition on roadways.</p> <ul style="list-style-type: none"> • All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance. • Ground cover shall be re-established onsite through seeding and watering in accordance with the local grading ordinance. • All mobile and stationary equipment shall be properly maintained. • The County shall require projects to utilize best management practices and the use of construction equipment that meets applicable non-road diesel fuel emission standards. 			
MM 4.5-1b	<p>The following mitigation measure applies to all sites. The following measures shall be implemented by the contractor to reduce ROG emissions resulting from application of architectural coatings:</p> <ul style="list-style-type: none"> • Use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; • Use required coatings and solvents with a low ROG content VOC pursuant to the limits in the U.S. EPA National Architectural Coating Rule (40 CFR Part 59); and • Use pre-painted construction materials. 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>During project building construction activities.</p>	
MM 4.5-1c	<p>The following mitigation measure applies to all sites. During ground disturbance activities associated with the Grass Valley candidate sites, the construction</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not</p>	<p>During project grading and construction activities.</p>	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing Naturally Occurring Asbestos (NOA) (Section 93105 and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and surface mining operations, as well as surfacing applications. It should be noted that this mitigation measure applies to the candidate sites within the Grass Valley sphere of influence. NOA is not anticipated to occur within the candidate sites in Penn Valley or Lake of the Pines.</p>	<p>annexed. County of Nevada for Sites 10-18.</p>		
<p>MM 4.5-2a</p>	<p>The following mitigation measure applies to all sites. Prior to the approval of any site plans, the Planning Director or City of Grass Valley Planning Director for Sites 1-9 shall confirm that all project plans incorporate the suggested mitigation measures for mobile source emissions identified in the NSAQMD Draft Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects (Draft Guidelines). These measures include the following:</p> <ul style="list-style-type: none"> • Streets shall be designed to maximize pedestrian access to transit stops. • Provide for onsite road and offsite bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by local transportation planning agencies. • Larger projects may be required to contribute a proportionate share to the development and/or 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to the approval of any site plans.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc.</p> <ul style="list-style-type: none"> • Provide for pedestrian access between bus service and major transportation points within the project, where feasible. • Contribute to traffic-flow improvements (i.e., right-of-way, capital improvements, etc.) that reduce emissions and are not considered as substantially growth inducing. • Larger projects may be required to provide for, contribute to, or dedicate land for the provision of offsite bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countrywide bikeway plan. 			
MM 4.5-2b	<p>The following mitigation measure applies to all sites. Only natural gas/liquefied petroleum gas (LPG) fireplaces or stoves shall be permitted within the candidate sites. EPA Phase II-certified wood-burning fireplaces or stoves may be used if natural gas/LPG fireplaces or stoves are considered infeasible based on consultation with the County and NSAQMD. Conventional open-hearth fireplaces shall not be permitted.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>During the Building Permit Review Process.</p>	
Greenhouse Gas				
MM 4.6-1	<p>Prior to the issuance of a building permit for a development within the RH Combining District, the project developer shall to the satisfaction of the</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County</p>	<p>Prior to issuance of a building permit.</p>	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9):</p> <p>Demonstrate that the proposed development has satisfied CALGreen Building Code Tier 1 standards (Title 24, Part 11). The CALGreen standards for residential development are located in Appendix A4 of the Green Building Standards and are intended to provide developers with specific options to construct energy efficient buildings. The more energy efficient the building design and construction, the fewer greenhouse gas emissions from the building over its lifetime. These standards include specific requirements in order to demonstrate that the project has an energy budget no greater than 85 percent of what is allowed by Title 24, Part 6 energy budget. The budget is calculated based on Compliance Software designed by Energy Commission. Appendix A4 of the CALGreen Building Code includes a range of voluntary measures that the developer may select in order to meet reduce the overall energy budget of the development. Such measures include water efficient appliances for indoor water use (Section A4.303), efficient irrigation systems for outdoor water use (Section A4.304), using material sources that are made of recycled content or from rapidly renewable sources (Section A4.405), and energy efficient heating and cooling systems Section A4.207). Implementation of the measures would reduce greenhouse gas emissions from the project.</p>	<p>of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Cultural Resources				
MM 4.7-1	<p>The following mitigation measure pertains to Sites 2, 3, 7-9, 11 and 13.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Establish areas with potentially significant cultural resources as Environmentally Sensitive Areas consistent with the mapped areas in Figures 3-15 through 3-24 of this EIR. Prior to construction, all potential prehistoric and historic resources shall be designated as an ESA on project plans and specifications. No construction shall be permitted within the ESAs.</p>	<p>For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 11 and 13.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	
MM 4.7-2	<p>The following mitigation measure applies to all sites.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified paleontologist that states one of the following:</p> <p>Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>diverted to other areas on the site and the County (or City as applicable) shall be immediately notified. A qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The County (or City as applicable) and the project developer shall consider the recommendations of the qualified paleontologist. The County (or City as applicable), the qualified paleontologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City as applicable), the qualified paleontologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, qualified paleontologist, and the County (or City as applicable), as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p>			
MM 4.7-3	<p>The following mitigation measure applies to all sites. Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified archaeologist that states the following:</p> <p>A. The project developer shall retain a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. If no cultural resources are identified during this phase of ground disturbance, and if determined between the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status. If any prehistoric or historic artifacts or other indications of archaeological resources are found during site grading or once project construction is under way, the on-site monitor shall be empowered to temporarily halt or divert construction in the immediate vicinity of the discovery while it is evaluated for significance, and the County (or City as applicable) shall be immediately notified. Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County and the project developer will consider the recommendations of the qualified archaeologist. The County (or City as applicable), the qualified</p>	<p>Sites 10-18.</p>	<p>within the RH Combining District.</p>	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County, the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency as to the appropriate preservation or mitigation measures.</p> <p>B. Should cultural resources, other than human remains, be discovered during construction activities when an archaeological monitor is not present, project personnel shall halt such activities in the immediate area and notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with PRC Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County (or City, as applicable) and</p>			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the project developer will consider the recommendations of the qualified archaeologist. The County (or City, as applicable), the qualified archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City, as applicable), the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p>Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, PRC Section 5097.98 and California Code of Regulations (CCR) Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Sections 15064.5(d) and (e) shall be followed.</p>			

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Geology and Soils				
MM 4.8-1	The following mitigation measure applies to all sites: Prior to issuance of grading permits for development projects (or as part of the annexation request for sites 1-9) within the proposed project sites, a design-level investigation should be performed to ensure the findings of the Preliminary Geotechnical Engineering Report for Housing Element Rezone, Nevada County, California have been incorporated in the project design.	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to issuance of grading permits for development projects (or as part of the annexation request for sites 1-9) within the proposed project sites.	
MM 4.8-3	The following mitigation measure applies to Site 18: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department: Establish areas with slopes greater than 30% as Environmentally Sensitive Areas. Prior to construction, slopes greater than 30% shall be designated as an Environmentally Sensitive Area (ESA) on all Site Plans, grading plans, or any plan authorizing construction for a property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a mitigation plan approved by the County. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.	County of Nevada	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.	
Hazards and Hazardous Materials				

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 4.9-4	<p>The following mitigation measure applies to Sites 3 through 9.</p> <p>All future development in the proposed project proposed within Safety Areas, as designated by the Nevada County Airpark Airport Land Use Compatibility Plan (ALUCP), shall comply with all policies pertaining to safety hazards (including density standards) set forth in the ALUCP on a project-by-project basis, and the recordation of an Avigation Easement.</p>	<p>For Sites 3-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	
Hydrology and Water Quality				
MM 4.10-1a	<p>The following mitigation measure applies to Sites 10 and 13:</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department:</p> <ul style="list-style-type: none"> Establish all floodplains as Environmentally Sensitive Areas (ESAs) in compliance with the ESA maps in Chapter 3.0. The placement of structures on sites 10 and 13 must avoid the floodplain ESA. Should development within the floodplain ESA be required, then the developer shall obtain a discretionary use permit for any development within the floodplain and a ministerial management plan for any development within the floodplain 100 foot setback. Prior to construction or vegetation removal, the floodplain ESA shall be 	<p>County of Nevada</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

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	<p>designated as an ESA on plans and specifications. All work proposed within the ESA shall not begin until the ESAs are delineated on the ground with orange safety fencing. A biologist shall verify the limits of the ESA fencing on the ground prior to construction. The ESA fences shall remain in place for the entire duration of construction. No earthmoving activities, vehicles, heavy equipment, lay-down areas, or other construction shall be permitted within the ESAs unless as part of a mitigation plan approved by the appropriate permitting agencies. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.</p>			
MM 4.10-1b	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department and Public Works Department for Sites 1-9) prepare a Water Quality Management Plan that implements the following items:</p> <p>Best Management Practices to protect water quality. The contractor shall implement standard Best Management Practices during and after construction. These measures include, but are not limited to:</p> <ul style="list-style-type: none"> a) Construction in or near drainages shall only occur during the dry season. b) Coordination with CDFW, U.S. Army Corps of 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Engineers, and Regional Water Quality Control Board to obtain all required permits and comply with all terms and conditions of the permits.</p> <p>c) At no time shall heavy equipment operate in flowing water or saturated soils.</p> <p>d) Prior to the start of work, 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 drainages. Retain existing ground cover to further reduce the potential impacts of the project on erosion along the steep bank. 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 and transported away for disposal.</p> <p>e) Disruption of soils and vegetation near Squirrel Creek (on sites 10 and 13) shall be minimized to limit potential erosion and sedimentation; disturbed areas shall be graded to minimize surface erosion and siltation; bare soils shall be immediately stabilized and re-vegetated. Seeded areas shall be covered with broadcast straw or mulch. If straw is used for mulch or for erosion control, utilize only certified weed free straw to minimize the risk of introduction of noxious weeds, such as yellow star thistle.</p> <p>f) The contractor shall exercise every reasonable precaution to protect nearby water bodies from pollution with fuels, oils, bitumen, calcium</p>			

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	<p>chloride and other harmful materials, Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected and removed from the site. No slash or other natural debris shall be placed in or adjacent to water bodies. All construction debris and associated materials and litter shall be removed from the work site immediately upon completion.</p> <p>g) Provide copies of these BMPs to the Contractors and their workers to assure compliance with mitigation measures during construction.</p>			
MM 4.10-1c	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the Director of the County Public Works Department (for sites 10-18), or City Engineer (for sites 1-9), a project-specific hydrology report to verify expected pre- and post-project stormwater volumes from the proposed development, projected peak storage capacity of detention basins, and percolation characteristics of the soil. The hydrology reports shall confirm that adequate stormwater conveyance and capacity is available in either the region or onsite basins, depending on the chosen option, as well as no net increase in stormwater flow rate to the County's or</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	City's storm drainage system.			
MM 4.10-1d	<p>The following mitigation measure applies to Sites 1-9: Prior to approval of an annexation request for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the City Engineer (for Sites 1-9), a water quality management plan which include measures that filter pollutants from stormwater in order to ensure that discharged water meets applicable City standards, such as:</p> <p>Source Control BMPs</p> <ul style="list-style-type: none"> • Permeable pavers/pavement • Hybrid parking areas/parking groves • Roof runoff controls (i.e., rain barrels) • Efficient irrigation to minimize runoff of excess irrigation water <p>Treatment Control BMPs</p> <ul style="list-style-type: none"> • Vegetated swales within parking lots • Vegetated swales on lots (adjacent to pads) • Bioretention • Hydrodynamic separators/wet vaults • Drain inserts <p>Flow Control BMPs</p> <ul style="list-style-type: none"> • Detention 	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	Prior to approval of an annexation request for a property within the RH Combining District.	
Noise				
MM 4.11-1a	The following mitigation measure applies to all sites:	For Sites 1-9, City	Prior to issuance of a	

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Project developers shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the County or City prior to issuance of a grading or building permit (whichever is issued first) or as part of the annexation request for Sites 1-9. The construction BMPs shall include the following:</p> <ul style="list-style-type: none"> • Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. • Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. • Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. • Use electric air compressors and similar power tools rather than diesel equipment, where feasible. • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. • Construction shall be limited to the hours of 7:00 	<p>of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>grading or building permit (whichever is issued first) or as part of the annexation request for Sites 1-9.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or legal holidays.</p> <ul style="list-style-type: none"> Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. 			
MM 4.11-1b	<p>The following mitigation measure applies to all sites: Project developers shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the County prior to issuance of a grading permit.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to issuance of a grading permit.</p>	
MM 4.11-2	<p>The following mitigation measure applies to all sites. Future projects shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment would be located as far away from vibration and noise sensitive sites as feasible. Should construction or grading activities take place within 25 feet of an occupied structure, a project specific vibration impact analysis shall be conducted, with appropriate</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to issuance of a grading permit or by the City as part of the annexation request for Sites 1-9.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	recommendations to ensure vibration levels are below the 0.2 inch-per-second PPV significance threshold at sensitive uses. Contract specifications incorporating this measure shall be included in the proposed project construction documents, which shall be reviewed by the County prior to issuance of a grading permit or by the City as part of the annexation request for Sites 1-9.			
Public Services, Utilities, and Service Systems				
MM 4.13-1a	The following mitigation measure applies to all sites: Prior to Building Permit issuance, the project developer shall provide written documentation from the Fire Department ensuring adequate fire response times to the project site. The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to Building Permit issuance of any new development.	
MM 4.13-1b	The following mitigation measure applies to all sites: Construction Plan applications (or as part of the annexation request for Sites 1-9) submitted for all sites shall include a vegetation fuel management plan, which addresses overall fuels management for achieving a reduction in wildland fire intensity, subject to review and approval of the Fire Department. The plan shall also address management of the vegetative fuels in those areas that may be considered environmentally sensitive.	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.	
MM 4.13-1c	The following mitigation measure applies to all sites:	For Sites 1-9, City	Prior to Building Permit	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Prior to Building Permit issuance, the project developer shall provide written documentation from the Police or Sheriff services ensuring adequate police response times. The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</p>	<p>of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>issuance of any new development.</p>	
<p>MM 4.13-2</p>	<p>The following mitigation measure applies all sites:</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Public Works Director/City Engineer for Sites 1-9):</p> <p>Provide written documentation that adequate sewer capacity and infrastructure is available to serve the project. This can be accomplished by providing project specific design calculations (i.e. Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate for the proposed development. The Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>have been upgraded to increase capacity and include calculations from a registered civil engineer demonstrating that adequate capacity is available. If adequate sewer capacity of conveyance, collection and wastewater treatment facilities does not exist, the developer will pay for upgrades to account for the additional effluent. The project developer may enter into a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.</p>			
MM 4.13-3	<p>The following mitigation measure applies all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Provide the County (or the City for Sites 1 through 9) with an approved set of improvement plans accepted by NID, which include the following:</p> <ul style="list-style-type: none"> • Quantification of anticipated water usage by parcel. • A comprehensive water system design for distribution piping and connection to the existing NID distribution system. 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<ul style="list-style-type: none"> • Appropriate pipe sizing to accommodate minimum fire flow water pressures (as determined by CAL FIRE, NID, and the HFPD). • Identification of pipe sizing, pipe location, and the location of the tie-in with NID facilities. • Provisions for easement, rights-of-way, and in-fee land to NID for water facilities. 			
Recreation				
MM 4.14-1	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Demonstrate that the proposed development is consistent with the County’s Western Nevada County Non-motorized Recreational Trails Master Plan and pay recreation mitigation fees in an amount established by the County. For projects located within the City of Grass Valley SOI, the developer shall provide for community and regional parks consistent with the City’s Park and Recreation Master Plan or pay an in-lieu fee in an amount established by the City.</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.	
Transportation and Traffic				
MM 4.15-2	The following mitigation measure applies to Sites 3	For Sites 3-9, City	Prior to issuance of a	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>through 9:</p> <p>1. If the project would result in more than 63 total PM peak hour trips and more than 10PM peak hour trips at the intersection of Idaho-Maryland Road/Brunswick Road, a supplemental traffic analysis shall be prepared consistent with the City’s Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:</p> <p>a) Be required to install the improvements (likely a roundabout) at the Idaho-Maryland Road/Brunswick Road intersection; or</p> <p>b) Pay the project’s proportionate share of the Idaho-Maryland Road/Brunswick Road intersection improvements; or</p> <p>c) Construction some associated improvement that would address project impacts at the Idaho-Maryland Road/Brunswick Road intersection; or</p> <p>d) Be required to complete some combination of the above to address project impacts at the Idaho-Maryland Road/Brunswick Road identified in the supplemental traffic study.</p> <p>2. If the project would result in less than 10PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.</p> <p><i>Timing/Implementation: Prior to occupancy of</i></p>	<p>of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>building permit.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p><i>development within the project area.</i></p> <p><i>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</i></p>			
<p>MM 4.15-3</p>	<p>The following mitigation measure applies to Site 2:</p> <p>1. If the project would result in more than 63 total PM peak hour trips and more than 10PM peak hour trips at the intersection of La Barr Meadows Drive/McKnight Way, a supplemental traffic analysis shall be prepared consistent with the City’s Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:</p> <p>a) Be required to install the improvements (likely a roundabout) at the La Barr Meadows Drive/McKnight Way intersection; or</p> <p>b) Pay the project’s proportionate share of the La Barr Meadows Drive/McKnight Way intersection improvements; or</p> <p>c) Construction some associated improvement that would address project impacts at the La Barr Meadows Drive/McKnight Way intersection; or</p> <p>d) Be required to complete some combination of the above to address project impacts at the La Barr Meadows Drive/McKnight Way identified in the supplemental traffic study.</p> <p>2. If the project would result in less than 10PM peak hour trips at this intersection, the project proponent</p>	<p>For Sites 2, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to issuance of a building permit.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>or successor in interest shall pay the associated mitigation fees.</p> <p><i>Timing/Implementation: Prior to occupancy of development within the project area.</i></p> <p><i>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</i></p>			
<p>MM 4.15-4</p>	<p>The following mitigation measure applies to Sites 3 through 9:</p> <p>The realignment of Triple Crown Road with Town Talk Road into one intersection and the installation of a traffic signal will improve intersections of Brunswick Road and Triple Crown Drive and Brunswick Road and Town Talk Road / Bubbling Wells Road to LOS B during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal under Existing plus Background plus Project conditions. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane. In addition, the existing unsigned driveway (designated as “Ranchview Court” in County Map data) located approximately 35 feet to the south of Town Talk Road shall be combined with Town Talk Road at the west leg of the intersection.</p> <p>The project developer shall install or fund the improvement at the intersection prior to issuance of a building permit.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to issuance of a building permit.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Brunswick Road and Triple Crown Road. The individual development of Sites #3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p>			
<p>MM 4.15-5</p>	<p>The following mitigation measure applies to Sites 14 through 18:</p> <p>The Nevada County Regional Transportation Plan and RTMF includes the following improvements to the SR 49 / Combie Road intersection. The improvements would improve the PM peak hour level of service to LOS C.</p> <ul style="list-style-type: none"> • Construct one additional southbound left turn lane that is at least 325 feet in length • Construct one additional receiving lane at the east leg of intersection on Combie Road • Reconstruct or reconfigure the westbound left turn lanes to be a minimum of 250 feet in length to allow for adequate storage <p>The project developer shall install or fund the improvement at the intersection. The developer and the County of Nevada should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer's fair share.</p> <p>Site Specific Development Analysis: This</p>	<p>County of Nevada</p>	<p>Prior to issuance of a building permit.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	improvement would be triggered when the proposed project generates 1 or more trip to the intersection of SR 49 / Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.			
MM 4.15-6	<p>The following mitigation measure applies to Sites 14 through 18:</p> <p>The Higgins Marketplace EIR (2007) identified mitigation for this intersection including of the installation of a traffic signal and the installation of an additional eastbound through lane. Implementation of this mitigation measure would improve level of service to an acceptable LOS C during the PM peak hour.</p> <p>Prior to the development of the project site, the Project Developer shall pay a fair share contribution to the LTMF and RTMF program.</p> <p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Higgins Road and Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p>	County of Nevada	Prior to issuance of a building permit.	
MM 4.15-7	The following mitigation measure applies to all sites: The sight distances at all project site access intersections shall be reviewed during the design	For Sites 1-9, City of Grass Valley, if annexed; County	Prior to issuance of a building permit.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>phase of the project sites with attention given to horizontal and vertical sight distance constraints. To maintain adequate corner sight distance consistent with Caltrans Highway Design Manual requirements, parking shall not be permitted on major onsite roadways within close proximity to intersections. All onsite intersections, landscaping, signing, and parking shall be designed so that adequate corner sight distance is achieved.</p> <p>Prior to issuance of a building permit, the developer shall provide verification by a professional engineer that sight distance has been evaluated.</p>	<p>of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		
MM 5.2.14.1	<p>The following mitigation measure pertains to Sites 3 through 9:</p> <p>Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the installation of signal timing at the intersection of Nevada City Highway and Brunswick Road to improve operations and meet future traffic volume demand. Signal timing splits shall be optimized based upon a cycle length of 90 seconds. This mitigation would improve the operation of the intersection to LOS D.</p>	<p>City of Grass Valley</p>	<p>Prior to issuance of a building permit.</p>	
MM 5.2.14.2	<p>The following mitigation measure pertains to Sites 3 through 9:</p> <p>Prior to issuance of a building permit, the project developer shall install or fund the realignment of Triple Crown Road with Town Talk Road (Sites 7 and</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to issuance of a building permit</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>8 access) into one intersection and the installation of a traffic signal. This measure will improve intersections of Brunswick Road / Triple Crown Drive and Brunswick Road / Town Talk Road / Bubbling Wells Road to LOS C during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane.</p> <p>The developer and the City of Grass Valley should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer’s fair share. The formation of an assessment district is considered a fair share cost sharing mechanism.</p>			
MM 5.2.14.3	<p>The following mitigation measure pertains to Site 2: Prior to the issuance of a Building Permit, the Project Developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program for the provision of the dual roundabouts on McKnight Way at the SR 49 interchange described in Mitigation Measure 4.15-3.</p>	City of Grass Valley	Prior to issuance of a building permit.	
MM 5.2.14.4	<p>The following mitigation measure pertains to Sites 14 through 18:</p> <p>Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the Nevada County RTMF program for the construction</p>	County of Nevada	Prior to issuance of a building permit.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>of an additional southbound left turn lane that is at least 325 feet in length shall be installed at the intersection of SR 49 and Combie Road. This improvement will improve operations at the intersection to LOS D during the PM peak hour. The addition of a southbound left turn lane is an identified improvement in the Nevada County Regional Transportation Plan and RTMF.</p>			

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May 7, 2015

**NEVADA COUNTY HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION
ENVIRONMENTAL IMPACT REPORT (SCH# 2009072070)
FINDINGS AND STATEMENTS REQUIRED UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT
(Public Resources Code, Section 21000 *et seq.*)**

I. Introduction

On behalf of the County of Nevada (the “County”), and pursuant to the California Environmental Quality Act (“CEQA”), RBF Consulting (“RBF”) has prepared a Final Environmental Impact Report (the “FEIR”) for the County of Nevada Housing Element Rezone Implementation Program and other related approvals described below (collectively, the “Project”). The County is the lead agency for the FEIR.

To support its certification of the FEIR and approval of the Project, the Board of Supervisors of the County of Nevada (the “Board”) makes the following findings of fact and statements of overriding considerations (collectively, the “Findings”). These Findings contain the Board of Supervisors’ written analysis and conclusions regarding the Project’s environmental effects, mitigation measures, alternatives to the proposed Project, and the overriding considerations which, in the Board of Supervisors’ view, justify the approval of the Project despite its potential environmental effects. These Findings are based upon the entire record of proceedings for the FEIR, as described below.

The proposed project is the development and in some cases the annexation of 18 pre-selected sites. The 18 rezone sites comprise an area totaling approximately 149 acres, scattered throughout three general areas of unincorporated Nevada County; Grass Valley Sphere of Influence (SOI), Penn Valley, and Lake of the Pines. The 18 sites are irregular shaped areas with varying dimensions. The majority of the rezoning areas are undeveloped and surrounded by a variety of existing development, including single-family residential, rural residential, commercial agricultural, recreational, and utility uses. The natural features within the 18 pre-selected sites include a variety of distinct plant communities and several creeks.

During the public review process for the Draft EIR, the property owner of Site 2 informed County Staff that participation in the program was no longer desired. As a result, there are 17 sites that are part of the part of the proposed project. However, these findings will continue to reference the 18 sites for consistency with the analysis in the Draft EIR.

To meet State housing requirements identified in the County’s Housing Element, high density residential zoning (R3) for an additional 1,270 low and very low income housing units are required to meet the County’s unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum low and very low income requirements. The specific rezoning process is proposed through the implementation of Housing Element Programs HD-8.1.3 and HD-8.1.4, including adding the “RH” Zoning Combining District to those sites included in Program HD-8.1.5.

In order to meet State housing requirements identified in the County's Housing Element, the County is proposing to rezone 18 sites to meet the County's need of a minimum of 1,270 low and very low income housing units. In addition to a Zoning Map amendment, all of the proposed project sites will require a General Plan Map Amendment, with the exception of Site 6, to accommodate a proposed density of 16-20 dwelling units per acre (du/acre) under the Urban High Density designation. Sites 1-9 located within the Grass Valley SOI area of Nevada County will accommodate a maximum of 20 du/acre, and Sites 10-18 will accommodate a maximum of 16 du/acre. The range of 16-20 du/ac reflects the County's designation that allows up to 20 du/ac in the R3 Zoning when the site is within a City SOI. Since Sites 1-9 are located within the City of Grass Valley SOI, they can accommodate up to 20 du/ac. The 16 du/acre relates to the State-mandated density for rezoned sites and is allowed by the County's RH (Regional Housing Need) combining districts.

The projects within the Grass Valley SOI would require annexation into the City of Grass Valley prior to developing those sites in accordance with increased density associated with the Regional Housing Need (RH) Combining District zone. Accordingly, the Nevada County Local Agency Formation Commission (LAFCO) would be a responsible agency. In addition to annexing these properties into the City, LAFCO would also need to detach the area from the Nevada County Consolidated Fire District service area and add the area to the City Fire Department's service area.

As outlined in the "RH" Zoning Combining District Ordinance (Section L-II 2.7.11.C.3 of the Nevada County Land Use and Development Code), the project will result in the development of a Regional Housing Need Implementation Plan. This Plan will outline site-specific development standards and any CEQA mitigation measures adopted for each site that must be adhered to in order for the site to develop consistent with the purpose of the rezone and to ensure that the development of the site does not result in a significant environmental impact.

The approvals necessary for implementation of the Nevada County Housing Element Rezone Implementation Program project include a rezone (Z12-002); General Plan map amendment (GP12-002); and, certification of the EIR (EIR12-002). In addition to these project applications, future approvals requiring discretionary action include the following: subdivision approvals (if units are intended for individual ownership; and, design review consistent with land use development code (LUDC) Sec. L-II 2.7.11.C.5. Other ministerial approvals and actions including: demolition permits; encroachment permits; site development permits; infrastructure construction permits; grading permits; improvement plan approvals; building permits; occupancy permits; and, utility relocation.

The EIR is also available for use by responsible and trustee agencies or other agencies that may have jurisdiction, approval authority, or environmental review and consultation requirements for the project. These agencies may include: U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; California Department of Fish and Wildlife (Streambed Alteration Agreement); California Department of Transportation (encroachment permit); California Office of Historic Preservation; California Department of Toxic Substances Control; California Regional Water Quality Control Board; Nevada County Airport Land Use Commission; Nevada County Local Agency Formation Commission (LAFCO) (annexation approval); Nevada County Transportation Commission; Nevada County

(encroachment and other permits); Nevada County Resource Conservation District; Sierra Economic Development District; Nevada Irrigation District; Nevada County Sanitary District; and/or, Northern Sierra Air Quality Management District.

II. General Findings and Overview

A. Record of Proceedings and Custodian of Record

The record of proceedings for the County's findings and determinations is available for review by responsible agencies and interested members of the public during normal business hours at 950 Maidu Avenue, Nevada City, California. The custodian of these documents is the Nevada County Planning Department.

B. Preparation and Consideration of the FEIR and Independent Judgment Findings

The Board of Supervisors finds, with respect to the County's preparation, review and consideration of the FEIR, that:

- The County retained the independent firm of RBF Consulting ("RBF") to prepare the FEIR, and RBF prepared the FEIR under the supervision and at the direction of the County of Nevada Planning Department and Community Development Agency.
- The County circulated the DEIR for review by responsible agencies and the public and submitted it to the State Clearinghouse for review and comment by State agencies.
- The FEIR has been completed in compliance with CEQA.
- The project will have significant, unavoidable impacts as described and discussed in the FEIR.
- The FEIR is adequate under CEQA to address the potential environmental impacts of the Project.
- The FEIR has been presented to the Board of Supervisors, and the Board of Supervisors has independently reviewed and considered information contained in the FEIR.
- The FEIR reflects the independent judgment of the County.

By these Findings, the County Board of Supervisors ratifies, adopts and incorporates the analyses, explanations, findings, responses to comments, and conclusions of the FEIR, except as specifically described in these Findings.

C. Findings Regarding Less-Than-Significant Impacts.

By these Findings, the County Board of Supervisors ratifies and adopts the FEIR's conclusions for the following potential environmental impacts which, based on the analyses in the FEIR, the Board of Supervisors determines to be less than significant:

1. Aesthetics

Impact 4.3-2 Implementation of the proposed project may have an adverse effect on a scenic vista.

2. Air Quality

Impact 4.5-3 The proposed project could result in an overall increase in odors within the project area.

Impact 4.5-4 Carbon monoxide hot spots may occur as a result of the proposed project.

3. Greenhouse Gas Emissions

Impact 4.6-2 Implementation of the proposed project would not conflict with an applicable greenhouse gas reduction plan, policy, or regulation.

4. Hazards and Hazardous Materials

Impact 4.9-1 The proposed project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Impact 4.9-2 The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment.

Impact 4.9-3 The proposed project may emit hazardous emissions or result in the handling of hazardous materials, substances, or waste within one-quarter mile of a proposed school site.

Impact 4.9-5 The proposed project may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

5. Noise

Impact 4.11-3 Future noise levels associated with the proposed project could contribute to an exceedance of the County's noise standards resulting in potential noise impacts to sensitive receptors.

6. Public Services, Utilities and Service Systems

Impact 4.13-4 The landfill that would serve the proposed project has sufficient permitted capacity to accommodate the project's solid waste disposal needs. The project would comply with federal, State, and local statutes and regulations related to solid waste.

7. Recreation

Impact 4.14-2 The proposed project would not include the construction of recreational facilities that might have an adverse effect on the environment.

8. Transportation and Traffic

Impact 4.15-1 The proposed project would result in an increase in traffic at study area intersections and roadway segments. Twenty three study intersections would continue to operate at acceptable levels of service in accordance with Nevada County and the City of Grass Valley significance criteria during the weekday PM peak hour.

III. Findings and Recommendations Regarding Significant Environmental Impacts and Mitigation Measures

A detailed analysis of the potential environmental impacts and the proposed mitigation measures for the Housing Element Rezone Program Implementation Project is set forth in Chapter IV of the DEIR, as incorporated into the FEIR. The Board of Supervisors concurs with the conclusions in the DEIR, as incorporated into the FEIR, that: (i) changes or alterations have been required, or incorporated into, the project which avoid or substantially lessen many of the significant environmental effects identified in the DEIR; and (ii) specific economic, legal, social, technological, or other considerations make it infeasible to substantially lessen or avoid the remaining significant impacts, as further described in the Statement of Overriding Considerations below.

Table of Impacts, Mitigation Measures, and CEQA Findings of Fact:

HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR CEQA FINDINGS
Table of Impacts, Mitigation Measures, and CEQA Findings

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
Land Use and Planning				
<p>Impact 4.2-1 The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.</p>	PS	<p>MM 4.2-1 The County of Nevada shall develop a policy agreement with the City of Grass Valley regarding exchange density calculations between the jurisdictions. The purpose of this agreement is to obtain parity among the jurisdictions regarding the provision of urban high density residential housing to satisfy State-mandated housing requirements and other housing or density needs as appropriate. The County shall develop this agreement and submit to the City prior to the issuance of development permits for this first project site.</p>	SU	<p>Finding Implementation of Mitigation Measure 4.2-1 which has been required or incorporated into the project will reduce this impact. While the mitigation would address the density conflicts with the City of Grass Valley, conflicts will remain until there is a change in the Grass Valley General Plan. However, acceptance of an agreement by the City of Grass Valley or a change in the City’s General Plan is outside the jurisdiction of the County. Therefore, potential conflicts would remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.2-1 be adopted. The Board concludes that the project’s benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p>

S – Significant

PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

SU – Significant and Unavoidable

N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>Explanation Both the Nevada County General Plan and City of Grass Valley 2020 General Plan designate the project area for future development. With approval of the proposed rezoning and General Plan Map Amendment, the proposed project will not conflict with any applicable land use plan, policy or regulations for the County of Nevada. However, the proposed change in land use density to high density residential (20 dwelling units per acre) within the City of Grass Valley’s Sphere of Influence will conflict with the City’s existing medium-density (4-8 dwelling units per acre) and mixed-use density land use designations because the proposed density is higher. Therefore, the project will result in a potential conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. To lessen such impacts, the potential conflicts would be addressed through policy agreements between the two jurisdictions. The mitigation identified will address the</p>

S – Significant

PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

SU – Significant and Unavoidable

N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				density conflicts with the City of Grass Valley. However, until the Grass Valley General Plan is revised, such conflicts will remain. As an agreement by the City of Grass Valley or a change in the City's General Plan cannot be guaranteed, and would be outside the jurisdiction of the County, impacts with regard to project conflict with an applicable land use plan, policy, or regulation would remain significant and unavoidable.
Aesthetics				
<p>Impact 4.3-1 Grading and construction associated with implementation of the Proposed Project would alter the visual appearance of the project area.</p>	PS	<p>The following mitigation measure applies to all sites. MM 4.3-1 Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be approved by the County or City Engineer prior to the commencement of construction of each phase of the project. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	LS	<p>Finding Implementation of Mitigation Measure 4.3-1 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p>

S – Significant

PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

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CC – Cumulatively considerable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>Explanation Implementation of Mitigation Measure 4.3-1 is required to ensure that project impacts resulting from grading and construction activities on the visual setting remain less than significant. The proposed project would facilitate future development that would have short-term aesthetic impacts as a result of construction-related activities (e.g. disturbed graded ground surfaces) and construction-related traffic (e.g. heavy equipment or hauling of debris). Implementation of Mitigation Measure 4.3-1 will reduce potential project impacts to a less than significant level by requiring that construction equipment staging areas are appropriately screened (e.g. temporary fencing with opaque material) to buffer views of construction equipment and materials, when feasible. Additionally, Mitigation Measure 4.3-1 requires such staging locations to be identified on a project-by-project basis, as appropriate. Implementation of Mitigation Measure 4.3-1 will reduce</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				potential construction impacts on visual resources to less than significant. (DEIR, p. 4.3-13 to -15)
<p>Impact 4.3-3 Project implementation may permanently degrade the existing visual character/quality of the project area.</p>	PS	<p>The following mitigation measure applies to all sites.</p> <p>MM 4.3-3</p> <p>Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation request for Sites 1-9), the project shall require design review approval by the Planning Commission to ensure landscaping, lighting, parking, layout and building design are compatible with the surrounding development, natural resources, and/or historic features within the project area. However, since the density of development is determined at the time the site is rezoned to add the RH Combining District, design review will not include a review of the density of the project. The density shall be based on the State mandated 16 units minimum per acre but will allow for a maximum of 20 units per acre on sites within the Grass Valley Sphere of Influence.</p> <p>All future developments associated with the proposed project would be required to follow the specific design principles and standards that respect the goals, objectives, and policies of the Nevada County General</p>	LS	<p>Finding Implementation of Mitigation Measure 4.3-3 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Future development of the lands affected by the project would result in permanent change to the existing visual character and setting. Mitigation Measure 4.3-3 is required to ensure that views of project elements that would be potentially visible from various surrounding residential, commercial, industrial and institutional uses and from local roadways do not</p>

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CC – Cumulatively considerable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>Plan and the City of Grass Valley 2020 General Plan, as well as any area plan design guidelines that each site may be located within. Such design guidelines will ensure each development is providing a balance between development and the natural environment.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>substantially degrade the existing character or quality of the visual landscape. In compliance with Mitigation Measure 4.3-3, future development within the unincorporated area of Nevada County and those that would be annexed into the City would require design review by the Planning Commission to ensure that a development proposal is consistent with the applicable design guidelines for each general plan and area plan. Projects within the County that are not annexed into the City of Grass Valley would require approval of the Nevada County Planning Commission. Similarly, projects within the City of Grass Valley Sphere of Influence (SOI) will be reviewed by the City's Design Review Committee and Planning Commission. Implementation of Mitigation Measure 4.3-3 provides additional assurance that future project development will be visually buffered through the use of specific design techniques (e.g. landscaping and open space preservation, sensitive siting, etc.).</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				Application of these techniques will preserve the existing rural and semi-rural character of the surrounding areas by minimizing the developed appearance of the project sites. Implementation of Mitigation Measure MM 4.3-3 will provide assurance that such design measures are incorporated into the project design through formal design review to reduce potential impacts resulting from permanent change to the existing visual character/quality of the project area to less than significant. (DEIR, p. 4.3-16 to -18)
<p>Impact 4.3-4 The Proposed Project may generate additional sources of light and glare beyond existing conditions from urban lighting and vehicular traffic.</p>	PS	<p>Implement MM 4.3-1, 4.3-3, and 4.3-4. The following mitigation measure applies to all sites. MM 4.3-4 For all future projects in the in the proposed project area, all potentially reflective building materials and surfaces shall be painted or otherwise treated to minimize reflectivity, except as necessary to achieve desired green building objectives. All glass used on external building walls shall be low-reflectivity. Enforcement / Monitoring Agency: For Sites 1-9, City of</p>	LS	<p>Finding Implementation of Mitigation Measure 4.3-4 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		identified in the DEIR. Explanation Implementation of the proposed project would facilitate future development that would convert the project sites from undeveloped land to a developed landscape, resulting in new sources of light and glare. Implementation of Mitigation Measure 4.3-1 provides additional assurance that project construction equipment staging areas are appropriately located and screened from view to reduce their visibility and potential disruption of views for offsite viewers. Further, Mitigation Measure 4.3-3 provides assurance that appropriate design measures are incorporated into the project design through formal design review to reduce potential impacts resulting from a permanent change to the existing visual character/quality of the project area. Implementation of Mitigation Measure 4.3-4 requires design review by the Planning Commission for future projects within the RH Combining

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				District to reduce potential glare effects as the result of project development and to ensure that the use of building materials (e.g. mirrored or tinted glass) or other surface treatments that could increase the potential for glare effects are considered. Implementation of Mitigation Measure 4.3-4 will reduce project light and glare impacts to less than significant. (DEIR, p. 4.3-18 to -19)
<p>Cumulative Impact Project implementation may permanently degrade the existing visual character/quality of the project area.</p>	PS	The following mitigation measure applies to all sites. Implement MM 4.3-1, 4.3-3, and 4.3-4. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	LS	<p>Finding Implementation of this Mitigation Measure which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Future development under the proposed project, Nevada County General Plan, and the City of Grass Valley</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>2020 General Plan, would potentially result in permanent alteration of the existing rural and natural landscape of the region. Development proposed within the project area will be required to demonstrate consistency with policies given in the Nevada County General Plan and Western Nevada County Development Guidelines, and the City of Grass Valley 2020 General Plan and Community Design Guidelines to maintain the visual character/quality of the area and minimize potential impacts on aesthetic resources. Potential visual impacts to existing scenic resources and the rural character of the community would be analyzed on a project-by-project basis and subject to the County's and the City's Development Review process to provide appropriate design and aesthetic requirements aimed at reducing potential impacts.</p> <p>As stated in Finding explanations on Impacts 4.3-1, 4.3-3, and 4.3-4, implementation of Mitigation Measures</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				4.3-1, 4.3-3, and 4.3-4 will provide additional assurance that impacts on visual resources resulting from project development will be reduced through the design review process and through the application of appropriate design measures to ensure compatibility with the existing surrounding character and visual quality (e.g. with regard to site alteration and grading, construction activities, and glare and lighting). Implementation of Mitigation Measures 4.3-1, 4.3-3, and 4.3-4 will reduce impacts resulting from degradation of the existing visual character/quality of the area to a less than cumulatively considerable level.
Biological Resources				
Impact 4.4-1 The Proposed Project has the potential to adversely affect special-status plant species.	PS	The following mitigation measure applies to Sites 2, 3, 7 through 13, 17, and 18. MM 4.4-1a Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to	LS	Finding Implementation of Mitigation Measure 4.4-1 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 2, 3, 7, 8 and 9):</p> <p>Designate wetland and riparian habitat areas an Environmentally Sensitive Area (ESA) consistent with the ESA exhibits shown in Section 3.0 of this EIR on all Site Plans, grading plans, or any permit authorizing construction for a property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a management plan consistent with Nevada County Land Use and Development Code Section L-II 4.3.17, is approved by the County Planning Department. For projects located within the Grass Valley SOI, a Wetland and Riparian Mitigation Monitoring Program shall be approved by the City Planning Department. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.</p> <p>Enforcement / Monitoring Agency: For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.</p> <p>The following mitigation measure applies to all sites: MM 4.4-1b Prior to approval of a Site Plan, grading plan, or any</p>		<p>changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation A Biological Inventory Report was prepared by Dudek, February 2013 (DEIR, Appendix C). The Biological Inventory Report found that implementation of the project on each of the 18 rezone sites could potentially significantly impact onsite vegetation, either directly or through habitat modification from site preparation, grading and/or construction. Such activities could adversely affect special-status plant species if they are present within the disturbance area.</p> <p>No special-status plant species were observed during surveys conducted on the RH Combining District sites. However, the potential for several species of rare plants to occur within specific habitats found on several of the sites does exist.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>i) Conduct focused special status plant surveys within and adjacent to (within 100 feet, where appropriate) the proposed impact area, which will include impacts from project construction (temporary construction zone and staging areas) or by post-construction fuel management. Surveys shall be conducted during the appropriate time of year to determine the presence of special-status plant species that have been identified as potentially occurring on the project site. Surveys shall be conducted in accordance with the Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000). Field surveys shall be scheduled to coincide with known flowering periods (for the specific species) and/or during periods of physiological development that are necessary to identify the plant species of concern. According to the known blooming periods, surveys would need to be conducted in May or June and again in July or August; however, unusual weather</p>		<p>Mitigation to offset potential impacts to special-status plant species is described in detail in Mitigation Measures 4.4-1a to 4.4-1c. Mitigation Measure 4.4-1a will be implemented to require designation of Environmentally Sensitive Areas (ESAs) on those sites with sensitive habitat. As some sites would require encroachment into sensitive habitats to gain access to or through the site, thereby impacting designated sensitive habitat, implementation of Mitigation Measure 4.4-1a requires the preparation of a management plan that identifies how impacts would be minimized and mitigated. Further, implementation of Mitigation Measure 4.4-1b requires that special-status plant surveys be conducted prior to any site disturbance to identify any special-status plant species, as well as preparation of a management plan to avoid or minimize impacts to any special-status plant discovered during the required surveys. Additionally, Mitigation Measure 4.4-1c</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>may affect blooming periods so reference sites should be checked.</p> <p>It is important for the required plant survey to be scheduled in time to allow for salvage and transplanted, if required, prior to initiation of project grading. Specifically, if construction is to be initiated during or prior to September in any year, the survey will need to be completed during the previous calendar year in order to satisfy the mitigation measure requirements. Project approval conditions should include language that alerts project proponents to this circumstance to avoid costly construction delays.</p> <p>The survey report, including a description of methods, map of area surveyed, results, and a complete list of all plant taxa found during the survey, shall be provided to County staff prior to initiation of any grading or equipment operation. If no occurrences of special-status species are found, no further mitigation is required.</p> <p>ii) If any federally or State-listed, CNPS Rare Plant Rank 1 or 2 plant species are found within or adjacent to (within 100 feet) the proposed impact area during the surveys, the CDFW (in the case of State-only listed plants) and/or USFWS (in the case of federally</p>		<p>requires that all agency permits associated with impacts to special-status plant species be obtained and that the developer adhere to and implement all conditions of permit issuance. With implementation of these mitigation measures, impacts to special-status plant species, including listed species, would be reduced to less than significant. (DEIR, p. 4.4-40 to -44)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>listed plants), as applicable, shall be notified regarding the status and location of the plant and the necessary approval and/or permits obtained. These plant species shall be avoided to the extent feasible. Avoidance measures shall include fencing of the population(s) before construction, exclusion of project activities from the fenced-off areas (no ingress of personnel or equipment), and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. If these plants cannot be avoided completely, the following mitigation measures shall be applied:</p> <ul style="list-style-type: none"> • Before the approval of grading plans or any groundbreaking activity within the project site, the project developer shall submit a mitigation plan concurrently to the CDFW (in the case of State-only listed plants) and/or USFWS (in the case of federally listed plants) for review and comment, and the developer may consult with these entities before approval of the plan. The plan shall include mitigation measures for the population(s) to be directly affected. Possible mitigation for the population(s) that would be removed during construction of the project includes implementation of a program to 		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>transplant, salvage, cultivate, or re-establish the species at suitable sites. The mitigation ratio for directly impacted plant species shall be at a minimum ratio of 2:1. The actual level of mitigation may vary depending on the sensitivity of the species (its rarity or endangerment status), its prevalence in the area, and the current state of knowledge about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by the project developer at an approved mitigation bank should such credits be available.</p> <ul style="list-style-type: none"> • Transplantation of existing special-status plants could be undertaken to move the plant(s) to a suitable habitat location, either within the project site or at an off-site preserve to be protected in perpetuity. The off-site preserve shall include similar soil, climate, and associated plant species as are currently present at the project site. This location will be protected in perpetuity under a conservation easement and managed appropriately to ensure the transplantation is a success. Please note, however, that for some species transplantation 		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>may not be a successful or effective method for conservation, as requirements for some species are highly specialized and not clearly understood. Thus, transplantation shall only be used where success can be assured. Avoidance shall be required for special-status plant species that cannot be transplanted, salvaged or cultivated.</p> <ul style="list-style-type: none"> • If on-site preservation is determined to be feasible, a conservation easement shall be placed over project open space areas to preserve the mitigation areas in perpetuity. <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites.</p> <p>MM 4.4-1c</p> <p>Appropriate Permits: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the project developer has obtained all permits and</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>authorizations required by federal, State, regional and local jurisdictions to proceed with their development proposals. These could include incidental take permits that set forth specific measures to minimize, avoid, or fully mitigate impacts to listed species. This should also include, for sites with mapped ESAs, a demonstration of how the development footprint will avoid all ESAs on the project site. Measures could also include limiting operating periods such as prohibiting grading during the wet season (October to May), requiring 100 foot buffers to disturbance and fencing for sensitive areas, design revisions, and species relocation by soil salvage, seed collection, or other means approved by the agencies with jurisdiction. Prior to development of any individual site, additional species could be listed or designated as special-status, and the future developers of the Housing Element Rezone Implementation Program project sites shall comply with any new requirements of the USFWS or CDFW for such species, as may be imposed through subsequent consultation, if necessary.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		
<p>Impact 4.4-2 The Proposed Project has</p>	PS	The following mitigation measure applies to Sites 2 through 18:	LS	<p>Finding Implementation of Mitigation Measure 4.4-2 which has been required</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>the potential to adversely affect special-status wildlife species.</p>		<p><i>Valley Elderberry Long Beetle</i> MM 4.4-2a Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 3-9): Conduct surveys for the elderberry shrub VELB host plant prior to site disturbance within riparian or wetland areas depicted in the ESA figures in Section 3.0: Project Description. Prior to development, any elderberry shrubs measuring 1.0 inch or greater in diameter shall be mapped and clearly marked in the field. At all times during development of the project, developers shall comply with the conservation guidelines set forth in USFWS’s Conservation Guidelines for the Valley Elderberry Longhorn Beetle (July 9, 1999), which guidelines generally require a buffer of 100 feet around each elderberry shrub with stems measuring 1.0 inch or greater in diameter at ground level. If encroachments into the ESA are required, consultation with USFWS shall be required as contemplated by USFWS 1999 Guidelines. Mitigation for impacts on VELB habitat shall be determined via consultation with USFWS pursuant to</p>		<p>or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR. Explanation A Biological Inventory Report was prepared by Dudek, February 2013 (DEIR, Appendix C). The Biological Inventory Report identified seven special-status wildlife species that are considered to have the potential to occur on the 18 rezone sites and could be adversely affected either directly or indirectly by future site development. Potential habitat for the Valley Elderberry Long Beetle, nesting raptors and songbirds, Foothill yellow-legged frog, western pond turtle, and other aquatic species. To offset this impact, Mitigation</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>Section 7, Section 10, or USFWS 1999 Guidelines, as applicable, and may include onsite mitigation planting or the purchase of mitigation credits from an approved conservation bank. To avoid adverse effects on VELB, Mitigation Measures 4.4-1a, and 4.4-1c shall be implemented to ensure avoidance of elderberry shrubs and appropriate protection for this species. If necessary, agency-approved mitigation developed through the permitting process would establish the appropriate and required mitigation for impacts to this species. Note: If VELB is de-listed by the USFWS or if there is any change in the listing status of this species, the USFWS guidance in effect at the time of site development shall be followed for impacts to VELB and elderberry shrubs. Additionally, if development does not occur within 5 years on any of the proposed project sites, additional surveys would be required upon development to reassess the location of the elderberry shrub VELB.</p> <p>Enforcement / Monitoring Agency: For Sites 2-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites: MM 4.4-2b Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within</p>		<p>Measures 4.4-2a to 4.4-2c will be implemented to require additional site surveys prior to any disturbance of a site to reassess existing biological conditions and to identify an action plan that may include establishment and avoidance of Environmentally Sensitive Areas (ESAs) unless otherwise mitigated, establishing buffers from sensitive habitat or species or limiting construction activities or operating periods during the construction phase, Best Management Practices to avoid sensitive habitat, species relocation, and/or issuance of take permits (for the VELB) to reduce potential project effects. Implementation of Mitigation Measures 4.4-1a to -1c will offset any habitat loss and potential adverse effects, thus reducing impacts on sensitive wildlife species to less than significant. (DEIR, p. 4.4-44 to -48)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Conduct Pre-construction Surveys for Nesting Birds. The future developers within the RH Combining District shall avoid disturbance to active nests within or near disturbance areas. To avoid take of any active raptor nest or disturbance of other protected native birds, to the extent feasible, site disturbance shall be avoided from March 1 through August 31, which coincides with the typical nesting season for most common bird species in the region.</p> <p>If construction, grading or other project-related activities will occur during the typical nesting season, a pre-construction nesting survey shall be conducted by a qualified wildlife biologist to determine if any raptors or protected native birds are nesting in or in the immediate vicinity of vegetation that will be removed. The survey shall be conducted within 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and within 30 days prior to the start of work from June through August. If active nests are found in the work area, the biologist shall determine an appropriately</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist, and if necessary, in consultation with the CDFW (and USFWS as appropriate). Buffer widths shall be determined based on the nesting species and its sensitivity to disturbance. The no-work buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Monitoring of nest activity by a qualified biologist may be required if the project-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity shall commence within the no-work buffer area until a qualified biologist confirms that the nest is no longer active.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites: MM 4.4-2c Protect Special-Status Wildlife Species: Where construction of future development projects within RH Combining District would occur within or near known or potential habitat for special-status species, as defined</p>		

S – Significant

PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

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N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>the following measures shall be implemented:</p> <p>Employ Approved Biological Monitors: Prior to commencement of grading for any phase of the project or portion thereof, a project biologist should be designated as an environmental monitor. The qualified biologist should be approved by the County and shall be present at clearing and grubbing stage or as mandated through the regulatory permitting process. Qualified biologists shall be responsible for pre-construction surveys, staking sensitive resources, onsite monitoring, documentation of violations and compliance, coordination with contract compliance inspectors, and post-construction documentation.</p> <p>Foothill Yellow-legged Frog. Suitable breeding, aestivation, and dispersal habitat for the foothill yellow-legged frog is present along perennial waterways within several of the proposed rezone sites. If disturbance would occur within 100 feet of known or potential habitat for foothill yellow-legged frog (i.e., perennial streams), pre-construction surveys shall be conducted to determine if this species is present in the disturbance area. If surveys determine that foothill yellow-legged frogs are present, a determination shall be made in consultation with CDFW as to whether or not construction would adversely impact this species and</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, or other measures approved by CDFW.</p> <p>Western Pond Turtle. Potential basking, foraging, and dispersal habitat for the western pond turtle is present along perennial waterways within some of the RH Combining District. Where disturbance would occur within 200 feet of potential habitat for western pond turtle (i.e., near perennial streams), pre-construction surveys shall be conducted to determine whether the proposed disturbance would adversely affect this species. This determination shall be made by a qualified biologist based on the suitability of the affected habitat for this species and/or the presence or absence of this species in the affected area as determined by surveys of suitable habitat. If pond turtles are observed, a determination shall be made in consultation with CDFW as to whether or not construction will adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, relocation, or other measures approved by CDFW.</p> <p>Other Special-Status Wildlife Species. Prior to approval of a Site Plan, grading plan, or any permit authorizing</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the site has been assessed for habitat suitability for special-status species of wildlife and that appropriate surveys have been carried out, as necessary, and according to the protocol of State or federal agencies with jurisdiction over the special-status species under review. Should any special-status species be identified, the developer shall retain a qualified biologist to develop and oversee implementation of a management plan. Depending on the species identified, appropriate measures could include avoidance, impact minimization, relocation or other measures and must incorporate measures to satisfy regulatory requirements of agencies with jurisdiction over the species at issue (Mitigation Measure 4.4-1b). Where onsite avoidance is feasible, barrier fencing, stakes, flagging or other measures shall be implemented prior to site disturbance to ensure impacts are avoided.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		
<p>Impact 4.4-3 The Proposed Project has</p>	PS	The following mitigation measure applies to Sites 2, 3, 7, 8 within the Grass Valley SOI.	LS	<p>Finding Implementation of Mitigation Measures 4.4-3a to 4.4-3b which have</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>the potential to directly impact wetlands and riparian areas due to vegetation removal and to indirectly affect wetlands by altering hydrology, increasing erosion and sedimentation, and/or adversely affecting water quality.</p>		<p>MM 4.4-3a</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the Grass Valley Planning Department:</p> <p>Develop and implement a Wetland and Riparian Mitigation Monitoring Program that provides measures that avoid, minimize, and compensate for damages and/or losses of wetland and riparian vegetation resulting from the future development proposals by completing the following:</p> <ul style="list-style-type: none"> • Avoidance of wetlands and riparian areas through project design. • Maximum avoidance of wetlands and riparian areas by including fencing and using appropriate buffer zones during construction activities. Unless otherwise required through consultation with State and federal agencies, the minimum development-free setback from the top of creek bank for linear water features shall be 50 feet. For non-linear wetlands or Waters of the U.S., the minimum development-free setback shall be 25 feet. Development-free shall mean building construction and grading. 		<p>been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation A Biological Inventory Report was prepared by Dudek, February 2013 (DEIR, Appendix C). The Biological Inventory Report identified wetland and riparian areas on several of the 18 rezone sites. Therefore, future development of the sites would have the potential to directly impact wetlands and riparian habitat through vegetation removal, as well as to indirectly affect wetlands by altering existing hydrology, increasing erosion or sedimentation, and/or adversely affecting water quality.</p> <p>Implementation of Mitigation Measure</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<ul style="list-style-type: none"> • Provide measures for creek enhancement and added habitat value. • If wetlands cannot be avoided, a minimum 1:1 replacement ratio to compensate for lost extent and functioning of wetland areas. • Supervision and verification of the implementation of adopted measures, including provisions for an onsite Environmental Monitor (a qualified biologist approved by the City, USFWS and CDFW) during construction activities. <p>Unavoidable direct impacts on wetland vegetation types during construction of future development projects on Sites 2, 3, 7, and 8 shall require consultation with the appropriate jurisdiction (USACE and RWQCB) and would require a permit from these agencies. Potential impacts shall be mitigated by restoration of the affected area to pre-construction conditions, offsite compensatory mitigation, or purchase of credits in a mitigation bank, in accordance with permits issued by the ACOE, RWQCB and CDFW.</p> <p>Enforcement / Monitoring Agency: For Sites 2, 3, 7, 8, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>		<p>4.4-3a will require the developer to prepare and implement a mitigation monitoring program to reduce or avoid potential impacts on wetlands and riparian areas where such habitat is identified and may be impacted by development. Mitigation Measure 4.3b will further ensure that impacts on wetlands are reduced by requiring that a formal wetland delineation be conducted for areas that will be permanently or temporarily impacted by the proposed project, and that appropriate permits are obtained prior to any ground disturbance and that appropriate compensatory mitigation, if required, is provided to achieve a no net loss of waters of the U.S. With implementation of Mitigation Measure 4.4-3, the potential significant impact to sensitive wetlands or riparian habitats due to vegetation removal or alteration of existing hydrology and water quality will be less than significant. (DEIR, p. 4.4-48 to -51)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>The following mitigation measures apply to Sites 10 – 13, and 17:</p> <p>MM 4.4-3b</p> <p>Where potential wetland impacts are involved, the following mitigation measure would apply.</p> <p>A formal wetland delineation shall be conducted for areas that will be permanently or temporarily impacted by the proposed project including driveway improvements where access to the site would otherwise be prohibited. If jurisdictional waters cannot be avoided, the project developer shall apply for a CWA Section 404 permit from the USACE and a Section 401 permit from the RWQCB. These permits shall be obtained prior to issuance of grading permits and implementation of the proposed project.</p> <p>The project developer shall ensure that the project will result in no net loss of waters of the U.S. by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permits. Mitigation must also be consistent with any permitting requirements of the CDFW Section 1602 Streambed Alteration Agreement.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This last type of compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The project proponent/permit applicant retains responsibility for the implementation and success of the mitigation project. Written documentation of compliance with this mitigation measure shall be provided to the County prior to construction and grading activities for the proposed project. Enforcement / Monitoring Agency: County of Nevada.		
Impact 4.4-4 The Proposed Project has the potential to indirectly impact sensitive aquatic	PS	The following mitigation measure applies to Sites 2-9, 10-13, 17, and 18: Implement MM 4.4-1a, 4.4-3a and 4.4-3b. Enforcement / Monitoring Agency: For Sites 2-9, City of	LS	Finding Implementation of Mitigation Measure 4.4-4 which has been required or incorporated into the project will reduce this impact to a less than

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
habitat as a result of erosion, sedimentation, and/or contamination.		Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.		<p>significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation A Biological Inventory Report was prepared by Dudek, February 2013 (DEIR, Appendix C). Aquatic habitat degradation within and adjacent to future construction areas associated with future development of the RH Combining District sites could occur due to erosion of exposed soils or contaminants associated with construction activities. Implementation of Mitigation Measure 4.4-1a, as discussed above, and Mitigation Measure 4.10-1a, as discussed in Section 4.10 (Hydrology and Water Quality), would reduce impacts resulting from erosion or contamination to a less than significant level. Further, implementation of Mitigation Measure</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				4.4-3 will require the developer to prepare and implement a mitigation monitoring program to reduce or avoid potential impacts on wetlands and riparian areas where such habitat is identified and may be impacted by development. Implementation of Mitigation Measure 4.4-4 will reduce project impacts on sensitive aquatic habitat as a result of erosion, sedimentation, and/or contamination to less than significant. (DEIR, p. 4.4-51)
<p>Impact 4.4-5 The Proposed Project would impact oak woodland habitat.</p>	PS	<p>The following mitigation measure applies to Sites 13 through 18: MM 4.4-5 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall prepare an oak woodland Management Plan (Management Plan) as required under the Nevada County Tree Preservation and Protection Ordinance. The Management Plan shall specify measures to mitigate for the loss of oak woodland habitat values as a result of site development to ensure no net loss of oak woodland habitat. Measures could include preservation</p>	LS	<p>Finding Implementation of Mitigation Measure 4.4-5 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR. Explanation A Biological Inventory</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>of onsite oak woodlands in a conservation easement, purchase and preservation of offsite oak woodlands, on or offsite enhancement of degraded oak woodlands, or by paying in-lieu fees into a County-approved fund used to purchase and preserve comparable oak woodland communities in the region.</p> <p>The Management Plan shall also include measures to protect trees during construction and following site development. Measures could include specifications for protective fencing and construction buffers, project design modifications, woodland maintenance prescriptions for fuel reduction, forest health, and habitat improvements, and specifications for appropriate uses of the woodland area following site development. The plan shall identify financial responsibility and funding sources for all measures.</p> <p>Enforcement / Monitoring Agency: County of Nevada.</p>		<p>Report was prepared by Dudek, February 2013 (DEIR, Appendix C). The Biological Inventory Report determined that several of the project sites contain oak woodland habitat, and that future development of these sites could result in impacts to up to approximately 31 acres of oak woodlands, which would be a significant impact. To offset such impacts, Mitigation Measure 4.4-5 will be required to ensure preparation and implementation of an oak woodland Management Plan that will identify proper mitigation for impacts to oak woodlands habitat. Mitigation Measure 4.4-5 will ensure that a no net loss of oak woodlands as a result of site development and ongoing protection of oak woodlands following construction will be achieved. Compliance with the Nevada County Tree Preservation and Protection Ordinance and implementation of Mitigation Measure 4.4-5 will reduce the potential significant impact to oak woodlands habitat to less</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				than significant. (DEIR, p. 4.4-51 to -53)
Air Quality				
<p>Impact 4.5-1 The Proposed Project would result in temporary construction related dust and vehicle emissions during construction within the project area.</p>	PS	<p>The following mitigation measures apply to all sites.</p> <p>MM 4.5-1a Prior to the issuance of grading permits, all construction contracts shall include dust control mitigation requirements. All construction improvement plans shall require the following:</p> <ul style="list-style-type: none"> • All construction activities shall be subject to the requirements of the NSAQMD’s Regulation 2, Rule 226 regarding dust control. • Alternatives to open burning of vegetative material on the project site shall be used unless deemed infeasible by the NSAQMD. Suitable alternatives are chipping, mulching, or conversion to biomass fuel. • Contractors shall be responsible for ensuring that adequate dust control measures are implemented in a timely manner during all phases of project development and construction. • 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 violation of an 	SU	<p>Finding Implementation of Mitigation Measure 4.5-1 which has been required or incorporated into the project will help to offset this impact. With implementation of Mitigation Measure 4.5-1a and applicable Northern Sierra Air Quality Management District (NSAQMD) regulations, construction emissions would be reduced. However, due to the scale of the project and extent of fugitive dust, reactive organic gases (ROG), and exhaust emissions, construction activities would result in increased concentrations of nonattainment pollutants (i.e., O₃ and PM₁₀).</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the potential environmental effects identified in Impact 4.5-1. Incorporation of emissions reduction measures would not inherently reduce impacts to less than significant</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>ambient air standard. Watering shall occur at least twice daily, with complete site coverage, preferably in the mid-morning and after work is completed each day.</p> <ul style="list-style-type: none"> • All areas (including unpaved roads) with vehicle traffic shall be watered or have a dust palliative applied as necessary for stabilization of dust emissions. • All onsite vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. • All land clearing, grading, earth moving or excavation activities shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour. Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by the County and/or applicable local agencies. • Construction activities shall be scheduled to direct construction traffic flow to off-peak hours as much as possible. • All inactive portions of the construction site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, apply nontoxic soil stabilizers (according to manufacturer's 		<p>levels. Further, it is unknown when the project sites would be under construction or which of the sites would be under construction simultaneously. Therefore, impacts relative to air emissions from fugitive dust, ROG, and exhaust associated with construction activities would be significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.5-1 be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation Construction activities for residential projects would generate air pollutant emissions during site grading, operation of construction equipment, and vehicle activities. Future construction-related emissions could lead to the violation of an applicable air quality standard or contribute substantially to an existing or projected air quality violation.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with County standards. Acceptable materials that may be used for chemical soil stabilization include petroleum resins, asphaltic emulsions, acrylics, and adhesives, which do not violate Regional Water Quality Control Board or California Air Resources Board standards.</p> <ul style="list-style-type: none"> • Track-out devices (e.g., gravel pads, wheel shakers, etc.) or wheel washers shall be installed where project vehicles and/or equipment enter and/or exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip, as necessary to prevent visible dust emissions from adhering dirt or deposition on roadways. • All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance. • Ground cover shall be re-established onsite through seeding and watering in accordance with the local grading ordinance. • All mobile and stationary equipment shall be properly maintained. • The County shall require projects to utilize best management practices and the use of construction 		<p>Mitigation Measure 4.5-1a specifies dust control measures during construction activities to reduce fugitive dust emissions that would result from emissions through grading, excavation, trenching, filling, and other construction activities. Further, in addition to gaseous and particulate emissions, the application of asphalt and surface coatings will create ROG emissions, which are ozone precursors. All architectural coatings for proposed project structures within the candidate sites will be required to adhere to specifications on painting practices as well as regulating the ROG content within paint, as specified in Mitigation Measure 4.5-1b. Standard NSAQMD regulations, such as maintaining all construction equipment in proper tune and shutting down equipment when not in use for extended periods of time, will also be adhered to and will reduce project-generated emissions. Additionally, due to the potential for naturally occurring asbestos to be</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>equipment that meets applicable non-road diesel fuel emission standards.</p> <p>MM 4.5-1b The following measures shall be implemented by the contractor to reduce ROG emissions resulting from application of architectural coatings:</p> <ul style="list-style-type: none"> • Use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; • Use required coatings and solvents with a low ROG content VOC pursuant to the limits in the U.S. EPA National Architectural Coating Rule (40 CFR Part 59); and • Use pre-painted construction materials. <p>MM 4.5-1c During ground disturbance activities associated with the Grass Valley candidate sites, the construction contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing Naturally Occurring Asbestos (NOA) (Section 93105 and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and surface mining operations, as well as surfacing applications. It should be noted that this mitigation measure applies to</p>		<p>present within the Grass Valley candidate sites, Mitigation Measure 4.5-1c will be implemented to reduce potential impacts to a less than significant level.</p> <p>Even without the Project, the condition of nonattainment pollutants within the region will still occur. The County’s General Plan recognizes that some level of growth is needed in order to maintain an economic viable community and to house its aging population. Even though total reduction of project emissions is not feasible to eliminate the potential impacts, the project offers a variety of specific on-site conditions that substantially reduce project emissions. Implementation of Mitigation Measures 4.5-1a to 4.5-1c will reduce project emissions, but not to below a level of less than significant. (DEIR, p. 4.5-12 to -16)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		the candidate sites within the Grass Valley sphere of influence. NOA is not anticipated to occur within the candidate sites in Penn Valley or Lake of the Pines. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		
Impact 4.5-2 The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.	PS	The following mitigation measures apply to all sites. MM 4.5-2a Prior to the approval of any site plans, the Planning Director or City of Grass Valley Planning Director for Sites 1-9 shall confirm that all project plans incorporate the suggested mitigation measures for mobile source emissions identified in the NSAQMD Draft Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects (Draft Guidelines). These measures include the following: <ul style="list-style-type: none"> • Streets shall be designed to maximize pedestrian access to transit stops. • Provide for onsite road and offsite bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by local transportation planning agencies. • Larger projects may be required to contribute a proportionate share to the development and/or 	SU	Finding Implementation of Mitigation Measures 4.5-2a to -2c are required and will help offset emission impacts at the project sites. However, operational emissions from buildout of the candidate sites would exceed the NSAQMD thresholds for ROG and NO _x . Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the potential environmental effects identified within Impact 4.5-2. Incorporation of emission reduction measures would not inherently reduce impacts to less than significant levels. Therefore, impacts relative to an increase in local and regional mobile and stationary source emissions,

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc.</p> <ul style="list-style-type: none"> • Provide for pedestrian access between bus service and major transportation points within the project, where feasible. • Contribute to traffic-flow improvements (i.e., right-of-way, capital improvements, etc.) that reduce emissions and are not considered as substantially growth inducing. • Larger projects may be required to provide for, contribute to, or dedicate land for the provision of offsite bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countrywide bikeway plan. <p>MM 4.5-2b Only natural gas/liquefied petroleum gas (LPG) fireplaces or stoves shall be permitted within the candidate sites. EPA Phase II-certified wood-burning fireplaces or stoves may be used if natural gas/LPG fireplaces or stoves are considered infeasible based on consultation with the County and NSAQMD. Conventional open-hearth fireplaces shall not be permitted.</p>		<p>which will exceed air quality standards, will be significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.5-2 be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation Operational emissions would be generated by both stationary and mobile sources due to normal day-to-day activities occurring in candidate sites area after development. Implementation of the proposed Housing Element will allow for future development of a maximum 2,675 additional housing units within the candidate areas. Development of these additional housing units would generate increased operational air emissions. Operational emissions from buildout of the candidate sites would exceed the NSAQMD thresholds for ROG and NO_x. Mitigation Measure 4.5-2a would</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		<p>incorporate transit measures to reduce mobile source emissions, and Mitigation Measure 4.5-2b would reduce area source emissions by allowing only natural gas/LPG fireplaces or stoves. Although Mitigation Measure 4.5-2b would reduce hearth-related (wood burning fireplaces or stoves) emissions, the combination of mobile source and remaining area source emissions would still exceed the NSAQMD operational thresholds.</p> <p>Environmental review of future projects within the candidate sites as part of the Housing Element Rezone Implementation Program may require additional project-specific mitigation to reduce project impacts to less than significant levels. Due to the substantial amount of development that would be accommodated by the proposed Housing Element Rezone, long-term operational impacts would be significant and unavoidable. (DEIR, p. 4.5-16 to -20)</p>
Impact 4.5-5	PS	The following mitigation measure applies to all sites:	SU	Finding Implementation of Mitigation Measure 4.5-5 is required and will help

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PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

SU – Significant and Unavoidable

N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>The Project may not be consistent with the air quality attainment plan (AQAP) criteria.</p>		<p>Implement MM 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, and 4.5-2b. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>offset impacts resulting with the proposed project. However, as identified in Impacts 4.5-1 and 4.5-2, the project will result in emissions that exceed significance thresholds developed by the NSAQMD for criteria pollutants to assist in implementing attainment plans for the area. As identified in Impacts 4.5-1 and 4.5-2 above, the proposed project would result in significant air quality impacts and would therefore conflict with the applicable air quality management plans. This is considered to be a significant and unavoidable impact.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the potential environmental effects identified within Impact 4.5-5. Additional mitigation will not reduce the effects to less than significant. The effects therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.5-5 be adopted. The Board</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>concludes that the project’s benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation Significance thresholds have been developed by the NSAQMD for criteria pollutants to assist in implementing attainment plans for the area. Assessment of air quality impacts of the project in relation to these significance thresholds determines whether or not the project is consistent with applicable air quality management plans. Impacts relative to NSAQMD thresholds are identified under the Short-Term (Construction) and Long-Term (Operational) Impact Analyses (refer to Impacts 4.5-1 and 4.5-2). Based on the analysis provided in the DEIR, and following implementation of recommended mitigation measures, the proposed project would result in significant air quality impacts and would, therefore, conflict with the applicable air quality management plans. Further, the</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				Housing Element Rezone Implementation Program would require amendments to the Zoning Map and the General Plan Land Use Map to increase the allowed density within the rezoned areas and therefore would exceed the growth projections in the area. Additionally, the significant air quality impacts could contribute to a pollutant for which the area is nonattainment. Therefore, the project would not be consistent with the air quality attainment plan (AQAP) criteria, and impacts would remain significant and unavoidable. (DEIR, p. 4.5-22 to -23)
<p>Cumulative Impact The Project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area</p>	PS	<p>The following mitigation measure applies to all sites: Implement MM 4.5-1a, 4.5-1b, and 4.5-2. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	SU	<p>Finding Implementation of this Mitigation Measure is required and will help offset impacts resulting with emissions generated by the proposed project. However, as identified in Impacts 4.5-1 and 4.5-2, the project will result in emissions that exceed significance thresholds developed by the NSAQMD for criteria pollutants. Changes or alterations have been</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
classified as nonattainment for federal and State O ₃ and State PM ₁₀ standards.				<p>required in or incorporated into the project that substantially lessen but do not completely avoid the potential environmental effects. Additional mitigation will not reduce the effects to less than significant. The effects therefore remain significant and unavoidable.</p> <p>The Board hereby directs that this Mitigation Measure be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation The County is within an area classified as nonattainment for federal and State O₃ and State PM₁₀ standards. In order to improve air quality and attain the health-based standards, reductions in emissions are necessary within the nonattainment area. The project will result in additional vehicular travel to and from the candidate sites, with the resultant</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>exhaust emissions that contain ozone precursors and particulate matter. Construction impacts, coupled with existing conditions, could create cumulative impacts from particulate matter generation. Further, the rapid growth and combined population, vehicle usage, and business activity within western Nevada County, to which the project would cumulatively contribute, would either delay attainment of the standards or require the adoption of additional controls on existing and future air pollution sources to offset project-related emission increases.</p> <p>The proposed project and related cumulative projects would comply with NSAQMD rules and requirements, and implement all feasible mitigation measures. Impacts relative to NSAQMD thresholds are identified under the Short-Term (Construction) and Long-Term (Operational) Impact Analyses (refer to Impacts 4.5-1 and 4.5-2). Based</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				on the analysis provided in the DEIR, and following implementation of recommended Mitigation Measures 4.5-1 and 4.5-2, the proposed project would result in significant air quality impacts. The proposed project would exceed the NSAQMD thresholds of significance during project operations for regional criteria pollutants and would be required to implement features identified by the NSAQMD Draft Guidelines to mitigate emissions. However, on a cumulative basis, operational impacts from mobile and area sources would be significant and unavoidable. (DEIR, p. 5-10 to 5-11)
Greenhouse Gas Emissions				
Impact 4.6-1 Greenhouse gas emissions generated by the Project would have a significant impact on the environment.	PS	The following mitigation measure shall apply to all sites. Prior to the issuance of a building permit for a development within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9): Demonstrate that the proposed development has	SU	Finding Implementation of mitigation identified for greenhouse gas emissions will help offset impacts resulting from GHG emissions generated by the proposed project. However, due to the amount of development that would be accommodated by the proposed Housing Element Rezone, GHG emissions would

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>satisfied CALGreen Building Code Tier 1 standards (Title 24, Part 11). The CALGreen standards for residential development are located in Appendix A4 of the Green Building Standards and are intended to provide developers with specific options to construct energy efficient buildings. The more energy efficient the building design and construction, the fewer greenhouse gas emissions from the building over its lifetime. These standards include specific requirements in order to demonstrate that the project has an energy budget no greater than 85 percent of what is allowed by Title 24, Part 6 energy budget. The budget is calculated based on Compliance Software designed by Energy Commission. Appendix A4 of the CALGreen Building Code includes a range of voluntary measures that the developer may select in order to meet reduce the overall energy budget of the development. Such measures include water efficient appliances for indoor water use (Section A4.303), efficient irrigation systems for outdoor water use (Section A4.304), using material sources that are made of recycled content or from rapidly renewable sources (Section A4.405), and energy efficient heating and cooling systems Section A4.207). Implementation of the measures would reduce greenhouse gas emissions from the project.</p>		<p>be significant and unavoidable. Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the potential environmental effects. Additional mitigation will not reduce the effects to less than significant. The effects therefore remain significant and unavoidable. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations. <u>Explanation</u> Emissions modeled for the proposed project sites assumed the maximum development potential. Although implementation of the CalGreen Building Code and General Plan policies would reduce project-related GHG emissions, GHG reductions as a result of these policies have not been quantified.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		<p>However, the degree and extent of future project compliance with the General Plan policies and implementation measures is not yet known, and the project details necessary to calculate emission reductions are not available at this time.</p> <p>For these reasons, GHG impacts associated with implementation of the Housing Element Rezone are considered significant and unavoidable. (DEIR, p. 4.6-11 to -15)</p>
<p>Cumulative Impact Additionally, the Housing Element Rezone’s GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be</p>	PS	No additional mitigation has been identified.	SU	<p>Finding Implementation of the mitigation identified for greenhouse gas emissions and air quality impacts will help offset impacts resulting from GHG emissions generated by the proposed project. However, the project will result in GHG emissions that would be cumulatively considerable and would potentially hinder the intent and statewide reduction goals of AB 32.</p> <p>Changes or alterations have been required in or incorporated into the</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
cumulatively considerable, and would potentially hinder the intent and statewide reduction goals of AB 32.				<p>project that substantially lessen but do not completely avoid the potential environmental effects. Additional mitigation will not reduce the effects to less than significant. The effects therefore remain significant and unavoidable.</p> <p>The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Implementation of the Housing Element Rezone Program would result in a significant impact regarding GHG emissions, as the project would result in an increase of GHG emissions under buildout conditions. GHG impacts are recognized as exclusively cumulative impacts. The additive effect of project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. However, as analysis for the proposed project is programmatic at</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				this stage, GHG impacts associated with implementation of the Housing Element Rezone will result in a significant impact regarding GHG emissions, due to the amount of development that will occur in the County. Additionally, the Housing Element Rezone’s GHG emissions, in combination with GHG emissions from other known and reasonably foreseeable projects, would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would potentially hinder the intent and statewide reduction goals of AB 32. Impacts will therefore be significant and unavoidable, and no additional mitigation has been identified to further reduce project impacts. (DEIR, p. 5-11 to -12)
Cultural Resources				
Impact 4.7-1 The Proposed Project could potentially result in the damage or	PS	The following mitigation measure pertains to Sites 2, 3, 7-9, 11 and 13. MM 4.7-1	LS	Finding Implementation of Mitigation Measure 4.7-1 which has been required or incorporated into the project will reduce this impact to a less than

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
destruction of unique archaeological resources, as defined by Public Resources Code §21083.2(g), and historical resources, as defined by CEQA Guidelines §15064.5(a).		<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Establish areas with potentially significant cultural resources as Environmentally Sensitive Areas consistent with the mapped areas in Figures 3-15 through 3-24 of this EIR. Prior to construction, all potential prehistoric and historic resources shall be designated as an ESA on project plans and specifications. No construction shall be permitted within the ESAs.</p> <p>Enforcement / Monitoring Agency: For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 11 and 13.</p>		<p>significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation A <i>Cultural Resource Inventory</i> was prepared for the project by Peak & Associates, Inc. in January 2013 (DEIR, Appendix D). Implementation of Mitigation Measure 4.7-1 provides additional assurance that known (and unknown) archaeological resources (e.g. prehistoric archaeological sites, historical archaeological sites, isolated artifacts or features) are protected from ground disturbing activities during the construction phase by requiring Environmentally Sensitive Areas to be identified on the project plans and specifying that no construction activities shall occur within these areas. Implementation of Mitigation Measure</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				4.7-1 will ensure that all project construction activities are distanced from sensitive cultural sites to reduce potential impacts to known (and unknown) cultural resources to less than significant. (DEIR, p. 4.7-9 to -13)
<p>Impact 4.7-2 The Proposed Project could potentially result in the damage or destruction of unknown paleontological resources.</p>	PS	<p>The following mitigation measure applies to all sites.</p> <p>MM 4.7-2</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified paleontologist that states one of the following:</p> <p>Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the County (or City as applicable) shall be immediately notified. A qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The County (or City as applicable) and the project developer shall consider the recommendations</p>	LS	<p>Finding Implementation of Mitigation Measure 4.7-2 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation A Cultural Resource Inventory was prepared for the project by Peak & Associates, Inc. in January 2013 (DEIR, Appendix D). Implementation of Mitigation Measure 4.7-2 will provide additional assurance</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>of the qualified paleontologist. The County (or City as applicable), the qualified paleontologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City as applicable), the qualified paleontologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, qualified paleontologist, and the County (or City as applicable), as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>that any unknown paleontological resources on the project sites are protected through the requirement for additional site evaluation by a qualified paleontologist, if such resources are uncovered during ground-disturbing activities. Implementation of Mitigation Measure 4.7-2 will ensure that any paleontological resources discovered during the project construction phase will be protected consistent with the recommendations of a qualified paleontologist and will be appropriately documented, evaluated, and/or recorded, thereby reducing impacts to less than significant. (DEIR, p. 4.7-13)</p>
<p>Impact 4.7-3 The Proposed Project could potentially result in the damage or destruction of unknown archaeological resources, including human remains.</p>	<p>PS</p>	<p>The following mitigation measure applies to all sites. MM 4.7-3 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the Director of the County</p>	<p>LS</p>	<p>Finding Implementation of Mitigation Measure 4.7-3 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified archaeologist that states the following:</p> <p>A. The project developer shall retain a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. If no cultural resources are identified during this phase of ground disturbance, and if determined between the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status. If any prehistoric or historic artifacts or other indications of archaeological resources are found during site grading or once project construction is under way, the on-site monitor shall be empowered to temporarily halt or divert construction in the immediate vicinity of the discovery while it is evaluated for significance, and the County (or City as applicable) shall be immediately notified. Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The</p>		<p>changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation A <i>Cultural Resource Inventory</i> was prepared for the project by Peak & Associates, Inc. in January 2013 (DEIR, Appendix D). Implementation of Mitigation Measure 4.7-3 provides additional assurance that unknown cultural resources, including human remains, are protected from ground disturbing activities during the project construction phase. Mitigation Measure 4.7-3 provides additional assurance that undiscovered cultural resources (e.g. prehistoric archaeological sites, historical archaeological sites, isolated artifacts and features, and/or human remains) will be further investigated by requiring additional site monitoring for all ground-disturbing activities in native soil or sediments, including vegetation removal.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>County and the project developer will consider the recommendations of the qualified archaeologist. The County (or City as applicable), the qualified archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County, the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency as to the appropriate preservation or mitigation measures.</p> <p>B. Should cultural resources, other than human remains, be discovered during construction activities when an archaeological monitor is not present, project personnel shall halt such activities in the immediate area and notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of</p>		<p>Implementation of Mitigation Measure 4.7-3 will ensure that any cultural resources discovered during construction activities will be protected, reducing potential impacts to less than significant. (DEIR, p. 4.7-14, -15)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		mitigation measures for potentially significant resources consistent with PRC Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County (or City, as applicable) and the project developer will consider the recommendations of the qualified archaeologist. The County (or City, as applicable), the qualified archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City, as applicable), the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures. Should the discovery include Native American human		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		remains, in addition to the required procedures of Health and Safety Code Section 7050.5, PRC Section 5097.98 and California Code of Regulations (CCR) Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Sections 15064.5(d) and (e) shall be followed. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		
Geology and Soils				
Impact 4.8-1 The Proposed Project could expose people or structures to potentially substantial adverse effects including the risk of loss, injury, or death as a result of secondary seismic hazards (ground shaking, differential	PS	The following mitigation measure applies to all sites: MM 4.8-1 Prior to issuance of grading permits for development projects (or as part of the annexation request for sites 1-9) within the proposed project sites, a design-level investigation should be performed to ensure the findings of the Preliminary Geotechnical Engineering Report for Housing Element Rezone, Nevada County, California have been incorporated in the project design. Enforcement / Monitoring Agency: For Sites 1-9, City of	LS	Finding Implementation of Mitigation Measure 4.8-1 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
compaction, liquefaction, seismically induced flooding and landslides).		Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		identified in the DEIR. Explanation Implementation of Mitigation Measure 4.8-1 provides additional assurance that any known (or unknown) geologic hazards or conditions underlying the project sites are further evaluated through a design-level geotechnical investigation. Although a preliminary geotechnical investigation has been completed, a design-level investigation will allow for identification of site-specific conditions and for design measures to be identified, as appropriate, to ensure structural safety and integrity during seismic events. Implementation of Mitigation Measure 4.8-1 will reduce the potential for hazards to occur as the result of secondary seismic hazards to less than significant. (DEIR 4.8-12 to -13)
Impact 4.8-2 The Proposed Project could result in substantial soil erosion or the loss of topsoil.	PS	The following mitigation measure applies to all project sites: Implement MM 4.10-1b and 4.10-1d. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not	LS	Finding Implementation of Mitigation Measure 4.8-2 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		annexed. County of Nevada for Sites 10-18.		<p>directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.8-2 will reduce the potential risk of ground-disturbing activities during the construction phase to result in an increase in the potential for soil erosion or the loss of topsoil. Mitigation Measure 4.8-2 requires implementation of Mitigation Measures 4.10-1b and 4.10-1d which are aimed at reducing potential soil erosion and the loss of topsoil through the requirement for preparation of a Water Quality Management Plan and implementation of Best Management Practices to minimize runoff volume and improve the quality of any stormwater runoff from the affected project sites.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				Implementation of Mitigation Measure 4.8-2 will reduce the potential for the project to cause substantial soil erosion or the loss of topsoil to less than significant. (DEIR 4.8-13)
<p>Impact 4.8-3 The Proposed Project could be located on a geologic formation unit or soil that is unstable, or that would become unstable as a result of construction, and potentially result in landslides or subsidence.</p>	PS	<p>The following mitigation measure applies to all project sites: Implement MM 4.8-1 and 4.8-3. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to Site 18: MM 4.8-3 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department: Establish areas with slopes greater than 30% as Environmentally Sensitive Areas. Prior to construction, slopes greater than 30% shall be designated as an Environmentally Sensitive Area (ESA) on all Site Plans, grading plans, or any plan authorizing construction for a</p>	LS	<p>Finding Implementation of Mitigation Measure 4.8-3 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.8-3 provides additional assurance that any known (or unknown) geologic hazards or conditions underlying the project site are further evaluated through preparation of a design-level geotechnical investigation</p>

S – Significant

PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

SU – Significant and Unavoidable

N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a mitigation plan approved by the County. The boundaries of the ESAs shall be clearly shown on all final plans and specifications. Enforcement / Monitoring Agency: County of Nevada.		for all sites, as required by implementation of Mitigation Measure 4.8-1. Additionally, for Site 18, the potential for the occurrence of landslides or subsidence on Site 18 will be reduced through identification of Environmentally Sensitive Areas (ESAs) on the property, wherein construction activities are not permitted, unless otherwise determined by the County. By limiting construction activities within such sensitive areas where the potential for geologic hazards is greater, structural damage and/or ground failure resulting from unstable geologic conditions or soils will be avoided. Implementation of Mitigation Measure 4.8-3 will therefore reduce the potential for hazards with regard to unstable geologic conditions or soils as a result of future project construction to less than significant. (DEIR 4.8-14 to -15)
Impact 4.8-4 The Proposed Project could be located on expansive soil, as defined	PS	The following mitigation measure applies to all sites: Implement MM 4.8-1. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not	LS	Finding Implementation of Mitigation Measure 4.8-4 which has been required or incorporated into the project will reduce this impact to a less than

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PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

SU – Significant and Unavoidable

N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>in Table 18-1-b of the Uniform Building Code (1994), creating substantial risks to life or property.</p>		<p>annexed. County of Nevada for Sites 10-18.</p>		<p>significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.8-4 provides additional assurance that any known (or unknown) geologic hazards or conditions underlying the project site are further evaluated through preparation of a design-level geotechnical investigation for all sites, as required by implementation of Mitigation Measure 4.8-1. The design-level geotechnical investigation will allow for the identification of any expansive soils and appropriate recommendations to avoid or minimize construction on such soils to reduce the risk for structural or ground failure. Implementation of Mitigation Measure 4.8-4 will therefore reduce the</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				potential for hazards to occur with regard to project construction on expansive soils to less than significant. (DEIR 4.8-15)
Hazards and Hazardous Materials				
<p>Impact 4.9-4 The Proposed Project would be located within an airport land use plan and could result in a safety hazard for people residing or working in the project area.</p>	PS	<p>The following mitigation measure applies to Sites 3 through 9. MM 4.9-4 All future development in the proposed project proposed within Safety Areas, as designated by the Nevada County Airpark Airport Land Use Compatibility Plan (ALUCP), shall comply with all policies pertaining to safety hazards (including density standards) set forth in the ALUCP on a project-by-project basis, and the recordation of an Avigation Easement. Enforcement / Monitoring Agency: For Sites 3-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	LS	<p>Finding Implementation of Mitigation Measure 4.9-4 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.9-4 will reduce the potential risk of public safety hazards to occur with regard to ongoing operation of the Nevada County Airpark Airport. As the project sites are located within the</p>

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LS – Less Than Significant

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CC – Cumulatively considerable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				boundaries of the Airport Land Use Compatibility Plan for the Airpark, project construction has the potential to result in structural features, land use elements (e.g. large ponds or bodies of water that may attract birds), or visual distractions, that are inconsistent with that identified in the Airport Land Use Compatibility Plan (ALUCP) that may increase safety risks for those choosing to live or work in the area. Implementation of Mitigation Measure 4.9-4 will ensure that future development occurs consistent with all policies established by the ALUCP pertaining to safety hazards on a project-by-project basis. With implementation of Mitigation Measure 4.9-4 and compliance with State and airport regulations pertaining to land use compatibility with airport operations, impacts on people working or residing in the area with regard to airport-related hazards will be reduced to less than significant. (DEIR 4.9-13 to -14)

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LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

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N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>Impact 4.9-6 The Proposed Project could expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.</p>	<p>PS</p>	<p>The following mitigation measure applies to all sites. Implement MM 4.13-1b and 4.13-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>LS</p>	<p>Finding Implementation of Mitigation Measure 4.9-6 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation The Nevada County General Plan and the City of Grass Valley 2020 General Plan indicate that the project region has a generally high potential for wildland fires of devastating intensity. Implementation of the project would therefore have the potential to expose people and structures to hazards involving wildland fires. Future development within the project area will be subject to requirements of the California Government Code and/or the</p>

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CS – Cumulatively Significant

CC – Cumulatively considerable

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N – No Impact

Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				most current California Fire Code to provide specific measures to reduce the risk of wildfire, which may include provision of adequate defensible space around structures, and installation of certain building materials, fire sprinklers/hydrants, and vegetation management systems. Further, the Nevada County General Plan and 2020 General Plan include specific goals, objectives, policies, and implementation strategies that address fire hazard reduction considerations and means of reducing risk from wildland fires. The project would also be required to comply with Nevada County Consolidated Fire Department (NCCFD) Fuel Management and Hazard Reduction Program to ensure compliance with Public Resources Code 4291, intended to reduce the risk of a fire extending from a structure into adjacent wildlands. Additionally, implementation of Mitigation Measures 4.13-1b and 4.13-1c, requiring preparation of vegetation fuel management plans and a demonstration

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LS – Less Than Significant

CS – Cumulatively Significant

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SU – Significant and Unavoidable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				of adequate fire service availability, would ensure that wildland fire-related impacts are minimized. Implementation of Mitigation Measure 4.9-6 will ensure that project impacts resulting from exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires will be reduced to less than significant. (DEIR 4.9-15 to -17)
Hydrology and Water Quality				
<p>Impact 4.10-1 The Proposed Project could violate water quality standards or waste discharge requirements.</p>	PS	<p>The following mitigation measure applies to Sites 10 and 13: MM 4.10-1a Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department:</p> <ul style="list-style-type: none"> Establish all floodplains as Environmentally Sensitive Areas (ESAs) in compliance with the ESA maps in Chapter 3.0. The placement of structures on sites 10 and 13 must avoid the floodplain ESA. Should development within the floodplain ESA be required, then the developer shall obtain a discretionary use 	LS	<p>Finding Implementation of Mitigation Measure 4.10-1a which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Future construction</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>permit for any development within the floodplain and a ministerial management plan for any development within the floodplain 100 foot setback. Prior to construction or vegetation removal, the floodplain ESA shall be designated as an ESA on plans and specifications. All work proposed within the ESA shall not begin until the ESAs are delineated on the ground with orange safety fencing. A biologist shall verify the limits of the ESA fencing on the ground prior to construction. The ESA fences shall remain in place for the entire duration of construction. No earthmoving activities, vehicles, heavy equipment, lay-down areas, or other construction shall be permitted within the ESAs unless as part of a mitigation plan approved by the appropriate permitting agencies. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.</p> <p>Enforcement / Monitoring Agency: County of Nevada.</p> <p>The following mitigation measure applies to all sites: MM 4.10-1b Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning</p>		<p>activities associated with the project sites could negatively affect existing water quality through grading or exposure of soils, erosion, sedimentation, or accidental release of chemicals or fuels in downstream waterbodies. Future development will be required to comply with State and local water quality regulations designed to control erosion and protect water quality during construction, including compliance with the requirements of the NPDES General Permit for Stormwater Discharges Associated with Construction Activity which will require preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs) to address erosion, control of sediment, and the handling of hazardous materials, hydrocarbons, and other construction-related pollutants.</p> <p>Compliance with State, County, and City water quality regulations, as applicable, will reduce construction-related water</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		Department (or City of Grass Valley Planning Department for Sites 1-9) prepare a Water Quality Management Plan that implements the following items: Best Management Practices to protect water quality. The contractor shall implement standard Best Management Practices during and after construction. These measures include, but are not limited to: a) Construction in or near drainages shall only occur during the dry season. b) Coordination with CDFW, U.S. Army Corps of Engineers, and Regional Water Quality Control Board to obtain all required permits and comply with all terms and conditions of the permits. c) At no time shall heavy equipment operate in flowing water or saturated soils. d) Prior to the start of work, 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 drainages. Retain existing ground cover to further reduce the potential impacts of the project on erosion along the steep bank. 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 and transported away for disposal.		quality impacts to a less than significant level. Further, implementation of Mitigation Measures 4.10-1a to -1d will require establishment of all floodplains as Environmentally Sensitive Areas (ESAs) to be avoided; implementation of BMPs to avoid or minimize environmental impacts and ensure that discharges during construction will not cause or contribute to the degradation of water quality in receiving waters; and, protection of watercourses and riparian areas from potentially adverse effects of development. Implementation of Mitigation Measures 4.10-1a to -1d will reduce project impacts relative to the violation of water quality standards or waste discharge requirements to less than significant. (DEIR, p. 4.10-18 to -22)

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>e) Disruption of soils and vegetation near Squirrel Creek (on sites 10 and 13) shall be minimized to limit potential erosion and sedimentation; disturbed areas shall be graded to minimize surface erosion and siltation; bare soils shall be immediately stabilized and re-vegetated. Seeded areas shall be covered with broadcast straw or mulch. If straw is used for mulch or for erosion control, utilize only certified weed free straw to minimize the risk of introduction of noxious weeds, such as yellow star thistle.</p> <p>f) The contractor shall exercise every reasonable precaution to protect nearby water bodies from pollution with fuels, oils, bitumen, calcium chloride and other harmful materials, Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected and removed from the site. No slash or other natural debris shall be placed in or adjacent to water bodies. All construction debris and associated materials and litter shall be removed from the work site immediately upon completion.</p> <p>g) Provide copies of these BMPs to the Contractors and their workers to assure compliance with mitigation measures during construction.</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites: MM 4.10-1c Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the Director of the County Public Works Department (for sites 10-18), or City Engineer (for sites 1-9), a project-specific hydrology report to verify expected pre- and post-project stormwater volumes from the proposed development, projected peak storage capacity of detention basins, and percolation characteristics of the soil. The hydrology reports shall confirm that adequate stormwater conveyance and capacity is available in either the region or onsite basins, depending on the chosen option, as well as no net increase in stormwater flow rate to the County's or City's storm drainage system.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not</p>		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to Sites 1-9: MM 4.10-1d Prior to approval of an annexation request for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the City Engineer (for Sites 1-9), a water quality management plan which include measures that filter pollutants from stormwater in order to ensure that discharged water meets applicable City standards, such as:</p> <p>Source Control BMPs</p> <ul style="list-style-type: none"> • Permeable pavers/pavement • Hybrid parking areas/parking groves • Roof runoff controls (i.e., rain barrels) • Efficient irrigation to minimize runoff of excess irrigation water <p>Treatment Control BMPs</p> <ul style="list-style-type: none"> • Vegetated swales within parking lots • Vegetated swales on lots (adjacent to pads) • Bioretention • Hydrodynamic separators/wet vaults 		

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<ul style="list-style-type: none"> • Drain inserts Flow Control BMPs <ul style="list-style-type: none"> • Detention Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.		
<p>Impact 4.10-2</p> <p>The Proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.</p>	PS	<p>The following mitigation measure applies to all sites:</p> <p>Implement MM 4.10-1c.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	LS	<p>Finding Implementation of Mitigation Measure 4.10-1c which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Future development on the proposed project sites will obtain water service from the Nevada Irrigation District (NID) and will not directly extract groundwater for its water supply.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				However, future development of the project sites will result in a net increase of impermeable surface area that may indirectly impact surface water and groundwater recharge rates. Implementation of Mitigation Measure 4.10-1c will reduce project impacts on groundwater supply and recharge to ensure that adequate stormwater conveyance and capacity is available in either the region or onsite basins. With implementation of Mitigation Measure 4.10-1c, impacts relative to the project’s potential to deplete groundwater supplies or interfere substantially with groundwater recharge will be reduced to less than significant (DEIR, p. 4.10-22)
Impact 4.10-3 The Proposed Project could substantially alter the existing drainage pattern of the site or area, which could result in substantial erosion or siltation on- or off-site.	PS	The following mitigation measure applies to all sites: Implement MM 4.10-1b and 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	LS	Finding Implementation of Mitigation Measures 4.10-1b and 1c which have been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Future development of the project sites would involve vegetation removal, grading, earth excavation and construction of roads, sidewalks, and buildings. Such activities would alter existing drainage patterns and increase the potential for erosion and/or siltation. Implementation of Mitigation Measure 4.10-1b will require preparation of a SWPPP and application of standard erosion control measures (BMPs) during construction to minimize such risks. In addition, implementation of Mitigation Measure 4.10-1c will reduce potential erosion and siltation impacts associated with altering existing drainage patterns over the life of the project . Therefore, implementation of Mitigation Measures 4.10-1b and 1c will reduce impacts relative to potential erosion and siltation to less than significant. (DEIR, p. 4.10-22</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>Impact 4.10-4 The Proposed Project could substantially alter the existing drainage pattern of the site or area, which could substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.</p>	<p>PS</p>	<p>The following mitigation measure applies to all sites: Implement MM 4.10-1b, 4.10-1c and 4.10-1d. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>LS</p>	<p>and -23)</p> <p>Finding Implementation of Mitigation Measures 4.10-1b, 1c, and 1d which have been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Future development of the project sites would involve vegetation removal, grading, earth excavation and construction of roads, sidewalks, and buildings. Such activities would alter existing drainage patterns and increase the potential for stormwater runoff from the site, thereby increasing the risk for the occurrence of flooding.</p> <p>Implementation of Mitigation Measure 4.10-1b will require preparation of a SWPPP and application of standard</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				erosion control measures (BMPs) during construction to minimize such risks. In addition, implementation of Mitigation Measure 4.10-1c will reduce potential erosion and siltation impacts associated with altering existing drainage patterns over the life of the project . Mitigation Measure 4.10-1d will require that the developer prepare a water quality management plan that includes measures (e.g. source control BMPs, treatment control BMPs, and flow control BMPs) to filter pollutants from stormwater to ensure that discharged water meets applicable City standards. Implementation of Mitigation Measures 4.10-1b, 1c, and 1d will therefore reduce potential impacts resulting with the alteration of existing drainage patterns on the project sites that could substantially increase the risk for flooding on- or off-site to less than significant. (DEIR, p. 4.10-23)
Impact 4.10-5 The Proposed Project	PS	The following mitigation measure applies to all sites: Implement MM 4.10-1c.	LS	Finding Implementation of Mitigation Measure 4.10-1c which has been

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
could create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		<p>required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation The proposed project will result in changes to absorption rates, drainage patterns, and the corresponding rate and amount of surface runoff within the project area. Future development will require the construction of adequately- sized storm drainage facilities that would connect to existing storm drainage systems.</p> <p>Implementation of Mitigation Measure 4.10-1c will reduce potential impacts on drainage systems or polluted runoff by requiring project-specific hydrology reports to verify no net increase in stormwater runoff from the project area</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				and require implementation of water quality BMPs. Mitigation Measure 4.10-1c will reduce project impacts resulting from potential exceedance of the capacity of existing or planned stormwater drainage systems or the provision of substantial additional sources of polluted runoff to less than significant. (DEIR, p. 4.10-24)
<p>Impact 4.10-6 The Proposed Project could place housing within a 100-year flood hazard area, or place within a 100-year flood hazard area structures which could impede or redirect flood flows.</p>	PS	<p>The following mitigation measure applies to Sites 10 and 13: Implement MM 4.10-1a. Enforcement / Monitoring Agency: County of Nevada.</p>	LS	<p>Finding Implementation of Mitigation Measure 4.10-1a which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Portions of Sites 10 and 13 in the Penn Valley Area are located within the floodway and 100-year flood hazard area; none of the other sites were</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				identified as being within a 100-year flood hazard area where structures could impede or redirect flood flows. These flood hazards areas have been mapped as Environmentally Sensitive Areas (ESAs) and future development within the ESAs must be avoided. Mitigation Measure 4.10-1a requires that, if residential development were to occur in the ESA, mitigation would require approval of a discretionary use permit for development within the floodplain and a ministerial management permit for development within the 100-foot floodplain setback. Implementation of Mitigation Measure 4.10-1a would reduce potential impacts with regard to flood hazards to less than significant. (DEIR, p. 4.10-24 and -25)
Impact 4.10-7 The Proposed Project could expose people or structures to a significant risk of loss, injury or death involving flooding,	PS	The following mitigation measure applies to Sites 10 and 13: Implement MM 4.10-1a. Enforcement / Monitoring Agency: County of Nevada	LS	Finding Implementation of Mitigation Measure 4.10-1a which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be

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LCC – Less Than Cumulatively Considerable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
including as a result of the failure of a levee or dam.				<p>adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Portions of Sites 10 and 13 in the Penn Valley Area are located within the floodway and 100-year flood hazard area; none of the other sites were identified as being within a 100-year flood hazard area where structures could impede or redirect flood flows. Implementation of Mitigation Measure 4.10-1a is required to ensure that the developer avoids designated ESAs when developing on these project sites. None of the project sites are located downstream of a dam or within a dam inundation area, and therefore, the potential for risk, loss, injury, or death from installation of new structures within dam inundation areas is minimal for the proposed project sites. Implementation of Mitigation Measure 4.10-1a will</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				reduce potential impacts with regard to flood hazards to less than significant. (DEIR, p. 4.10-25)
Noise				
<p>Impact 4.11-1 Construction-related activities resulting from the Proposed Project could generate noise levels in excess of established standards.</p>	PS	<p>The following mitigation measures apply to all sites: MM 4.11-1a Project developers shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the County or City prior to issuance of a grading or building permit (whichever is issued first) or as part of the annexation request for Sites 1-9. The construction BMPs shall include the following:</p> <ul style="list-style-type: none"> • Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. • Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. • Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around 	LS	<p>Finding Implementation of Mitigation Measure 4.11-1a which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.11-1a provides best management practices to ensure that noise generating activities during the construction phase will be reduced. Measures such as requiring the use of manufactured noise control devices (e.g. exhaust mufflers); installation of</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>stationary construction noise sources.</p> <ul style="list-style-type: none"> • Use electric air compressors and similar power tools rather than diesel equipment, where feasible. • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. • Construction shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or legal holidays. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. <p>MM 4.11-1b Project developers shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential</p>		<p>temporary noise barriers; limiting the idling of construction-related equipment (i.e. motor vehicles, portable equipment); routing construction vehicles away from residential areas; and, neighborhood access to the project superintendent, among other measures, will reduce noise-generating activities during construction. Project compliance with the County's and/or City's Noise Ordinance, goals, objectives, and policies in the General Plans, and implementation of recommended Mitigation Measures 4.11-1a and 4.11-1b, will reduce short-term construction noise impacts to less than significant. (DEIR p. 4.11-15 to -17)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the County prior to issuance of a grading permit. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		
Impact 4.11-2 Construction-related activities resulting from the Proposed Project could generate or expose persons or structures to excessive ground-borne vibration.	PS	The following mitigation measure applies to all sites. MM 4.11-2 Future projects shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment would be located as far away from vibration and noise sensitive sites as feasible. Should construction or grading activities take place within 25 feet of an occupied structure, a project specific vibration impact analysis shall be conducted, with appropriate recommendations to ensure vibration levels are below the 0.2 inch-per-second PPV significance threshold at sensitive uses. Contract specifications incorporating this measure shall be included in the proposed project construction documents, which shall be reviewed by the County prior to issuance of a grading permit or by the City as part of the annexation request for Sites 1-9.	LS	<p>Finding Implementation of Mitigation Measure 4.11-2 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.11-2 sets forth the requirement for completion of a project-specific vibration analysis for construction activities within 25 feet of</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.		an occupied structure to ensure that potential ground-borne vibration during construction does not adversely affect nearby receptors. In addition, project adherence to established County and State standards for the reduction of potential ground-borne vibration will reduce project impacts to less than significant. (DEIR, p. 4.11-17 to -19)
<p>Cumulative Mobile Noise The Proposed Project, in conjunction with cumulative projects, would result in significant long-term mobile noise impacts, based on combined and incremental noise levels.</p>	PS	<p>The following mitigation measures apply to all sites: Refer to MM 4.11-1a, 4.11-1b, and 4.11-2. Additional mitigation is not required.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	LS	<p>Finding Implementation of this Mitigation Measure which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measures 4.11-1a, 4.11-1b, and 4.11-2, as indicated in Impacts 4.11-1 and 4.11-2 above, set forth standards</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>for the reduction of construction noise levels and potential ground-borne vibration. Implementation of these mitigation measures will ensure that the project’s potential to contribute to cumulative construction noise impacts is reduced to a less than cumulatively considerable level.</p> <p>Further, future projects proposed under the Housing Element Rezone Implementation Program will introduce the use of stationary equipment that will increase noise levels within the area. However, such long-term stationary noise impacts will be less than significant, and therefore, the project will not contribute to a cumulatively considerable impact, and no mitigation is required. Further, the proposed project, in combination with cumulative background traffic noise levels, will result in a less than significant cumulative impact, and no mitigation is required. For cumulative mobile noise impacts (DEIR, p. 5-14 to 5-17)</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
Population and Housing				
<p>Impact 4.12-1 The Proposed Project would directly induce population growth in the City of Grass Valley.</p>	PS	<p>No feasible mitigation measures have been identified. The County of Nevada does not have land use authority over the City of Grass Valley to amend or alter the City's existing planning policies or the existing General Plan.</p>	SU	<p>Finding The proposed project will induce population growth within the City of Grass Valley. However, as the County of Nevada does not have land use authority over the City of Grass Valley to amend or alter the City's existing planning policies or the existing General Plan, no feasible mitigation measures have been identified to reduce project impacts with regard to population growth. Therefore, potential impacts would remain significant and unavoidable.</p> <p>The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation Development on Sites 1 through 9, located within the Grass Valley Sphere of Influence, will result in a maximum of 1,480 new residential units. Implementation of the proposed project</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>will therefore result in an increase in population of approximately 2,960 future residents in Grass Valley. Based on the Grass Valley 2020 General Plan, the population within the City's Planning Area will be 23,395 residents in 2020. The proposed project's estimated contribution of 2,960 residents located within the City's Sphere of Influence will therefore represent approximately 28 percent of the City's anticipated population growth over a 10- to 20-year timeframe. As the proposed densities for the project sites within the City's Sphere of Influence area are higher than what is considered in the City's current General Plan, the project will induce growth within the City, upon annexation of the properties into the City of Grass Valley.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 4.12-1. Additional mitigation will not reduce the</p>

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Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>No feasible mitigation measures have been identified to reduce project impacts with regard to population growth. The County of Nevada does not have land use authority over the City of Grass Valley to amend or alter the City’s existing planning policies or the existing General Plan. (DEIR, p. 4.12-13 to -14)</p>
Public Services, Utilities, and Service Systems				
<p>Impact 4.13-1 The public service needs of the Proposed Project could result in substantial adverse impacts.</p>	PS	<p>The following mitigation measures apply to all sites:</p> <p>MM 4.13-1a Prior to Building Permit issuance, the project developer shall provide written documentation from the Fire Department ensuring adequate fire response times to the project site. The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</p> <p>MM 4.13-1b Construction Plan applications (or as part of the annexation request for Sites 1-9) submitted for all sites</p>	LS	<p>Finding Implementation of Mitigation Measures 4.13-1a, 1b, and 1c which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>shall include a vegetation fuel management plan, which addresses overall fuels management for achieving a reduction in wildland fire intensity, subject to review and approval of the Fire Department. The plan shall also address management of the vegetative fuels in those areas that may be considered environmentally sensitive.</p> <p>MM 4.13-1c</p> <p>Prior to Building Permit issuance, the project developer shall provide written documentation from the Police or Sheriff services ensuring adequate police response times. The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>Explanation Mitigation Measures 4.13-1a, 1b, and 1c set forth the requirements to reduce potential project impacts on public services. With Mitigation Measure 4.13-1a, future development on all sites will be required to provide documentation ensuring adequate fire service response times. An assessment district, on the proposed sites, may be used as a mechanism by the appropriate fire district to ensure adequate funds are available to provide service. With Mitigation Measure 4.13-1b, future development proposals would impacts with regard to provision of adequate fire protection services, because future residential development will be required to provide defensible space around such structures. Additionally, implementation of Mitigation Measure 4.13-1c, which requires the project to provide documentation noting adequate staffing and response times for police and fire protection services, will reduce impacts</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				to less than significant. An assessment district, on the proposed sites, may be used as a mechanism by the appropriate agency (i.e., County Sheriff or City Police) to ensure adequate funds are available to provide service. (DEIR, p. 4.13-13 to -17)
<p>Impact 4.13-2 The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity (including conveyance, collection, and wastewater treatment facilities) to provide for the project's projected demand in addition to the provider's existing commitments.</p>	PS	<p>The following mitigation measure applies all sites: MM 4.13-2 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Public Works Director/City Engineer for Sites 1-9): Provide written documentation that adequate sewer capacity and infrastructure is available to serve the project. This can be accomplished by providing project specific design calculations (i.e. Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate for the proposed</p>	SU	<p>Finding Implementation of Mitigation Measure 4.13-2 which has been required or incorporated into the project will reduce this impact. While the mitigation would address the impact, it is unknown what the capacity of the wastewater treatment facilities would be at the time of project construction and whether completion of the required wastewater facility improvements would be feasible for a single project developer. Further, the County does not have jurisdiction over the timing of when wastewater improvements would occur within the City of Grass Valley. Changes or alterations have been required in or incorporated into the project that substantially lessen but do</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>development. The Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities have been upgraded to increase capacity and include calculations from a registered civil engineer demonstrating that adequate capacity is available. If adequate sewer capacity of conveyance, collection and wastewater treatment facilities does not exist, the developer will pay for upgrades to account for the additional effluent. The project developer may enter into a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.</p>		<p>not completely avoid the environmental effects identified within Impact 4.13-2. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.13-2 be adopted. The Board concludes that the project’s benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation The proposed project sites would be served by the sewer conveyance and collection facilities connected to the Penn Valley WWTP (Sites 10 through 13) and Lake of the Pines WWTP (Sites 14 through 18) in the County. However, there is currently not enough existing sewer capacity to serve all of the proposed project areas. Without proposed improvements to existing conveyance, collection WWTP facilities, there would not be sewer</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>service available for the proposed project Sites 10 through 18.</p> <p>Upon annexation of Sites 1 through 9 into the City of Grass Valley, these sites would be served by the City's conveyance, collection, and WWTP facilities and would contribute an incremental increase in flows that would bring the sewer conveyance, collection, and treatment facilities to near the design capacity. However, the City's conveyance, collection and WWTP will need to be enlarged to handle future flows from throughout the City's system to meet the City's projected population in the Year 2020. Without proposed improvements to the City's existing conveyance, collection and WWTP facilities, there would not be adequate sewer service available for the proposed project sites.</p> <p>Implementation of Mitigation Measure 4.13-2 will ensure that project impacts on wastewater treatment services are reduced. However, this impact remains</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				significant because it is unknown what the capacity of the conveyance, collection, and wastewater treatment facilities would be at the time of project construction and whether completion of the required wastewater conveyance, collection, and treatment facility improvements would be feasible for a single project developer. Further, the County does not have jurisdiction over the timing of when wastewater improvements would occur within the City of Grass Valley. (DEIR, p. 4.13-17 to -18)
<p>Impact 4.13-3 Sufficient water supply is available to serve the proposed project, however; the Proposed Project could require new local infrastructure improvements to increase capacity.</p>	PS	<p>The following mitigation measure applies all sites: MM 4.13-3 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9): Provide the County (or the City for Sites 1 through 9) with an approved set of improvement plans accepted by</p>	SU	<p>Finding Implementation of Mitigation Measure 4.13-3 which has been required or incorporated into the project will reduce this impact. While the mitigation would reduce the impact, it is unknown what the capacity of the potable water facilities would be at the time of project construction. It is also unknown if completion of the required water infrastructure improvements would be feasible for a single project developer.</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>NID, which include the following:</p> <ul style="list-style-type: none"> • Quantification of anticipated water usage by parcel. • A comprehensive water system design for distribution piping and connection to the existing NID distribution system. • Appropriate pipe sizing to accommodate minimum fire flow water pressures (as determined by CAL FIRE, NID, and the HFPD). • Identification of pipe sizing, pipe location, and the location of the tie-in with NID facilities. • Provisions for easement, rights-of-way, and in-fee land to NID for water facilities. <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>Furthermore, the County does not have jurisdiction over the timing of when water improvements would occur within the City of Grass Valley.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 4.13-3. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.13-3 be adopted. The Board concludes that the project’s benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation Sites 1 and 3 through 9 have existing water facilities within the existing streets that front these sites. Additional infrastructure is not required for these sites, and potential impacts on existing water infrastructure systems are</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				less than significant. However, development of Sites 2, and 10 through 18 will require new water infrastructure improvements to bring potable water to these sites. Mitigation Measure 4.13-3 sets forth requirements for the design of new water service systems to address the demand anticipated. Water line extensions will be provided within existing roadways or right of ways. These improvements will need to be in place prior to construction on each of these sites. However, with unknown timing or enforcement mechanisms for these improvements, impacts will remain significant and unavoidable as a result of insufficient infrastructure. (DEIR, p. 4.13-17 to -37)
Recreation				
Impact 4.14-1 The Proposed Project could increase the use of existing neighborhood	PS	The following mitigation measure applies to all sites: MM 4.14-1 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the	LS	Finding Implementation of Mitigation Measure 4.14-1 which has been required or incorporated into the project will reduce this impact to a less than

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Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
and regional parks or other recreational facilities.		<p>annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Demonstrate that the proposed development is consistent with the County’s Western Nevada County Non-motorized Recreational Trails Master Plan and pay recreation mitigation fees in an amount established by the County. For projects located within the City of Grass Valley SOI, the developer shall provide for community and regional parks consistent with the City’s Park and Recreation Master Plan or pay an in-lieu fee in an amount established by the City.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation Implementation of Mitigation Measure 4.14-1 is required to ensure that future development occurring with the proposed project does not adversely affect opportunities for public recreation. For development within the County, Mitigation Measure 4.14-1 will require that the project applicant provide for trails consistent with the County’s Trail Master Plan and make payment of appropriate fees to reduce potential adverse effects resulting with increased demand for recreational resources. Further, for future development located within the City of Grass Valley SOI, the applicant will be required to provide for additional</p>

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Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				parklands consistent with the City’s Park and Recreation Master Plan and/or make payment of appropriate in-lieu fees to ensure that the provision of public recreational facilities remains adequate following project implementation. Implementation of Mitigation Measure 4.14-1 will reduce project impacts on the County’s recreational resources to less than significant (DEIR, p. 4.14-6 to -7).
Transportation and Traffic				
<p>Impact 4.15-2 The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.</p>	PS	<p>The following mitigation measure applies to Sites 3 through 9: MM 4.15-2 As described in the Loma Rica Ranch Specific Plan EIR (RBF Consulting, 2011), a roundabout shall be constructed at the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is located on the downhill slope. The installation of a roundabout has been shown to reduce the number and severity of accidents. This mitigation would improve the operation of the intersection to LOS A. The improvement is identified in the Grass Valley Traffic Impact Fee (GVTIF). To mitigate direct traffic impacts on the Idaho-Maryland</p>	SU	<p>Finding Implementation of Mitigation Measure 4.15-2 which has been required or incorporated into the project will reduce this impact. While the mitigation would reduce the impact, this impact remains significant because it is unknown when the intersection improvement would occur, and the construction of required intersection improvements may not be feasible for a single project. Furthermore, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>Road and Brunswick Road intersection, a new roundabout is required at this intersection. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the roundabout in its entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.</p> <p>The individual development of Sites #3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>		<p>of Grass Valley.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 4.15-2. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.15-2 be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation Implementation of Mitigation Measure 4.15-2 is required to ensure that the contribution of project traffic to the intersection of Idaho-Maryland Road and Brunswick Road will be reduced. However, the intersection will operate at LOS F without project generated traffic and LOS F during the PM peak hour with the addition of project-</p>

S – Significant

PS – Potentially Significant

LCC – Less Than Cumulatively Considerable

LS – Less Than Significant

CS – Cumulatively Significant

CC – Cumulatively considerable

SU – Significant and Unavoidable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>generated traffic. Therefore, as the intersection is projected to operate at LOS F (unacceptable) in the PM peak hour, the addition of project traffic will result in a significant impact.</p> <p>Implementation of Mitigation Measure 4.15-2 is required to ensure that future construction of a roundabout occurs at the intersection of Idaho-Maryland Road and Brunswick Road to improve the LOS. However, it is unknown when the intersection improvement will occur, or whether construction of the complete improvement is feasible for a single project. Additionally, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley. (DEIR, p. 4.15-73)</p>
<p>Impact 4.15-3 The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and</p>	<p>PS</p>	<p>The following mitigation measure applies to Site 2: MM 4.15-3 The provision of the dual roundabouts on McKnight Way at the SR 49 interchange would improve operation of the intersection to LOS A. This improvement would</p>	<p>SU</p>	<p>Finding Implementation of Mitigation Measure 4.15-3 which has been required or incorporated into the project will reduce this impact. While the mitigation would reduce the impact, this impact</p>

S – Significant

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LS – Less Than Significant

CS – Cumulatively Significant

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.</p>		<p>combine the McKnight Way / La Barr Meadows Road / Auburn Street and McKnight Way / SR 49 Northbound Ramps intersection into one intersection, and the McKnight Way / Taylorville Road and McKnight Way / SR 49 Southbound Ramps intersections into one intersection. Due to the close intersection spacing and the coordinated operation of the intersections, the roundabouts would need to be installed simultaneously in order to adequately accommodate traffic flows. This improvement is identified in the Nevada County Regional Transportation Plan and the City of Grass Valley Capital Improvement Program.</p> <p>To mitigate direct impacts at the La Barr Meadows and McKnight Way intersection dual roundabouts would be required to be constructed. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the required dual roundabouts in their entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection</p>		<p>remains significant because it is unknown when the intersection improvement would occur, and construction of the required intersection improvements may not be feasible for a single project. Furthermore, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 4.15-3. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 4.15-3 be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p>

S – Significant

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LCC – Less Than Cumulatively Considerable

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CS – Cumulatively Significant

CC – Cumulatively considerable

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		improvement. Site Specific Development Analysis: The individual development of Site #2 would generate 10 or more trips at the intersection and require implementation of the intersection mitigation. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: City of Grass Valley		<p>Explanation The intersection of La Barr Meadows Drive and McKnight Way is anticipated to operate at LOS F without the project and LOS F with the project traffic during the PM peak hour. The intersection meets peak hour Caltrans peak hour signal warrant for the installation of a traffic signal under Existing plus Background plus Project conditions.</p> <p>Implementation of Mitigation Measure 4.15-3 is required to ensure that future construction of dual roundabouts on McKnight Way at the SR 49 interchange to improve operation of the La Barr Meadows Drive and McKnight Way intersection to LOS A. However, it is unknown when the intersection improvement will occur, or whether construction of the complete improvement is feasible for a single project. Additionally, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				within the City of Grass Valley (DEIR, p. 4.15-74)
<p>Impact 4.15-4 The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.</p>	PS	<p>The following mitigation measure applies to Sites 3 through 9: MM 4.15-4 The realignment of Triple Crown Road with Town Talk Road into one intersection and the installation of a traffic signal will improve intersections of Brunswick Road and Triple Crown Drive and Brunswick Road and Town Talk Road / Bubbling Wells Road to LOS B during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal under Existing plus Background plus Project conditions. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane. In addition, the existing unsigned driveway (designated as "Ranchview Court" in County Map data) located approximately 35 feet to the south of Town Talk Road shall be combined with Town Talk Road at the west leg of the intersection. The project developer shall install or fund the improvement at the intersection prior to issuance of a</p>	SU	<p>Finding Implementation of Mitigation Measure 4.15-4 which has been required or incorporated into the project will reduce this impact. While the mitigation would reduce the impact to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley. Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 4.15-4. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The Board hereby directs that Mitigation Measure 4.15-4 be adopted. The Board concludes that the project's benefits</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		<p>building permit.</p> <p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Brunswick Road and Triple Crown Road. The individual development of Sites #3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>		<p>outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation The intersection of Brunswick Road and Triple Crown Road (Sites 3-6 & 9 Access Road) is anticipated to operate at LOS A without the project and an overall LOS E and LOS F on the worst approach with the addition of project traffic during the PM peak hour.</p> <p>Implementation of Mitigation Measure 4.15-4 is required to ensure the future realignment of Triple Crown Road with Town Talk Road into one intersection and the installation of a traffic signal to improve intersections of Brunswick Road and Triple Crown Drive and Brunswick Road and Town Talk Road / Bubbling Wells Road to LOS B during the PM peak hour. While the proposed improvement is expected to mitigate the potential impact to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				the approval of construction or timing of when the improvement would occur within the City of Grass Valley (DEIR, p. 4.15-74 to -75)
<p>Impact 4.15-5 The Proposed Project would add traffic to the intersections of SR 49 / Combie Road. This intersection is projected to operate at LOS F (unacceptable) in the PM Peak Hour.</p>	PS	<p>The following mitigation measure applies to Sites 14 through 18: MM 4.15-5 The Nevada County Regional Transportation Plan and RTMF includes the following improvements to the SR 49 / Combie Road intersection. The improvements would improve the PM peak hour level of service to LOS C.</p> <ul style="list-style-type: none"> • Construct one additional southbound left turn lane that is at least 325 feet in length • Construct one additional receiving lane at the east leg of intersection on Combie Road • Reconstruct or reconfigure the westbound left turn lanes to be a minimum of 250 feet in length to allow for adequate storage <p>The project developer shall install or fund the improvement at the intersection. The developer and the County of Nevada should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer's fair share.</p>	LS	<p>Finding Implementation of Mitigation Measure 4.15-5 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation The intersection of SR 49 and Combie Road would operate at LOS F without project-generated traffic, and would continue to operate at an (unacceptable) LOS F with the addition of project traffic. The intersection is projected to operate at LOS F (unacceptable) in the PM Peak Hour. Implementation of Mitigation Measure 4.15-5 is required to ensure that the</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of SR 49 / Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: Nevada County		developer installs or funds the required improvements at the intersection of SR 49/Combie Road, consistent with the Nevada County Regional Traffic Mitigation Fee (RTMF). The improvements will improve the PM peak hour level of service to (acceptable) LOS C. Implementation of Mitigation Measure 4.15-5 will reduce the impact to less than significant. (DEIR, p. 4.15-76)
Impact 4.15-6 The Proposed Project would add traffic to the intersections of Higgins Road and Combie Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.	PS	The following mitigation measure applies to Sites 14 through 18: MM 4.15-6 The Higgins Marketplace EIR (2007) identified mitigation for this intersection including of the installation of a traffic signal and the installation of an additional eastbound through lane. Implementation of this mitigation measure would improve level of service to an acceptable LOS C during the PM peak hour. Prior to the development of the project site, the Project Developer shall pay a fair share contribution to the LTMF and RTMF program. Site Specific Development Analysis: This improvement would be triggered when the proposed project	LS	Finding Implementation of Mitigation Measure 4.15-6 which has been required or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR. Explanation The intersection of Higgins Road/Combie Road is anticipated to

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		generates 1 or more trip to the intersection of Higgins Road and Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: Nevada County		operate at LOS F on the northbound approach under both without and with project traffic during the PM peak hour. The addition of project traffic will result in increased traffic delay at the intersection during the PM peak hour, and the intersection will meet peak hour signal warrants under Existing plus Background plus Project conditions. Implementation of Mitigation Measure 4.15-6 is required to ensure that the developer makes a fair share payment to the Local Traffic Mitigation Fee (LTMF) and RTMF program for improvements at the Higgins Road/Combie Road intersection (installation of a traffic signal and an additional eastbound through lane). Implementation of this mitigation measure will improve level of service to an acceptable LOS C during the PM peak hour and will reduce project impacts to less than significant. (DEIR, p. 4.15-76 to -77)
Impact 4.15-7 The Proposed Project	PS	The following mitigation measure applies to all sites: MM 4.15-7	LS	Finding Implementation of Mitigation Measure 4.15-7 which has been required

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>would add traffic at new driveway intersections which would have restricted sight distance and close spacing and may impact safety and traffic operations.</p>		<p>The sight distances at all project site access intersections shall be reviewed during the design phase of the project sites with attention given to horizontal and vertical sight distance constraints. To maintain adequate corner sight distance consistent with Caltrans Highway Design Manual requirements, parking shall not be permitted on major onsite roadways within close proximity to intersections. All onsite intersections, landscaping, signing, and parking shall be designed so that adequate corner sight distance is achieved.</p> <p>Prior to issuance of a building permit, the developer shall provide verification by a professional engineer that sight distance has been evaluated.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		<p>or incorporated into the project will reduce this impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the project that avoids the potential significant environmental effect as identified in the DEIR.</p> <p>Explanation The project will add traffic at new driveway intersections that may have restricted sight distance and may therefore impact public safety or traffic operations. Implementation of Mitigation Measure 4.15-7 is required to ensure that adequate sight distance is provided at each driveway. Implementation of Mitigation Measure 4.15-7 will reduce project impacts to less than significant (DEIR, p. 4.15-77 to -78)</p>
<p>Impact 5.2.14-1 (Cumulative Impact) The Proposed Project would add traffic to the</p>	<p>PS</p>	<p>The following mitigation measure pertains to Sites 3 through 9: MM 5.2.14-1</p>	<p>SU</p>	<p>Finding Implementation of Mitigation Measure 5.2.14-1 which has been required or incorporated into the project will reduce this impact. However, while</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
<p>signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.</p>		<p>Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the installation of signal timing at the intersection of Nevada City Highway and Brunswick Road to improve operations and meet future traffic volume demand. Signal timing splits shall be optimized based upon a cycle length of 90 seconds. This mitigation would improve the operation of the intersection to LOS D.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: City of Grass Valley</p>		<p>the mitigation would reduce the cumulative impact to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over the approval of funding or construction of the improvement within the City of Grass Valley.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 5.2.14-1. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 5.2.14-1 be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation The intersection of Nevada City Highway/Brunswick Road is anticipated to operate at an unacceptable</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				<p>LOS E without the addition of project-generated traffic under cumulative conditions. The intersection is anticipated to continue to operate at LOS E with project traffic. However, the v/c ratio will increase by more than two percent, which is considered a potentially significant impact.</p> <p>Implementation of Mitigation Measure 5.2.14-1 is required to ensure that the project developer makes a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the installation of signal timing at the Nevada City Highway/Brunswick Road intersection. Implementation of this mitigation measure will improve level of service to an acceptable LOS D. While the proposed fair share contribution is expected to reduce the project's cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction over</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				the approval of funding or construction of the improvement within the City of Grass Valley (DEIR, p. 5-39)
<p>Impact 5.2.14-2 (Cumulative Impact) The Proposed Project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.</p>	PS	<p>The following mitigation measure pertains to Sites 3 through 9: MM 5.2.14-2 Prior to issuance of a building permit, the project developer shall install or fund the realignment of Triple Crown Road with Town Talk Road (Sites 7 and 8 access) into one intersection and the installation of a traffic signal. This measure will improve intersections of Brunswick Road / Triple Crown Drive and Brunswick Road / Town Talk Road / Bubbling Wells Road to LOS C during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane. The developer and the City of Grass Valley should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer’s fair share. Timing Implementation: Prior to issuance of a building</p>	SU	<p>Finding Implementation of Mitigation Measure 5.2.14-2 which has been required or incorporated into the project will reduce this impact. However, while the mitigation would reduce the cumulative impact to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley. Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 5.2.14-2. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The Board hereby directs that Mitigation</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
		permit. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.		Measure 5.2.14-2 be adopted. The Board concludes that the project’s benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations. <u>Explanation</u> The intersection of Brunswick Road/Town Talk (Sites 7 & 8 Access Road) is anticipated to operate at overall LOS A and LOS E on the worst approach without the project. The addition of project traffic will deteriorate intersection operations to an overall LOS A and LOS F on the worst approach during the PM peak hour. Implementation of Mitigation Measure 5.2.14-2 is required to ensure that the project developer install or fund the realignment of Triple Crown Road with Town Talk Road (Sites 7 and 8 access) into one intersection and install a traffic signal to improve operation of Brunswick Road/Triple Crown Drive and Brunswick Road/Town Talk Road/Bubbling Wells Road to LOS C during the PM peak hour. Implementation of Mitigation Measure

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Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				5.2.14-2 also requires that the developer and the City of Grass Valley enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer's fair share. While the proposed mitigation is expected to reduce the project's cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvements would occur within the City of Grass Valley (DEIR, p. 5-39 to -40)
<p>Impact 5.2.14-3 (Cumulative Impact) The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the</p>	PS	<p>The following mitigation measure pertains to Site 2: Prior to the development of the project site, the Project Developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program for the provision of the dual roundabouts on McKnight Way at the SR 49 interchange described in Mitigation Measure 4.15-3. Enforcement / Monitoring Agency: City of Grass Valley</p>	SU	<p>Finding Implementation of Mitigation Measure 5.2.14-3 which has been required or incorporated into the project will reduce this impact. However, while the mitigation would reduce the cumulative impact to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over the approval of funding or construction of the improvement</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
PM Peak Hour.				<p>within the City of Grass Valley.</p> <p>Changes or alterations have been required in or incorporated into the project that substantially lessen but do not completely avoid the environmental effects identified within Impact 5.2.14-3. Additional mitigation will not reduce the effects to less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.</p> <p>The Board hereby directs that Mitigation Measure 5.2.14-3 be adopted. The Board concludes that the project's benefits outweigh the significant unavoidable impacts of the project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation The intersection of the SR 49 Northbound Ramps and McKnight Way is anticipated to operate at LOS D without the project an overall LOS E with the project traffic during the PM peak hour.</p> <p>Implementation of Mitigation Measure 5.2.14-3 is required to ensure that the project developer pay a fair share</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
				contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program for the provision of the dual roundabouts on McKnight Way at the SR 49 interchange, as described in Mitigation Measure 4.15-3. While the proposed fair share contribution is expected to reduce cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction over the approval of funding or construction of the improvement within the City of Grass Valley (DEIR, p. 5-40 to -41)
<p>Impact 5.2.14-4 (Cumulative Impact) The Proposed Project would add traffic to the intersections of the SR 49/Combie Road. This intersection is projected to operate at LOS E (Unacceptable) in the PM</p>	PS	<p>The following mitigation measure pertains to Sites 14 through 18: MM 5.2.14-4 Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the Nevada County RTMF program for the construction of an additional southbound left turn lane that is at least 325 feet in length shall be installed at the intersection of SR 49 and Combie Road. This improvement will improve</p>	LS	<p>Finding Implementation of Mitigation Measure 5.2.14-4 which has been required or incorporated into the project will reduce this cumulative impact to a less than significant level. The Board hereby directs that this mitigation measure be adopted. The Board therefore finds that changes or alterations have been required in or incorporated into the</p>

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Table of Impacts, Mitigation Measures and CEQA Findings (continued)

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance After Mitigation	Finding of Facts
Peak Hour.		operations at the intersection to LOS D during the PM peak hour. The addition of a southbound left turn lane is an identified improvement in the Nevada County Regional Transportation Plan and RTMF. Enforcement / Monitoring Agency: County of Nevada.		project that avoids the potential significant environmental effect as identified in the DEIR. <u>Explanation</u> The intersection of SR 49 and Combie Road would operate at LOS E without project-generated traffic and LOS E during the PM peak hour with the addition of the project generated traffic. The overall delay would increase by more than two seconds. Implementation of Mitigation Measure 5.2.14-4 would ensure that the project developer is required to make a fair share payment for to the County's RTMF program to allow for necessary future improvements that would increase operations at the intersection of SR 49 and Combie Road. Implementation of Mitigation Measure 5.2.14-4 would ensure that the project's contribution to cumulative impacts at this intersection is reduced to less than significant. (DEIR, p. 5-41)

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IV. Findings Regarding Project Alternatives.

A. Basis for Alternatives Feasibility Analysis

The project will result in the following significant and unavoidable impacts, which can be substantially lessened, though not avoided, through implementation of feasible mitigation measures adopted in connection with the project. Those impacts are:

Land Use

1. **Impact 4.2-1:** The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.

Air Quality

2. **Impact 4.5-1:** The Proposed Project would result in temporary construction related dust and vehicle emissions during construction within the project area.

3. **Impact 4.5-2:** The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.

4. **Impact 4.5-5:** The project may not be consistent with the air quality attainment plan (AQAP) criteria.

5. **Cumulative Impact:** The project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area classified as nonattainment for federal and State O₃ and state PM₁₀ standards.

6. **Cumulative Impact:** Additionally, the Housing Element Rezone's GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would potentially hinder the intent and statewide reduction goals of AB 32.

Greenhouse Gas Emissions

7. **Impact 4.6-1:** Greenhouse gas emissions generated by the project would have a significant impact on the environment.

Population and Housing

8. **Impact 4.12-1:** The Proposed Project would directly induce population growth in the City of Grass Valley.

Public Services, Utilities, and Service Systems

9. **Impact 4.13-2:** The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity (including

conveyance, collection, and wastewater treatment facilities) to provide for the project's projected demand in addition to the provider's existing commitments.

10. **Impact 4.13-3:** Sufficient water supplies are available to serve the Proposed Project from existing entitlements and resources; no new or expanded entitlements would be required. However, the Proposed Project could require local infrastructure improvements to increase capacity prior to construction. The capacity of the existing water infrastructure to deliver water at the time of construction is unknown because it is unknown when development will occur within the RH Combing District.

Transportation and Traffic

11. **Impact 4.15-2:** The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.

12. **Impact 4.15-3:** The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.

13. **Impact 4.15-4:** The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.

14. **Impact 5.2.14.1:** Cumulative Impact: The Proposed Project would add traffic to the signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.

15. **Impact 5.2.14.2:** Cumulative Impact: The proposed project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.

16. **Impact 5.2.14.3:** Cumulative Impact: The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the PM Peak Hour.

Under CEQA, where a significant impact can be substantially lessened (i.e. mitigated to an acceptable level) by adoption of mitigation measures, the agency has no obligation to consider the feasibility of project alternatives with respect to those impacts, even if an alternative would mitigate the impact to a greater degree than the proposed project. Basically, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant impacts that would otherwise occur. Project modifications or alternatives are not required where such changes are considered infeasible or where

the responsibility of modifying the project lies with some other agency (CEQA Guidelines 15091).

As is evident from the text of the EIR, all but the sixteen impacts identified above have been mitigated to a level of less than significant. These sixteen impacts, although substantially lessened through implementation of mitigation measures, remain significant and unavoidable.

Therefore, the Board of Supervisors (“Board”), in considering the four alternatives identified in the DEIR and these findings, needs to determine whether any alternatives are environmentally superior with respect to those impacts which cannot be mitigated to less than significant. If any of the alternatives are superior with respect to those impacts, the Board is then required to determine whether the alternatives are feasible. If the Board determines that no alternative is both feasible and environmentally superior with respect to the unavoidable significant impacts identified above, then the Board may approve the project as mitigated after adopting a Statement of Overriding Considerations.

Under CEQA, “feasible” means *capable of being accomplished in a successful manner within the reasonable period of time, taking into account economic, environmental, legal, social, and technological factors* (CEQA Guidelines 15364). The concept of feasibility permits an agency’s decision-makers to consider whether an alternative is able to meet some or all of the projects objectives. In addition, the definition of “feasibility” encompasses “desirability” to the extent that an agency’s determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors supported by evidence.

B. Alternatives Considered

CEQA does not specify the methodology for comparing alternatives. However, the issues and impacts that are most germane to a particular project must be evaluated when comparing an alternative to a proposed project. As such, the issues and impacts analyzed in project alternatives vary depending on the project type and the environmental setting. Long-term impacts (e.g., visual impacts and permanent loss of habitat or land use conflicts) are those that are generally given more weight in comparing alternatives. Impacts associated with construction (i.e., temporary or short-term) or those that are easily mitigable to less than significant levels are considered to be less important.

The alternatives analysis below compares each alternative to the proposed project according to whether it would have a mitigating or adverse effect for each of the environmental resource areas analyzed in this EIR. The Final EIR identified and compared the significant environmental impacts of the project alternatives listed below in accordance with the provisions of the CEQA Guidelines Section 15126.6. The following project alternatives were evaluated:

Alternative 1 - No Project/Future Development Under Existing Nevada County General Plan Alternative: CEQA Guidelines Section

15126.6(e)(1) requires that a No Project Alternative be analyzed. If the No Project/Future Development Under Existing Nevada County General Plan Alternative were implemented, the proposed project would not be implemented and the project area would remain under the jurisdiction of Nevada County. The No Project Alternative assumes that the 19 separate parcels would be developed as is currently allowed under existing County regulations, resulting in a potential construction of a maximum of 17 homes. It should be noted, that although some of the sites are zoned as Office Professional, Business Park, and Medium Density Residential Development, future developments of that nature would require a site plan, discretionary approval, and subsequently CEQA review. In addition, given the options of site design (e.g. densities), it is speculative to determine and compare the type of land use on the sites. Therefore, under the No Project Alternative it is assumed the sites would be developed with single-family residential developments.

Alternative 2 – Bennett Street Sites Alternative: Under Alternative 2, approximately half of the proposed units located on Brunswick Road (Sites 3 through 9) would be relocated along East Bennett Road in an area zoned for business park (west of Lava Rock Road) to reduce the number of proposed units along Brunswick Road. Alternative 2 would generate the same number of units as the proposed project.

Alternative 3 – Berriman Ranch Sites Alternative: Alternative 3 includes two separate sites. The larger of the two sites includes a 25.2-acre site within the proposed 129-acre Berriman Ranch Project; the smaller of the two parcels (8 acres) is located across SR 49 to the west adjacent to Site 2. The two new sites would have a maximum yield of 595 units. The properties affected by Alternative 3 are shown in **DEIR Figure 6-1**.

Alternative 4 – Reduced Development Alternative: Under Alternative 4, Sites 1, 2, 7, 8, and 17 would be removed from the program to minimize the environmental effects of implementing the Housing Element Rezone. This alternative is intended reduce the overall environmental impact of the program, yet still allow an opportunity for the County to meet the required Regional Housing needs and State law. The maximum number of potential units would be reduced by 637 units or 24%.

Alternative 5 – Updated Regional Housing Need Alternative: This Alternative is proposed as a result of the adoption of the County's 5th Revision to the Housing Element (2014-2019 planning cycle), adopted by the Board of Supervisors on June 24, 2014 and certified by HCD on July 17, 2014. As a result, the County was able to reduce the minimum amount of required rezoning from 1,270-units to 699-units. This alternative includes those sites that have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These sites and would be considered the first tier for implementing the project and meeting the project

objectives. This alternative would result in 1,542 fewer units (58% fewer) of the maximum yield of the proposed project on 84.02 fewer acres. Based on a development footprint of 47.68 acres, this alternative would yield 759 units. This would exceed the Regional Housing Need of 699 units.

These five alternatives were determined to be an adequate range of reasonable alternatives as required under CEQA Guidelines Section 15126.6 (DEIR, p. 6-1). The environmental impacts of each of these alternatives are identified and compared with the “significant” and “potentially significant” impacts resulting from the proposed project. That comparison is shown on **Table 6-10** at the end of DEIR Section 6.0, Alternatives. Further, the “environmentally superior” alternative is identified in Section 4.0 of the Final EIR (FEIR, p. 4-80).

In addition, the project identified the following Project Objectives (DEIR, p. 3-62):

1. Identify private properties that can be feasibly rezoned to meet the County’s obligation to provide high-density housing opportunities as required by State law;
2. Increase high-density housing opportunities in different areas of unincorporated Nevada County;
3. Identify properties with property owners that consent to participating in the County’s program and agreed to have the RH Combining District on their properties;
4. Identify properties that are large enough to support enough units to make developing affordable high-density financially feasible;
5. Identify participating properties that have reasonable access to existing infrastructure (e.g., public roads and utilities);
6. Identify properties that have reasonable access to community services (e.g., public transportation, retail/grocery stores, employment opportunities);
7. Protect the natural environment; and,
8. Establish clear and effective site-specific development standards/mitigation measures for each rezoned property to ensure that the future development of high density housing on that site meets County development standards and does not result in significant and avoidable environmental impacts.

C. Alternatives Analysis

The Board finds that the range of alternatives studied in the EIR along with recognition of the Project Objectives reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project environmental impacts, while accomplishing most of the Project Objectives

The Board is required to determine whether any alternative identified in the EIR is environmentally superior with respect to the project impacts that cannot be reduced to less than significant through mitigation measures. As described above, there are sixteen significant and unavoidable impacts that cannot be mitigated to less than significant. However, the Board finds that the majority of these significant and unavoidable impacts would still occur under the alternatives evaluated.

The following summarizes each of the project alternatives and Project Objectives that were evaluated to determine feasibility:

Alternative 1 - No Project/Future Development Under Existing Nevada County General Plan Alternative

CEQA Guidelines Section 15126.6(e)(1) requires that a No Project Alternative be analyzed. If the No Project/Future Development Under Existing Nevada County General Plan Alternative were implemented, the proposed project would not be implemented and the project area would remain under the jurisdiction of Nevada County.

Under the No Project/Future Development Under Existing Nevada County General Plan Alternative (Alternative 1), the project area would remain under the jurisdiction of Nevada County (County). Since the project site consists of 19 separate parcels (Site 8 consists of two parcels), there is a potential to develop 17 homes (assuming the two existing homes on Sites 8 and 9 remain) under County regulations. However, there would be no environmental review of the potential impacts associated with the construction of the 17 homes, as their construction would require approval of a building permit only (a ministerial action) and would be exempt from the requirements of CEQA. It should be noted, that although some of the sites are zoned as Office Professional, Business Park, and Medium Density Residential Development, future developments of that nature would require a site plan, discretionary approval, and subsequently CEQA review. In addition, given the options of site design (e.g. densities), it is speculative to determine and compare the type of land use on the sites. Therefore, under the No Project Alternative it is assumed the sites would be developed with single-family residential developments.

With the exception of the potential construction of 17 homes, the existing conditions within the project area would remain primarily unchanged. The majority of the undeveloped areas on the properties (woodlands, chaparral, riparian corridors and grasslands) would continue to function in their current capacity.

None of the sites within the Grass Valley Sphere of Influence would annex into the City. The County would not be in compliance with State law with regards to providing enough property with high density residential zoning.

This alternative would reduce the significant and unavoidable impacts as compared to the proposed project with regard to land use and planning; air quality; greenhouse gases; population and housing; public services, utilities, and service systems; and, transportation/traffic to less than significant and would therefore be considered a

substantial improvement. However, this alternative would not satisfy any of the project objectives.

The Board is not required to consider the feasibility of the No Project Alternative. However, the Board does consider this alternative undesirable, unreasonable, infeasible, and inconsistent with the Project Objectives.

Alternative 2 - Bennett Street Sites Alternative

The East Bennett Road Sites Alternative (Alternative 2) would relocate approximately half of the proposed units that are located on Brunswick Road (on Sites 3 through 9) and place them on property on undeveloped land on East Bennett Road, in an area zoned for Business Park west of Lava Rock Road. The purpose of this alternative is to reduce the number of proposed units along Brunswick Road. The proposed project has a total of 7 sites totaling 61.52 acres and a total maximum number of 1,231 units clustered together in Sites 3 through 9. This alternative proposes to move approximately half of the units to properties off of Brunswick Road to disperse the additional demand on existing traffic facilities, sewer and water facilities, and other City of Grass Valley infrastructure. The East Bennett Road sites would be within the Grass Valley Sphere of Influence (Near Term Annexation), the same as the proposed project.

Because Sites 3, 4, 5, and 9 are under a single ownership and represent approximately half of the total acreage within the cluster of sites along Brunswick Road, those sites would remain part of the project as they are in the proposed project. Sites 3, 4, 5, and 9 represent approximately 31.49 acres and 630 units. Sites 6, 7, and 8, which total 30.03 acres and 601 units, would be dropped from the program and no development under the RH Combining District would occur on those sites. Three new sites would be selected on the north side of East Bennett Road. The new site numbers would be 6, 7, and 8 to replace those sites from the proposed project. The three sites are approximately 29.74 acres and would have a maximum yield of 595 units. Alternative 2 would generate the same number of units as the proposed project.

Alternative 2 could meet all of the project objectives with the exception of the objective requiring consenting property owners to participate in the program. Property owner agreement to the RH Combining District was a critical objective of the County Board of Supervisors from the very beginning of the implementation program. Only sites with property owner consent were considered for inclusion in the project.

As indicated in Section IV.A, *Basis for Alternatives Analysis*, above, the proposed project would result in significant and unavoidable impacts with regard to land use and planning; air quality; greenhouse gases; population and housing; public services, utilities, and service systems; and, transportation/traffic. This alternative would not avoid any of the significant and unavoidable impacts as compared to the proposed project. However, although impacts with regard to transportation/traffic would be remain significant and unavoidable with this alternative, such impacts would be reduced as compared to the proposed project as up to 595 units would be

relocated, thereby reducing cumulative traffic impacts on Brunswick Road at the Town Talk and SR 49 intersections. Additionally, this alternative would result in increased impacts with regard to land use and planning as compared to the proposed project, as this alternative would convert approximately 30 acres of land previously zoned for business park into residential use, thereby removing future opportunities for expansion of business park uses within the City and thereby causing an incremental increase in land use conflicts as the result of the loss of previously-zoned business park land. Should the Board of Supervisors wish to pursue the Bennett Road Alternative, additional environmental studies, such as traffic, biological resources, cultural resources would be required and the results of those studies incorporated into the EIR before the alternative could be approved and the EIR certified.

Alternative 3 - Berriman Ranch Sites Alternative

The Berriman Ranch Sites Alternative (Alternative 3) includes two separate sites. The larger of the two sites includes a 25.2-acre site (portions of APNs 22-160-03 and 22-160-02) within the proposed 129-acre Berriman Ranch Project. The smaller of the two parcels is located across SR 49 to the west adjacent to Site 2. Only a portion of this 19-acre site (APN 09-620-12) adjacent to Site 2 would be used for this Alternative. Approximately eight acres of this site, the area adjacent to Site 2, would be used for development associated with the implementation of the RH Combining District. The 129-acre Berriman Ranch Property is located adjacent to the City boundary of Grass Valley. Currently, there is no improved access to the 25.2-acre site. An access road would have to be extended from an existing public road or through a private road easement. The 8-acre site would be accessed off of La Barr Meadows Road which runs along the property frontage or through a connection to Site 2. The properties affected by Alternative 3 are shown in DEIR Figure 6-1.

For Alternative 3, the new site numbers would be 6 and 7 to replace those sites removed from the proposed project. The two new sites included in this alternative are approximately 33.2 acres and would have a maximum yield of 595 units. The proposed project would have a maximum yield of 2,680 units, and Alternative 3 would yield a maximum of 2,744 units, an increase of 69 units.

Alternative 3 could meet all of the project objectives with the exception of the objective requiring consenting property owners to participate in the program. Property owner agreement to the RH Combining District was a critical objective of the County Board of Supervisors from the very beginning of the implementation program. Only sites with property owner consent were considered for inclusion in the proposed project.

As indicated in Section IV.A, *Basis for Alternatives Analysis*, above, the proposed project would result in significant and unavoidable impacts with regard to land use and planning; air quality; greenhouse gases; population and housing; public services, utilities, and service systems; and, transportation/traffic. This alternative would not avoid any of the significant and unavoidable impacts as compared to the

proposed project. Additionally, this alternative would result in increased impacts with regard to transportation/traffic, due to an increase in the number of potential units and associated traffic that would affect La Barr Meadows Road, project to operate at an unacceptable LOS with or without the proposed project. This alternative does not reduce any of the significant and unavoidable impacts to a threshold level of less than significant. Should the Board of Supervisors wish to pursue the Berriman Ranch Alternative, additional environmental studies, such as traffic, biological resources, cultural resources would be required and the results of those studies incorporated into the EIR before the alternative could be approved and the EIR certified.

Alternative 4 – Reduced Development Alternative

The Reduced Development Alternative (Alternative 4) removes four of the most environmentally sensitive sites from the program to minimize the environmental effects of implementing the Housing Element Rezone. The purpose of this alternative is to remove the sites with the most physical constraints to development such that the overall environmental impact of the implementing the program is reduced, yet still leaving enough opportunity to for the County to meet the required Regional Housing needs and state law. The sites that have the most physical constraints were removed to decrease impacts on biological resources, cultural resources, traffic, aesthetics, and other issues that would be adversely affected by development.

The following sites would be removed from the project under this alternative:

Site 1: This site is removed because it is a relatively small site of approximately one acre and does not contribute a significant number of units towards the overall goal a minimum of 1,270 units. Additionally, the site is located within the City of Grass Valley Sphere of Influence, removing the site from consideration incrementally reduces the number of units from the project within the City's SOI.

Site 2: This site is removed from consideration because the property owner has indicated that he is no longer interested in participating in the program.

Site 7: This site is removed because of physical constraints associated with the property. A tributary to Wolf Creek traverses the southeast portion of the site as well as intermittent streams riparian vegetation on other places throughout the site. Potential historic resources were identified at this site. Additionally, as one of the three largest parcels in the cluster of sites along Brunswick Road, it has one of the highest maximum yield of units at 198 units. Removal of these units would reduce the amount of traffic from this cluster of development. Additionally, this site is located adjacent to the recently approved Loma Rica Ranch Project. By removing this site from the program it would provide an additional visual and physical buffer from the future development on the Loma Rica Ranch site.

Site 8: This site has similar physical constraints as those described for Site 7 and has been removed from the program for the same reasons. A tributary to Wolf Creek traverses the site near the center of the property which substantially restricts

the amount of area available for development due to wetland protection requirements. Intermittent wetlands also are located along the property frontage of Brunswick Road which would result in potential wetland impacts associated with roadway improvements.

Site 17: This site is removed because of the physical constraints associated with developing the property. The site is bisected by Ragsdale Creek and has a wide riparian zone associated with the creek that would make avoidance difficult. The site also contains sensitive black oak dominated woodland outside the riparian zone. Ragsdale Creek is potential habitat for sensitive aquatic species.

This alternative would reduce the total acreage of properties in the program by 37.36 acres or 25%. The maximum number of units would be reduced by 637 units or 24%.

The Reduced Development Alternative would be able to satisfy a majority of the project objectives as well as provide the County with enough area to meeting the Regional Housing Needs requirements and satisfy State law for providing adequate multi-family housing development opportunities.

As indicated in Section IV.A, *Basis for Alternatives Analysis*, above, the proposed project would result in significant and unavoidable impacts with regard to land use and planning; air quality; greenhouse gases; population and housing; public services, utilities, and service systems; and, transportation/traffic. Overall, as a reduced amount of development would occur under this alternative, the significant and unavoidable impacts with regard to air quality; greenhouse gases; public services, utilities, and service systems; and transportation/traffic would be reduced as compared to the proposed project. However, such impacts would not be reduced to a level of less than significant. Therefore, this alternative would reduce but not altogether avoid any of the significant and unavoidable impacts as compared to the proposed project.

Alternative 5- Updated Regional Housing Need Alternative

This Alternative is proposed as a result of the adoption of the County's 5th Revision to the Housing Element (2014-2019 planning cycle), adopted by the Board of Supervisors on June 24, 2014 and certified by HCD on July 17, 2014. As a result, the County was able to reduce the minimum amount of required rezoning from 1,270-units to 699-units. The same sites that are included in the analysis of 2009-2014 planning cycle (those evaluated in Chapter 4 of this EIR) were retained as potential candidate rezone sites in the latest revision of the County's Housing Element, with the exception of Site 2 which was withdrawn from the Program in November 2013 at the request of the property owner.

As result of the reduction in Regional Housing Need from 1,270 units to 699 units, County staff looked at alternatives to rezoning fewer properties to decrease potential impacts on the environment as a result of the project. County staff evaluated the proposed properties and ranked the properties in "Tiers" based on the

suitability of the properties for re-designation. With the required number of overall units reduced to 699, County staff considered options for reducing the number of sites in each of the three communities in which the re-designation was proposed.

The following sites have been determined by County staff to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These sites and would be considered the first tier for implementing the project and meeting the project objectives.

Development of these first tier sites would generate a maximum of 1,130 units on 64.97 acres. Compared to the proposed project that is 1,542 fewer units (58% fewer) on 84.02 fewer acres. The aggregate density of the Tier 1 sites, based on building footprint of each site, would yield 759 units on a development footprint of 47.68 acres compared to the proposed project with 1,612 units on 101.19 acres. Under this alternative the aggregate density of 759 units would exceed the Regional Housing Need of 699 units.

As indicated in Section IV.A, *Basis for Alternatives Analysis*, above, the proposed project would result in significant and unavoidable impacts with regard to land use and planning; air quality; greenhouse gases; population and housing; public services, utilities, and service systems; and, transportation/traffic. Overall, as a reduced amount of development would occur under this alternative, the significant and unavoidable impacts with regard to air quality; greenhouse gases; public services, utilities, and service systems; and transportation/traffic would be reduced as compared to the proposed project. However, such impacts would not be reduced to a level of less than significant. Therefore, this alternative would reduce but not altogether avoid any of the significant and unavoidable impacts as compared to the proposed project.

V. Statement of Overriding Considerations.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, this Board of Supervisors adopts and makes the following Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the Project, as discussed above, and the anticipated economic, legal, social, and other benefits of the Project.

Approval by the Nevada County Board of Supervisors (the “Board”) of the Nevada County Housing Element Rezone Implementation Program and the corresponding General Plan and Zoning Ordinance text amendments (the “Project”) will result in significant adverse environmental effects which cannot be mitigated or avoided, notwithstanding the Board has adopted all feasible mitigation measures. Despite the ultimate occurrence of these expected effects, the Board, in accordance with *Public Resources Code* Section 21081(b) and *CEQA Guidelines* Section 15093, has balanced the benefits of the proposed Project Final EIR against the following unavoidable adverse impacts associated with the proposed project and has adopted all feasible mitigation measures. The Board has also (i) independently reviewed the information in the DEIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts

resulting from the Project to the extent feasible by adopting the mitigation measures as identified in the EIR; and, (iii) balanced the project's benefits against the project's significant unavoidable impacts. The Board has also examined alternatives to the proposed project, and has determined that adoption and implementation of the proposed project is the most desirable, feasible, and appropriate action. The Board has chosen to approve the Project EIR because in its judgment, it finds that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh the Project's significant effects on the environment. Substantial evidence supports the various benefits and can be found at a minimum in the preceding CEQA findings, which are incorporated by reference into this Statement, the DEIR, and the documents which make up the record of proceedings.

A. Significant and Unavoidable Impacts

Based on the information and analysis set forth in the Draft Environmental Impact Report ("DEIR") and the record of proceedings, construction of the proposed project would result in the following significant unavoidable impacts even with the implementation of all feasible mitigation measures:

1. **Impact 4.2-1:** The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.
2. **Impact 4.5-1:** The Proposed Project would result in temporary construction-related dust and vehicle emissions during construction within the project area.
3. **Impact 4.5-2:** The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.
4. **Impact 4.5-5:** The project may not be consistent with the air quality attainment plan (AQAP) criteria.
5. **Cumulative Impact (Air Quality):** The project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area classified as nonattainment for federal and State O₃ and State PM₁₀ standards.
6. **Cumulative Impact (Air Quality):** The Housing Element Rezone's GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would potentially hinder the intent and Statewide reduction goals of AB 32.
7. **Impact 4.6-1:** Greenhouse gas emissions generated by the project would not have a significant impact on the environment.

8. **Impact 4.12-1:** The Proposed Project would directly induce population growth in the City of Grass Valley.
9. **Impact 4.13-2:** The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity (including conveyance, collection, and wastewater treatment facilities) to provide for the project's projected demand in addition to the provider's existing commitments.
10. **Impact 4.13-3:** Sufficient water supplies are available to serve the Proposed Project from existing entitlements and resources; no new or expanded entitlements would be required. However, the Proposed Project could require local infrastructure improvements to increase capacity prior to construction. The capacity of the existing water infrastructure to deliver water at the time of construction is unknown because it is unknown when development will occur within the RH Combing District.
11. **Impact 4.15-2:** The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.
12. **Impact 4.15-3:** The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.
13. **Impact 4.15-4:** The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.
14. **Impact 5.2.14.1:** The Proposed Project would add traffic to the signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.
15. **Impact 5.2.14.2:** The proposed project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.
16. **Impact 5.2.14.3:** The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the PM Peak Hour.

B. Overriding Considerations

The following statement of considerations identifies why, in the Board's judgment, the Project and its benefits to Nevada County outweigh its unavoidable significant environmental impacts. The Board has determined that any one of these considerations override, on balance, the cumulative significant negative environmental impacts of the Project. The substantial evidence supporting these various considerations is found in the following findings based on the EIR and/or the contents of the record of proceedings for the Project:

1. Maintain a current and valid comprehensive General Plan.

The requirements for updating and maintaining Housing Elements in the state of California are established by the California Department of Housing and Community Development (HCD). If the (HCD) determines that a Housing Element fails to substantially comply with the State's Housing Element Law, there are potentially serious repercussions for the local jurisdiction that extend beyond conflicts in residential land use planning. When a jurisdiction's Housing Element is found to be out of compliance, its General Plan is at risk of being deemed inadequate, and therefore invalid. Another repercussion of not having a legally compliant housing element includes the possibility of legal action against the jurisdiction. If a jurisdiction's Housing Element is not compliant with State law, then developers and advocates have the right to sue the jurisdiction for failing to have a legal housing element. This project will ensure the County has adequate suitable sites to accommodate current and future Regional Housing Needs Allowances which will assist that County in obtaining a certified Housing Element during current and future Housing Element Planning Cycles. Thereby reducing the potential for future lawsuits that could challenge the validity of the County's General Plans, should HCD find the County's Housing Element to be out of compliance due to lack of suitable sites.

2. Maintain the County's eligibility to meet the minimal qualifications for California Strategic Growth Bonds and other important housing grant and loan programs such as Community Development Block Grant, HOME, Liheap, etc. funding.

In addition to meeting the requirements of state law, the County also seeks to have a certified Housing Element in order to be eligible for state grant funding programs such as Community Development Block Grants (CDGB), HOME, Liheap, and other programs which are used to fund a variety of public projects in the County. To incentivize and reward local governments that have adopted compliant and effective housing elements, several housing, community development and infrastructure funding programs include housing element compliance as a rating and ranking or threshold requirement.

3. The project will help meet the increasing demand for new housing opportunities in Nevada County.

- a. To meet State housing requirements identified in the County's Housing Element, high-density residential zoning (R3) for an additional 1,270 housing units are required to meet the County's unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to assist in providing a variety of housing types for all income segments of the population and by density alone would be inherently more affordable to existing and future residents of the County. The maximum yield of all the proposed project sites is 2,675 units over approximately 149 acres, thereby exceeding the 1,270 unit requirement identified in the County's Housing Element.

4. The project will allow for the construction of needed affordable housing within Nevada County while ensuring that impacts on the natural environment are minimized as development occurs.

- a. As described in the Project Summary on page 2-2 of the DEIR, the project will result in development of a Regional Housing Need Implementation Plan, as outlined in the "RH" Zoning Combining District Ordinance (Section L-II 2.7.11.C.3 of the Nevada County Land Use and Development Code). This Plan will outline site-specific development standards and any CEQA mitigation measures adopted for each site that must be adhered to in order for the site to develop consistent with the purpose of the rezone and to ensure that the development of the site does not result in a significant environmental impact.

5. The project provides regionally significant roadway and intersection improvements that would improve existing local and regional traffic operations.

- a. The Project Developer will be required to mitigate for traffic impacts through contribution to the County's Traffic Impact Mitigation Program, established through adoption of a Local Traffic Mitigation Fee (LTMF). Further, the adoption of a Regional Traffic Mitigation Fee (RTMF) recognized cross-jurisdictional traffic between western County cities and unincorporated County. The LTMF and RTMF combine to provide both local and regional methods to allow development on an incremental basis while collecting fees to offset growth impacts. Additionally, the Grass Valley Traffic Impact Fee Program (GVTIF) collects fees from future developments as mitigation to improve the City's road network infrastructure as the City reaches buildout of the General Plan.

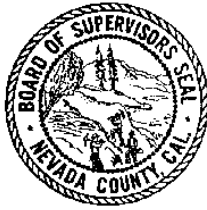
Prior to the development of the project site, the Project Developer will pay a fair share contribution to the LTMF, RTMF, or City of Grass

Valley Development Impact Fee Capital Improvement Program, or construct improvements that contribute to overall improvement of local and/or regional conditions on the following roadways and intersections:

- Idaho-Maryland Road and Brunswick Road
- La Barr Meadows Drive and McKnight Way
- Brunswick Road and Triple Crown Road
- SR 49 / Combie Road
- Higgins Road and Combie Road

(DEIR, Section 4.15, p. 4.15-44 to -78)

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RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION AMENDING THE NEVADA COUNTY GENERAL PLAN LAND USE MAP DESIGNATIONS FOR SPECIFIC SITES TO INCREASE THE COUNTY'S URBAN HIGH DENSITY LAND USE DESIGNATION BY THE EQUIVALENT OF AT LEAST 43.7-ACRES, EFFECTIVELY IMPLEMENTING THE HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION PROJECT (NEVADA COUNTY 2014-2019 HOUSING ELEMENT PROGRAM HD-8.1.1); (GP12-002)

WHEREAS, on November 14, 1995, the County of Nevada adopted a General Plan for the County of Nevada, through Resolution 95-530; and

WHEREAS, the State of California Department of Housing and Community Development has required that the County include a Program (Program HD-8.1.1) within its 2014-2019 Housing Element update that makes the County responsible for redesignating enough lands to Urban High Density (UHD) to establish zoning for 699 high density housing units; and

WHEREAS, through the Environmental Impact Report process, the County has identified nine of seventeen candidate rezone sites that are considered to be the most suitable from an environmental and planning perspective to be redesignated for high density residential development; and

WHEREAS, seven of the nine sites that have been deemed most suitable for rezoning have been identified to need a General Plan Land Use designation change to ensure consistency with the proposed zoning designation of High Density Residential (R3); and

WHEREAS, this project is in connection with the subsequent rezoning of the nine sites to High Density Residential (R3) with the addition of the Regional Housing Need (RH) Combining District or just the additional of the RH Combining District for Site 11 to accommodate the State mandated Housing Element program; and

WHEREAS, the County, through RBF Consulting, prepared as site specific Draft Environmental Impact Report (EIR) and circulated it for review by responsible and trustee agencies, the public and submitted it to the State Clearinghouse (EIR12-002/SCH#2009072070) for review and comment by State agencies, for a comment period that ran from September 12,

2013 to November 12, 2013 (60-days). The Final EIR includes the Draft EIR, copies of all comments on the Draft EIR submitted during the comment period, the County's response to those comments, and changes made to the Draft EIR following its public circulation.

WHEREAS, on October 9, 2014, the Planning Commission held a duly noticed public hearing on the proposed General Plan Land Use Map designation amendment (GP12-002) and site specific rezone (Z12-002) (collectively "Project") in which the Commission reviewed the proposed EIR together with all comments received during the public review period, and recommended certification of this same EIR before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, after reviewing and considering the proposed Project, the Planning Commission recommended that the Board of Supervisors approve the proposed Resolution to amend the General Plan Land Use Map designations (GP12-002) as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed amendment to the General Plan Land Use Map, re-designating those sites shown in Exhibit "A" consisting of the following Site and Assessor's Parcels Numbers (APNs): Site 3 APN 35-412-15, Site 5 APN 35-412-18, Site 12 APN 51-151-62, Site 14 APN 57-141-29; Site 16 APN 57-270-03, and Site 18 APN 11-181-03; and

WHEREAS, a separate Resolution of the Board of Supervisors certified the Project's EIR (EIR12-002) and a separate Ordinance of the Board of Supervisors adopted site specific rezoning associated with the Project (Z12-002); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendments to the Nevada County General Plan Land Use Map, all information and evidence submitted in favor and against the proposed amendments, and the complete record before it, has determined that an amendment to the County's General Plan is now warranted.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

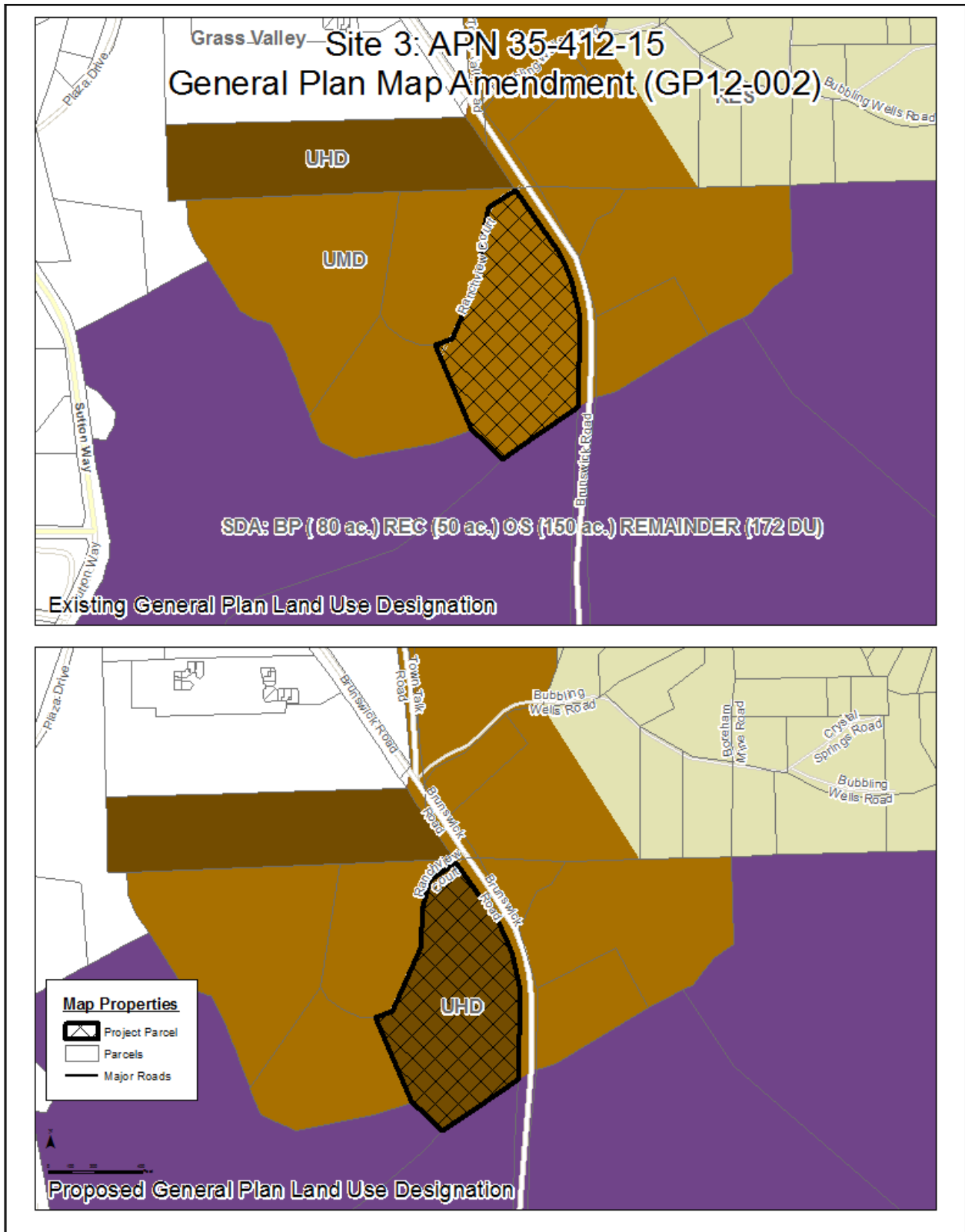
1. That the proposed amendment to the General Plan is consistent with and furthers the goals, objectives, policies, and implementation measures of the General Plan and provisions of the Nevada County Land Use and Development Code Chapter II Zoning Regulations, specifically those policies of the County General Plan Chapter 8 focused on provide adequate housing opportunities for all income and special needs segments of the County's population;
2. That the Project sites are physically suitable for the Urban High Density (UHD) General Plan Land Use Designation, in that the Sites do not contain significant areas of excessively steep slopes or sensitive environmental resources, which cannot be avoided through appropriate site planning. The Sites have adequate access to a County maintained road or can establish access to County maintained

road and subsequently will accommodate the anticipated future development of high density residential uses;

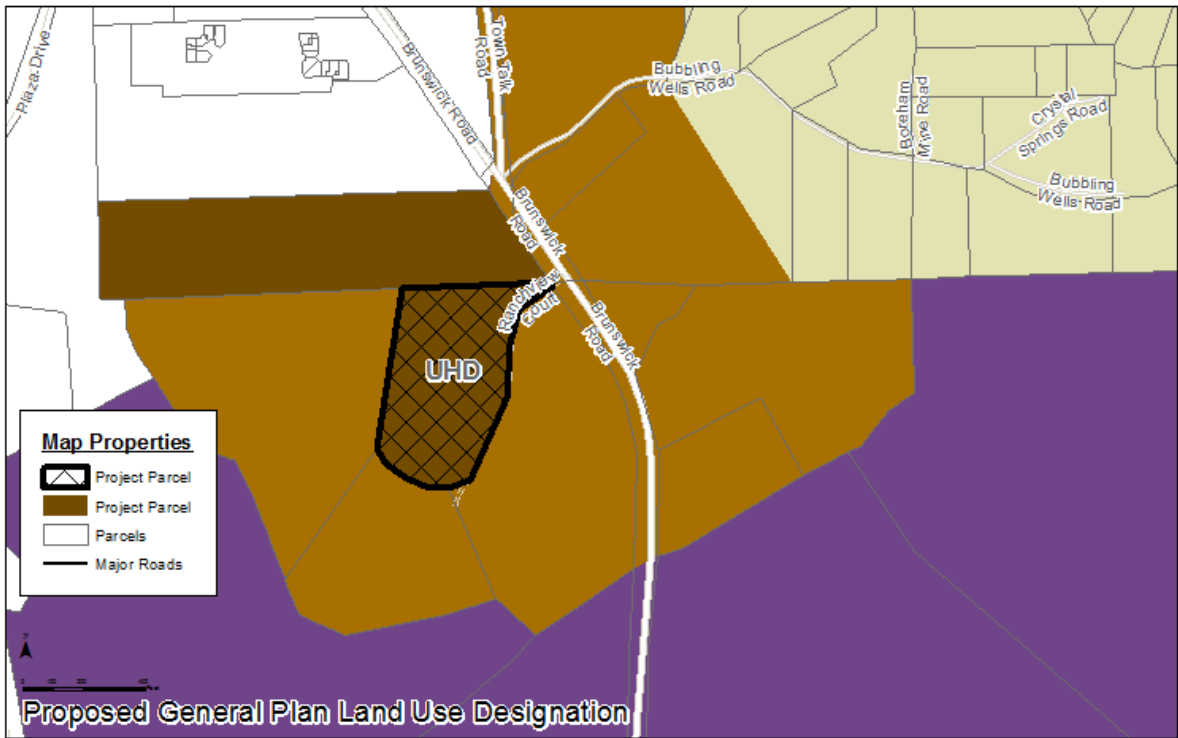
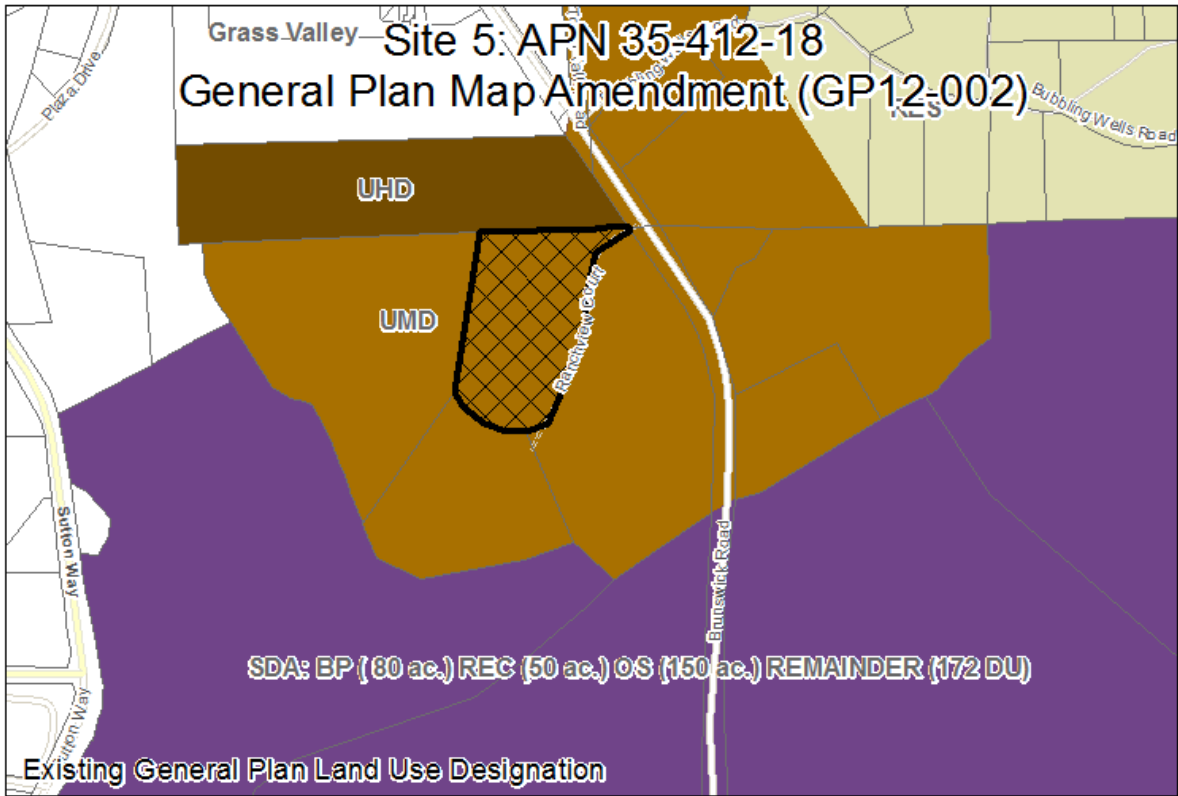
3. That the Sites are physically suitable for the Urban High Density (UHD) General Plan Land Use Designation, as reviewed by the September 2012 Preliminary Site Assessment and EIR (SCH#2009072070). The UHD designation is consistent with other surrounding residential uses and will accommodate the unmet housing need from the 2009-2014 Regional Housing Need Plan for Nevada County and will assist the County in meeting future Regional Housing Need Allocations; and
4. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

BE IT FURTHER RESOLVED that based on the foregoing findings, and the entire record before it, the Nevada County Board of Supervisors does hereby approve and adopt an amendment to the Nevada County General Plan Land Use Maps, re-designating those sites as described and set forth in Exhibit "A", consistent with boundaries of said properties.

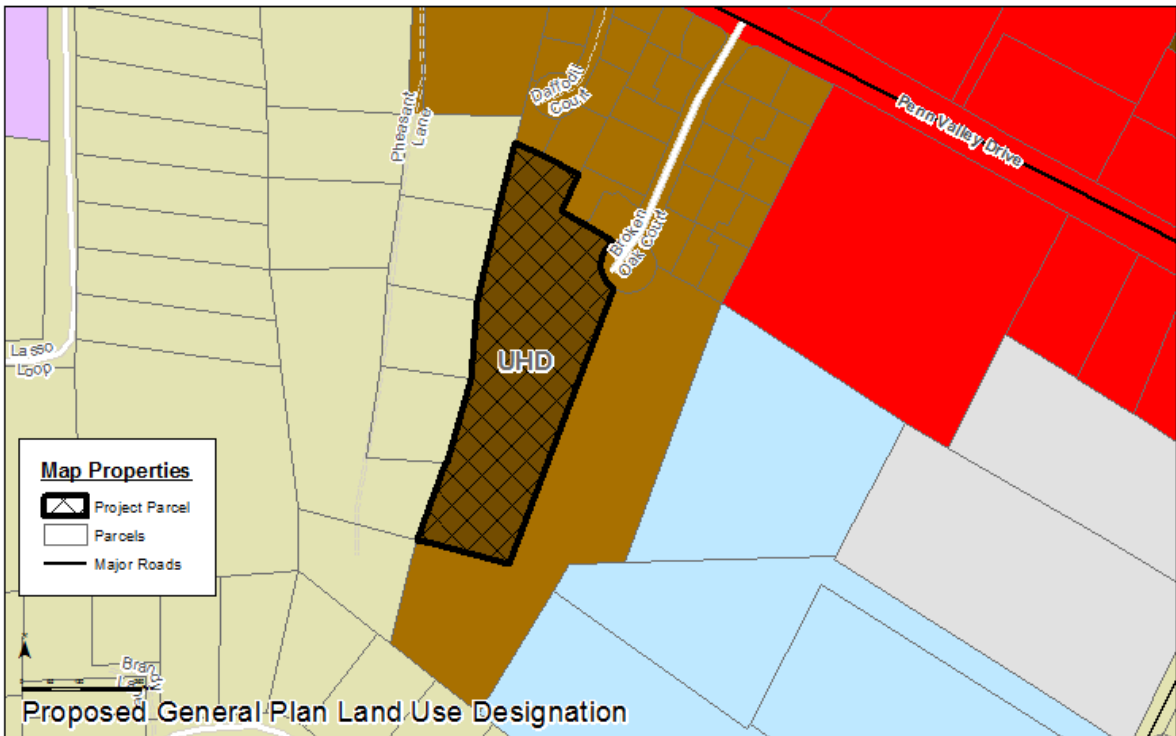
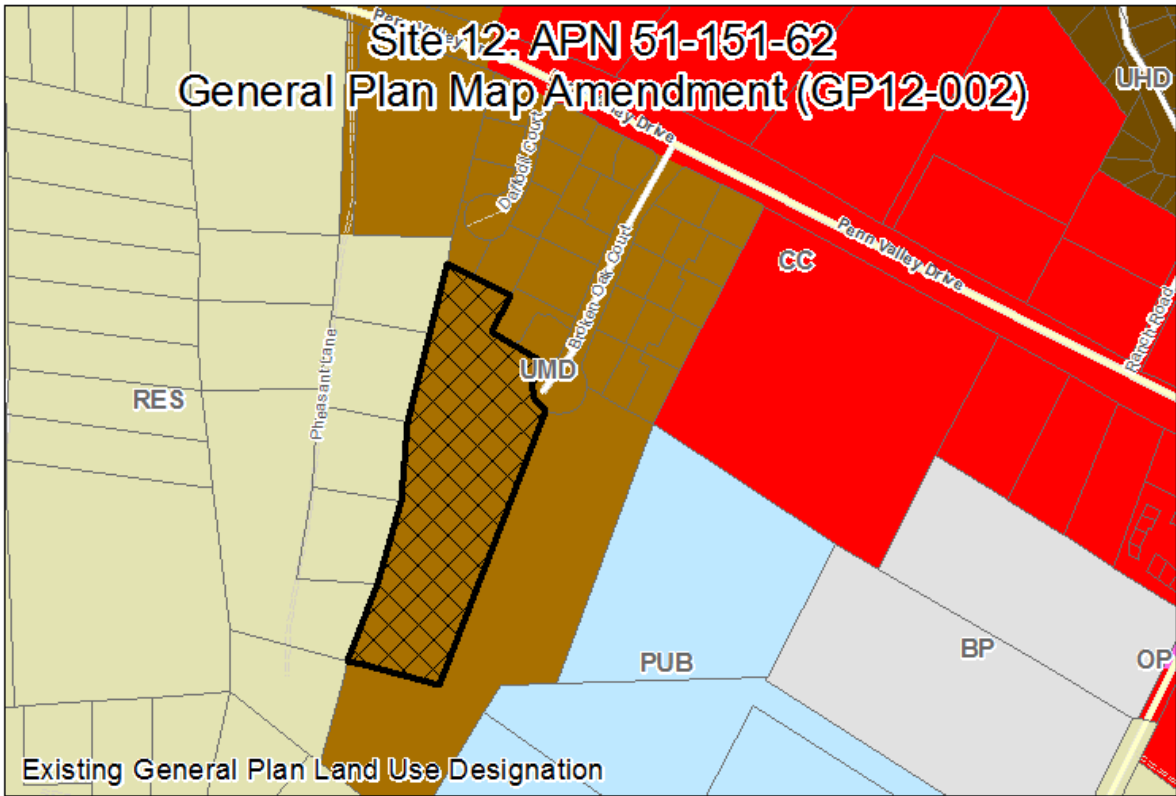
Exhibit A



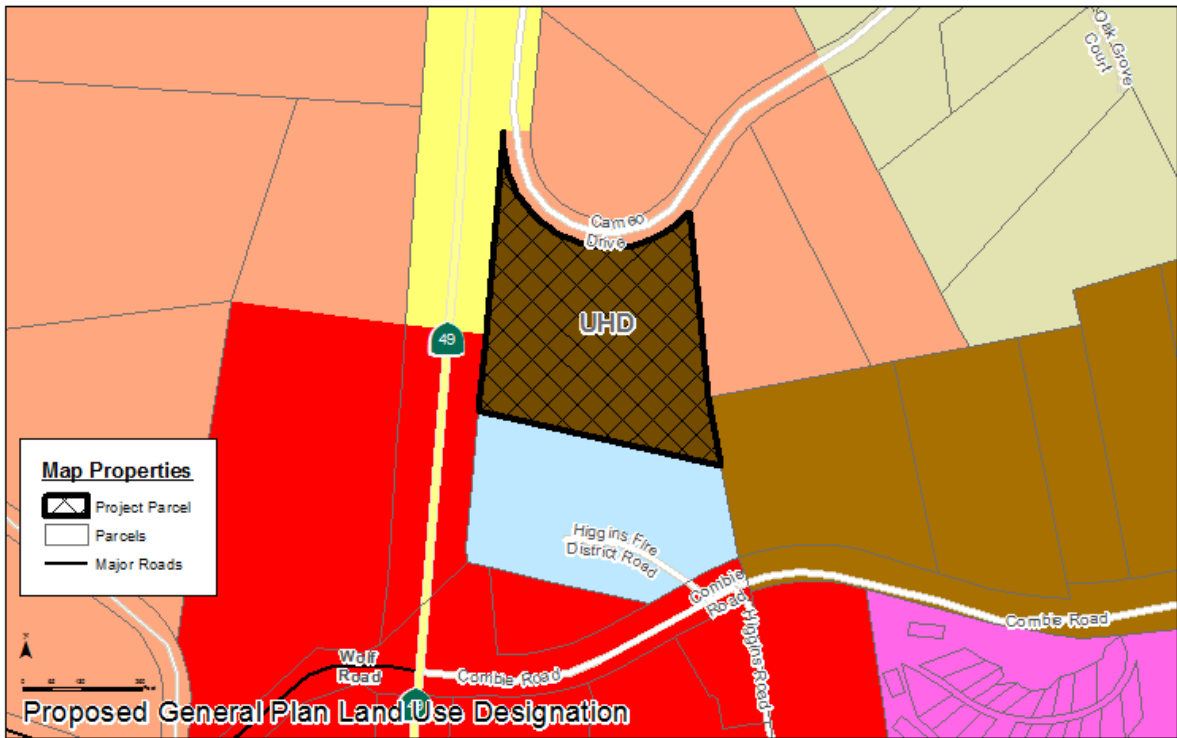
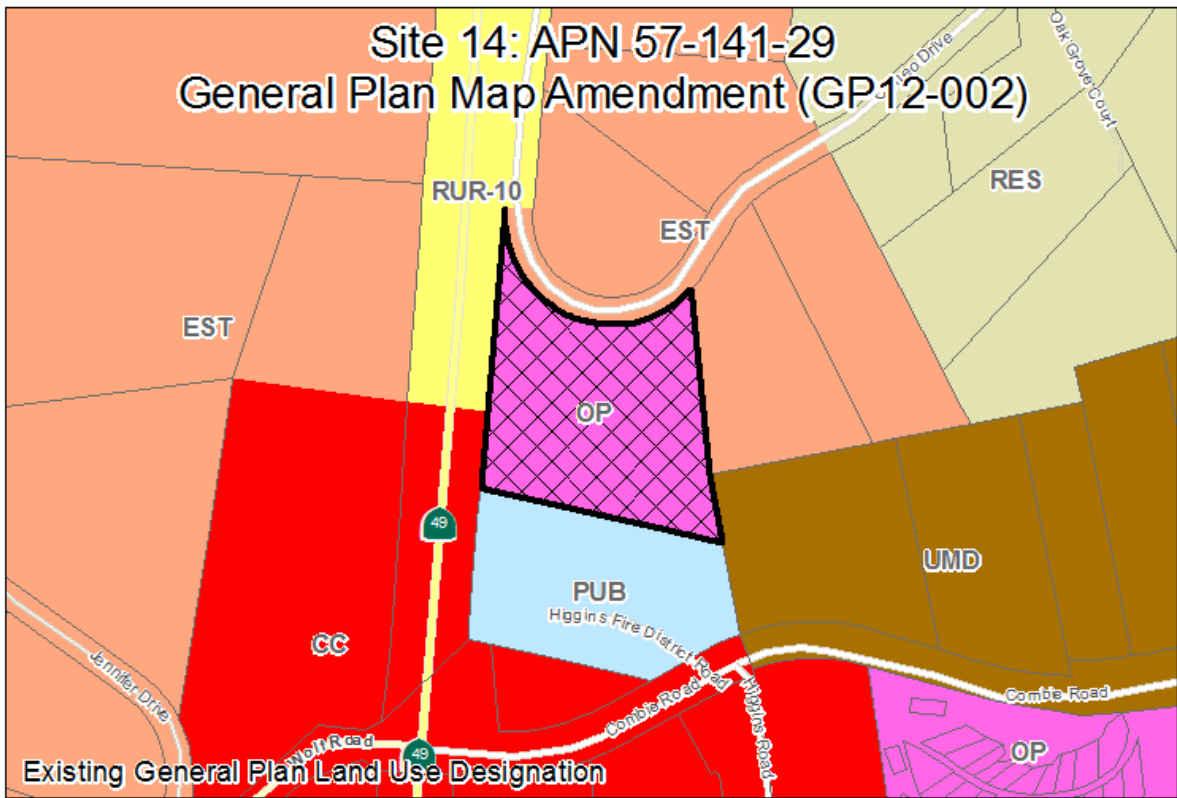
Grass Valley Site 5: APN 35-412-18
 General Plan Map Amendment (GP12-002)



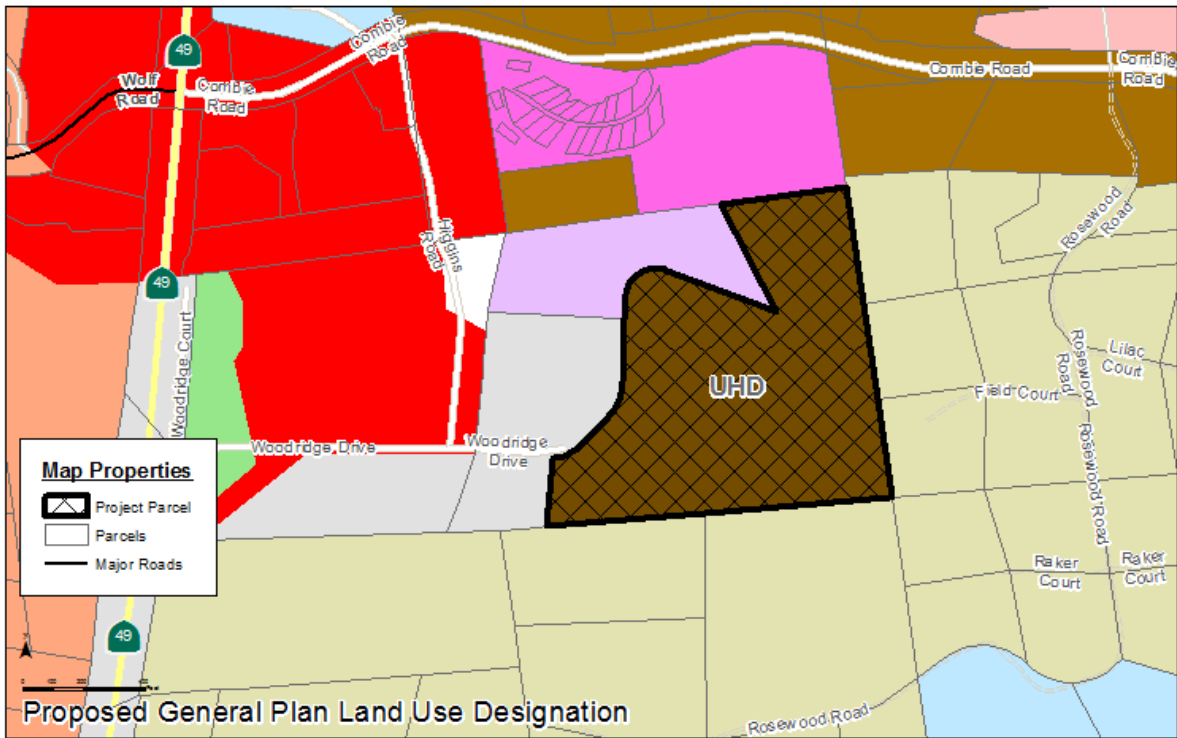
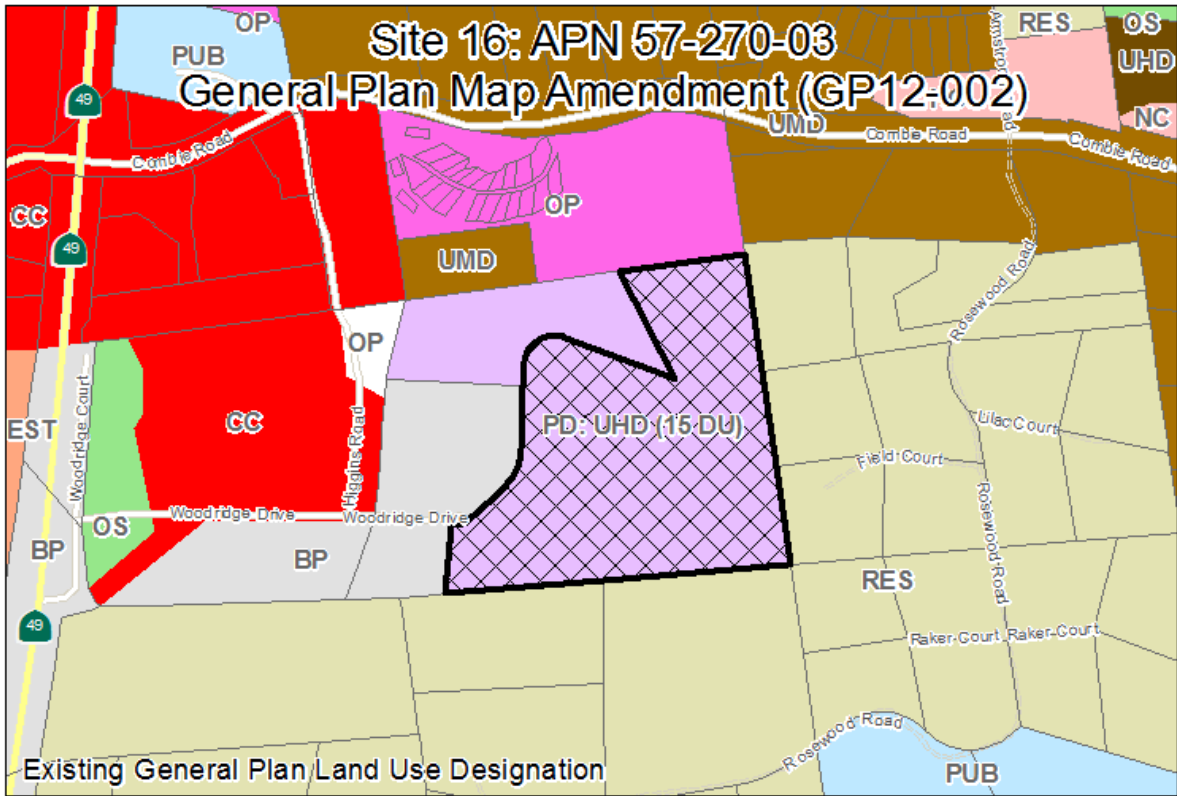
Site 12: APN 51-151-62
General Plan Map Amendment (GP12-002)



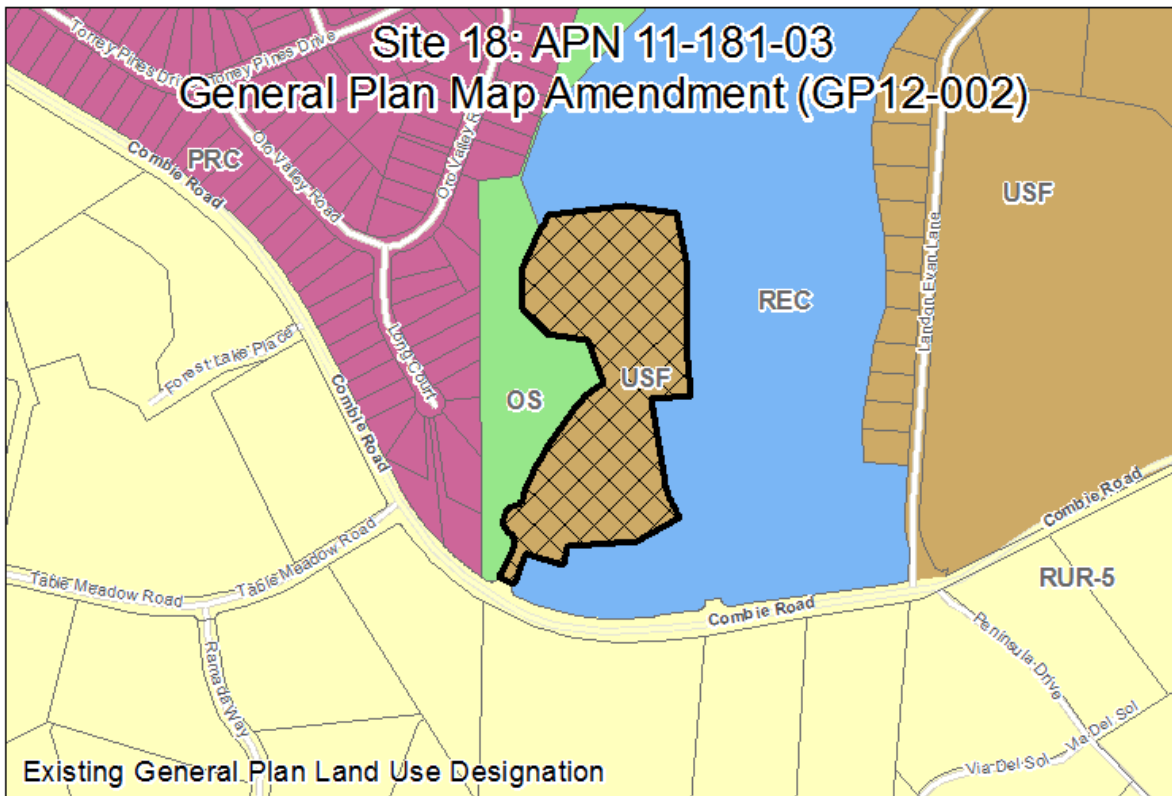
Site 14: APN 57-141-29 General Plan Map Amendment (GP-12-002)



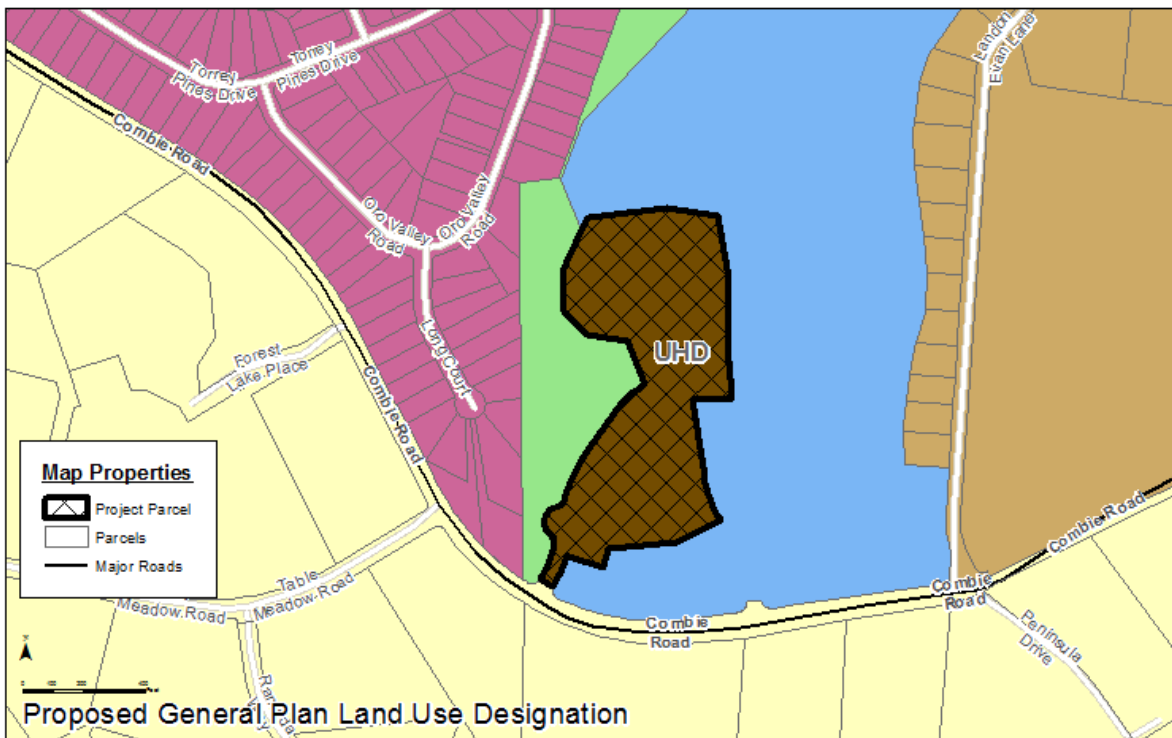
Site 16: APN 57-270-03 General Plan Map Amendment (GP12-002)



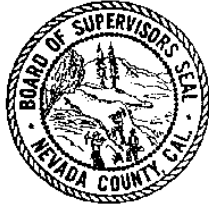
Site 18: APN 11-181-03
 General Plan Map Amendment (GP12-002)



Existing General Plan Land Use Designation



Proposed General Plan Land Use Designation



ORDINANCE No.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING SPECIFIC ZONING DISTRICT MAPS TO PERFORM SITE SPECIFIC REZONING TO INCREASE THE COUNTY'S HIGH DENSITY RESIDENTIAL (R3) ZONING BY AN EQUIVALENT OF AT LEAST 43.7-ACRES INCLUDING ADDING THE REGIONAL HOUSING NEED (RH) COMBINING DISTRICT TO THOSE SITES TO ESTABLISH A MINIMUM REQUIRED RESIDENTIAL DENSITY EFFECTIVELY IMPLEMENTING THE HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION PROJECT (NEVADA COUNTY 2014-2019 HOUSING ELEMENT PROGRAM HD-8.1.1); (Z12-002)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Pursuant to Section L-II 1.3.D of Article 1 of Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Maps No. 052c, 016a, 046a, 047a and 059 is hereby amended as follows:

SECTION II:

Zoning District Map No. 052c is hereby amended as shown on Exhibit "A" attached hereto and made a part of this Ordinance. Said properties comprises of three parcels totaling approximately 23.35 acres (Site 3: 9.15-ac.; Site 5: 4.50-ac.; and Site 6: 9.70-ac.) and are located at 11791 and 11840 Ranchview Court and 10715 Brunswick Road, Grass Valley, CA respectively;

All that certain property described on Exhibit "A" and numbered as APNs 35-412-15 (Site 3), 35-412-18 (Site 5), and 35-412-19 (Site 6), are hereby rezoned as defined in Chapter II of the Land Use and Development Code of the County of Nevada as follows:

APN: 35-412-14: From: R2-PD

To: R3-RH (118-DU)

APN: 35-412-18: From: R2-PD
To: R3-RH (71-DU)

APN: 35-412-10: From: R2-PD
To: R3-RH (151-DU)

SECTION III:

Zoning District Map No. 016a is hereby amended as shown on Exhibit “A” attached hereto and made a part of this Ordinance. Said properties comprise of approximately 7.47-acres (Site 11: 3.10-ac.; and Site 12: 4.37-ac.) and are located at 17630 Penn Valley Drive, and 10528 Broken Oak Court, Penn Valley, CA. respectively;

All that certain property described on Exhibit “A” and numbered as APNs 51-150-29 and (Site 11) and 51-151-62 (Site 12), are hereby rezoned as follows as defined in Chapter II of the Land Use and Development Code of the County of Nevada:

APN: 51-150-29: From: C2-SP (Note #96-01).
To: C2-RH-SP (36-DU) (Note #96-01)

APN: 35-151-62: From: R2-SP (Note #96-01).
To: R3-RH-SP (45-DU) (Note #96-01)

SECTION IV:

Zoning District Map No. 046a is hereby amended as shown on Exhibit “A” attached hereto and made a part of this Ordinance. Said property comprises of approximately 5.00-acres and is located at 22630 Cameo Drive, Grass Valley, CA.;

All that certain property described on Exhibit “A” and numbered as APN 57-141-29, is hereby rezoned as follows as defined in Chapter II of the Land Use and Development Code of the County of Nevada:

APN: 57-141-29: From: OP-SC-SP (Note#96-09).
To: R3-RH-SC-SP (42-DU) (Note #96-09)

SECTION V:

Zoning District Map No. 047a is hereby amended as shown on Exhibit “A” attached hereto and made a part of this Ordinance. Said property comprises of approximately 18.12-acres and is located at 10415 Woodridge Drive, Auburn, CA;

All that certain property described on Exhibit “A” and numbered as APN 57-270-03, is hereby rezoned as defined in Chapter II of the Land Use and Development Code of the County of Nevada as follows:

APN: 57-270-03: From: IDR-SC-SP
To: R3-RH-SC-SP (188-DU)

SECTION VI:

Zoning District Map No. 059a is hereby amended as shown on Exhibit “A” attached hereto and made a part of this Ordinance. Said property comprises of approximately 11.03-acres and is located at 12984 Combie Road, Auburn, CA.;

All that certain property described on Exhibit “A” and numbered as APN 11-181-03, is hereby rezoned as defined in Chapter II of the Land Use and Development Code of the County of Nevada as follows:

APN: 11-181-03: From: R1-PD-SP (23 DU)
To: R3-RH-SP (108-DU)

SECTION VII:

Pursuant to Land Use and Development Code Section L-II 2.7.11.B.3, the following site specific Regional Housing Need Combining District minimum densities shall be established:

Table 1.
Regional Housing Need Combining District Minimum Residential Densities Per Site

<i>Site Number</i>	<i>APN</i>	<i>Total Acreage</i>	<i>Size of Development Footprint (acres)</i>	<i>Minimum Required Density (units)</i>
3	35-412-15	9.15	7.39	118
5	35-412-18	4.50	4.48	71
6	35-412-19	9.70	9.45	151
11	51-150-29	3.10	2.29	36
12	51-151-62	4.37	2.82	45
14	57-141-29	5.00	2.63	42
16	57-270-03	18.12	11.81	188
18	11-181-03	11.03	6.75	108

SECTION VIII:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of

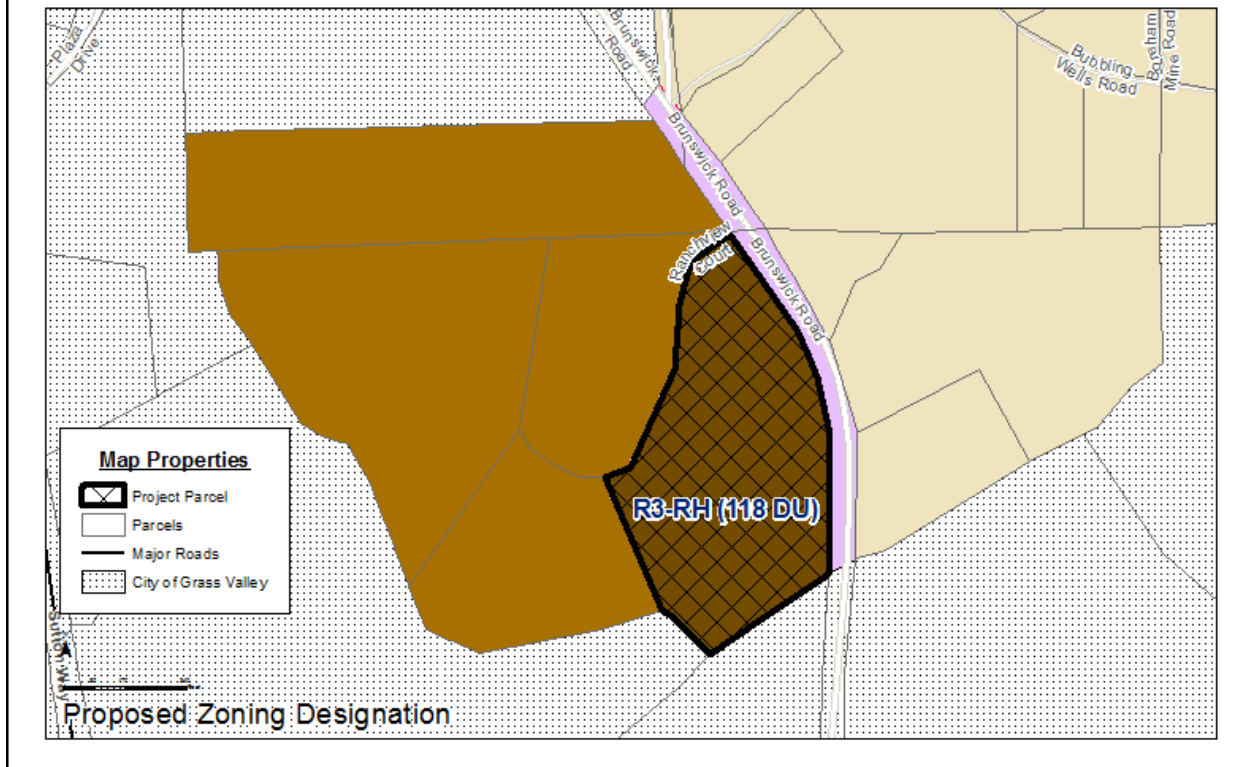
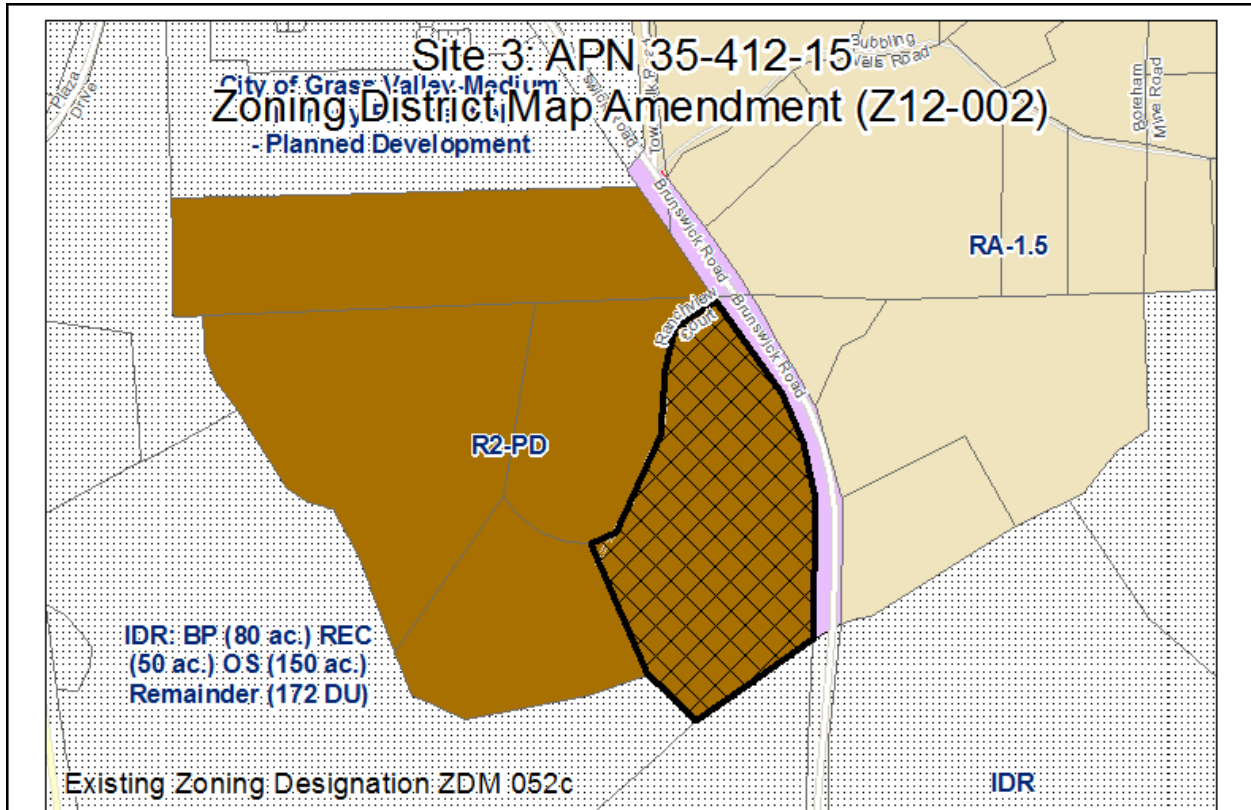
Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

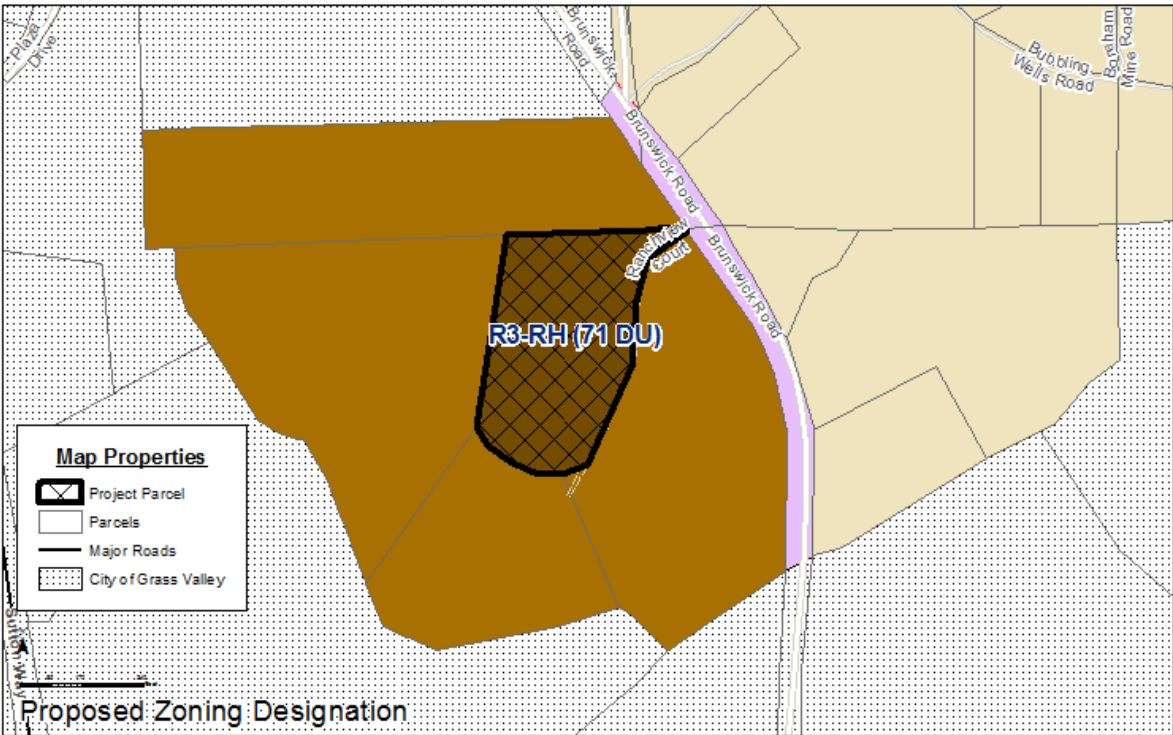
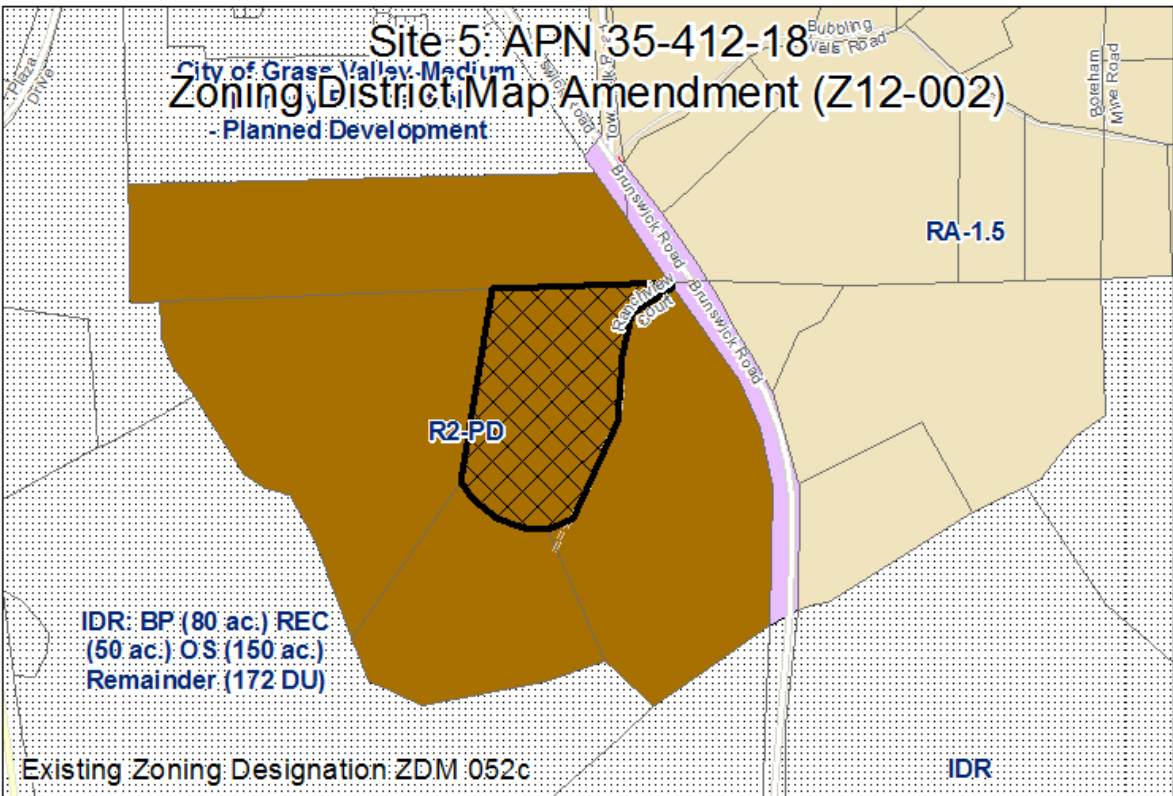
SECTION IX:

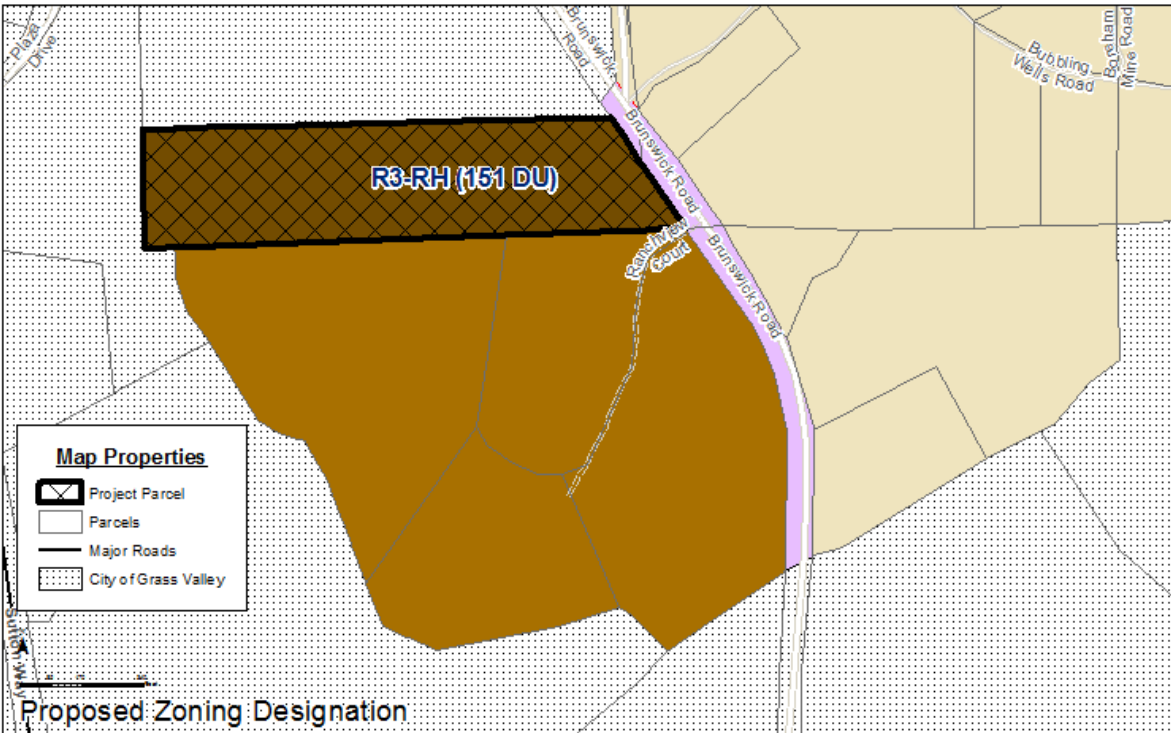
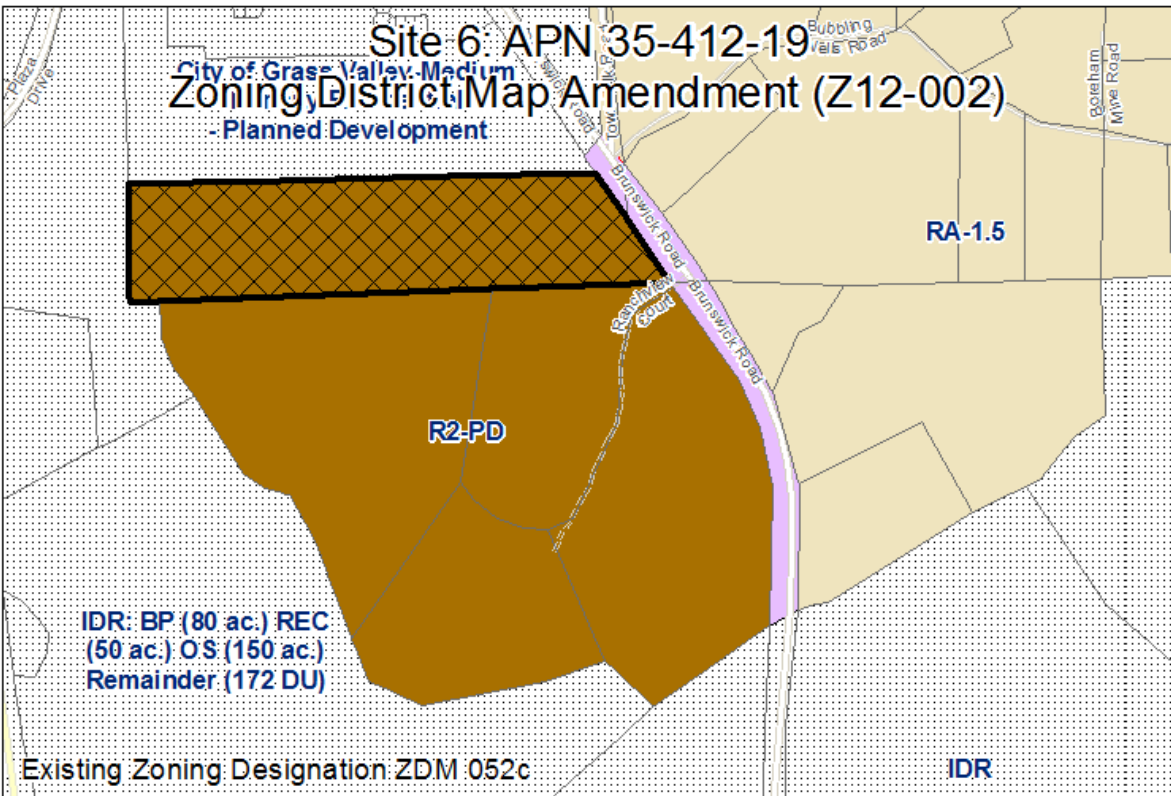
Pursuant to Government Code Section 25131, this Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the _____ day of _____, 2015, and before the expiration of fifteen (15) days after its passage an ordinance summary shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

DRAFT

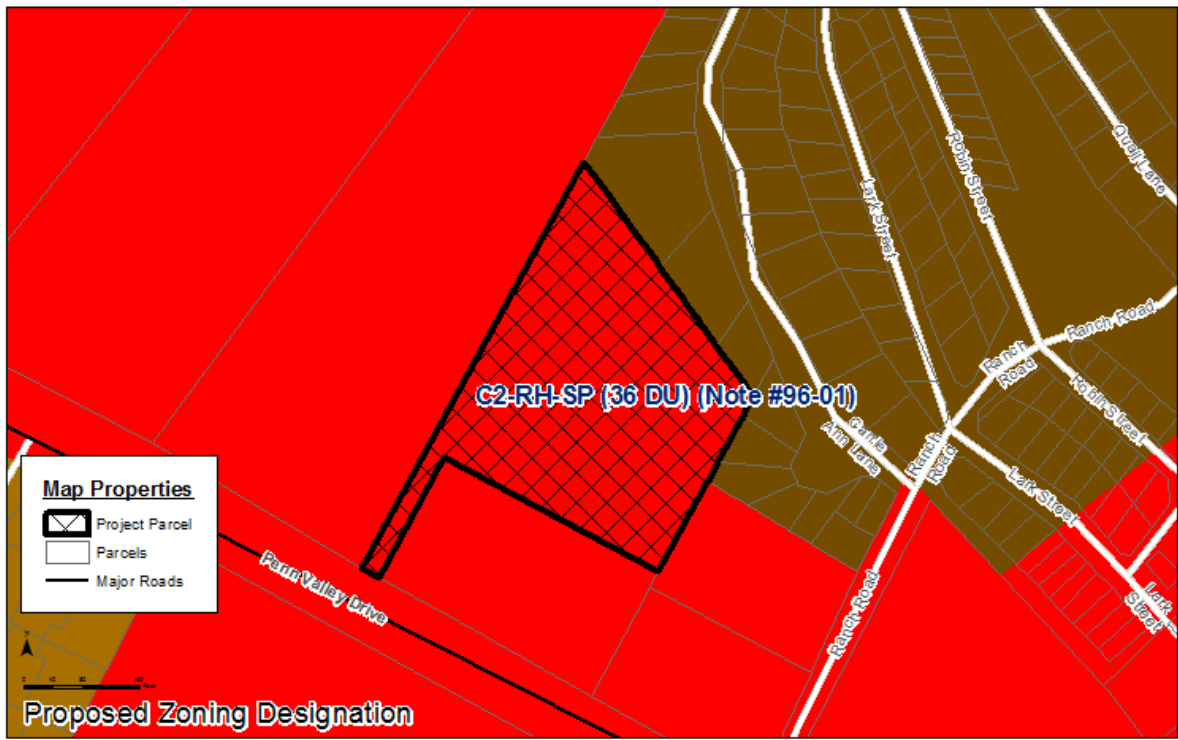
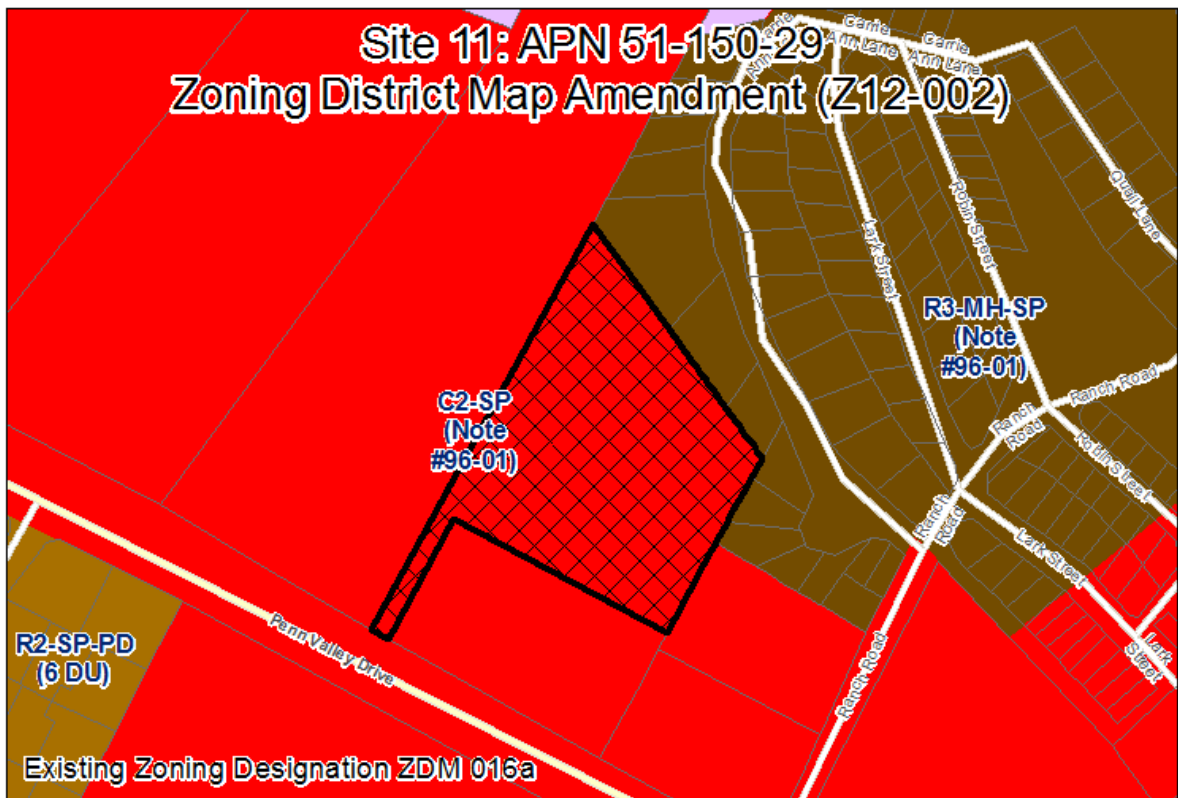
Exhibit A

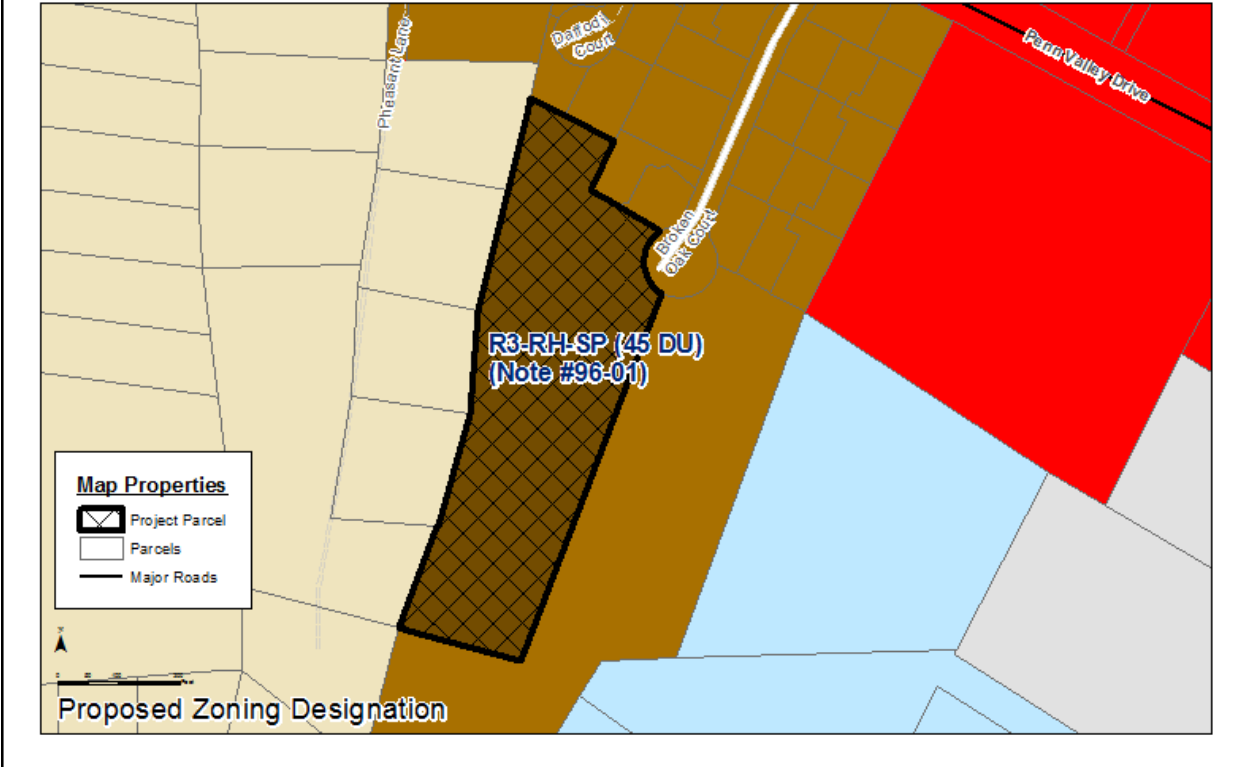
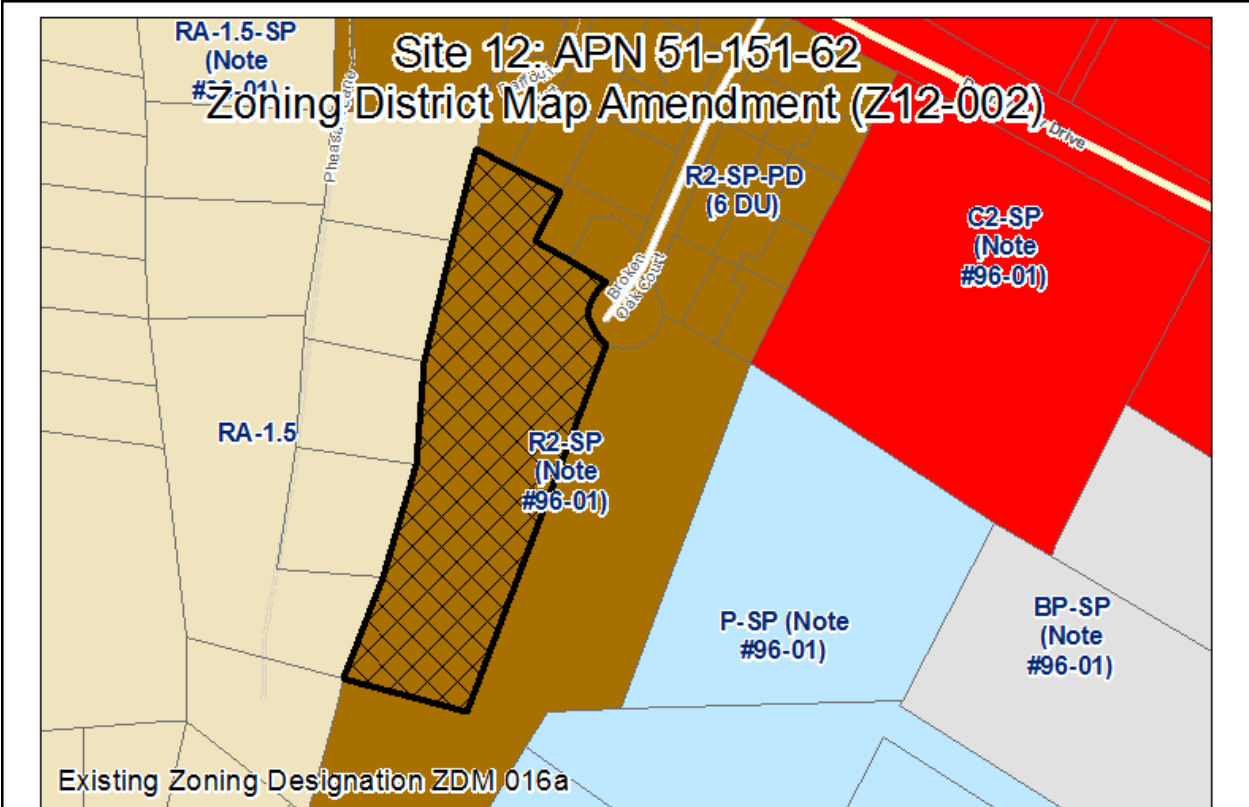




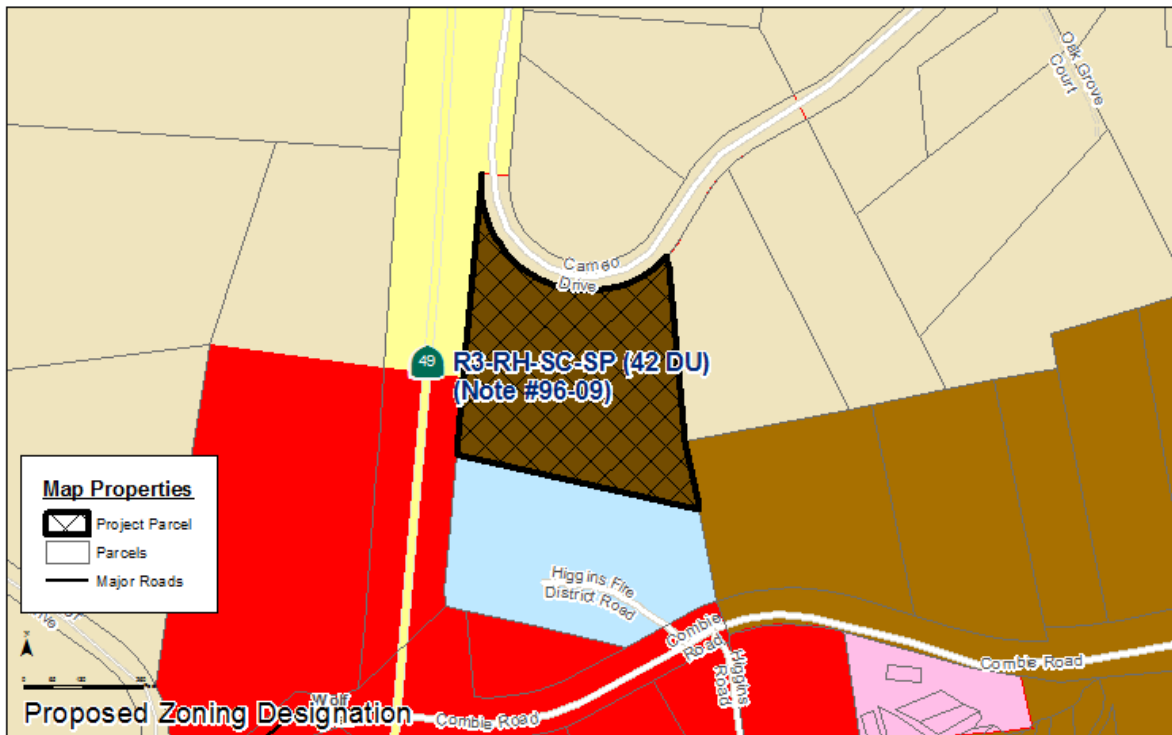
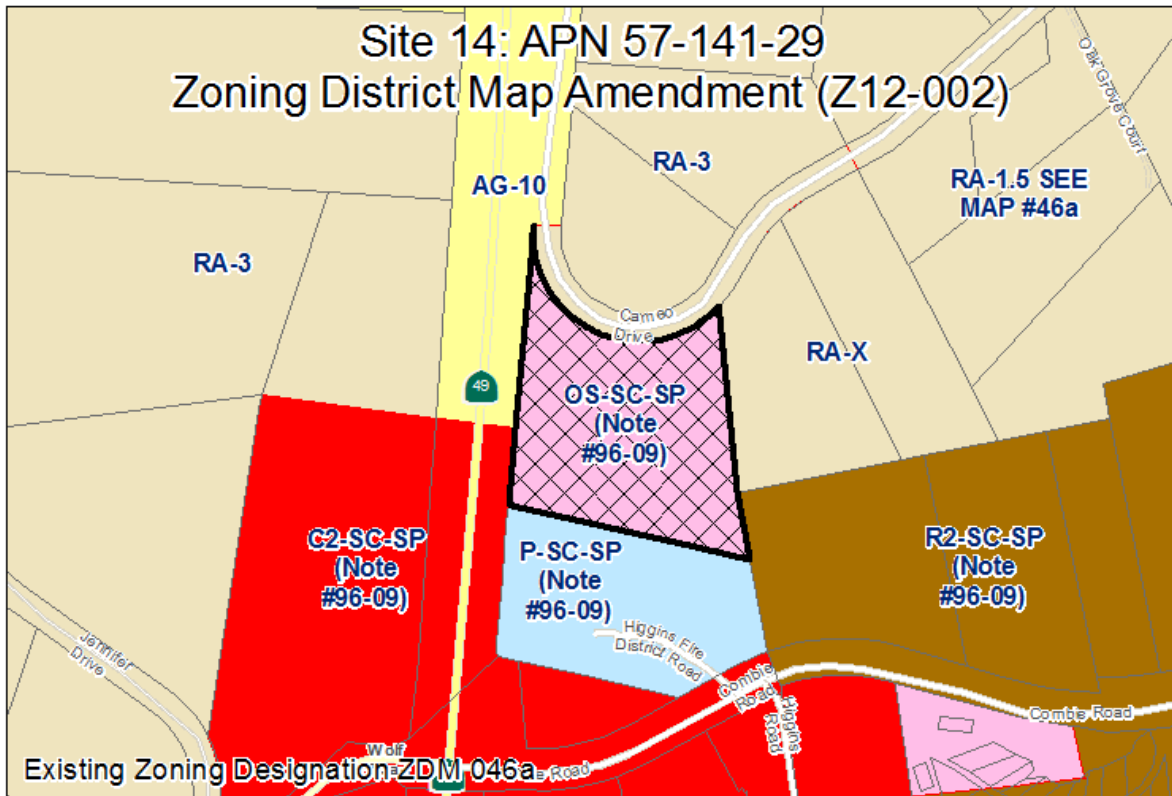


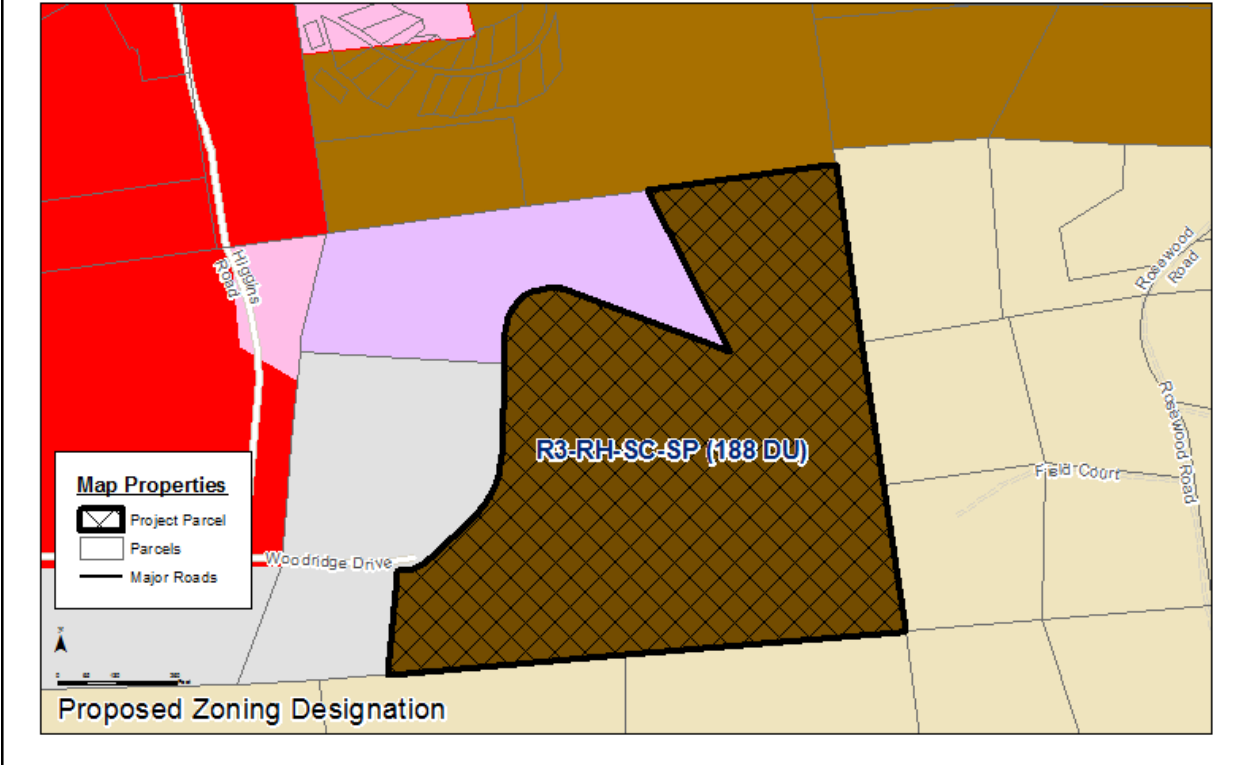
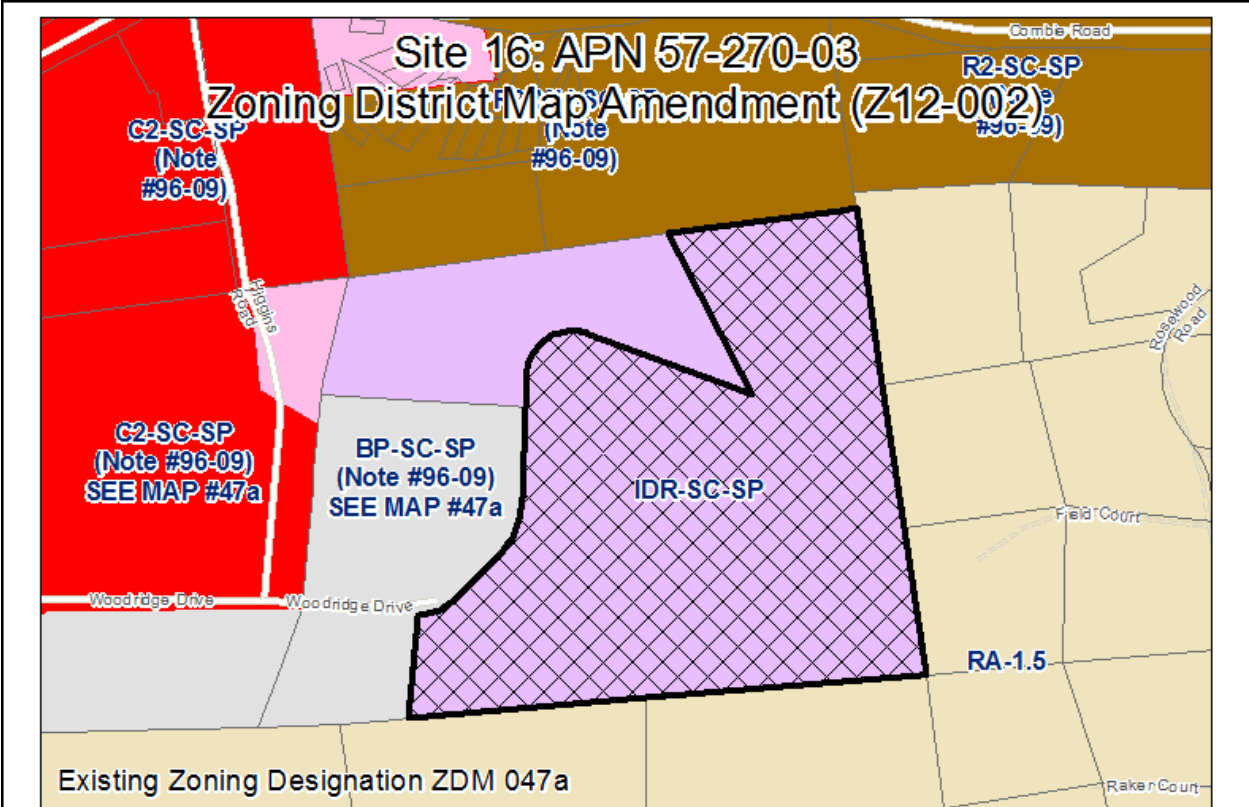
Site 11: APN 51-150-29
Zoning District Map Amendment (Z12-002)



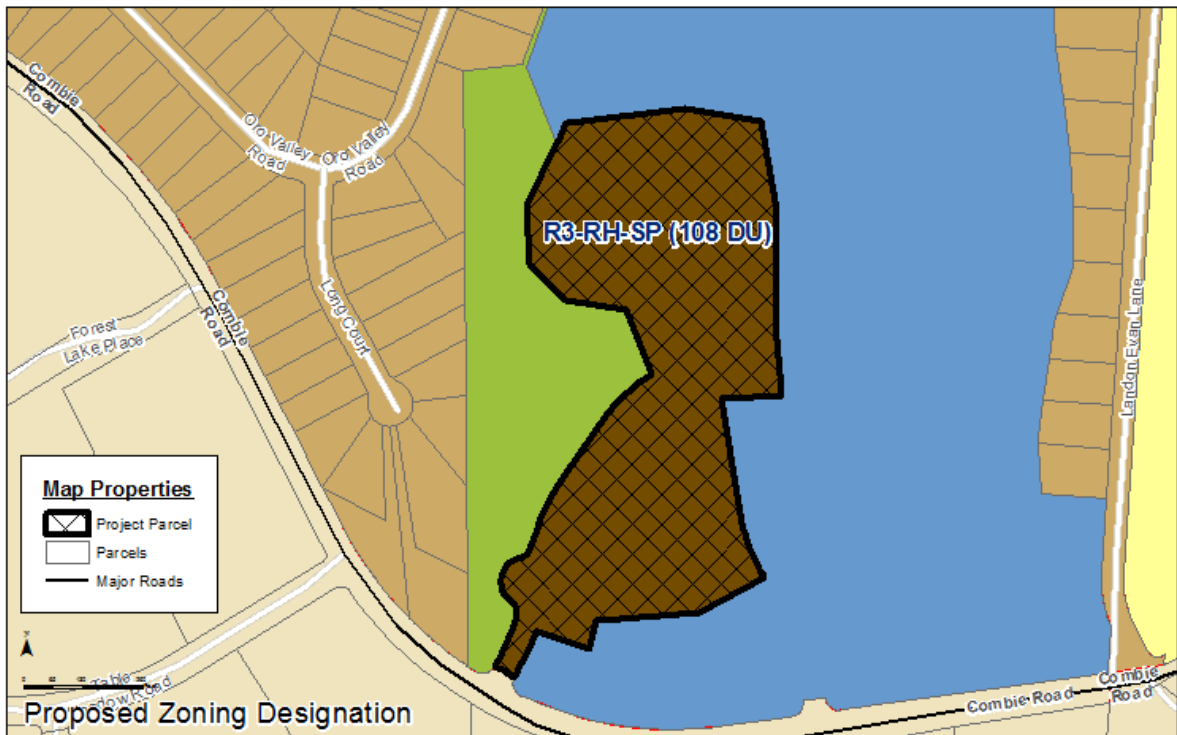
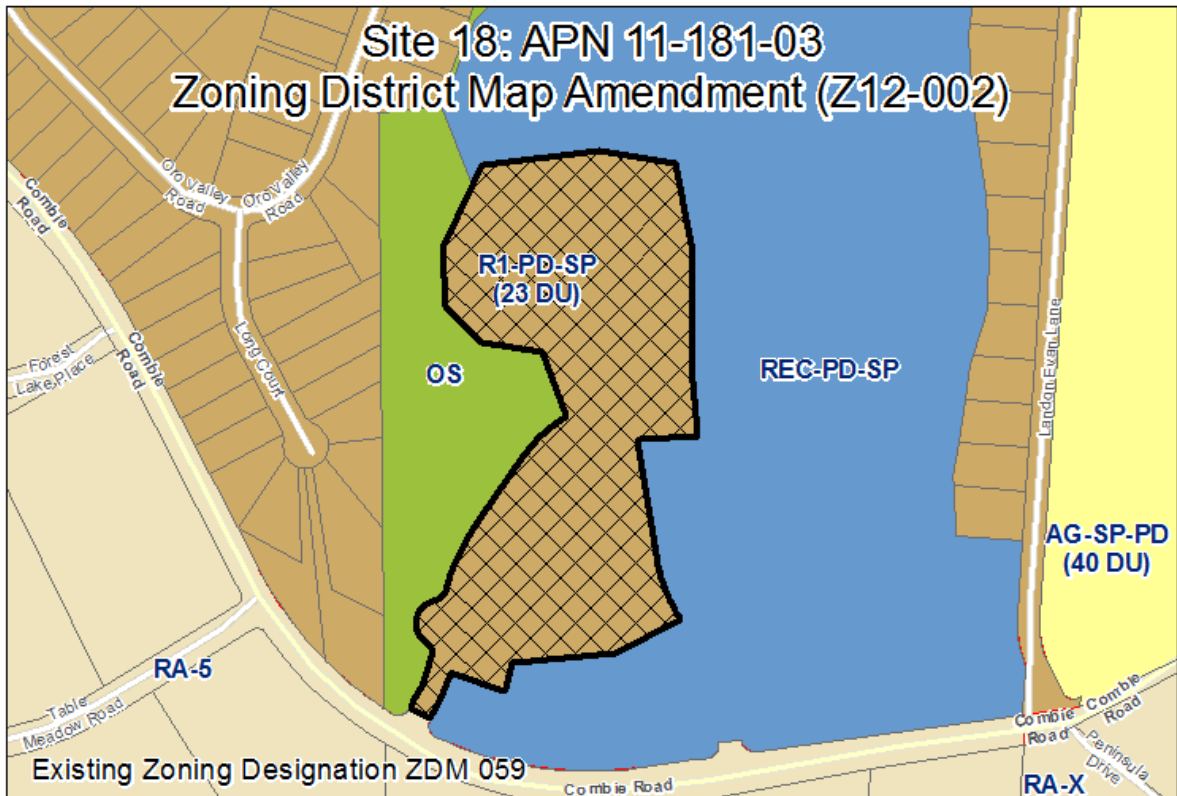


Site 14: APN 57-141-29 Zoning District Map Amendment (Z12-002)





Site 18: APN 11-181-03
Zoning District Map Amendment (Z12-002)





ORDINANCE No. 2343

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE ADDING SECTION L-II 2.7.11 TO ARTICLE 2 OF CHAPTER II OF THE LAND USE AND DEVELOPMENT CODE OF THE COUNTY OF NEVADA CREATING A REGIONAL HOUSING NEED (RH) COMBINING DISTRICT AND ESTABLISHING STANDARDS FOR THE DEVELOPMENT OF AFFORDABLE AND MULTI-FAMILY HOUSING (ORD11-003)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

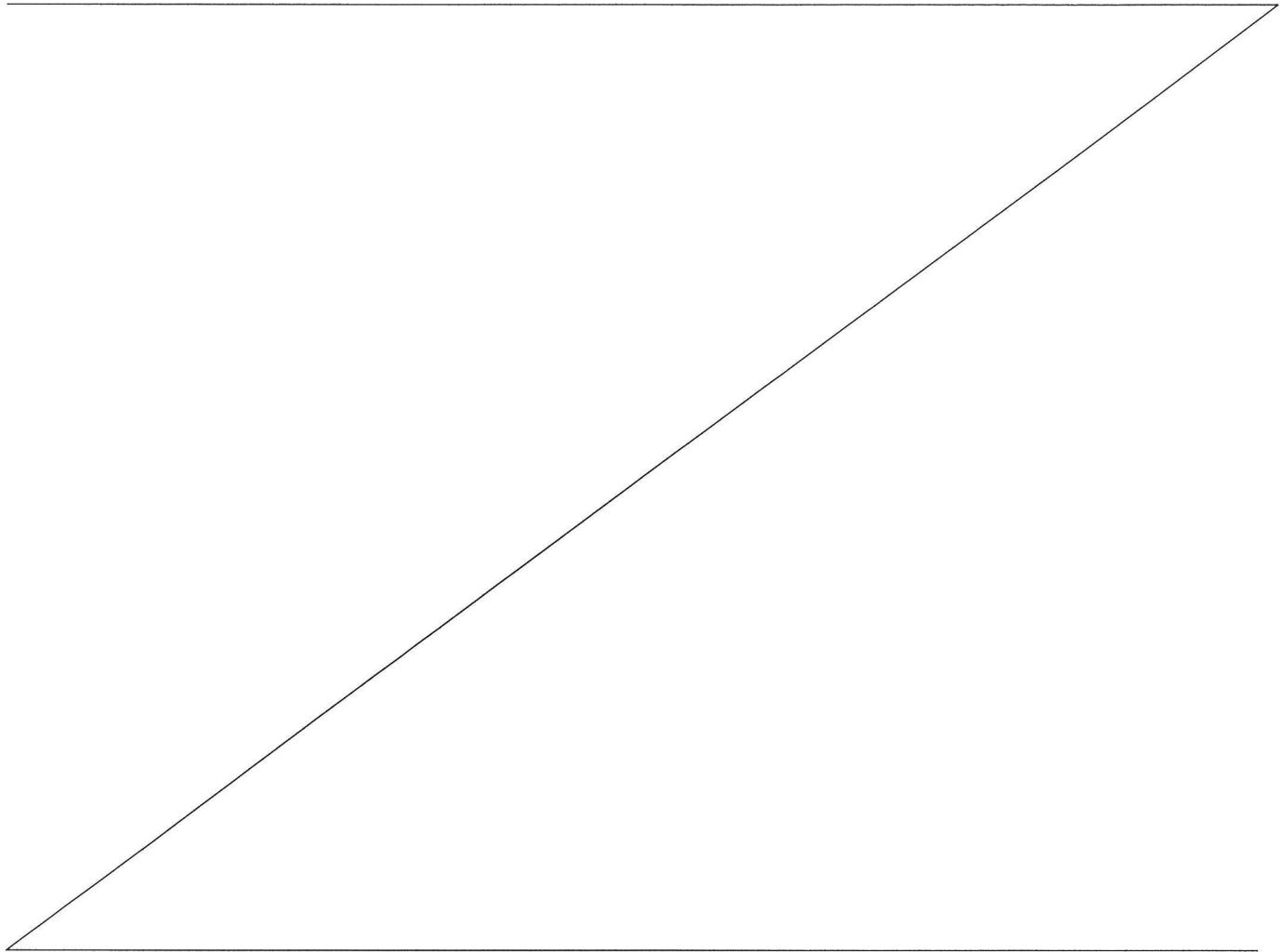
Section L-II 2.7.11 of Article 2 of Chapter II of the Land Use and Development Code of the County of Nevada, is hereby added to read as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION II:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION III:

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and shall become operative on the 27th day of Oct, 2011, and, before the expiration of fifteen (15) days after its passage a summary shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 27th day of September, 2011, by the following vote of said Board:

Ayes: Supervisors Nathan Beason, Edward Scofield, Terry Lamphier and Ted S. Owens.

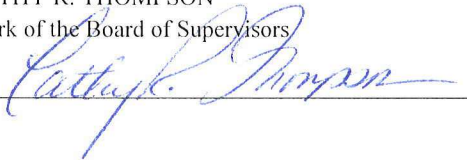
Noes: None.

ATTEST:

Absent: Hank Weston.

CATHY R. THOMPSON
Clerk of the Board of Supervisors

Abstain: None.

By: 


Edward C. Scofield, Chair

09/28/2011 cc: Planning
Counsel
Union

EXHIBIT "A"

Section L-II 2.7.11 Regional Housing Need Combining District (RH)

- A. **Purpose.** The purpose of the Regional Housing Need (RH) Combining District is to increase the supply of affordable and multi-family housing for persons and families within the extremely-low, very-low and low income categories by designating sites for development at 16 to 20 units minimum per acre in order to meet the requirements of the Regional Housing Need Allocation (RHNA) as required by State Government Code Section 65584.

- B. **Standards.** The RH Combining District allows for the following:
 - 1. **Designation of the Regional Housing Need (RH) Combining District.** The Regional Housing Need (RH) Combining District shall only be applied to those parcels designated by the Board of Supervisors in advance of the County Housing Element adoption; as a part of the Housing Element update process; as a part of the implementation of the Housing Element goals, policies and programs; or where it can be reasonably demonstrated that the rezoning of the site is necessary to meet the goals of the RHNA.

 - 2. **Site Selection Criteria.** For sites to be designated under the Regional Housing Need (RH) Combining District, the site must meet the following criteria:
 - a. Generally, the site must be identified by the County to satisfy the Regional Housing Need as outlined in L-II 2.7.11.B.1 above. A private landowner however, may apply for the RH designation if the landowner has received concurrence from the Board of Supervisors, prior to submitting an application for rezone, that the rezoning of the site to add the RH overlay is necessary to meet a Regional Housing Need.

 - b. The site is currently undeveloped or it can be demonstrated that the site is underdeveloped.

 - c. The site is of adequate size and shape to allow for the reasonable development of residential housing at the minimum densities required under Standard L-II 2.7.11.B.3 below.

 - d. The site has ingress and egress on a County maintained road or can be connected to a County maintained road pursuant to Standard L-II 2.7.11.C.8 below.

 - e. The site is in or within a reasonable walking distance to a Community Region or Village Center, as shown on the General Plan Land Use Maps, which has access to schools, services, fire protection and jobs.

- f. The site is located on or is within reasonable walking distance to a public transit route.
 - g. The site is within or can reasonably be annexed into an existing sanitary sewer district and public water district.
 - h. The anticipated residential development can be sited to avoid major environmental hazards and/or constraints including but not limited to wetlands, watercourses, floodways, steep slopes, geologic hazards, archaeological resources, sensitive habitat areas, and airport noise and safety zones that limit density. (See Section L-II 4.3: Resource Standards for a comprehensive list of protected resources).
3. **Density.** The density for the development of multi-family housing shall be determined at the time the site is rezoned to add the Regional Housing Need (RH) Combining District. This density shall be based on the State mandated 16-units minimum per acre but will allow for a maximum of 20-units per acre on sites within a City's Sphere of Influence. The minimum required density may be determined by allocating the density to the total acreage of the site or by aggregating the developable area of a site, through the environmental review process, to remove areas considered to be environmentally sensitive pursuant to Section L-II 4.3 and all areas for driveways and roadways from the developable area, whichever is more suitable for the site. The number of potential units will be determined by multiplying the developable acreage by 16. Where such calculation results in a fractional number, the number of units shall be determined by rounding down to the nearest whole number.
4. **Lesser Densities and Interim Uses.** Lesser densities and interim uses within the Regional Housing Need (RH) Combining District shall be allowed when consistent with the allowed uses shown within the Allowed Use Tables for an individual Base Zoning District subject to the standards applicable to development within that Base Zoning District. Should a site be developed with a lesser density or interim use, the site must include a plan that provides basic details on how the interim use or lesser density will not impact the sites ability to be otherwise developed at the density shown in Section L-II 2.7.11.B.3.
5. **Master Planning.** Where contiguous or adjacent parcels are designated under the Regional Housing Need (RH) Combining District, any development proposal for one parcel may be required to include a Comprehensive Site Plan for development of all contiguous or adjacent parcels which are also designated under the Regional Housing Need (RH) Combining District. The purpose of the Comprehensive Site Plan is to define interior circulation patterns, exterior site access, fire access to all parcels, infrastructure improvements, and common area locations and amenities.

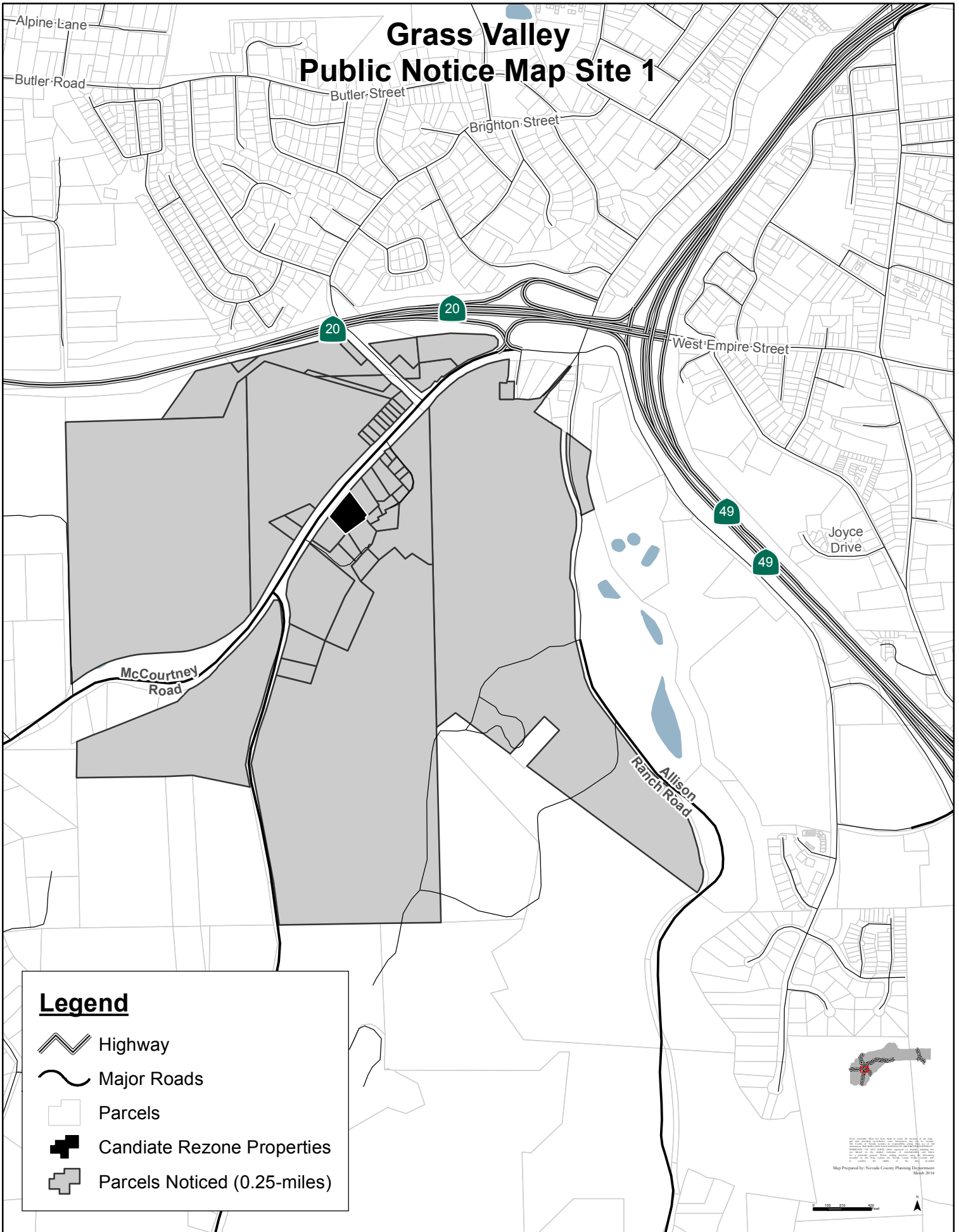
6. **Density Bonus.** Projects designed in accordance with the County's Density Bonus provisions set forth in Sections L-II 3.16 and 3.20 shall be eligible for the applicable concessions and incentives outlined within those Sections.
 7. **Energy and Environmental Efficiency.** Multi-family housing developed within the Regional Housing Need (RH) Combining District is encouraged to utilize energy efficient design techniques and environmentally sensitive design and building materials.
 8. **Management Plan.** With all development, there is the potential for the encroachment into Sensitive Environmental Resources, defined in Section L-II 4.3: Resource Standards, to ensure a development will fit onto a site. This may be allowed if a Management Plan prepared consistent with Section L-II 4.3.3.C is approved by the County prior to Building Permit Issuance.
- C. **By-Right Development.** When required by State law, notwithstanding the requirements of the residential uses shown with the Base Zoning Districts Allowable Use Tables, sites within a Regional Housing Need (RH) Combining District shall be developed by-right in that the use and density shall not require a Use Permit, Planned Unit Development Plan or other discretionary action for the use or density of that site. For these sites, the following standards and alternative process shall apply:
1. The developable acreage of the site and the required number of units will be determined as shown in Section L-II 2.7.11.B.3.
 2. Environmental review, as required by the California Environmental Quality Act, will be completed as part of the process for the rezoning of such sites into the Regional Housing Need (RH) Combining District to address the uses and minimum densities allowed by the Regional Housing Need (RH) Combining District. Subsequent environmental review may be required if, and to the extent, necessary to comply with CEQA.
 3. In addition to assigning density, the Regional Housing Need (RH) Combining District shall outline site specific development standards and any CEQA mitigation measures adopted for each site at the time the site is rezoned. All identified site specific development standards and CEQA mitigation measures shall be included within the Regional Housing Need Implementation Plan and all development of multi-family housing on a Regional Housing Need (RH) site shall be done in compliance with said Plan.
 4. All development proposals within the Regional Housing Need (RH) Combining District, which meet the by-right provision, are subject to Zoning Compliance and Building Permit issuance and the payment of all applicable building permit and mitigation fees which are otherwise applicable to the development proposal.

5. Development proposals shall undergo a Design Review process and public hearing at the Planning Commission limited to design issues only. No discretionary permit is necessary for the density or use of the site.
6. Prior to Building Permit Issuance, it shall be the responsibility of the land owner or developer to provide written documentation from the applicable public utility, water and sewer service provider demonstrating that adequate public utilities, water and sewage disposal is available to accommodate the use and minimum densities required for a site. If the property does not have direct access to adequate public utilities to serve the anticipated development of the site, it shall be the responsibility of the property owner or developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider.
7. Prior to Building Permit Issuance, it shall be the responsibility of the land owner or developer to provide written documentation from the applicable fire protection district and/or agency demonstrating that the site has adequate fire flow, emergency escape routes, fire equipment access and is designed to meet all applicable requirements of the California Fire Code.
8. If a property does not have direct access to a County maintained roadway, it shall be the responsibility of the land owner or developer to provide written documentation as to their legal right to utilize and improve the road(s) that provide ingress and egress to the site, including secondary access if required, and that the road(s) meet the County minimum standards to serve the development proposed. The land owner or developer shall also be responsible for providing an offer of dedication of the road(s) for acceptance into the County maintained road system, if required by the Department of Public Works. If roads are determined to be inadequate, in width, size, surfacing, capacity, safety or some other standard, it shall be the responsibility of the land owner or developer to bring the road up to the minimum standard required by the Department of Public Works prior to issuance of a certificate of final occupancy.
9. Subdivision. Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Land Use and Development Code Chapter IV. Where a tentative map is proposed, the public hearing may be expanded to address findings under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need (RH) Combining District will be utilized in the processing of the subdivision.

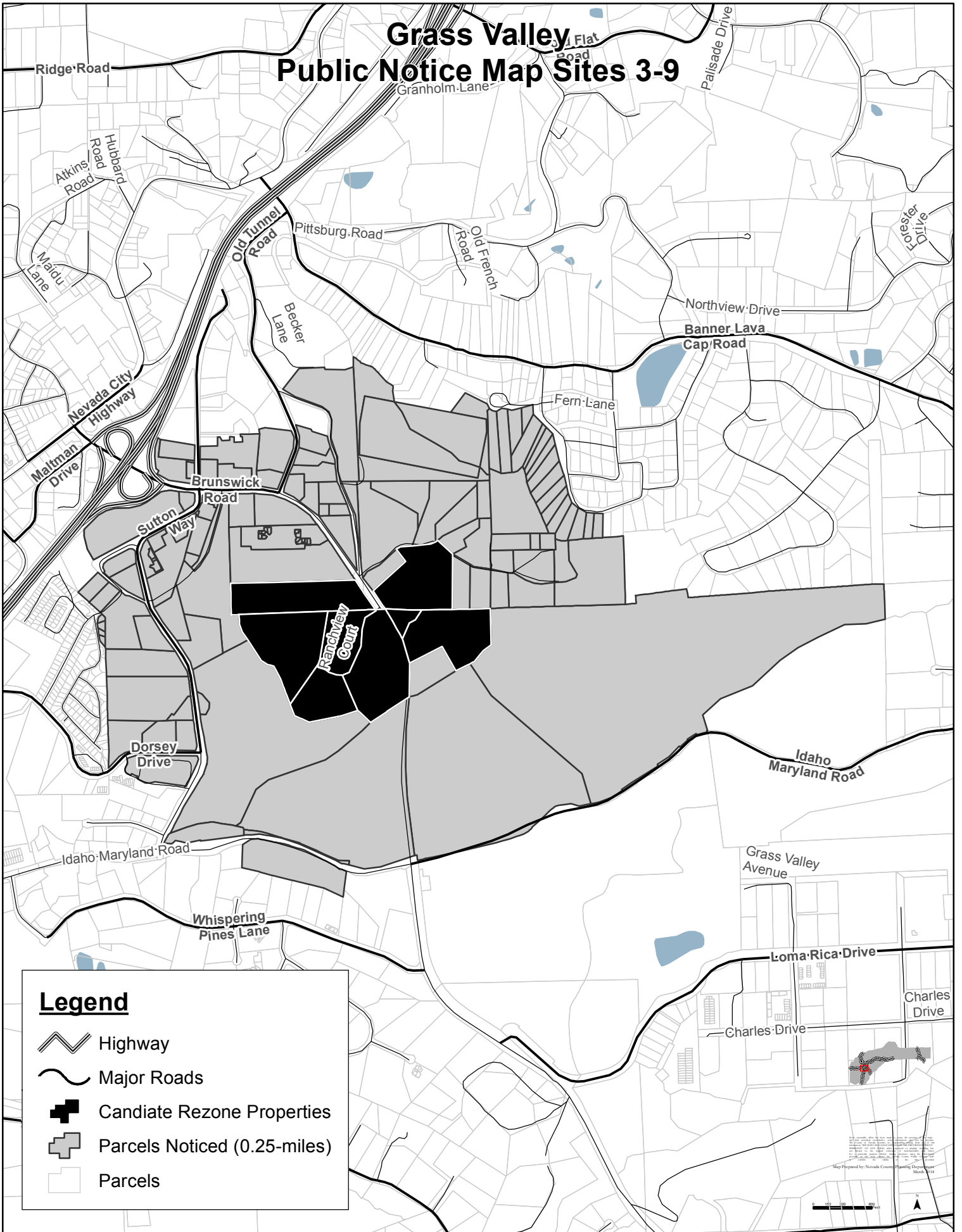
D. Mixed-Use Development. In the event that a site has a Commercial, Industrial, Office Professional or Business Park Base Zoning District and is combined with an RH overlay, the site shall be developed with a use consistent with the Base Zoning District, subject to the development standards shown within said district, prior to or in conjunction with mixed-use residential that can be either vertically or horizontally mixed. The use and minimum density of the residential portion of the site shall be exempt from discretionary

review if developed at a density consistent with Section L-II 2.7.11.B.3, but shall be subject to the above standards and Zoning Compliance and Building Permit issuance.

Grass Valley Public Notice Map Site 1

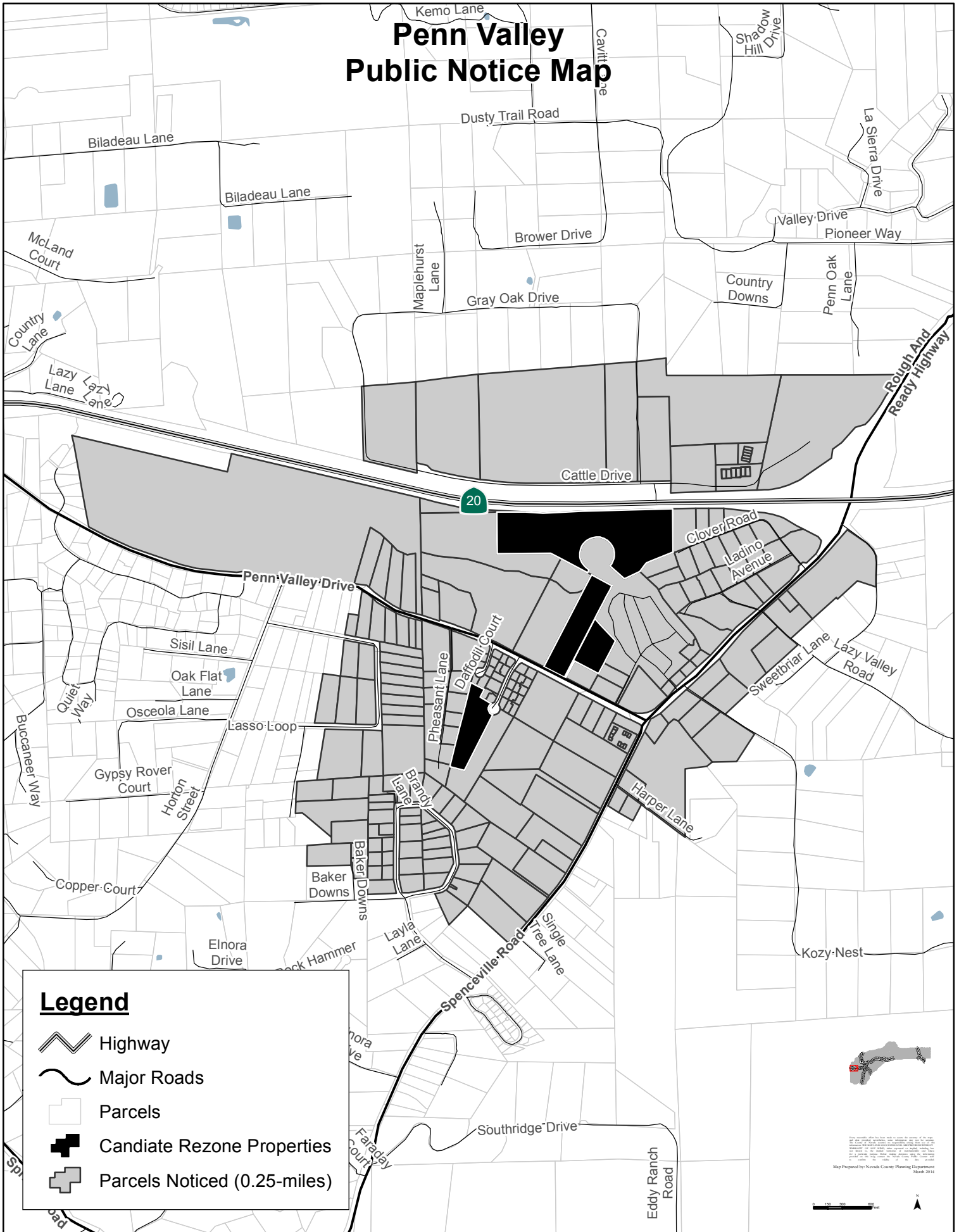


Grass Valley Public Notice Map Sites 3-9








Map Prepared by Nevada County Planning Department
March 2014

Penn Valley Public Notice Map



Legend

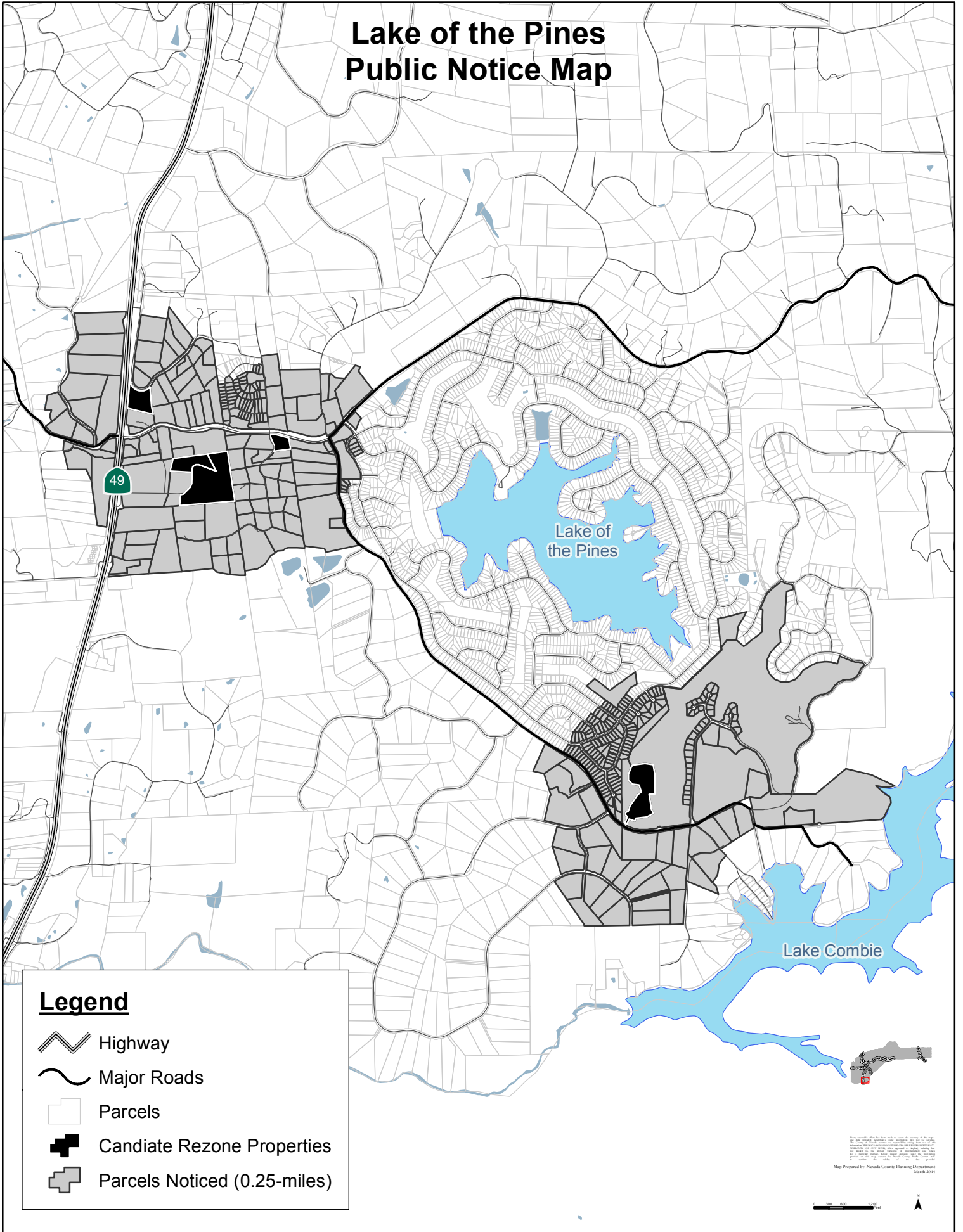
-  Highway
-  Major Roads
-  Parcels
-  Candidate Rezone Properties
-  Parcels Noticed (0.25-miles)



Map Prepared by: Nevada County Planning Department
March 2014



Lake of the Pines Public Notice Map



Attachment 6

Final EIR

Includes the Draft EIR, Written Response to Comments, Draft EIR Errata
Provided to Planning Commissioner's Only

For public review it is available at:

<http://www.mynevadacounty.com/nc/cda/planning/Pages/2009-2014-Housing-Element-Rezone-Program-Implementation.aspx>



Letter 6 – City of Grass Valley

Response 6-A: The comment states that the City appreciates the County’s efforts to address City concerns related to the project and the City has provided additional comments on the Draft EIR. The County has responded to each of the comments provided in the responses below.

Response 6-B: The comment states that in addition to comments on the Draft EIR, the City has provided additional comments that focus on larger policy and land use issues and some suggestions and recommendations that would result in the City supporting the project. The County has noted that not all the comments are directly related to the Draft EIR but related to broader policy issues related to inter-agency planning between the City and the County. The County has provided a response to all the comments in the letter in the responses below.

Response 6-C: The County concurs that the significant and unavoidable impacts mostly impact the areas within the City’s SOI. However, this is more of an issue regarding jurisdiction of the lead agency than physical impacts. Most of the significant and unavoidable impacts have mitigation measures proposed, however, when those projects within the SOI are developed, they would mostly like be annexed into the City. As such, the County would lose the ability to enforce the implementation of the mitigation measure. As the lead agency, the County would not be able to ensure the implementation of the mitigation measure and therefore, the impact was considered significant and unavoidable. As noted in the comment, the potential impacts on air quality are based on the air basin being in non-attainment for ozone emissions and the proposed development would likely trigger this impact anywhere in Western Nevada County. The analysis in Section 4.6 of the EIR outlines the General Plan Goals and Policies of the both the County and the City that direct future development to reduce greenhouse gas emissions through the use green building techniques and development patterns that reduce overall vehicle miles traveled.

Page 4.6-15 of the Draft EIR has been revised to include the following:

Future development of the project sites will be required to meet CALGreen Building Code Tier 1 standards (Title 24, Part 11) at the time of building permit issuance. The CALGreen standards for residential development are located in Appendix A4 of the Green Building Standards and are intended to provide developers with specific options to construct energy efficient buildings. The more energy efficient the building design and construction, the fewer greenhouse gas emissions from the building over its lifetime. These standards include specific requirements in order to demonstrate that the project has an energy budget no greater than 85 percent of what is allowed by Title 24, Part 6 energy budget. The budget is calculated based on Compliance Software designed by Energy Commission. Appendix A4 of the CALGreen Building Code includes a range of voluntary measures that the developer may select in order to meet reduce the overall energy budget of the development. Such measures include water efficient appliances for indoor water use (Section A4.303), efficient irrigation systems for outdoor water use



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(Section A4.304), using material sources that are made of recycled content or from rapidly renewable sources (Section A4.405), and energy efficient heating and cooling systems (Section A4.207). Implementation of the measures would reduce greenhouse gas emissions from the project.

Response 6-D With regard to the statement in the EIR regarding the mitigation for sewer pipelines, the text in under Section 2.2-12 Section 4.13, and Mitigation Measure 4.13-2 ~~has~~ been revised to state the developer must show that adequate facilities (including conveyance collection, and wastewater treatment facilities) are available prior to the issuance of any permit authorizing construction. The analysis for Impact 4.13.2 in the Draft EIR notes that additional capacity would be needed. It should be noted that the County's Land Use and Development Code (LUDC) Section L-II 2.7.11.C.6 (specific to the RH Combining District) requires developers to provide written documentation from the applicable public utility, water, and sewer service providers demonstrating that adequate public utilities, water, and sewage disposal is available to accommodate the proposed development for a site. If the property does not have direct access to adequate public utilities to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider. The Final EIR has been revised to include this statement.

Because it is unknown when the development will occur, the capacity of the wastewater treatment facilities at the time of construction is also unknown.- The County is currently processing an application from Newmont Mine for the construction of a Waste Water Treatment Plant to treat water from the mine. An environmental document for that project is expected to be available for public review in the second or third quarter of 2015.

The City's Draft EIR for the Southern Sphere of Influence Planning and Annexation Project provides the following information regarding the existing conditions of the City's wastewater treatment plant capacity:

In 2000, the [Waste Water Treatment Plant] WWTP capacity was expanded to treat up to 2.78 mgd, with 7.6 mgd capacity for peak flows. The plant has been improved to a secondary treatment plant providing preliminary treatment, primary clarification, trickling filter/solids contact process for secondary treatment, filtration for effluent polishing, and disinfection with ultraviolet light. The WWTP is permitted to discharge to Wolf Creek an average dry weather flow of not to exceed 2.78 million gallons per day (gpd), or 7.6 mgd for peak flows, and currently receives an average flow of 1.72 mgd.

Future demand for wastewater service is addressed in the City's General Plan and includes the Sphere of Influence Plan. The capacity of the plant can accommodate a service population of 21,000, the City's projected population within the Sphere of Influence over the next 20 years. The City Sphere of Influence Plan notes the current WWTP capacity has between 4,000 to 4,800 equivalent dwelling units (EDUs) available. It also notes that this capacity is expected to increase once the flows from



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the Newmont Mine are diverted to a private system, which is anticipated to be completed in 2014.¹

The maximum yield for the proposed project sites within the City's Sphere of Influence, is a total of 1,478 units. Assuming a 0.71 EDU for multi-family units², approximately 1,049 EDUs would be added within the City of Grass Valley SOI, which is within the City's WWTP existing capacity. The City issues EDUs based on a "first come, first served" basis.³

With regard to other related sewer infrastructure from collection and conveyance systems as well as other planned development in the area, Section 4.13 of the Draft EIR has been revised to include the following additional analysis on the City's wastewater infrastructure:

The City has established sewer capacity service requirements for development within their jurisdiction and has done a detailed analysis of the sewer conveyance and collection system capacity in the Brunswick Road Area (Sites 3-9) as a part of the certified EIR for the Loma Rica Specific Plan⁴ (adjacent to Sites 3-9). This analysis was based on a Sewer Capacity Study⁵ that concluded existing sewer lines would be required to be increased for additional capacity as a result of planned development within the City's Airport Industrial Park Corridor and East-Idaho-Maryland Road development area (e.g. Grass Valley General Plan 2020 build-out) and as a result of the build-out of the Loma Rica Ranch project. With regard to wastewater treatment capacity, the Loma Rica Specific Plan Sewer Capacity Study states that the added flow would put the City's wastewater treatment plant at approximately 78% of its capacity of 2.78 mgd. The Sewer Capacity Study states that the treatment plant would need to be enlarged to accommodate the future flows from throughout the City's system with or without the Loma Rica Specific Plan development. Since significant new development has not occurred in this region since the certification of the Loma Rica Ranch Specific Plan EIR, this study is sufficient documentation of the capacity of the City's sewer infrastructure including collection and treatment capacities. This project will incrementally contribute to the wastewater treatment flows anticipated in this area of the City's sewer treatment system and subsequently mitigation is provided below to ensure adequate capacity within the treatment plant and collection and conveyance system is available at the time of development.

If a property within the City's jurisdiction does not have direct access to adequate sewer facilities (including conveyance, collection and

¹ City of Grass Valley, Southern Sphere of Influence Planning and Annexation Project, Draft Environmental Impact Report, page 3.12-8, October 2013.

² County of Nevada

³ Personal Communication, Trisha Tillotson, Senior Civil Engineer/Deputy Director, City of Grass Valley, January 8, 2014.

⁴ Loma Rica Specific Plan Environmental Impact Report, prepared by RBF Consulting, certified May 2011

⁵ Sewer Capacity Study, Loma Rick Ranch, prepared by Sauers Engineering, Inc. June 17, 2010.



wastewater treatment systems) to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the City's rules, regulations and standards for wastewater treatment. Without proposed improvements to the City's existing WWTP and sewer conveyance and collection facilities to serve the project sites, there would not be sewer service available for the proposed project sites and the proposed project would result in potentially significant impact.

Because of the unknown timing of the development, capacity that is available today may not be available in the future; the impact was identified as significant and unavoidable. The EIR does require mitigation (Mitigation Measure 4.13.2) which requires the developer to demonstrate to the satisfaction of the City of Grass Valley (for Sites 1-9) that adequate facilities (including capacity) exist prior to construction. Mitigation Measure 4.13-2 has been revised to clarify the responsibility of the developer to determine the capacity of the existing sewer system including conveyance, collection, and wastewater treatment facilities at the time construction is proposed.

Mitigation Measure:

This mitigation measure applies to all sites:

4.13-2 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley ~~Planning Department~~ Public Works Director/City Engineer for Sites 1-9):

Provide written documentation that adequate sewer capacity and infrastructure is available to serve the project. This can be accomplished by providing project specific design calculations (i.e. Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate is available for the proposed development. ~~The project developer may provide written documentation that the Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities have~~ has been upgraded to increase capacity or a report from and include calculations from a registered civil engineer demonstrating that adequate capacity is available. If adequate sewer capacity of conveyance, collection and wastewater treatment facilities does not exist, the developer will pay for ~~WWTP~~ upgrades to account for the additional effluent. The project developer may develop—enter into a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.

Finally, Staff is recommending that only three of the seven sites proposed along Brunswick Road be approved for inclusion of the Housing Element Rezone Program. As such, of the nine sites evaluated in the EIR, only three site would be approved for development. Site 1 is not included in the staff recommendation and the property owner for Site 2 had requested to be removed from the program. If adopted, the project would result in substantially fewer number of units than what is evaluated in the EIR and would have less demand on the City's conveyance, collection, and wastewater treatment plant.



Response 6-E The intent of the mitigation is develop a policy the allows the City and the County to effectively balance the regional housing needs between the two jurisdictions. Potential guidelines for such an agreement would include:

- Review and update the existing Memorandum of Understanding between the County and City in place to minimize land use conflicts in the City’s SOI.
- The identification of mutually agreeable locations for future high density residential projects to meet the City and County’s housing needs.
- Proposed language for future General Plan Updates for amendments that provides flexibility in housing densities within the City’s SOI to meet the future demand and build-out of higher density projects that can take advantage of the City’s existing infrastructure.
- Determine an equitable distribution of revenues from the project to share costs associated with providing services to high density residential services.
- A framework for participation in the City or County’s infrastructure fee programs (e.g., Transportation Impact or Development Impact Fees) by developers in either jurisdiction for projects that impact infrastructure in the other jurisdiction.

Response 6-F The EIR text in the discussion has been revised to clarify that the proposed project proposes higher density than what is proposed. The County does not concur that the proposed housing overlay zone would preclude the implementation of the City’s General Plan by providing a significantly more intensive use. The City’s Loma Rica Specific Plan area (located adjacent to sites 3, 7, and 9) includes 700 low, medium, and high density housing; 54,000 square feet of mixed commercial and retail, and up to 364,000 square feet of business and light industrial uses. As such, the proposed project does provide similar intensities to other planned development in the area.

Response 6-G The EIR has been revised to reflect this change. This change did not add any significant new information that resulted in new impacts or increase the severity of any previously identified impacts.

Response 6-H Please see Response 6-D above. The EIR was revised to reflect the change to the Glenbrook Sanitation District. This change did not add any significant new information that resulted in new impacts or increase the severity of any previously identified impacts.

Response 6-I The EIR has been revised to reflect this change. This change did not add any significant new information that resulted in new impacts or increase the severity of any previously identified impacts.

Response 6-J The County concurs that additional funding for public services may be required. Mitigation measure 4.13-1((a) and (c)) have been revised to include the following statement: “The formation of an assessment district may be required to provide adequate public safety services.”

Response 6-K The EIR has been revised to reflect this change. This change did not add any significant new information that resulted in new impacts or increase the severity of any previously identified impacts.



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- Response 6-L** The EIR has been revised to reflect this change. This change did not add any significant new information that resulted in new impacts or increase the severity of any previously identified impacts.
- Response 6-M** The EIR has been revised to reflect this change. This change did not add any significant new information that resulted in new impacts or increase the severity of any previously identified impacts.
- Response 6-N** The County has reviewed and considered the proposed mitigation language and has incorporated portions of the document into Mitigation Measures 4.15-2 and 4.15-3.
- Response 6-O** The County has reviewed and considered the suggested language. The mitigation currently states that the developer and City should enter into a reimbursement agreement for improvements costs. The mitigation language has been modified to clarify that an assessment district could be considered as a cost sharing mechanism.
- Response 6-P** The County acknowledges and appreciates this comment and will address these comments in working to develop policy agreements as part of Mitigation Measure 4.2-1. The County acknowledges that any policy agreement would have to be approved by the City Council. As such, the potential impact is determined to be significant and unavoidable even with the mitigation because the County Board of Supervisors does not have jurisdiction over the City Council.
- Response 6-Q** The County acknowledges that the proposed density is higher than what the City currently has proposed, which is why Mitigation Measure 4.2-1 is included in the EIR.
- Response 6-R** Please see Response 6-F above.
- Response 6-S** The County acknowledges and appreciates this comment. The County concurs that the project would increase the existing allowable density on Sites 3-9. The County identified the proposed properties based on their feasibility for high density residential development, proximity to existing services, and the willingness of property owners to participate in the program, all of which were critical components mandated by the County Board of Supervisors. The EIR does contain project alternatives which allow for the dispersion of some of the units along Brunswick Road which will be considered by the Board of Supervisors when considering the merits of the program.
- Response 6-T** The County acknowledges and appreciates this comment. As noted in the Response 6-S above, the County identified the proposed properties based on their feasibility for high density residential development, proximity to existing services, and the willingness of property owners to participate in the program, all of which were critical components mandated by the County Board of Supervisors. The EIR does contain project alternatives which allow for the dispersion of some of the units along Brunswick Road which will be considered by the Board of Supervisors when considering the merits of the program.
- Response 6-U** The County acknowledges and appreciates this comment. The County is willing to discuss these options as part of the joint agency policy agreements discussed in Response 6-E above.
- Response 6-V** The County acknowledges and appreciates this comment. The County is willing to discuss these options as part of the joint agency policy agreements discussed in Response 6-E above.



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- Response 6-W** The County acknowledges and appreciates this comment. The County is willing to discuss these options as part of the joint agency policy agreements discussed in Response 6-E above. Please see Response 6-S above.
- Response 6-X** The County acknowledges and appreciates this comment. The County has set the proposed densities consistent with the requirements of the State law (California Government Code Section 65584.09) which requires specific densities for the County to meet its Regional Housing Needs Allocation. The EIR does contain project alternatives which allow for the dispersion of some of the units along Brunswick Road which will be considered by the Board of Supervisors when considering the merits of the program.
- Response 6-Y** The County acknowledges and appreciates this comment. The EIR contains an alternative, the East Bennett Road Alternative (Alternative 2) that looks at rezoning property on East Bennett Road.
- Response 6-Z** The County acknowledges and appreciates this comment. The EIR alternatives analysis reviewed the Kenny Ranch Site and the Northstar Site as alternative locations, but these sites were not considered for further analysis due to physical and regulatory constraints, and not being able to meet the project objectives.
- Response 6-AA** The County acknowledges and appreciates this comment. The EIR contains the Berriman Ranch Alternative which includes Site 7, approximately 8 acres, which is within the City's Southern Sphere of Influence Planning and Annexation project. This alternative will be presented to the Board of Supervisors for their review and consideration with the EIR.
- Response 6-BB** The County acknowledges and appreciates this comment. The County properties are not eligible for this program as they have been designated for other uses by the County Board of Supervisors.

SECTION 2.0 ERRATA TO THE DRAFT EIR

This section includes minor edits to the Draft EIR. These modifications resulted in response to comments received during the Draft EIR public review period and other changes intended represent minor corrections or clarify or amplify specific points made in the analysis.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text) and are organized by section of the Draft EIR.

Chapter 1: Introduction

Section 1.1, page 1-1

~~To meet state housing requirements identified in the County's Housing Element, high density residential zoning (R3) for an additional 1,270 low and very low income housing units are required to meet the County's unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum low and very low income requirements. The specific rezoning process is proposed through the implementation of Housing Element Programs HD-8.1.3 and HD-8.1.4, including adding the "RH" Zoning Combining District to those sites included in Program HD-8.1.5.~~

The proposed project that is reviewed and analyzed throughout this Environmental Impact Report, is a proposed General Plan Land Use and Zoning District Map Amendment project that is intended to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre. To allow the County to address its unmet need of 699-units of high density residential zoning all 18-candidate sites are being reviewed to provide a menu of options to the County decision-making bodies (Planning Commission/Board of Supervisors) that would allow the greatest amount of flexibility when making a final decision on the project.

Additionally, this project and EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to consider additional high density residential zoning to address anticipated future housing needs for those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

Chapter 2: Executive Summary

Section 2.1, page 2-1

~~To meet state housing requirements identified in the County's Housing Element, high density residential zoning (R3) for an additional 1,270 low and very low income housing units are required to meet the County's unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum low and very low income requirements. The specific rezoning process is proposed through the implementation of Housing Element Programs HD-8.1.3 and HD-8.1.4, including adding the "RH" Zoning Combining District to those sites included in Program HD-8.1.5. Additionally, the project sites will require General Plan Map Amendments for each of the 18 sites, with the exception of site 6. The General Plan Map Amendment will change each land use designation to a proposed Urban High Density designation, which will accommodate a proposed density of 16-20 du/acre. The land use designation of site 6 is already Urban High Density; therefore, this site will not require a General Plan Map Amendment. Table 3-2, General Plan (GP) Land Use Designations, shows the existing and proposed General Plan designation for each site and the proposed allowable density for each site.~~

The proposed project that is reviewed and analyzed throughout this Environmental Impact Report, is a proposed General Plan Land Use and Zoning District Map Amendment project that is intended to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre. To allow the County to address its unmet need of 699-units of high density residential zoning all 18-candidate sites are being reviewed to provide a menu of options to the County decision-making bodies (Planning Commission/Board of Supervisors) that would allow the greatest amount of flexibility when making a final decision on the project.

Additionally, this project and EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to consider additional high density residential zoning to address anticipated future housing needs for those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

Section 2.2.12, page 2-5

Mitigation requiring ~~the replacement of some sections~~ developers to demonstrate the adequacy of the County and City's sewer pipeline facilities (including sewer conveyance, collection, and wastewater treatment facilities) prior to development would address this impact.

This change made in response to Comment 6-D.

Summary Table

Revisions to Table 2-1, *Summary of Impacts and Mitigation*, are provided at the end of this section. Revisions to the table reflect revisions that were made to specific mitigation measures as a result of the County's responses to comments on the Draft EIR.

Chapter 3: Project Description

In the process of reviewing the Final EIR, County staff made revisions to the Project Description section of the Draft EIR to provide updated information regarding the County's adoption of the 2014-2019 Housing Element which occurred in June 2014 after the Draft EIR was published and before the Final EIR was completed. Other portions of this section were reorganized for clarity. The entire Chapter 3: Project Description section is included in this Errata document to allow the reader to benefit from the clarifications provided with the reorganized text. New text is provided in underline format, revised text shown in ~~strikeout~~ format, and original text that has been included but not changed is shown as plain text without any strikeout or underline.

3.1 ~~PROJECT BACKGROUND~~ PROPOSED PROJECT

The proposed project that is reviewed and analyzed throughout this Environmental Impact Report, is a proposed General Plan Land Use and Zoning District Map Amendment project that is intended to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre. This EIR is intended to provide both a programmatic and project level review of all of the 18-candidate rezone sites, including establishing site densities based on the requirements of Regional Housing Need (RH) zoning combining district (Land Use and Development Code (LUDC) Section L-II 2.7.11.B.3), establishment of building footprints suitable for development at anticipated densities, and identification of potential environmental impacts and mitigation measures to allow for the by-right development of the rezoned sites consistent with LUDC Section L-II 2.7.11.C. While this EIR does not review specific projects, it is intended to analyze the hypothetical build-out of each site to take into account the "worst case scenario" for this project which is based on "theoretical maximum yield" for each site as explained below. Project outcomes are anticipated to be much less intensive than those outlined throughout this EIR as not all sites are required to be rezoned and the density allocation criteria outlined in LUDC Section L-2.7.11.B.3 reduces the build-out density for the vast majority of the sites.

To allow the County to address its unmet need of 699-units of high density residential zoning all 18-candidate sites are being reviewed to provide a menu of options to the County decision-making bodies (Planning Commission/Board of Supervisors) that would allow the greatest amount of flexibility when making a final decision on the project. Additionally, this project and EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to consider additional high density residential zoning to address anticipated future housing needs for those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements

of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

The following sites have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These sites and would be considered the first tier for implementing the project and meeting the project objectives. There are several different combinations however that will accomplish the same goal. The second tier of sites which are almost equally suitable as the tier one sites include Sites 4, 9, 13 (at 91-units only) and 15. These sites are considered tier two sites because they are located in the immediate vicinity the tier one sites that accomplishes the project's objectives. These sites could be mixed in with the first eight sites to go beyond the unmet need of 699-units or could be switched with one or multiple first tier sites with similar identified aggregate densities to meet the minimum of 699 units of density. The least desirable sites, or the third tier sites, are those that are considered the most constrained or only minimally implement the project goals and include Sites 1, 7, 8, 10, and 17. As a result of this EIR, the third tier sites could effectively be chosen for rezoning, but are less suitable than the twelve sites that are identified as first and second tier sites. A discussion of the individual site characteristics, including their location, environmental constraints, existing and proposed General Plan and Zoning designations, as well as their anticipated future assigned density is provided in detail below.

3.1.1 PROJECT OBJECTIVES

The following are the project objectives:

- Identify private properties that can be feasibly rezoned to meet the County's obligation to provide high-density housing opportunities as required by State Law;
- Increase high-density housing opportunities in different areas of unincorporated Nevada County;
- To address state mandated rezone requirements, develop a menu of suitable candidate rezone sites that have the potential to be rezoned to allow the County to create additional opportunities for high density housing at a minimum zoning for 699-units total, including adding the RH Combining District to those properties.
- To address future housing needs, create a menu of suitable candidate rezone sites with the potential to be rezoned to high density residential (R3) that are beyond the minimum of 699-units necessary to address state mandated rezone requirements.
- Identify properties that are large enough to support enough units to make developing affordable, high-density housing financially feasible;
- Identify participating properties that have reasonable access to existing infrastructure (e.g., public roads and utilities);
- Identify properties that have reasonable access to community services (e.g., public transportation, retail/grocery stores, employment opportunities);
- Protect the natural environment; and,
- Establish clear and effective site specific development standards/mitigation measures for each rezoned property that is intended to address state mandated rezone requirements of zoning for 699-

high density residential units, to ensure that the future development of high density housing on that site meets County development standards and does not result in significant and avoidable environmental impacts.

3.1.2 GENERAL PLAN LAND USE DESIGNATION AMENDMENT

In order to meet state housing requirements identified in the County’s Housing Element, the County is proposing to rezone a combination of 18 sites to meet the County’s identified unmet Regional Housing Need Allocation. Pursuant to state requirements, sites rezoned to address an unmet Regional Housing Need are required be develop at 16-units minimum per acre and as an allowed or by-right use. The 16 du/ac relates to the state mandated density for rezoned sites and is allowed by the County’s RH (Regional Housing Need) Combining Districts. All proposed sites, other than Site 6, 10 and 11 will require a General Plan Map Amendment to change the designation to Urban High Density Residential.

Table 3-1, General Plan (GP) Land Use Designations, shows the existing proposed zoning designation for each site.

**Table 3-21
General Plan (GP) Land Use Designations**

Site	Existing GP Designation	Proposed GP Designation	Proposed Maximum Density
Grass Valley SOI			
1	Office Park Professional	Urban High Density	20 du/acre
2	Business Park	Urban High Density	20 du/acre
3	Urban Medium Density	Urban High Density	20 du/acre
4	Urban Medium Density	Urban High Density	20 du/acre
5	Urban Medium Density	Urban High Density	20 du/acre
6	Urban High Density	Urban High Density	20 du/acre
7	Urban Medium Density	Urban High Density	20 du/acre
8	Urban Medium Density	Urban High Density	20 du/acre
9	Urban Medium Density	Urban High Density	20 du/acre
Penn Valley Area			
10	Community Commercial	Urban High Density Community Commercial	16 du/acre
11	Community Commercial	Urban High Density Community Commercial	16 du/acre
12	Urban Medium Density Residential	Urban High Density	16 du/acre
13	Community Commercial Planned Development UMD (26 ac.) OS (8 ac)	Urban High Density	16 du/acre
Lake of the Pines Area			
14	Public Office Professional	Urban High Density	16 du/acre
15	Industrial Planned Development: Urban High Density (15 DU)	Urban High Density	16 du/acre
16	Planned Development: Urban High Density (15 DU) Industrial	Urban High Density	16 du/acre

17	Urban Medium Density Residential	Urban High Density	16 du/acre
18	Planned Residential Community Urban Single Family	Urban High Density	16 du/acre

3.1.3 ZONING AMENDMENTS

To meet state housing requirements identified in the County’s Housing Element, high density residential zoning (R3) at 16-units minimum per acres is required to meet the County’s unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum unmet Regional Housing Need Allocation requirements. The specific rezoning process is proposed through the implementation of specific Housing Element Programs including adding the “RH” Zoning Combining District to those sites as described under the Project Background section below. These programs were subsequently amended and consolidated into one program as a result of the most recent update of the County’s Housing Element (now Program HD-8.1.1 of the 2014-2019 Nevada County Housing Element update). Table 3-2, *Proposed Zoning*, shows the existing proposed zoning designation for each site.

**Table 3-2
Proposed Zoning**

Site	Existing Zoning Designation	Existing Density	Proposed Zoning Designation	Proposed Density
Grass Valley SOI				
1	OP	4 du/acre	R3-RH or OP-RH	16-20 du/acre
2	BP	4 du/acre	BP-RH or R3-RH	16-20 du/acre
3	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
4	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
5	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
6	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
7	RA-1.5	1.5 du/acre	RA-RH or R3-RH	16-20 du/acre
8	RA-1.5	1.5 du/acre	RA-RH or R3-RH	16-20 du/acre
9	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
Penn Valley Area				
10	C2-SP	4 du/acre	C2-SP-RH or R3-SP-RH	16 du/acre
11	C2-SP	4 du/acre	C2-SP-RH or R3-SP-RH	16 du/acre
12	R2-SP	6 du/acre	R3-RH or R2-SP-RH	16 du/acre
13	IDR-SP	1 du/acre 6 du/acre	R3-RH	16 du/acre
Lake of the Pines Area				
14	OP-SC-SP	4 du/acre	R3-RH or OP-SC-SP-RH	16 du/acre
15	IDR-SC-SP	15 du/acre	R3-RH or PD-RH-SC-SP	16 du/acre
16	IDR-SC-SP	15 du/acre	R3-RH or PD-RH-SC-SP	16 du/acre
17	R2-SC-SP	6 du/acre	R3-RH or R2-SC-SP-RH	16 du/acre

18	R1-PD-SP	4 du/acre	R3-RH-SP	16 du/acre
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3.2 PROJECT BACKGROUND

The County of Nevada Board of Supervisors adopted the ~~most recent update of its fourth revision to its~~ Housing Element on May 11, 2010 (for the 2009-2014 cycle) and received certification of the Element from the California Department of Housing and Community Development (HCD) on July 1, 2010. The Housing Element's vacant land inventory found that the County had a deficit in sites that had adequate zoning (R3) to accommodate lower income category of the County's Regional Housing Need Allocation. Recent State law (California Government Code Section 65584.09) requires jurisdictions to rezone property to accommodate their Regional Housing Need Allocation if that jurisdiction's vacant land inventory finds that there are not adequate vacant sites zoned for high density residential to accommodate the low and very low income categories. The State law requires that the rezoned sites provide for a minimum density of 16-units per acre and those sites allow the development of higher density housing as an allowed use (not subject to discretionary permits, e.g., conditional use permit, planned unit development plan). In addition, all proposed sites, other than site 6, will require a site specific General Plan Map Amendment as well.

In addition to the lack of adequately zoned sites from the most recent planning cycle, the County's previous Housing Element (2003-2008 cycle) also had a rezone program that was not implemented. At that time it was determined that the County had an unmet need of sites suitable for 571 low and very low income units. The ~~current 2009-2014~~ Housing Element determined an unmet need of sites suitable to accommodate 699 units affordable to low and very low income residents. The unmet need of 571 units from the last Housing Element cycle, in addition to the 699 unmet units identified in the current cycle equals ~~the current a~~ total unmet need of 1,270 units.

To obtain certification from HCD, County staff was required to complete a vacant land inventory in which potential rezone sites that could be suitable for higher density housing were identified. These sites were identified based on the relative lack of constraints, the ability of the sites to provide adequate infrastructure to support high density residential development and proximity to local services such as commercial areas with grocery stores, bus stops, and other commercial/retail opportunities. Additionally, as directed by the County Board of Supervisors, County staff performed an extensive outreach process to ensure that the property owners of the sites would be willing participants in rezoning their land to higher density residential. As a result of the outreach effort, the County's list of potential rezone sites ~~was reduced~~ is 18 properties consisting of approximately 149 acres.

A site analysis was prepared for each site to evaluate the physical and regulatory constraints of the property and determine if the selected ~~47~~ properties could collectively accommodate the required 1,270 units. ~~(at the time the site analysis was conducted only 17 property owners had expressed interest in participating in the program. After several additions and deletions of properties since the site analysis was completed, the total number of properties now participating in the program is 18).~~

The evaluation of each site consisted of a field visit, research and investigation regarding the existing land use conditions in the surrounding area of each site, a site specific biological reconnaissance, a cultural resources record search and field reconnaissance, and a general geotechnical investigation. The

opportunities and constraints of each site were considered in a numerical scoring system that utilized seven sets of criteria that were created to assess the suitability of each site. Based on the application of typical building and regulatory constraints the site analysis concluded that the proposed sites could support the needed 1,270 units. The site analysis can be found as Appendix B to this report.

The site analysis determined the sites to be suitable for development and implementation of the County's goal to rezone the properties to R3 (high density residential). Based on the site survey, a conceptual building envelope was identified for each site. A theoretical maximum unit count was calculated based on state mandated minimum default densities of 16-units minimum per acre. The analysis concluded of a total area of 146.25 acres from the 17 candidate sites, approximately 101.19 acres would be available for development. At 16 dwelling units per acre (du/acre), the maximum number of units would be 1,612 units. This number exceeds the 1,270 units the County ~~currently~~ ~~originally~~ ~~needs~~ ~~needed~~ to meet its housing element goals. The number of potential units (1,612) could increase or decrease depending on a variety of factors such as the County utilizing a higher density in the zoning overlay zone (e.g., 20 units per acre) or other physical constraints in the field that reduce the development potential of a site.

This EIR evaluates multi-family development on each of the sites based on the proposed zoning. The EIR evaluates the buildout of each site based on the maximum yield allowed under the proposed overlay zoning. When future development proposals are received by the County, they will be evaluated against this EIR. Through the adoption of the County's 5th Revision to the Housing Element (2014-2019 planning cycle), adopted by the Board of Supervisors on June 24, 2014 and certified by HCD on July 17, 2014, the County was able to reduce the minimum amount of required rezoning from 1,270-units to 699-units. To allow for the greatest amount of flexibility for this project, this EIR was not amended to reflect the change from 1,270-units to 699-units. Additionally, the same sites that are included in the analysis of this EIR were retained as potential candidate rezone sites in the latest revision of the County's Housing Element, with the exception of Site 2, as referenced in Table 3.3 below.

As outlined above, the impetus for this project and the need to develop this EIR was the result of the State of California Department of Housing and Community Development's (HCD) review of the last two updates to the County's Housing Element of the General Plan. During this review, HCD determined that the County has a shortfall of appropriate zoning to accommodate the low and very low income categories of the County's Regional Housing Need Allocation. As a result the last two updates to the County's Housing Element (2009-2014 and 2014-2019) have contained specific Programs that require the County to rezone properties to provide for high density residential development consistent with Government Code Section 65583.2. The specific programs are described below, including outlining how the expected outcomes have evolved from the 2009-2014 update to the 2014-2019 update.

Program HD-8.1.3: To accommodate the unmet housing need of 571 low and very-low income units identified in the 2003-2008 Nevada County Housing Element, the County would rezone at least 29-acres of property suitable and available for development.

Program HD-8.1.4: To accommodate the unmet housing need of 699 low and very-low income units identified in the 2009-2014 Nevada County Housing Element, the County would rezone at least 35-acres suitable and available for development.

The rezoning of property under Programs HD-8.1.3 and HD-8.1.4 will occur through one of the following scenarios:

1. Rezones within the cities' sphere of influence to a maximum density of 20 units per acre (R3-20) and a minimum density of 16 units per acre; or
2. Rezone a sufficient amount of land outside the cities' sphere of influence to a minimum density of 16 units per acre; or
3. A combination of rezoned land within and outside of the cities' sphere of influences at the identified densities may also be used to satisfy the unmet need of 571 and 699 units, respectively.

A minimum of 50 percent of the 1,270 units shall be accommodated on sites zoned exclusively for residential uses. Owner occupied and rental multi-family residential uses on these sites shall be allowed by right (without a conditional use permit, planned unit development plan, or other discretionary action) as required by Government Code Sections 65583.2(h) and (i)¹. The rezones sites shall provide for a minimum of 16-units per site and required a minimum density of 16-units per acre.

Program HD-8.1.5: Required the County to amend the Zoning Regulations to create a definition and development standards for a Regional Housing Need (RH) Overlay district that is to be attached to the rezoned sites in order to accommodate the new construction objectives under Programs HD-8.1.3 and HD-8.1.4. The overlay district was developed by County staff and adopted by the County Board of Supervisors on September 27, 2011.

The aforementioned Programs were reflective of the County's 2009-2014 Housing Element update and were genesis for the development of this EIR. The final program that dictates the requirements of this project however is the 2014-2019 Housing Element Update Program HD-8.1.1 which states the following:

Program HD-8.1.1: To accommodate the unmet housing need of 699 low and very-low income units identified in Program HD-8.1.4 of the 2009-2014 Nevada County Housing Element, the County will rezone at approximately 43.7-acres suitable and available for development in the planning period through either: 1) rezones within the cities' sphere of influence to a density of 20 units per acre (R3-20); or 2) rezone a sufficient amount of land outside of the cities' sphere of influence to a minimum density of 16 units per acre; or 3) a combination of rezoned land within and outside of the cities' sphere of influences at the identified densities may also be used to satisfy the unmet need of 699 units. The sites to be rezoned may include, but are not limited to, the candidate sites identified in Table B.1 (Appendix B). A minimum of 50 percent of the 699 units shall be accommodated on sites zoned exclusively for residential uses. Owner occupied and rental multi-family residential uses on these sites shall be allowed by right (without a conditional use permit, planned unit development plan or other discretionary action) as required by Government

¹ California Government Code, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=65001-66000&file=65580-65589.8>

Code 65583.2(h). The rezoned sites shall provide for a minimum of 16-units per site and require a minimum density of 16-units per acre.

As discussed above, the Draft EIR was not comprehensively amended to reflect the change in unmet need from 1,270-units to 699-units because the County desired to maintain the greatest amount of flexibility in the implementation of the project to ensure an adequate list of potential options could be developed for the County’s decision makers. While the Draft EIR still analyzes the worst case scenario of full build out of all sites, the purpose of the project is to provide for a minimum of 699-units of high density residential zoning as well as some ability to go beyond that 699-units if the County’s decision makers decide to do so.

3.3 PROJECT LOCATION

The 18 sites associated with the project are located in the western portion of Nevada County, approximately 50 miles northeast of Sacramento and about 50 miles west of Lake Tahoe (refer to Figure 3-1, *Regional Location Map*). This region of the western Sierra Nevada foothills separates the low-lying Sacramento Valley from the Sierra Nevada Mountains and is characterized by rolling forested hills incised by steep canyons. The sites are located within three general areas of unincorporated Nevada County, California. These areas are generally defined as the Grass Valley Sphere of Influence (Sites 1-9), Penn Valley (Sites 10-13), and the Lake of the Pines Areas (Sites 14-18); refer to Figure 3-2 through Figure 3-4 to identify where the individual sites are located. ~~Aerial photos of each site are included in Figures 3-5 through 3-14.~~ The sites are also identified by Assessor’s Parcel Number in Table 3-13, *Project Sites*, below.

**Table 3-13
Project Sites**

Grass Valley SOI	Penn Valley Area	Lake of the Pines Area
Site 1: 07-380-17	Site 10: 51-120-06	Site 14: 57-141-29
Site 2: 29-350-12*	Site 11: 51-150-29	Site 15: 57-270-02
Site 3: 35-412-15	Site 12: 51-151-62	Site 16: 57-270-03
Site 4: 35-412-17	Site 13: 51-370-02	Site 17: 57-270-06
Site 5: 35-412-18		Site 18: 11-181-03
Site 6: 35-412-19		
Site 7: 35-412-21		
Site 8: 35-550-15 & 3435-412-20		
Site 9: 35-412-16		

*Site 2 was removed from consideration at the request of the property owner in November 2013

3.4 PROJECT SETTING

Planning Area Characteristics and Surrounding Land Uses

The 18 project sites proposed as part of the Housing Element Rezone Program Implementation comprise an area totaling approximately 149-acres, scattered throughout three general areas of unincorporated Nevada County; Grass Valley SOI, Penn Valley, and Lake of the Pines. The 18 sites are all irregularly

shaped areas with varying dimensions. The majority of the rezoning areas are undeveloped and surrounded by a variety of existing development including, single-family residential, rural residential, commercial agricultural, recreational, and utility uses. The natural features within the 18 pre-selected sites include a variety of distinct plant communities and several creeks. Specific site characteristics for each of the 18 sites, including notable plant communities and water features, are detailed below.

Grass Valley Sphere of Influence

Sites 1 through 9 are located within the Grass Valley SOI, dispersed along the southern and western boundaries of the City of Grass Valley. More details regarding the SOI can be found in Section 4.2, Land Use. The area identified as the Grass Valley SOI is an area within the unincorporated area of Nevada County but adjacent to the city limits of Grass Valley. The land uses transition from the typically higher residential densities and commercial and industrial intensities uses to more rural residential and commercial areas in the unincorporated area. The areas within the SOI have been identified in the City of Grass Valley General Plan as areas that have potential to be annexed into the City at some future time. As such, these areas within the sphere of influence are typically areas that have transitional land uses.

In the analysis discussion of this report, the City is listed as the implementing/monitoring agency for the mitigation measures that apply to Sites 1-9. In the event that these sites do not annex into the City and do not require City services, the implementing/monitoring agency shall automatically default to the County of Nevada. In the event that the mitigation measure requires improvements to a City facility, such as an intersection already within the City limits, the City of Grass Valley shall remain as the implementing and monitoring agency regardless of whether or not the site is eventually annexed into the City.

Site 1

Site 1, rectangular in shape and approximately 1.08 acres in size, is located in the southern portion of the Grass Valley SOI, on the southeast side of McCourtney Road between Cliffs Place and Genes Road. The site is generally undeveloped and gently slopes to the northwest, toward McCourtney Road, with no notable landforms, drainage features, or vegetation. This site has previously been cleared and is periodically used as a fee parking lot for events at the Nevada County Fairgrounds, which is located across McCourtney Road, northwest of the site. Site 1 is located in an area with other existing development, bounded by commercial buildings to the west and east and single family residences to the southeast. Beyond the single family residences is the northwest boundary of the North Star property, a site of historical hard rock gold mining and known environmental hazards.

Site 2

Site 2, approximately 11.36 acres, is located on La Barr Meadows Road south of the intersection with McKnight Way. Site 2 is undeveloped; however, past uses of Site 2 include hard rock gold mining. There is a single dirt access road entering the south end of the site from La Barr Meadows Road which passes eastwardly through the property. Site 2 contains vegetation consisting of areas of dense blackberry bushes, grasses, shrubs, and trees including gray pine and a few madrone. The site moderately slopes toward the southwest, with an ephemeral drainage swale located in the southern portion of the site.

Site 2 is bound by commercial and residential land uses on the northwest and south, La Barr Meadows Road and State Route 49 on the southwest, the Empire Mine State Historic Park on the north, and a portion of the approximately 45-acre La Barr Meadows property on the east, of which Site 2 comprises the western portion. The western property boundary is coterminous with the Grass Valley City limit. Site 2 was removed from consideration of rezoning at the request of the property owner in November 2013. It has been retained in the EIR for discussion purposes, but shall not be considered as a part of the final project action.

Sites 3 through 9

Sites 3 through 9 are located on Brunswick Road, north of Idaho Maryland Road and south of Bubbling Wells Road. Sites 3, 4, 5, 6, and 9 are on the west side of Brunswick Road and are accessed by Triple Crown Drive. The Nevada County Airport is located approximately one-half mile to the southeast. Due to the proximity to the airport, all seven of these sites are also located within the Nevada County Airport Influence Area. Sites 3, 4, 5, 6, and 9 are undeveloped contiguous parcels with an irregular shape. Sites 7 and 8 lies across Brunswick Road to the east and also has an irregular shape. These parcels are gently to moderately sloped.

Sites 3 through 6, and 9 are generally located on a forested hilltop location, forested with madrone, incense cedar, ponderosa pines, and associated chaparral typical of the area.

Site 3 contains a minor apparent rock outcrop in the eastern portion of the parcel and an abandoned small wood structure in the eastern, downslope portion of the site, near an abandoned irrigation ditch alignment. An unnamed tributary to Wolf Creek is traverses the southernmost area of this property.

Sites 3, 4, 5 and 9 are all under the same ownership. Sites 5 and 6 have direct access from Brunswick Road. The southern half of irregularly shaped Site 4 is dominated by a broad swale, sloping downward to the southwest; with the only evidence of significant surface water flow in the swale located in the lowermost portions of the site, near the southwestern property boundary.

Site 5 is an undeveloped property that is completely surrounded by other properties within the project area (Sites 3, 4, 6, and 9). The majority of this site and the surrounding sites are covered with forested vegetation. A knoll in the center of Site 5 is the top of the slope as it comes up from Brunswick Road and transitions down toward the developments off of Sutton Way in the City of Grass Valley.

Sites 4 and 6 are bound by undeveloped land to the southwest, west, and north. A portion of the western boundary of Site 4 and the western and northern borders of Site 6 are coterminous with the boundary of the Grass Valley city limits. Undeveloped land lies southeast of Site 3. Agricultural development is apparent south of Site 7 and single family residences are located to the north.

Site 7 is located to the east of Sites 3 through 6 and 9, on the east side of the Brunswick Road alignment. This forested site, with a rock outcrop in the western portion of the site. Site 7 is gently to moderately sloping to the southwest toward Brunswick Road. A previously graded, gently sloping bench crossing the site, descending from northwest to southeast is presumed to be attributable to the historical Nevada County Narrow Gauge Railroad alignment. The portion of the site contains an unnamed tributary to Wolf Creek.

Site 8 is located adjacent to the Site 7 to the north with access from Brunswick Road. Like Site 7, this site is a forested site the gently slopes from the northeast to the southwest. There are two existing structures on site, one residence and one outbuilding. A portion of the western property boundary is coterminous with the Grass Valley city limit line.

Site 9 is adjacent to Sites 3, 4, and 5 and contains one existing residence that takes access off of Brunswick Road from Triple Crown Drive through Site 5. Similar to Sites 3, 4, and 5 the majority of the site is covered with mature forested vegetation and slopes from north to south. Property to the south of Site 9 is generally flat and has been cleared for agricultural uses. The southern boundary is along the proposed alignment for the future extension of Dorsey Drive from Sutton Way east to Brunswick Road planned by the City of Grass Valley.

Penn Valley

Penn Valley, an unincorporated community, is located in the western portion of Nevada County, six miles west of the City of Grass Valley. Penn Valley has a “small town” feel with a population of approximately 1,621², but approximately 12,000 people considering Penn Valley home³. In recent years, Penn Valley has developed a new post office, fire station, performing arts pavilion, a small affordable sub-division, and a 42-unit affordable apartment complex.

Sites 10 and 11

Sites 10 and 11 are undeveloped contiguous parcels located in the Penn Valley Area south of State Route 20, on the north side of Penn Valley Drive, and east of the intersection with Broken Oak Court. Site 11 is approximately 3.1 acres, located west of and adjacent to a commercial development. The site is relatively flat, gently sloping to the northwest towards Site 9¹³, and is vegetated primarily with grasses and a few oak trees. Site 10 is undeveloped and very gently slopes to the northeast toward Squirrel Creek and contains drainage courses meandering throughout the property. Site vegetation consisted of primarily grasses, localized blackberry bushes, and riparian zone plants near Squirrel Creek.

The northern section of Site 10 is transected by Squirrel Creek, and is bound by a riparian zone, the Creekside Village mobile home park wastewater percolation ponds, and Site 13. An existing driveway easement that provides access to Site 13 is located within this area. Mixed use commercial and residential properties surround the sites on the east, west, and south.

Site 12

Site 12, approximately 4.37 acres, is southwest of Sites 10 and 11 across Penn Valley Road on Broken Oak Court. This site is undeveloped and flat lying. Broken Oak Court by which the site is accessed is a paved road. Vegetation on this site consisted of grasses and a few large oak trees. A seasonal drainage swale is present on the north side of the site and appears to follow the property boundary from the east, then passes

² U.S. Census Bureau, 2010 U.S. Census.

³ Penn Valley Area Chamber of Commerce, http://www.pennvalleycoc.org/html/penn_valley_today.html, accessed October 30, 2012

through the northwest portion of the site. This site is surrounded on all sides by single and multifamily residential development.

Site 13

Site 13, approximately 20.1 acres, is bordered by State Route 20 to the north, rural residential development to the east, Squirrel Creek to the south, and presently undeveloped land to the west. Site 13 is undeveloped, consists of gently rolling terrain with vegetation including grasses, shrubs, oak and pine trees. Two indistinct seasonal drainage swales transect the site from the State Route 20 boundary and flow is toward Squirrel Creek to the south. An existing, circular percolation pond is located adjacent to Site 13, near Squirrel Creek. The percolation pond functions as the primary component of the wastewater treatment and disposal system for the Creekside Village mobile home park, which is located south of Site 12, across Squirrel Creek. Access to Site 13 is currently provided by an easement through the Creekside Village mobile home park and a concrete stream crossing over Squirrel Creek. A driveway easement is also located through the northern portion of Site 10.

Lake of the Pines

Sites 14 through 18 are located out the outlying areas of the Lake of the Pines, an unincorporated and gated community, located approximately 20 miles south of Grass Valley and 12 miles north of Auburn, within the southern portion of Nevada County. Lake of the Pines development within the outlying areas consists of rural residential and commercial uses. Sites 13 through 16 are located to the northwest, while Site 18 is located to the south west of the Lake of the Pines Community.

Site 14

Site 14 is located northeast of the intersection of State Route 49 and Combie Road, on the south side of Cameo Drive. Site 14 is located in an area of other successful development, bound by State Route 49 on the west, rural residential development to the north and east, and the Higgins Fire Station to the south. Site 14 is an undeveloped parcel on moderately sloped terrain, containing two rock outcrops and vegetation consisting of grasses, shrubs, oak and pine trees.

Sites 15 and 16

Sites 15 and 16 are located southeast of the intersection of State Route 49 and Combie Road and Site 14. Access to these sites is from Woodridge Drive off of State Route 49. Site 15 and 16 are contiguous parcels, occupy moderately sloping terrain, and are vegetated with grasses, shrubs, oak and pine trees. Vegetation is dense on the westerly facing slopes. Site 15 is presently developed with a single family residence. Site 16 is largely undeveloped, except for a wastewater disposal field and associated groundwater monitoring well network and pump building. The wastewater disposal field services the commercial development on the corner of State Route 49 and Combie Road to the northwest. Power transmission lines transect the eastern portion of the property.

Site 17

Site 17 is densely vegetated and undeveloped on moderately sloping terrain with very dense vegetation. Ragsdale Creek runs along the north boundary of Site 17. Site 17 is bound by single family residential property on the south, Rosewood Road and undeveloped land to the east, undeveloped land to the west, and commercial development across Combie Road to the north.

Site 18

Site 18 is located southeast of Sites 15, 16, and 17 on the north side of Combie Road. The northern portion of Site 18 is adjacent to Hole 6 green of the adjacent Darkhorse Golf Course. Site 18 is bound on the north and east by the Darkhorse Golf Course, on the west and south by single family residential development and open space. Site 18 is generally an undeveloped parcel on moderately to steeply sloped terrain with a rock outcrop in the southern portion of the site centered on the topographic high and extending southwest along the ridge. Vegetation consists of grasses, shrubs, oak and pine trees. An ephemeral drainage transects the northwest portion of the property. As part of the Darkhorse development, the Site 18 property was designated for high density and affordable housing.

Infrastructure***Water***

All of the proposed sites are located within the jurisdictional boundaries of the Nevada Irrigation District (NID). All of the project sites are located in areas where water service is currently available. Appropriate sized water mains would be extended onto the sites as required by the NID and County fire flow requirements to serve future development. NID requires payment of a capacity fee at the time of connection to their water system. Existing mains, storage facilities, and water treatment facilities would be sized to provide a more-than-sufficient flow of domestic water to the project. Some sites have existing water lines that are located in the adjacent streets with little to no improvements required. Other sites will be required to extend water lines to the sites prior to developing on the property. Water infrastructure is discussed in more detail in Section 4.13, Public Services and Utilities.

Storm Drainage

Storm drainage for the project sites would generally consist of collection and conveyance of surface runoff from impermeable areas. Drainage collection for future development would occur by a combination of curbs, valley drains, underground pipes and natural swales. All drainage systems would meet the prevailing storm detention requirements of the City of Grass Valley for sites within the Grass Valley SOI (Sites 1-9) and the remaining sites (Sites 10-18) would be subject to the requirements of the County. Detention facilities would be would incorporate features such as grassy swales, detention basins, infiltration areas, and overland discharges.

Sanitary Sewer

Grass Valley SOI - The sites within the Grass Valley SOI would be served by the City's existing wastewater treatment facility and collection system. The City requires a connection fee and payment of development

mitigation fee each time a building permit is issued.

Penn Valley Area - The sites located within the Penn Valley Area (Sites 10-13) would be served by the Wildwood Wastewater Treatment Plant.

Lake of the Pines Area – Wastewater from the sites in the Lake of the Pines Area (Sites 14-18) would be conveyed to and treated at the Lake of the Pines Wastewater Treatment Plant (LOP WWTP) located approximately 1.2 miles east and south of the project site off Combie Road.

Utilities

All new frontage utilities, including electrical, telephone and cable TV/data lines would be placed underground and within public utility easements or public rights-of-way. Future developments would install conduits for underground utilities and the utility company would pull the actual wiring through the conduits.

Project site will use existing natural gas lines in locations where natural gas facilities are currently available. Those areas where existing natural gas facilities are not available would be served by propane gas.

3.5 PROJECT CHARACTERISTICS REGULATORY SETTING

SITE SELECTION

To demonstrate that the required housing needs could be met through the implementation of the Housing Element Programs, the County selected 18 properties as potential sites for development for high density housing units. As described above, under Project Background, a site analysis was conducted for each of the properties to determine if enough suitable land for the development of 1,270 affordable housing units could be achieved from the project sites.

SITE DEVELOPMENT

The proposed project does not include any site development or construction plans on the 18 sites evaluated in this EIR. Future development would occur on these sites as market conditions allow at the discretion of the individual property owners.

The theoretical or maximum yield of each site is used in the evaluation of this EIR as a conservative approach to evaluating the potential environmental impacts associated with future development on the properties. This is a conservative approach because assuming a maximum yield assumes the highest number possible of units would be built, and does not take into consideration any development constraints such as sensitive biological resources, cultural resources, ground slope, wetlands, or regulatory constraints such as existing easements, driveways, frontage improvements, or roadway or intersection improvements. The presence of any one of these constraints could limit the amount of development that is permitted on a given site. The maximum or theoretical yield is simply a calculation that multiplies the total area of a property by the allowable density. For example, a 10-acre site with a maximum density of 16 units per acre would have a maximum or theoretical yield of 160 units (10 acres x 16 dwelling units per acre = 160 units). It is anticipated that very few of the sites will be able to achieve their maximum yield. However, the maximum yield is assumed for purposes of this EIR to evaluate the greatest number of units possible to provide future development the opportunity to utilize the analysis in this environmental document for

future development applications. A summary of the unit count is provided in Table 3-4, *Theoretical Yield of Proposed Sites*.

**Table 3-4
Theoretical Yield of Proposed Sites**

Site	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL	
Parcel Area (Acres)¹	1.08	11.36	9.15	11.35	4.5	9.7	9.9	10.43	6.49	5.95	3.1	4.37	20.1	5.0	5.0	18.12	2.36	11.03	148.99	
Existing Building Density (du/acre)	4	4	6	6	6	6	1.5	1.5	6	4	4	6	1	4	15 units total per acre		6	4	-	
Existing Max Yield (Units)	4	45	54	68	27	58	6	6	38	23	12	26	209 20	20	75 15	15 272	14	44	480883	
Proposed Building Density (du/acre)	20	20	20	20	20	20	20	20	20	16	16	16	16	16	16	16	16	16	16	-
Proposed Max Yield (Units)	22	227	183	227	90	194	198	208	129	95	49	69	322	80	80	289	37	176	2,675	

¹ Based on existing County of Nevada Assessor's Parcel data

As discussed above, while the impact analysis and mitigation for this EIR is based on the “Theoretical Yield” to analyze the worst case scenario, the project densities are anticipated to be much less once based on the density assignment formula (“aggregate density”) as outlined in LUDC Sec. L-II 2.7.11.B.3. For reference, Table 3.5 provides the identified final density for each of the rezone candidate sites.

**Table 3-5
Identified Potential Density for the Proposed Sites (i.e. Aggregate Density)**

Site	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL
Parcel Area (Acres)¹	1.08	11.36	9.15	11.35	4.5	9.7	9.9	10.43	6.49	5.95	3.1	4.37	20.1	5.0	5.0	18.12	2.36	11.03	148.99
Existing Building Density (du/acre)	4	4	6	6	6	6	1.5	1.5	6	4	4	6	1	4	15	15	6	4	:
Development Footprint (Acres)	0.98	7.64	7.39	11.35	4.48	9.45	4.26	3.32	4.85	4.00	2.29	2.82	11.60	2.63	4.40	11.81	1.11	6.81	101.19
Proposed Building Density (du/acre)	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	:
Proposed Density (Units)	16	122	118	181	71	151	68	53	77	64	36	46	185	42	70	188	17	108	1,612

¹ Based on existing County of Nevada Assessor's Parcel data

ESTABLISHMENT OF SITE DEVELOPMENT CRITERIA FOR REZONED SITES

As outlined in the “RH” Zoning Combining District Ordinance (Section L-II 2.7.11.C.3 of the Nevada County Land Use and Development Code), the project will result in the development of a Regional Housing Need Implementation Plan. This Plan will outline site specific development standards and any CEQA mitigation measures adopted for each site that must be adhered to in order for the site to develop consistent with the purpose of the rezone and to ensure that the development of the site does not result in a significant environmental impact.

However, the RH Combining District Ordinance requires that future development on these sites be allowed without additional discretionary permits required from the County. In other words, future development consistent with the RH Combining District is allowed “by right” under the design parameters established by the ordinance. With that requirement in mind, the County developed proposed building envelopes for each site, where future development could occur within these areas and still be consistent with County (and City of Grass Valley requirements for Sites 1-9 within the Grass Valley SOI) requirements for avoidance of environmentally sensitive areas (ESA), frontage improvements, and driveway improvements necessary to develop the site. Resources within ESA designated areas are considered to be avoided because the intent of the ESA is to preclude development within those areas. In some cases development may encroach within those areas, but only with the approval of a Management Plan that provides specific measures to minimize and mitigate potential impacts. The proposed building envelope for each site is shown in Figures 3-45-5 through Figure 3-2414, *Environmentally Sensitive Areas and Building Footprints*.

It is the intent of this document to satisfy the future CEQA requirements for development on Sites 1 through 18 that is consistent with these building envelopes.

The following is a description of the environmental constraints that influenced the building envelope design:

Site 1

Site 1 has no environmental constraints and development is assumed over the entire site. A 30-foot right-of-way (ROW) dedication was assumed along McCourtney Road for future road improvements.

Site 2

The development footprint for Site 2 covers most of the parcel. Some ESAs are located on the site for the protection of biological and cultural resources.

Site 3

The development footprint for Site 3 covers most of the parcel. An ESA for cultural and biological resources including wetlands with a 100-foot buffer is located on the southernmost portion of the site. A 30-foot ROW dedication along Brunswick Road was assumed for future road improvements.

Site 4

Site 4 has no environmental constraints and development is assumed over the entire site.

Site 5

Site 5 has no environmental constraints and development is assumed over the entire site.

Site 6

Site 6 has no environmental constraints and development is assumed over the entire site.

Site 7

Site 7 has a development footprint on approximately 43% of the site. The project site has two drainages onsite that have been placed with in ESA with 100 foot buffers. Additionally, there is a 30-foot ROW dedication along Brunswick Road was assumed for future road improvements. Because one of the drainages runs parallel to Brunswick Road, a crossing is necessary to obtain access to the site. A 50-foot driveway access from Brunswick Road is assumed for the site. The driveway width assumes 24 feet of improved roadway, a 3-foot shoulder on either side, and 10 feet of fire clearing area on either side.

Site 8

Site 8 has a development footprint that consists of approximately 30 percent of the site. Like Site 7 there is a drainage that runs parallel to Brunswick Road along the western portion of the site. There are also cultural resources onsite that constrain the area of development. Similar to Site 7, a driveway crossing through the ESA is necessary to access the developable area of the site. A 50-foot driveway access from Brunswick Road is assumed for the site. The driveway width assumes 24 feet of improved roadway, a 3-foot shoulder on either side, and 10 feet of fire clearing area on either side. The proposed driveway location is planned to align with the future driveway for Site 5 across the street.

Site 9

Site 9 has few development constraints with the exception of an ESA for cultural and biological resources including wetlands with a 100-foot buffer located on the southernmost portion of the site.

Site 10

Most of Site 10 has been designated for development. An ESA was placed on the northern end of the site for protection of wetland and riparian habitat associated with Squirrel Creek. The ESA includes a 100-foot buffer. The development area includes a portion of the site that is mapped wetland. Although this area would be evaluated for wetland impacts, most of the wetland area is created by a stormwater outfall from Penn Valley Road that discharges water at the site. Since development of this site would require the surface water runoff to be conveyed to a proper drainage area, the wetland area would likely cease to exist. A 30-foot ROW dedication was assumed for the project frontage along Penn Valley Road.

Site 11

The entire property was assumed to be developed. Similar to Site 10, an area identified as wetland has been assumed to be developed, because once the storm drain ceases to discharge water onto the project site, the wetlands in these areas will no longer exist.

Site 12

Most of site 12 was assumed to be developed. Similar to sites 10 and 11, a portion of the site has been mapped as a wetland as a result of stormwater flowing onto the site. The stormwater would be addressed as part of the project improvements and water would no collect within the development area; however, a portion of the wetland area was preserved within an ESA where water from other offsite sources could collect.

Site 13

Site 13 is constrained with two main drainages with riparian habitat that cross the site. ESAs have been designated over these areas for the protection of biological resources as well as to avoid development within the 100-year floodplain. The orientation of the drainages onsite results in three separate development areas. Two wetland crossings were assumed for this site to connect the development areas. There are no public road access points to the property, and as such, access is assumed to be off of SR-20. It is assumed the access to the site will be across from the Cattle Drive intersection directly across SR 20 from the project site.

Site 14

Site 14 does not have any ESA designations onsite, but it is almost entirely covered in Blue Oak woodland. Additionally, the project is on a hillside and is visible to northbound traffic on SR 49. Given the sensitive status of Blue Oak woodlands within the County, the development footprint was limited to approximately the eastern half of the site. ~~one acre on this site. Also, the small development area would limit the visibility of the proposed development and any manufactured slopes from SR 49.~~ Access to the site would be off of Cameo Drive or from the south if an access easement could be obtained from the Higgins Fire Protection District to the south. The development footprint was designed to allow development at the southern portion of the site. The topography in this portion of the site lower is flatter compared to the northern portion of the site closer to Cameo Drive. The western portion of the site is shown as undeveloped to preserve existing Blue Oak woodland and to minimize views of the development from SR-49.

Site 15

All of Site 15 is assumed to be within the development footprint. Access to Site 15 is off of Woodside Road. Because this site represents a transitional area between the commercial uses around the existing Higgins Corner area and the approved Higgins Marketplace and the surrounding residential uses, site constraints were evaluated to determine how setbacks and other regulatory constraints would affect the aggregate or net density of the site. The setback areas were identified (30-feet from interior yard and rear yards, 20-feet from front yard) to minimize the overall development footprint on the sites. The areas are shown in Figure 3-12. The easement and setback areas were subtracted from the development footprint area. The developable area of Site 15 would change from 5 acres to 4.4 acres a difference of 0.6 acres. The aggregate density for Site 15 would become 70 units, which is 5 fewer units than the maximum density under the existing zoning and 10 fewer units than the theoretical maximum shown in Table 3-4. It should be noted that this calculation does not take into account requirements for driveways, parking, water detention basins, etc., that could further reduce the number of units constructed.

Site 16

All of Site 16 is assumed to be within the development footprint. Access to Site 16 is off of Woodside Road. Similar to Site 15, Site 16 is also transitional land use between the commercial uses around the existing Higgins Corner area and the approved Higgins Marketplace and the surrounding residential uses. The easement and setback areas have been subtracted from the development footprint area. The setback areas (30-feet from interior yard and rear yards, 20-feet from front yard) are shown in Figure 3-12. The

existing power line easement has been delineated from the aerial photo and removed as developable area with regards to the density calculation. Figure 3-12 also shows a portion of Site 16 east of the power line easement and the eastern property line as a non-development area. Due to the restrictions of the power line easement and the setbacks, a triangular shaped area with a mature woodland, and no offsite access is all that remains in this portion of the site. Given these physical constraints it is assumed this area would not be developed. The developable area of Site 16 would change from 18.12 acres to 11.81 acres; a difference of 6.96 acres. The aggregate density for Site 16 would become 188 units, which is 82 fewer units than the maximum density under the existing zoning and 101 units fewer than the maximum density proposed in Table 3-4. It should be noted that this calculation does not take into account requirements for driveways, parking, water detention basins, etc., that could further reduce the number of units constructed.

Site 17

Site 17 has wetland and riparian habitat associated with Ragsdale Creek that is within an ESA on the northern portion of the property. The ESA includes a 100 foot buffer for the wetland area. The impact area assumes a 30-foot roadway dedication along Combie Road for future roadway improvements.

Site 18

All of Site 18 is proposed for development. Access will be off of Combie Road and a 30-foot ROW dedication was assumed for future road improvements.

Annexation

The candidate sites within the Grass Valley SOI are anticipated to require annexation into the City of Grass Valley prior to developing those sites in accordance with increased density associated with the Regional Housing (RH) Combining District. Annexation is anticipated due to the need for these sites to be served by City services primarily sewage disposal. Accordingly, the Nevada County LAFCO would be a responsible agency. In addition to annexing these properties into to the City, LAFCO would also need to detach the area from the Nevada County Consolidated Fire District service area and add the area to the City Fire Department's service area.

3.6 INTENDED USE OF EIR

This EIR serves as the primary environmental document for the proposed land use designations and future development that would be undertaken in the Regional Housing Combining District. Development proposals will require Design Review consistent with LUDC Sec. L-II 2.7.11.C.5, and Subdivision Approvals if units are intended for individual ownership. However, development would not require additional discretionary review and would therefore not necessitate further environmental documentation.

This EIR is intended to cover all state and local government discretionary approvals that have been requested and those that may be required, to construct or implement the proposed project, whether or not they are explicitly listed below. The County is the lead agency for the project and has the principal discretionary authority over the review of project applications and consideration of project approvals. LAFCO is a responsible agency and has authority over the approval of the requested annexation.

This EIR covers the following project approvals:

- Rezone (Z12-002)

- General Plan Map Amendment(GP12-002)
- Certification of the EIR (EIR12-002)

In addition to the project applications listed above, future approvals requiring discretionary action, include the following:

- Subdivision Approvals - if units are intended for individual ownership
- Design Review consistent with LUDC Sec. L-II 2.7.11.C.5

Future development projects also would require a number of ministerial approvals and actions, including:

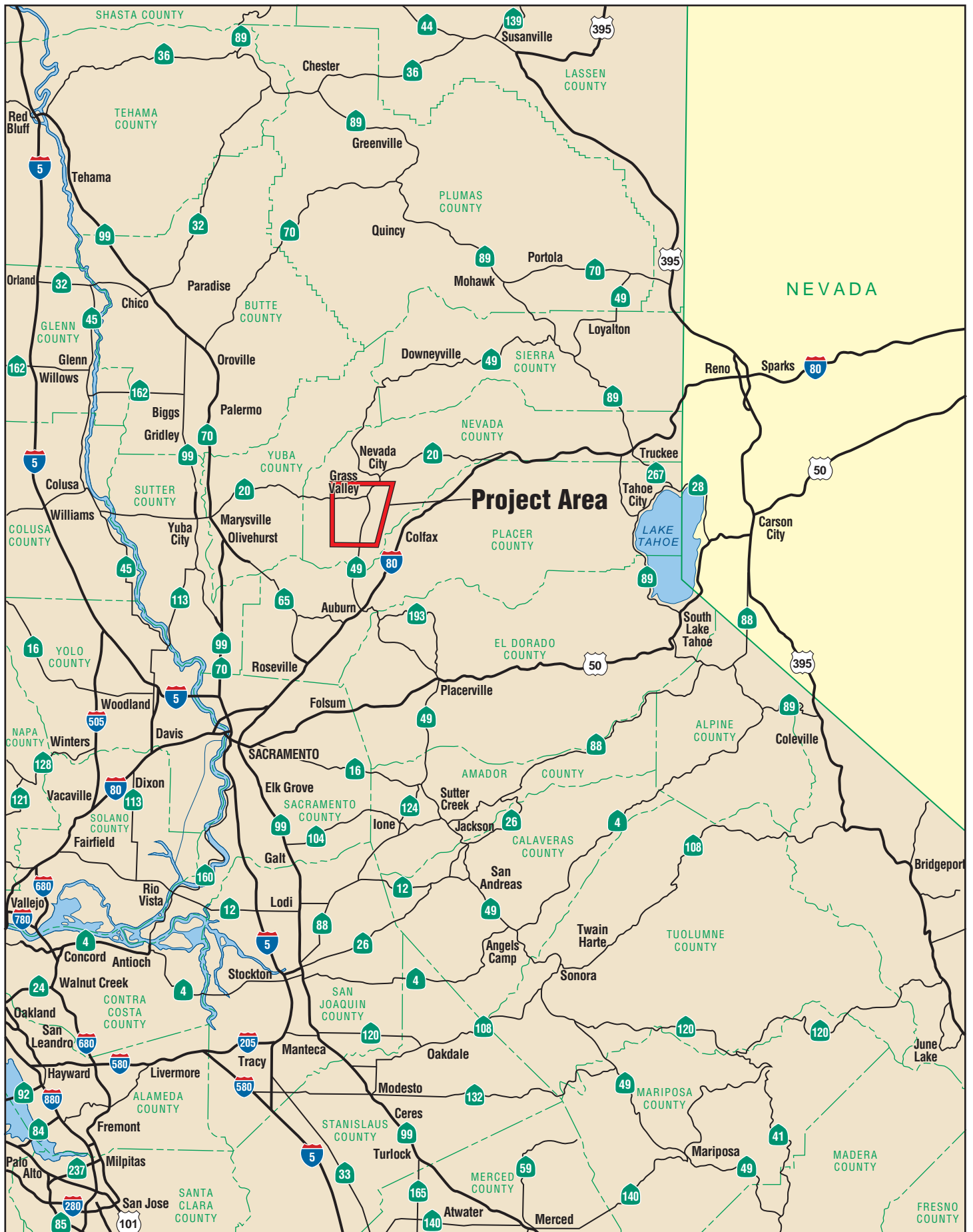
- Demolition Permits
- Encroachment Permits
- Site Development Permits
- Infrastructure Construction Permits
- Grading Permits
- Improvement Plan Approvals
- Building Permits
- Occupancy Permits
- Utility Relocation

This EIR is also available for use by responsible and trustee agencies or other agencies that may have jurisdiction, approval authority or environmental review and consultation requirements for the project. These agencies may include:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- California Department of Fish and Game (Streambed Alteration Agreement)
- California Department of Transportation (encroachment permit)
- California Office of Historic Preservation
- California Department of Toxic Substances Control
- California Regional Water Quality Control Board
- Nevada County Airport Land Use Commission
- Nevada County Local Agency Formation Commission (LAFCO) (annexation approval)
- Nevada County Transportation Commission
- Nevada County (encroachment and other permits)
- Nevada County Resource Conservation District
- Sierra Economic Development District

- Nevada Irrigation District
- Nevada County Sanitary District
- Northern Sierra Air Quality Management District

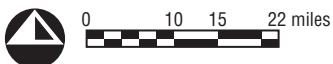
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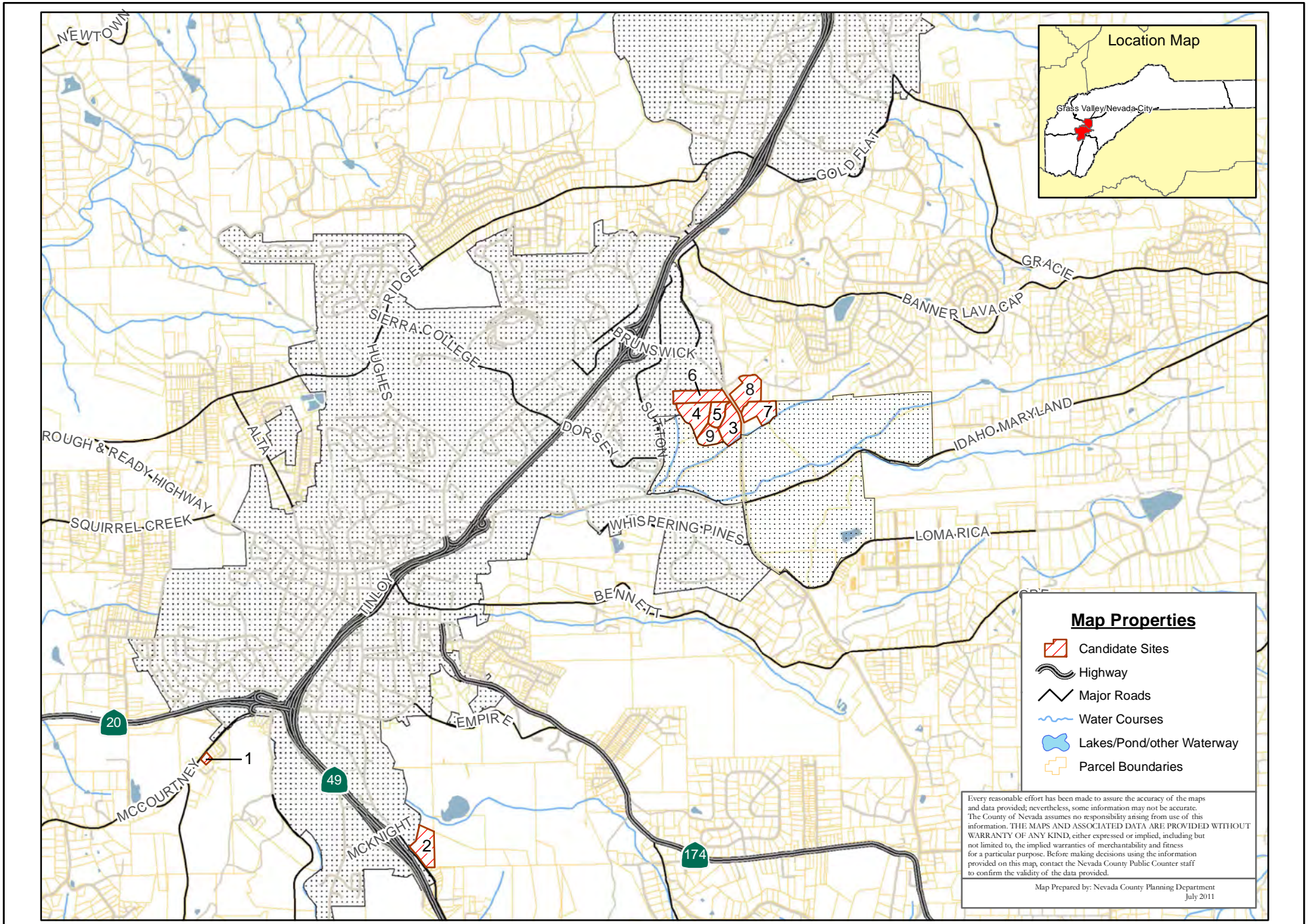


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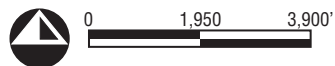
Regional Vicinity

FIGURE 3-1





Source: Nevada County GIS 2012; ESRI 2012.

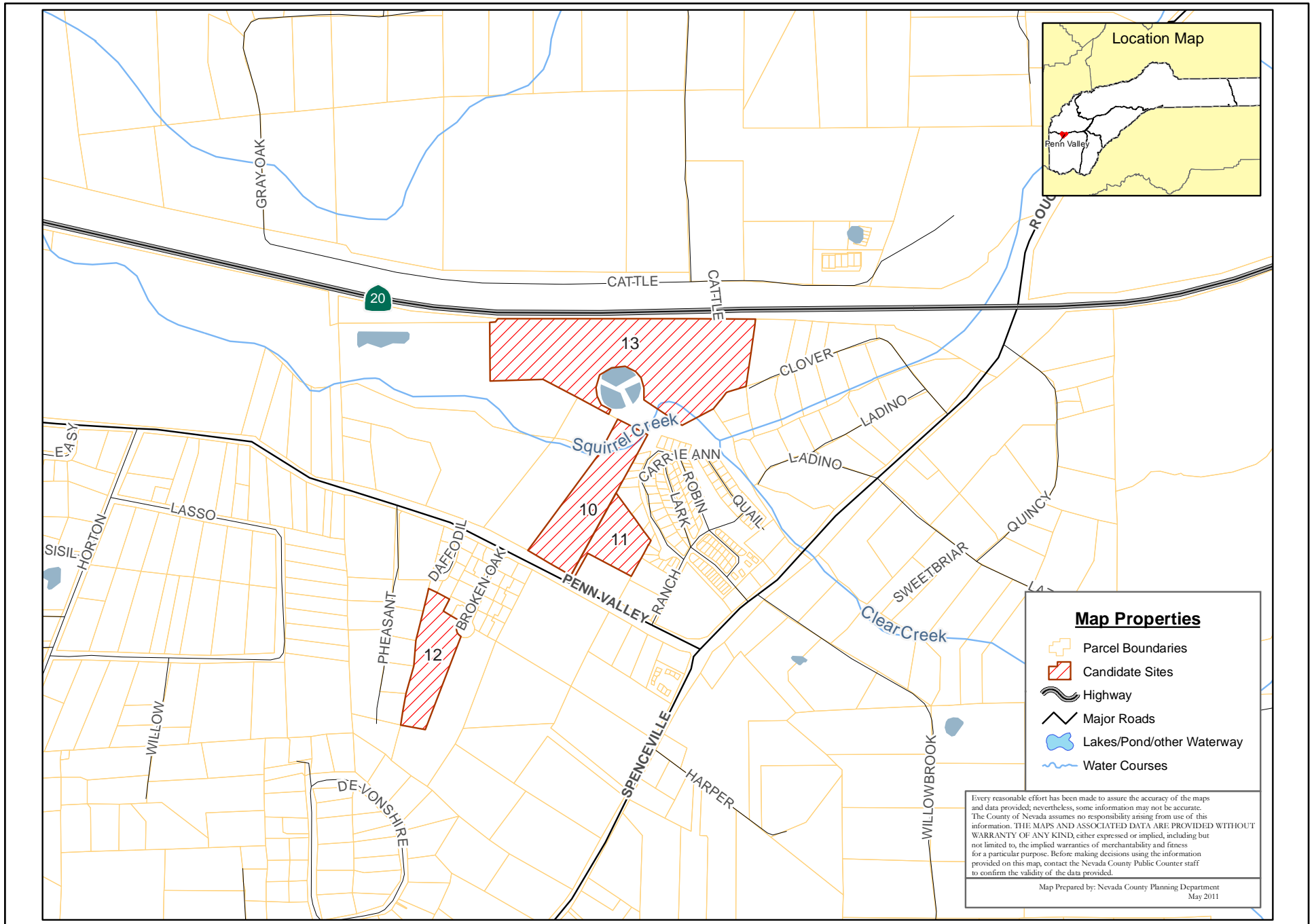


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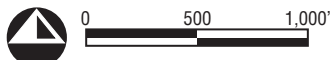
COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Grass Valley Area Sites

FIGURE 3-2



Source: Nevada County GIS 2012; ESRI 2012.

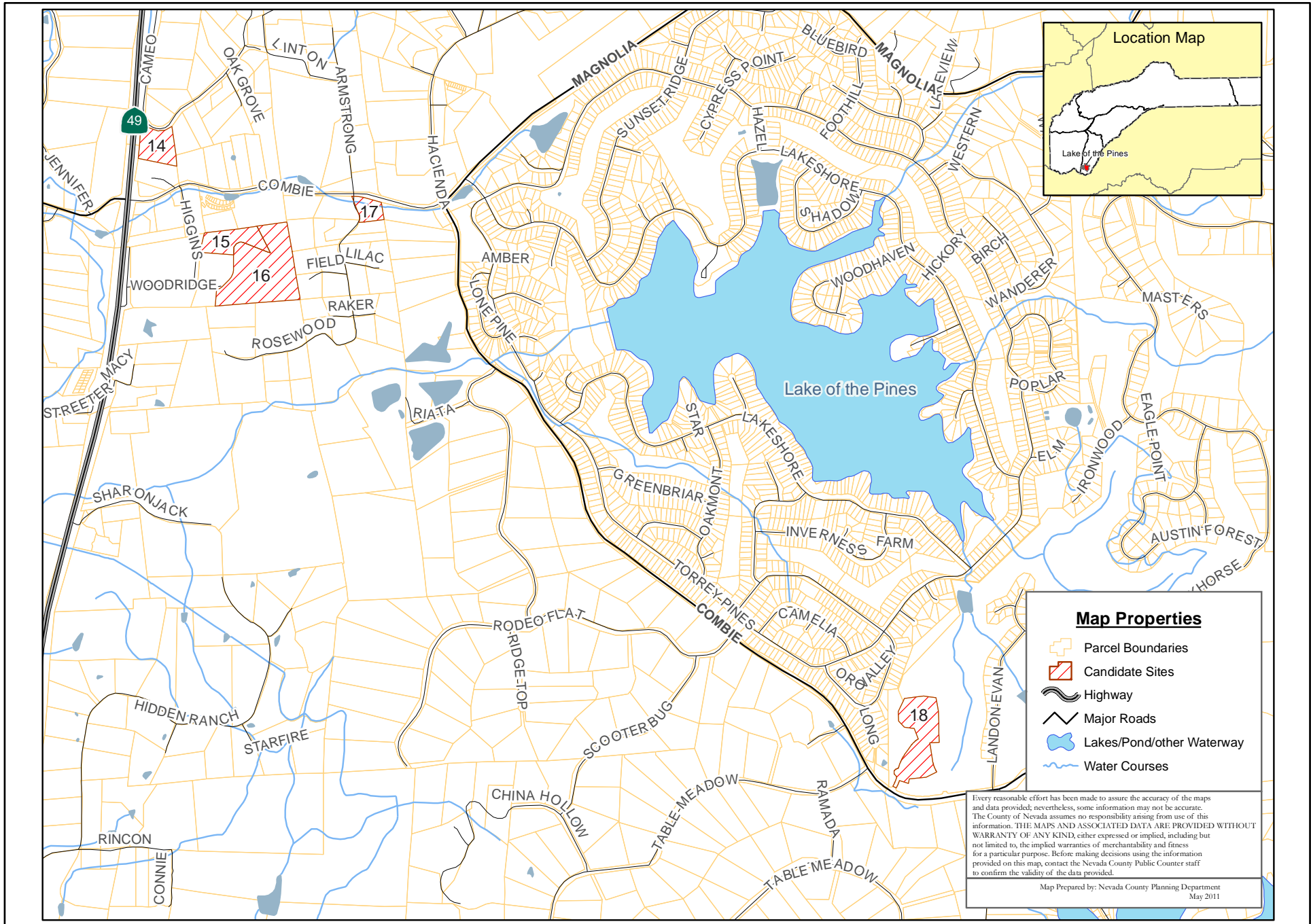


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COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Penn Valley Area Sites

FIGURE 3-3



Source: Nevada County GIS 2012; ESRI 2012.



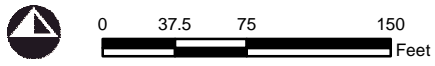
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Lake of the Pines Area Sites

FIGURE 3-4

Site 1	Acres
ROW	0.17
Development Footprint	0.98
ESA	0
Total	1.08
Total ESA Impacted	0

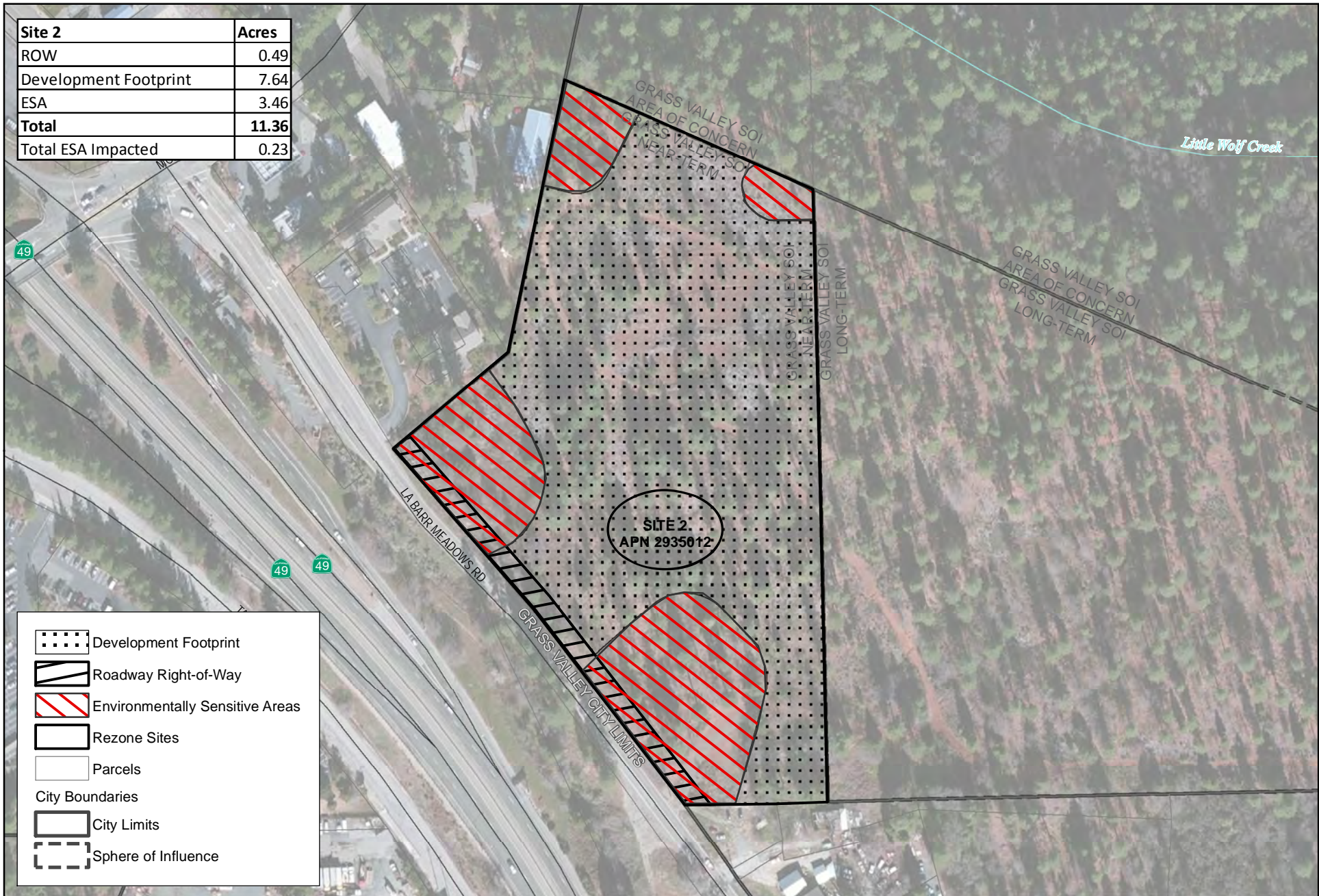


Source: Nevada County GIS 2013; ESRI 2013.

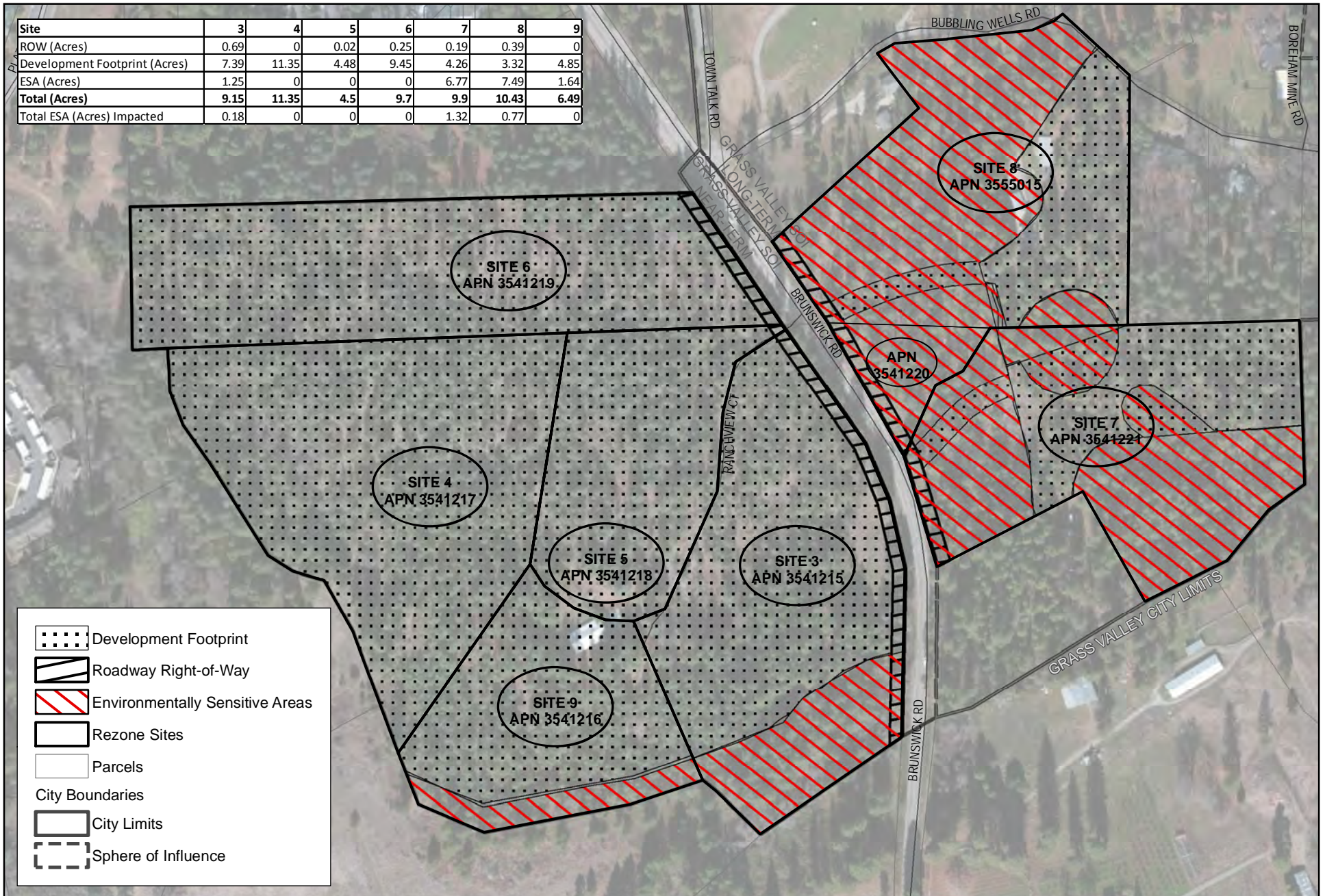
Site 1 - Environmentally Sensitive Areas and Building Footprints

Figure 3-5

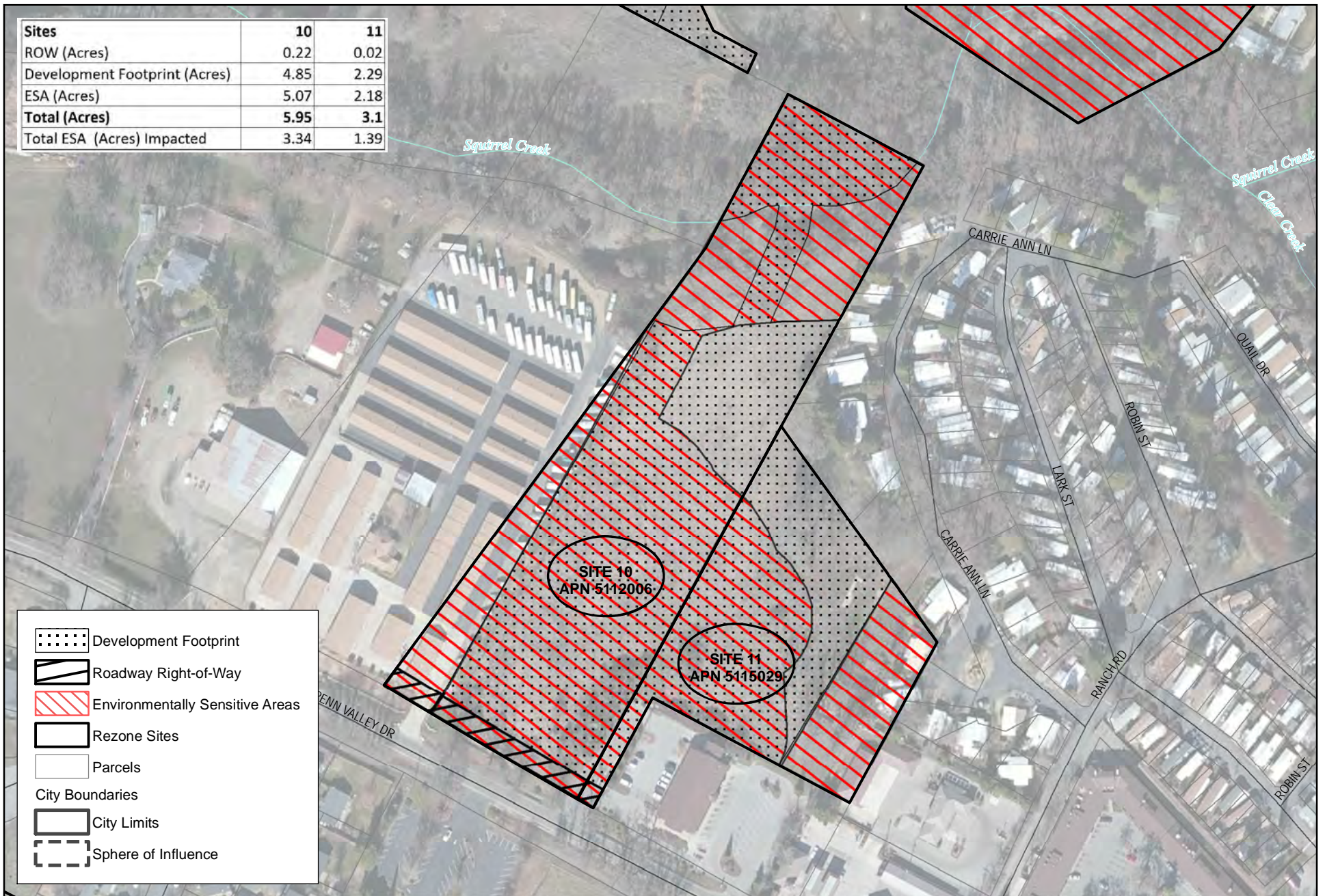
Site 2	Acres
ROW	0.49
Development Footprint	7.64
ESA	3.46
Total	11.36
Total ESA Impacted	0.23



Site	3	4	5	6	7	8	9
ROW (Acres)	0.69	0	0.02	0.25	0.19	0.39	0
Development Footprint (Acres)	7.39	11.35	4.48	9.45	4.26	3.32	4.85
ESA (Acres)	1.25	0	0	0	6.77	7.49	1.64
Total (Acres)	9.15	11.35	4.5	9.7	9.9	10.43	6.49
Total ESA (Acres) Impacted	0.18	0	0	0	1.32	0.77	0



Sites	10	11
ROW (Acres)	0.22	0.02
Development Footprint (Acres)	4.85	2.29
ESA (Acres)	5.07	2.18
Total (Acres)	5.95	3.1
Total ESA (Acres) Impacted	3.34	1.39

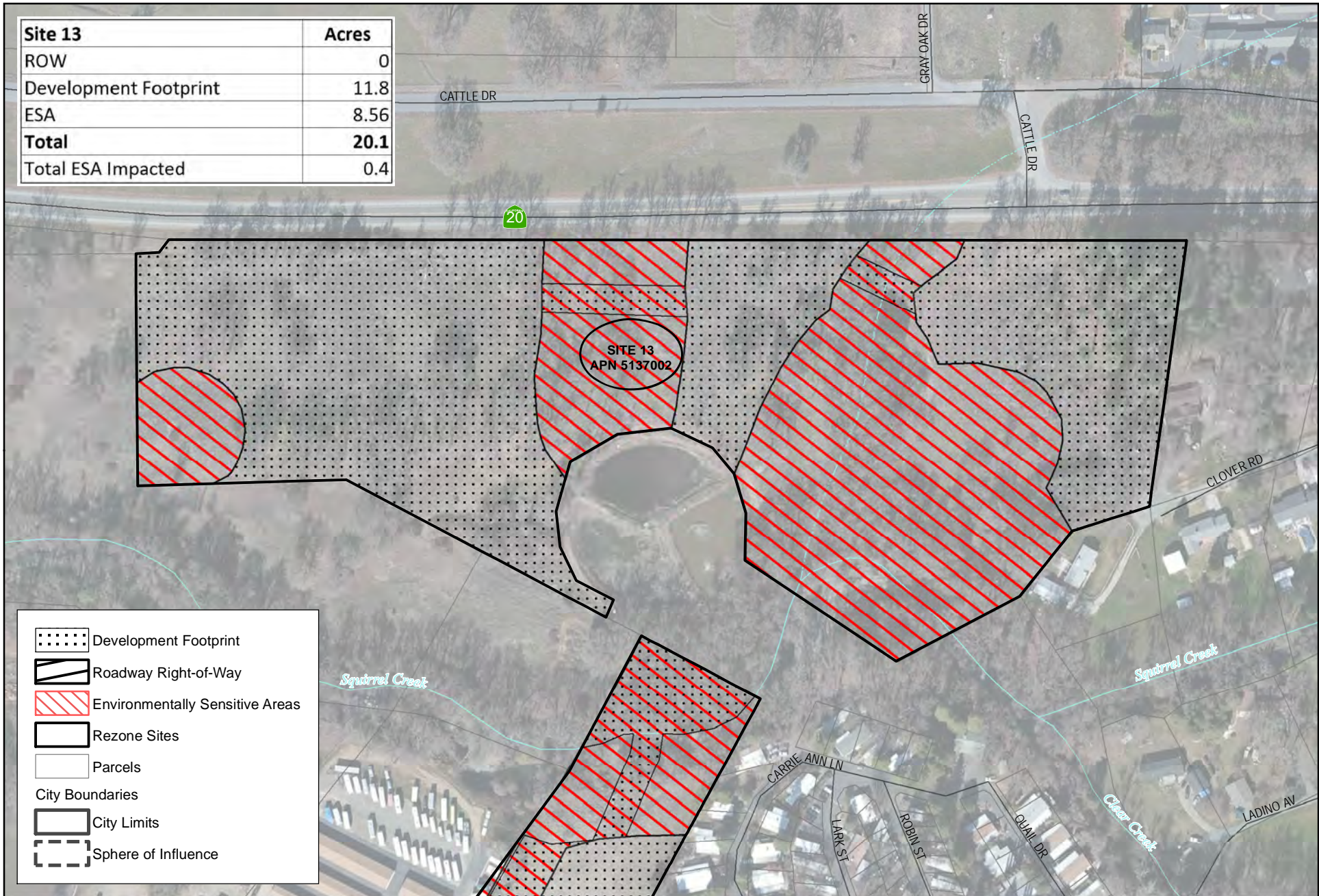




Site 12 - Environmentally Sensitive Areas and Building Footprints

Figure 3-9

Site 13	Acres
ROW	0
Development Footprint	11.8
ESA	8.56
Total	20.1
Total ESA Impacted	0.4

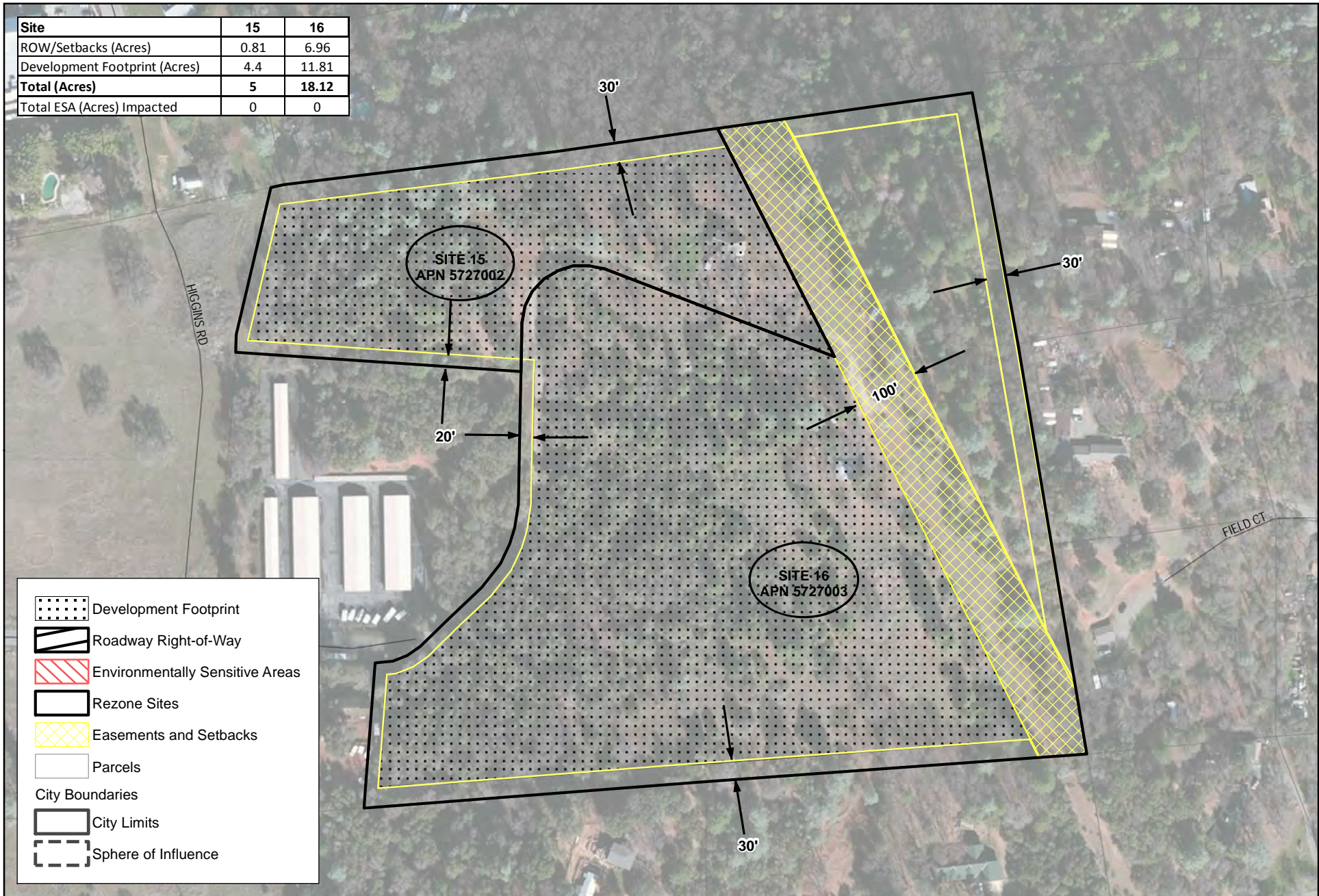


Site 14	Acres
ROW	0
Development Footprint	2.63
Blue Oak Woodland Habitat	5
ESA	0
Total	5
Total Blue Oak Habitat Impacted	2.63
Total ESA Impacted	0

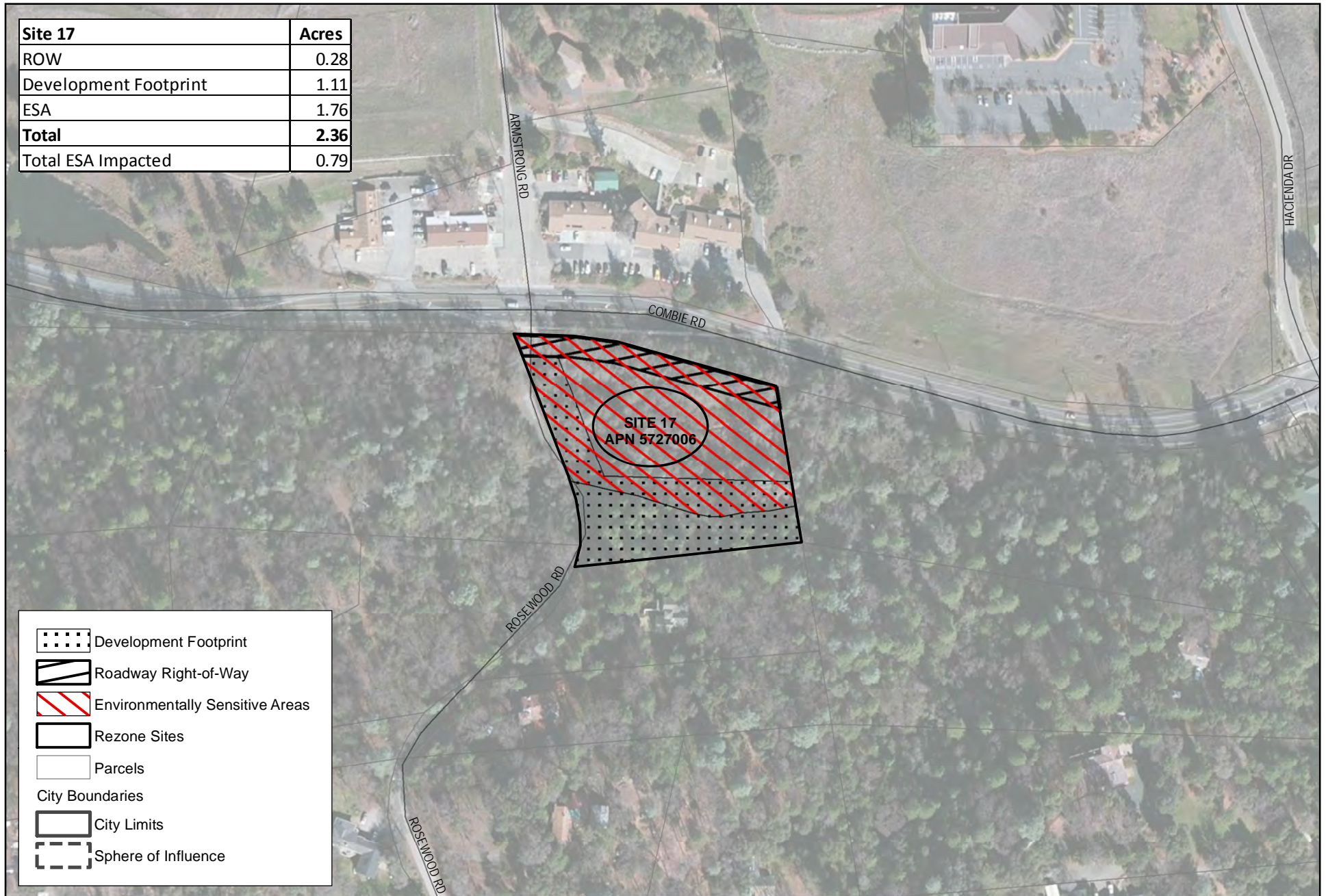
-  Development Footprint
-  Roadway Right-of-Way
-  Environmentally Sensitive Areas
-  Rezone Sites
-  Parcels
- City Boundaries
-  City Limits
-  Sphere of Influence



Site	15	16
ROW/Setbacks (Acres)	0.81	6.96
Development Footprint (Acres)	4.4	11.81
Total (Acres)	5	18.12
Total ESA (Acres) Impacted	0	0



Site 17	Acres
ROW	0.28
Development Footprint	1.11
ESA	1.76
Total	2.36
Total ESA Impacted	0.79



Site 18	Acres
ROW	0.03
Development Footprint	6.81
ESA	4.19
Total	11.03
Total ESA Impacted	0



Section 4: Existing Conditions, Environmental Impacts, and Mitigation Measures

Section 4.2, page 4.2-2

Site 14

Currently, the site is undeveloped and is of moderate slope. This site contains a mature blue oak woodland which covers an estimated 80 percent of the site. The remainder of the site is covered with mixed interior live oak and blue oak. Most of the existing development immediately adjacent to the parcel to the north is single family residential development. To the west is SR 49. To the east is an electrical substation and some other utility infrastructure. Immediately adjacent to the site to the south is the Higgins Fire Protection District fire station. Further south of the site across Combie Road are some commercial businesses that include some professional office uses and retail commercial area, including a commercial shopping center (Higgins Village) with a drugstore anchor tenant.

This change was made in Response to Comment 17-L.

Section 4.2, Page 4.2-13

Policy 1.38: Within the City/Town spheres, the Nevada County General Plan Land Use Maps will generally reflect the City's/Town's General Plan land use mapping. In some instances, the County may provide for a less intensive land use due to infrastructure capability, environmental constraints or effect on land use and development patterns outside the city's sphere. However, the County's Plan will not preclude implementation of the City's/Town's Plan by providing for a significantly more intensive land use than the City's/Town's Plan.

Consistent. Sites 1-9 are located within the Grass Valley Sphere of Influence. Although the proposed project would change the General Plan designation of several sites within the Grass Valley SOI from Urban Medium Density to Urban High Density, ~~or except in the case of Sites 1 and 2 from the Office Park Professional designation would remain to Urban High Density,~~ ~~the~~ The majority of the sites are already planned for residential uses, although the density would be increased. Additionally, the project sites were chosen based on their proximity to existing infrastructure and similar type of development.

Sites 3-9 are surrounded on three sides by the incorporated areas of the City of Grass Valley with similar existing and planned development densities and intensities. As such, the proposed RH Combining District is not precluding implementation of the City's General Plan by providing a significantly more intensive use.

This change was made in Response to Comment 6-F.

Section 4.4, Page 4.4-40, and 4.4-52

Changes were made to Tables 4.4-4 and 4.4-5 due to revisions on the development footprint of Sites 10, 13, and 14.

Section 4.3, Page 4.3-13

Currently, views to onsite natural features are afforded from nearby roadways and surrounding uses. Additionally, sites within the "SC" Scenic Corridor Combining District (Sites 14 through 17) will have the potential to impact scenic vistas which are adjacent to highway and roads that have been identified as having high scenic quality and require protection for the benefit of residents and visitors.

**Table 4.4-4
Potential Impacts to Plant Communities
within the Project Rezone Sites**

Site	Annual Grassland (Acres)	Valley Oak Woodland (Acres)	Blue Oak Woodland (Acres)	Montane Hardwood (Acres)	Sierran Mixed Conifer (Acres)	Foothill Riparian (Acres)	Mixed Chaparral (Acres)	Blue Oak-Foothill Pine (Acres)
1	-	-	-	-	-	-	-	-
2	-	-	-	5.78	8.11	-	-	-
3	-	-	-	.03	8.01	0.07	-	-
4	-	-	-	-	11.48	-	-	-
5	-	-	-	-	5.62	-	-	-
6	-	-	-	-	10.06	-	-	-
7	-	-	-	-	4.33	0.13	-	-
8	-	-	-	-	3.57	0.15	-	-
9	-	-	-	-	4.85	-	-	-
10	<u>4.184.43</u>	-	-	-	-	<u>-0.60</u>	-	-
11	2.31	-	-	-	-	-	-	-
12	2.82	-	-	-	-	-	-	-
13	<u>7.337.53</u>	2.97	-	-	1.29	-	-	-
14	-	-	<u>1.272.63</u>	-	-	-	-	-
15	-	-	-	3.86	-	-	-	-
16	-	-	-	5.25	-	-	1.68	11.93
17	-	-	-	1.00	-	0.39	-	-
18	-	-	-	4.82	3.80	-	-	-
Total	<u>46.6417.09</u>	2.97	<u>1.272.63</u>	14.93	61.12	<u>0.741.34</u>	1.68	11.93

**Table 4.4-5
Oak Woodland Habitat Impacts**

Site	Habitat Woodland Type	Total Acres of Oak Woodland	Acres of Impact
13	Valley Oak Woodland	6.52	2.97
14	Blue Oak Woodland	5.13	<u>1.272.63</u>
15	Montane Hardwood	3.86	3.86
16	Blue Oak-Foothill Pine	11.93	11.93
	Montane Hardwood	5.25	5.25
17	Montane Hardwood	1.0	4.3
18	Montane Hardwood	4.82	4.82
TOTAL		38.51	<u>31.0635.76</u>

Section 4.5, Page 4.5-15

The following mitigation measures apply to all sites.

- 4.5-1a Prior to the issuance of grading permits, all construction contracts shall include dust control mitigation requirements. All ~~construction contracts~~ improvement plans shall require the following:

Section 4.5, Page 4.5 - 20

The following mitigation measures apply to all sites.

- 4.5-2a Prior to the approval of any site plans, the Planning Director or City of Grass Valley Planning Director for Sites 1-9, shall confirm that all project plans incorporate the suggested mitigation measures for mobile source emissions identified in the *NSAQMD Draft Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects* (Draft Guidelines). These measures include the following:

- Streets shall be designed to maximize pedestrian access to transit stops.
- Provide for on-site road and off-site bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by local transportation planning agencies.
- Larger projects may be required to contribute a proportionate share to the development and/or continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc.
- Provide for pedestrian access between bus service and major transportation points within the project, ~~and between separate sections of the project,~~ where feasible.
- Contribute to traffic-flow improvements (i.e., right-of-way, capital improvements, etc.) that reduce emissions and are not considered as substantially growth inducing.
- Larger projects may be required to provide for, contribute to, or dedicate land for the provision of off-site bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countrywide bikeway plan.

Section 4.6, Page 4.6-15

Although implementation of General Plan policies would reduce project-related GHG emissions, GHG reductions as a result of these policies have not been quantified. Currently, there are no specific development proposals associated with the proposed Housing Element Rezone. Therefore, the degree and extent of future project compliance with the General Plan policies and implementation measures is not yet known and the project details necessary to calculate emission reductions are not available at this time. Future development associated with implementation of the Housing Element Rezone would need to be analyzed on a project-by-project basis to determine the extent of each project's potential contribution to global climate change and appropriate mitigation measures specific to each project. Thus, at this stage of analysis, GHG impacts associated with implementation of the Housing Element Rezone would be significant and unavoidable.

However, future development of the project sites will be required to meet CALGreen Building Code Tier 1 standards (Title 24, Part 11) at the time of building permit issuance to ensure the new development meets

state energy efficiency requirements. Mitigation Measure 4.6-1 requires that future project developers demonstrate compliance with CALGreen Building Code Tier 1 standards (Title 24, Part 11).

General Plan Goals and Policies: Refer to General Plan Goals RD-4.1 through RD-4.4, EP-4.3, EP-4.4, and EC-8.2, and Policies RD-4.3.4, 14.2, 14.4, and 14.7.

Mitigation Measures: ~~No additional mitigation has been identified.~~

The following mitigation measure shall apply to all sites.

4.6-1 Prior to the issuance of a building permit for a development within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9):

Demonstrate that the proposed development has satisfied CALGreen Building Code Tier 1 standards (Title 24, Part 11). The CALGreen standards for residential development are located in Appendix A4 of the Green Building Standards and are intended to provide developers with specific options to construct energy efficient buildings. The more energy efficient the building design and construction, the fewer greenhouse gas emissions from the building over its lifetime. These standards include specific requirements in order to demonstrate that the project has an energy budget no greater than 85 percent of what is allowed by Title 24, Part 6 energy budget. The budget is calculated based on Compliance Software designed by Energy Commission. Appendix A4 of the CALGreen Building Code includes a range of voluntary measures that the developer may select in order to meet reduce the overall energy budget of the development. Such measures include water efficient appliances for indoor water use (Section A4.303), efficient irrigation systems for outdoor water use (Section A4.304), using material sources that are made of recycled content or from rapidly renewable sources (Section A4.405), and energy efficient heating and cooling systems Section A4.207). Implementation of the measures would reduce greenhouse gas emissions from the project.

Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.

Level of Significance After Mitigation: Significant and Unavoidable Impact

This change was made in response to Comment 6-C.

Section 4.10, page 4.10-20

Mitigation Measures 4.10-1b

Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department and Public Works Department for Sites 1-9) prepare a Water Quality Management Plan that implements the following items:

This change was made in response to Comment 6-M.

Section 4.13, page 4.13-7

The Fire Department has a current ISO rating of Class 4~~3~~. The Fire Department was last rated in ~~2003~~2013 and generally is re-rated every 10 years.

This change was made in response to Comment 6-G.

Section 4.13, page 4.13-8

The City provides wastewater collection, treatment and disposal service to all properties within the City limits. ~~and to the Glenbrook Sanitation District, which is outside the City limits.~~

This change was made in response to Comment 6-H.

Section 4.13, page 4.13-8

As with the entire County, water is supplied to portions of the City by the NID, an independent California special district that supplies irrigation, municipal, domestic and industrial water. The City provides water services to the remaining portions of the City not served by NID. Site 1 would be served by the City.

This change was made in Response to Comment 6-I

Section 4.13, page 16

The following mitigation measures apply to all sites:

- 4.13-1a Prior to Building Permit issuance, the project developer shall provide written documentation from the Fire Department ensuring adequate fire service response times to the project site. The formation of an assessment district may be established to provide adequate public safety services.
- 4.13-1b Construction Plan applications (or as part of the annexation request for Sites 1-9) submitted for all sites shall include a vegetation fuel management plan, which addresses overall fuels management for achieving a reduction in wildland fire intensity, subject to review and approval of the Fire Department. The plan shall also address management of the vegetative fuels in those areas that may be considered environmentally sensitive.
- 4.13-1c Prior to Building Permit issuance, the project developer shall provide written documentation from the Police or Sheriff services ensuring adequate police response times. The formation of an assessment district may be established to provide adequate public safety services.

This change was made in response to Comment 6-J

Section 4.13, page 4.13-17

The proposed project sites would be served by the Penn Valley WWTP (Sites 10 through 13), and Lake of the Pines WWTP (Sites 14 through 18) in the County. However, as previously noted the Penn Valley WWTP is currently operating under a Cease and Desist Order (CDO) from the CVRWQCB. ~~and pending~~ The County has received an approximately \$5 M State Revolving Fund loan and an approximately \$1.3M Community Development Block Grant (CDBG) to construct a pipeline from Penn Valley to the Lake Wildwood WWTP. The County Department of Public Works has identified proposed upgrades to the Penn Valley and Lake Wildwood treatment zones to resolve the lack of storage and irrigation capacity that led the state to issue the CDO. The project would include the decommissioning of the Penn Valley treatment facility and the installation of a pipeline and lift station(s) that would transfer wastewater from the Penn Valley zone to the Lake Wildwood treatment facility. The pipeline from Penn Valley to Lake Wildwood would free up EDU's in Penn Valley by eliminating the capacity issues at the current Penn Valley facility and would also provide for future growth in the Penn Valley area. The pipeline improvements are currently in the conceptual design phase with construction expected to begin in the first quarter of 2016 and be completed in the fourth quarter of 2016.

As such ~~However~~, until those improvements are in place, there is currently not enough sewer capacity to serve all of the proposed project areas. Table 4.13-1, *Sewer Availability*, breaks out each of the three zones showing connected, standby and unallocated EDUs. As noted in Table 4.13-1, there are approximately 915 standby equivalent dwelling units (EDUs) and 500 unallocated EDUs in those zones. It has been noted by the County that several projects are already approved or in the planning process in the Lake of the Pines area and will need the EDU allocation from Lake of the Pines in order for them to develop to their planned potential. County Sanitation staff estimate that the approved or planned projects will require approximately 500 to 604 EDUs to accommodate the build out of those projects. Therefore, the unallocated EDUs shown the Table 4.13-1 will likely be used for projects already approved. The County has established sewer capacity service requirements for development within their jurisdiction. The County’s Land Use and Development Code (LUDC) Section L-II 2.7.11.C.6 (specific to the RH Combining District) requires developers to provide written documentation from the applicable public sewer service providers demonstrating that adequate sewage disposal is available to accommodate the proposed development for a site. If the property does not have direct access to adequate public utilities sewer facilities (including conveyance, collection and wastewater treatment systems) -to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider. Without proposed improvements to existing WWTPs there would not be sewer service available for the proposed project Sites 10 through 18 and the proposed project would result in potentially significant impact. However, with implementation of Mitigation Measure 4.13-2, impacts would be reduced to less than significant.

**Table 4.13-1
Sewer Availability**

Zone	Connected EDUs	Standby EDUs	Unallocated EDUs
Lake Wildwood	2,919 <u>2,916</u>	648 <u>652</u>	0 <u>732</u>
Lake of the Pines	2,057 <u>2,090</u>	456 <u>97</u>	500 <u>0</u>
Penn Valley	347	111	0
TOTAL	5,323 <u>5,353</u>	915 <u>860</u>	500 <u>732</u>

Source: Department of Public Works, Sanitation Division, ~~2009~~2014.

Grass Valley

Based on existing capacity of the City’s WWTP and projects of similar size currently being processed through the City, upon annexation of Sites 1 through 9 into the City of Grass Valley, these sites would be served by the City’s WWTP and would contribute a small portion of the overall increase in flows that would bring the WWTP to near ~~the maximum~~ capacity. However, regardless of the added flow from the proposed project, the City’s WWTP will need to be enlarged to handle future flows from throughout the City’s system to meet the City’s projected population in the Year 2020. The City has established sewer capacity service requirements for development within their jurisdiction and has done a detailed analysis of the sewer conveyance and collection system capacity in the Brunswick Road Area (Sites 3-9) as a part of the certified EIR for the Loma Rica Specific Plan⁴¹ (adjacent to Sites 3-9). This analysis was based on a Sewer Capacity Study⁵² that concluded existing sewer lines would be required to be increased for additional capacity as a result of planned development within the City’s Airport Industrial Park Corridor and East-Idaho-Maryland Road development area (e.g. Grass Valley General Plan 2020 build-out) and as a result of the build-out of the Loma Rica Ranch project. With regard to wastewater treatment capacity, the Loma Rica Specific Plan Sewer Capacity Study states that the added flow would put the City’s wastewater treatment plant at

⁴¹ Loma Rica Specific Plan Environmental Impact Report, prepared by RBF Consulting, certified May 2011.

⁵² Sewer Capacity Study, Loma Rica Ranch, prepared by Sauers Engineering, Inc. June 17, 2010.

approximately 78% of its capacity of 2.78 mgd. The Sewer Capacity Study states that the treatment plant would need to be enlarged to accommodate the future flows from throughout the City's system with or without the Loma Rica Specific Plan development. Since significant new development has not occurred in this region since the certification of the Loma Rica Ranch Specific Plan EIR, this study is sufficient documentation of the capacity of the City's sewer infrastructure including collection and treatment capacities. This project will incrementally contribute to the wastewater treatment flows anticipated in this area of the City's sewer treatment system and subsequently mitigation is provided below to ensure adequate capacity within the treatment plant and collection and conveyance system is available at the time of development.

If a property within the City's jurisdiction does not have direct access to adequate sewer facilities (including conveyance, collection and wastewater treatment systems) to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the City's rules, regulations and standards for wastewater treatment. Without proposed improvements to the City's existing WWTP and sewer conveyance and collection facilities to serve the project sites, there would not be sewer service available for the proposed project sites and the proposed project would result in potentially significant impact.

Mitigation Measure:

This mitigation measure applies to all sites:

- 4.13-2 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley ~~Planning Department~~ Public Works Director/City Engineer for Sites 1-9):

Provide written documentation that adequate sewer capacity and infrastructure is available to serve the project. This can be accomplished by providing project specific design calculations (i.e. Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate is available for the proposed development. The project developer may provide written documentation that the Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities have been upgraded to increase capacity or a report from and include calculations from a registered civil engineer demonstrating that adequate capacity is available. If adequate sewer capacity of conveyance, collection and wastewater treatment facilities does not exist, the developer will pay for WWTP-upgrades to account for the additional effluent. The project developer may develop enter into a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.

~~This~~ These changes was were made in response to Comments 6-D and 20-QQ.

Section 4.13, page 4.13-19

The proposed project area is located within the water service area of NID, with the exception of Site 1 which is served by the City. Pursuant to SB 610, a WSA was prepared for the proposed project and is included as Appendix J. Site 1 would have a maximum of 16 dwelling units and would not meet the minimum water usage requirements (the equivalent of 500 dwelling units) for a WSA. The WSA was prepared based on information contained in the 2010 Urban Water Management Plan (UWMP) adopted by NID in June 2011.

This change was made in response to Comment 6-I.

Section 4.13, page 4.13-20

Water line extensions would be within existing roadways or right of ways. These improvements would have to be in place prior to construction on each of these sites. With unknown timing or enforcement mechanism for these improvements, a potentially significant impact would occur as a result of insufficient infrastructure. The County's Land Use and Development Code (LUDC) Section L-II 2.7.11.C.6 (specific to the RH Combining District) requires developers to provide written documentation from the applicable public water supply service providers demonstrating that adequate water supply facilities are available to accommodate the proposed development for a site. If the property does not have direct access to adequate public utilities to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider.

This change was made in response to Comment 6-D.

Section 4.15, page 4.15-4

Sites 10, 11 and 13 form a contiguous parcel located in the residential area of the Penn Valley Community on the north side of Penn Valley Drive approximately ¼ mile east of the intersection of Penn Valley Drive and Spenceville Road. The sites are currently vacant; however, there is an existing access road at the Penn Valley Drive street frontage of Sites 10 and 11. ~~Regional access to Sites 10, 11, and 13 is provided by SR 20 from the east and west.~~ Site 13 will take access through Site 10. The owner of Site 13 has an existing easement through the Site 10 property.

This change was made in response to Comment 2-B.

Section 4.15, page 4.15-4

SR 20

SR 20 is a west-east highway that runs from the Yuba County line in the west through the cities of Grass Valley and Nevada City and terminates at Interstate 80 in the east. The posted speed limit on SR 20 is 55 miles per hour ~~east-west~~ of Penn Valley Drive and 65 miles per hour on the four-lane portion ~~west-east~~ of Penn Valley.

This change was made in response to Comment 20-H.

Section 4.15, page 4.15-7

Currently, the ~~only~~ designated bicycle facilities within the City are a Class II facility on Ridge Road from Hughes Road to the Nevada Union High School, ~~and~~ a Class II facility on East Main Street from Scandling Avenue to north of Dorsey Drive and Class II facilities along portions of W. Main, McCourtney Road, McKnight Way, Idaho-Maryland Road, and Sierra College Drive. None of the project study roadways currently have bicycle facilities.

This change was made in response to Comment 6-K.

Section 4.15, page 4.15-44

Grass Valley Policy Adopting Traffic Impact Study Methodology and Evaluation Criteria for Critical Intersections

Section 4 of the City of Grass Valley Design Standards provides the following analysis methodologies for evaluating traffic impacts within the City:

- i. Highway Capacity Manual (HCM) methodology must be used. Default HCM values must be used unless noted otherwise below.
- ii. Current signal timing schedules for signalized intersections must be used in the analysis.
- iii. For roundabouts, micro simulation (SimTraffic for single lane roundabouts and Vissim for multi-lane roundabouts) or SIDRA software must be used.
- iv. For the Brunswick Road Corridor (including Brunswick/E. Main, Brunswick/SR20/49 on and off ramps, and Brunswick/Sutton intersections) and the McKnight Way corridor (McKnight and SR49 on and off ramp intersections), Synchro/SimTraffic Version 7 software (or approved equal) micro-simulation software using HCM 2000 methodology must be used to evaluate the corridor as a whole due to the coordinated operation of the closely spaced signalized intersections.
- i.v. Intersections with non-standard traffic control (i.e. McKnight and South Auburn) should be analyzed using the engineer's best judgment (such as micro-simulation) with review and approval of methodology by the Engineering Division.
- vi. Standard lane utilization may not occur at all intersections. This operational aspect is particularly true at SR 20/49 interchanges. The assumed lane utilizations should reflect actual conditions, which may require counts for each lane.

~~The Grass Valley City Council adopted Resolution No. 06-21 approving the revised and updated Traffic Impact Study Methodology and Evaluation Criteria for Critical Intersections. The revised and updated criteria provide the following objectives:~~

- ~~▪ Develop a standard and accepted methodology or approach for preparing traffic reports.~~
- ~~▪ Develop a standard and accepted methodology for when a traffic report is required.~~
- ~~▪ Develop language that will clarify the intent of General Plan Policy 7-CI and a procedure for determining thresholds of significance for intersections currently operating at LOS D or worse. The procedure would involve a series of transportation engineering analyses to determine if a proposed development project would have a significant impact on the operating capacity and function of critical intersections. These levels, or steps, would be developed as a screening tool to determine if the project would breach an established threshold of significance (relative to the California Environmental Quality Act) and found consistent with Circulation policies of the City General Plan.~~
- ~~▪ Develop yearly monitoring system for checking the status of all affected intersections/roadways that is tied to the City/Regional Capital Improvement Program.~~
- ~~▪ Implement the work programs of the "Street System Master Plan" that would serve to link all local and regional policy documents as to the identification of circulation improvements, funding sources and timing of installation.~~

This change was made in response to Comment 6-L.

Section 4.15, page 4.15-45

The City has the following additional criteria for determining the level of significance of project impacts:

LOS A, B, C, and D are considered acceptable LOS's for City intersections and roadway segments except where LOS E is considered acceptable for the following downtown intersections: Mill/Neal, W. Main/Mill, W. Main/Church, W. Main/School, Bank/S. Auburn, SR 20/49 SB Ramp/Bennett. Where project traffic is distributed, the following intersections and roadway segments must be analyzed if they: 1) are currently operating at LOS A, B, and C (D for downtown intersections identified above) where project traffic contributes 10 or more peak hour trips; 2) are currently operating at LOS D (E for downtown intersections identified above) or worse; and/or 3) are high accident locations (defined as intersections or roadway segments having five or more reported accidents within the most recent 3 year period).

If the project traffic causes an intersection or roadway segment to worsen from an acceptable LOS to LOS E or worse or is distributed to an intersection or roadway segment currently operating at an unacceptable LOS, the project is determined to cause a significant impact which must be mitigated. It is acceptable to mitigate an intersection or roadway segment from an unacceptable LOS to an acceptable LOS. In the event of a significant impact, cumulative year analyses are required. Project is not consistent with 2020 General Plan and NCTC traffic model or future City wide traffic model relative to land use and generation of higher traffic projections.

There are no feasible mitigation measures to reduce the impact of the project to less than significant levels. "Feasible" means mitigation has been identified in City's General Plan, Street System Master Plan, Capital Improvement Program (CIP), or Regional or Local Transportation Fee Program.

LOS A, B, C, and D are considered acceptable LOS's for City intersections and roadway segments.

If the project traffic causes an intersection or roadway segment to worsen from acceptable LOS to LOS E or worse or is distributed to an intersection or roadway segment currently operating at an unacceptable LOS, the project is determined to cause a significant impact which must be mitigated. It is acceptable to mitigate an intersection or roadway segment from an unacceptable LOS to an acceptable LOS. In the event of a significant impact, cumulative year analyses are required.

This change was made in response to Comment 6-L

Section 4.15, page 4.15-49

Internal circulation roads will be constructed connecting the sites, including a bridge / culvert structure over the creek at the northern portion corner of Site 12 providing a link to Site 13. A landscaped berm will be constructed at the northern boundary of Site 13 along SR 20 to provide noise screening and prohibit access to SR 20. Sight distance in and out of the site access road on Penn Valley Road is currently restricted due to the location of multiple large trees along the Penn Valley Road frontage. Removal of selected trees may be required to allow for adequate site distance at this location.

This change was made in response to Comment 22-E

Section 4.15, page 4.15-71

The following mitigation measure applies to Sites 3 through 9:

- 4.15-2 1. If the project would result in more than 63 total PM peak hour trips and more than 10 PM peak hour trips at the intersection of Idaho-Maryland Road/Brunswick Road, a supplemental traffic analysis shall be prepared consistent with the City's Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:
- a) Be required to install the improvements (likely a roundabout) at the Idaho-Maryland Road/Brunswick Road intersection; or

b) Pay the project's proportionate share of the Idaho-Maryland Road/Brunswick Road intersection improvements; or

c) Construction some associated improvement that would address project impacts at the Idaho-Maryland Road/Brunswick Road intersection; or

d) Be required to complete some combination of the above to address project impacts at the Idaho-Maryland Road/Brunswick Road identified in the supplemental traffic study.

2. If the project would result in less than 10 PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.

Timing/Implementation: Prior to occupancy of development within the project area.

Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.

~~As described in the Loma Rica Ranch Specific Plan EIR (RBF Consulting, 2011), a roundabout shall be constructed at the intersection of Idaho Maryland Road and Brunswick Road. This intersection is located on the downhill slope. The installation of a roundabout has been shown to reduce the number and severity of accidents. This mitigation would improve the operation of the intersection to LOS A. The improvement is identified in the Grass Valley Traffic Impact Fee (GVTIF).~~

~~To mitigate direct traffic impacts on the Idaho Maryland Road and Brunswick Road intersection, a new roundabout is required at this intersection. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the roundabout in its entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.~~

~~Site Specific Development Analysis: The individual development of Sites 3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.~~

~~Timing Implementation: Prior to issuance of a building permit~~

~~Enforcement / Monitoring Agency: City of Grass Valley~~ This change was made in response to Comment 6-M

Section 4.15, page 4.15-74

The following mitigation measure applies to Site 2:

4.15-3 1. If the project would result in more than 63 total PM peak hour trips and more than 10 PM peak hour trips at the intersection of La Barr Meadows Drive/McKnight Way, a supplemental traffic analysis shall be prepared consistent with the City's Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:

a) Be required to install the improvements (likely a roundabout) at the La Barr Meadows Drive/McKnight Way intersection; or

b) Pay the project's proportionate share of the La Barr Meadows Drive/McKnight Way intersection improvements; or

c) Construction some associated improvement that would address project impacts at the La Barr Meadows Drive/McKnight Way intersection; or

d) Be required to complete some combination of the above to address project impacts at the La Barr Meadows Drive/McKnight Way identified in the supplemental traffic study.

2. If the project would result in less than 10 PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.

Timing/Implementation: Prior to occupancy of development within the project area.

Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.

This change was made in response to Comment 6-N.

Section 4.15, page 4.15-77

Safety is a concern, and the addition of traffic is considered a potentially significant impact. Several new project driveways would be constructed on the study area street network. Some of these driveways exist as dirt roads only and the exact location may change. The County Land Use and Development Code Section L-II 2.7.11.C.8 (specific to the RH Combining District) requires the developer to provide written documentation as to their legal right to utilize and improve the road or roads that provide ingress and egress to the site, including secondary access if required, and that the road or roads meet the County minimum standards to serve the development proposed.

This change was made in response to Comment 2-B.

Section 5.0: Growth Inducing and Cumulative Impacts

Section 5.2.10, page 5-14

Projects proposed under the Housing Element Rezone Implementation Program would introduce the use of stationary equipment that would increase noise levels within the area. Based on the long-term stationary noise impact analysis, impacts would be less than significant. Additionally, future projects would not result in stationary long-term equipment that would significantly affect surrounding sensitive receptors. ~~Furthermore, future development proposals within the County would require separate discretionary approval and CEQA assessment, which would address potential noise impacts and identify necessary attenuation measures, where appropriate.~~ Thus, cumulative noise exposure for long-term operations would result in a less than significant impact.

Mitigation Measure 5.2.14-2, page 5-40

The following mitigation measure pertains to Sites 3 through 9.

- 5.2.14-2 Prior to issuance of a building permit, the project developer shall install or fund the realignment of Triple Crown Road with Town Talk Road (Sites 7 and 8 access) into one intersection and the installation of a traffic signal. This measure will improve intersections of Brunswick Road / Triple Crown Drive and Brunswick Road / Town Talk Road / Bubbling Wells Road to LOS C during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic

signal. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane.

The developer and the City of Grass Valley should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer's fair share. The formation of an assessment district is considered a fair share cost sharing mechanism.

Timing Implementation: Prior to issuance of a building permit.

Enforcement / Monitoring Agency: City of Grass Valley

This change was made in response to Comment 6-O.

Section 6.0: Alternatives

Section 6.3.1, page 6-7

ALTERNATIVES CONSIDERED BUT REJECTED

Two additional sites locations were reviewed as potential candidate sites for including in the RH Combining District program. The location of these sites are shown in Figure 6-1, *Alternative Site Locations*. Additionally a project alternative was considered that evaluated removing all of the site in one or more of the community regions and locating all of the candidate sites within one community region. These alternative sites were considered as potential alternative sites but were rejected from further analysis for the reasons discussed below.

Section 6.3.1, new text:

One or Two Community Regions Only

One potential alternative that was considered but rejected from further analysis was an alternative consisting of removing one or more of the community regions/village centers and placing the rezone sites in only one of the three, or two of the three community regions where the candidate sites were located. This would result in the following potential combinations: only Grass Valley, Penn Valley, or Lake of the Pines sites; Grass Valley and Penn Valley Sites; Grass Valley and Lake of the Pines Sites; and Penn Valley and Lake of the Pines Sites. The purpose of this potential alternative was to determine whether or not some of the significant and unavoidable impacts that have been found to occur as a part of the project could be reduced to significant and unavoidable levels. Below provides a brief summary and justification for rejecting each of these scenarios.

- **Grass Valley Only.** Under this scenario the maximum theoretical yield of units from this project would be 1,251-units and the aggregate density would be 735-units. Under this scenario both the original objective of 1,270-units and the revised objective of 699-units could be achieved. This scenario would result in all of the project impacts occurring within the Grass Valley Sphere of Influence primarily along Brunswick Road. While it would relieve potential impacts to the Lake of the Pines Community Region and the Penn Valley Village Center, it ultimately would put the complete burden of providing high density housing units on the City of Grass Valley. In addition, all of the significant and unavoidable impacts identified in the EIR, including but not limited to traffic/circulation, public services, air quality, and greenhouse gas emissions would be concentrated in this one area of the County. Placing all 699-units in the Grass Valley Sphere would also remove

the ability of the County to provide higher density housing in other areas of the County where the need might be greater.

Since these sites would require public services from the City of Grass Valley, it is anticipated that all of these sites would need to be annexed into the City of Grass Valley. Once these sites are annexed, the rezoned sites would no longer be eligible to be considered suitable for accommodating the current or future RHNA. Also, the annexation would likely not occur until the sites begin to build out. As they are annexed, the County and City would be required to negotiate a mutually acceptable RHNA transfer agreement pursuant to Government Code Section 65584.07. While this would be required under any scenario for rezoned sites within the City's Sphere, the County anticipates that negotiations with the City would likely be very difficult to reach an agreement at these densities. Additionally, adding this much density to this area would likely be considered to be inconsistent with the County's General Plan Land Use Element which states that County land use designations should not be more intensive than the City's designations within a Sphere of Influence. For these reasons further analysis of this alternative was not considered.

- **Penn Valley Only.** Under this scenario the maximum theoretical yield of units from this project would be 535-units and the aggregate density would be 330-units assuming Site 13 builds out at its full potential of 185-units (236-units total if Site 13 was rezoned to 91-units only). While this alternative would significantly reduce the overall significant and avoidable impacts of the project, especially those that occur with rezoning sites in the Grass Valley SOI, just placing rezoned units within the Penn Valley Village Center would not achieve the ultimate objective of this project which is to provide 699-units of high density (R3-RH) zoning. Since this scenario would not achieve the primary objective of this project it was not further analyzed.
- **Lake of the Pines Only.** Under this scenario the maximum theoretical yield of units from this project would be 662-units and the aggregate density would be 425-units. While this alternative would significantly reduce the overall significant and avoidable impacts of the project, especially those that occur with rezoning sites in the Grass Valley SOI, just placing rezoned units within the Lake of the Pines Community Region would not achieve the ultimate objective of this project which is to provide 699-units of high density (R3-RH) zoning. Since this scenario would not achieve the primary objective of this project it was not further analyzed.
- **Grass Valley and Penn Valley Sites.** Under this scenario the maximum theoretical yield of units from this project would be 1,735-units and the aggregate density would be 1,065-units assuming Site 13 builds out at its full potential of 185-units (971-units if Site 13 was rezoned to 91-units only). This approach would not achieve a substantial reduction of the overall significant and unavoidable impacts associated with the project. Specific impacts to the Combie Road/State Highway 49 intersection would be eliminated and other identified impacts to the Lake of the Pines area would also be eliminated, but the tradeoff would be additional impacts to both the Grass Valley and Penn Valley Areas because these two areas would be required to accommodate all of the rezoning to address the County's unmet Regional Housing Need Allocation. Since the Lake of the Pines area is one of the areas of the County that has experienced the most amount of growth in recent years, it is anticipated that some high density housing would be appropriate in that area and therefore this scenario was not analyzed further.

- **Grass Valley and Lake of the Pines Sites.** Under this scenario the maximum theoretical yield of units from this project would be 1,913-units and the aggregate density would be 1,160-units. This sub-alternative would achieve the primary goal of the project since enough units could be provided. Should this scenario have been pursued it would have resulted in all of the units and impacts to occur in the Grass Valley Sphere and the Lake of the Pines Area, but would relieve any potential impacts to the Penn Valley Village Center. It does not however reduce any of the significant and unavoidable impacts of the project nor does it provide additional high density housing options for the community of Penn Valley, which has been identified as a disadvantaged unincorporated community consistent with SB244 (Wolk). The median income and low vacancy rates identified in the 2010 Census for the Penn Valley area is a clear indicator that some high density housing would be appropriate there. Additionally, Penn Valley is one of the few areas in western Nevada County that has critical infrastructure necessary to support higher density housing including but not limited to a commercial village center, public roads, public water and planned public sewer infrastructure and capacity, a large regional park and other related amenities. For these reasons, an alternative looking at only Grass Valley and Lake of the Pines was not further considered or analyzed.
- **Penn Valley and Lake of the Pines Sites.** Under this scenario the maximum theoretical yield of units from this project would be 1,197-units and the aggregate density would be 755-units assuming Site 13 builds out at its full potential of 185-units (661-units if Site 13 was rezoned to 91-units only). This sub-alternative would achieve the primary goal of the project since enough units could be provided, but would not provide the flexibility of reducing the unit count on Site 13. Of all of the scenarios discussed herein, this scenario provides the greatest reduction of significant and unavoidable impacts because all of the impacts identified that result from rezoning sites within the Grass Valley SOI (several) would be completely avoided. Additionally, this scenario would remove the subsequent requirement of going through the mutually acceptable transfer agreement process between the City of Grass Valley and Nevada County.

With this scenario, the rezoned sites would likely have the greatest potential of remaining as available to provide suitable sites for future the RHNA because they would not be annexed into the City as a part of the development process. However, this scenario was not considered for further analysis because:

- The County General Plan generally directs intensive residential growth to the City SOIs;
- The City has adequate infrastructure to support some higher density residential development;
- The majority of the proposed up zoning in the Grass Valley SOI is changing from Medium Density Residential to High Density Residential; and
- This sub-alternative would create a greater reliance on both the Penn Valley Village Center and the Lake of the Pines area to meet the project's primary objective.

Therefore, the County determined that it would inappropriate and shortsighted to completely remove the Grass Valley SOI from consideration.

Sites That Were Removed From Consideration by Property Owners

The County was required to include programs within its last two Housing Element updates that require the County to rezone properties to create additional R3 zoning subject to specific State mandated rezone criteria. In addition to including these programs, the County's Housing Element(s) were required to show a list of sites, "rezone candidate sites" with a preliminary analysis of the overall suitability of those sites to be rezoned. Within the 2009-2014 Housing Element update, two distinct sets of rezone candidate sites were provided. The first set was a list of fourteen (14) properties within the Grass Valley Sphere of Influence (SOI) that were identified in the 2003-2008 as sites that could be rezoned to provide additional medium density residential opportunities. Specifically sites were identified in the 2003-2008 Housing Element for rezoning because their County zoning/general plan designations were inconsistent with the City of Grass Valley General Plan 2020, which had them designated as Urban Medium Density where the County's General Plan had them designated as Business Park. HCD interpreted that this unimplemented rezone program as an unmet need and subsequently these sites were included with the intention of meeting the unmet need of 571-units from the 3rd Housing Element revision (2003-2008).

The 2009-2014 Housing Element included a second set of rezone candidate sites that were identified as potentially suitable to be considered for rezoning based on a specific set of criteria. This criterion is discussed in greater detail below. Twenty-five properties were included to address the unmet need of 699-units from the 4th Housing Element revision (2009-2014). In total, the County identified thirty-nine (39) rezone candidate sites in the 2009-2014 Housing Element update that had the potential to accommodate the identified unmet housing need of 1,270-high density units. When adopting the 2009-2014 Housing Element update, the County Board of Supervisors directed staff to work with willing property owners to implement the rezone programs. As a result of this direction, the Planning Department went through an extensive outreach process prior to beginning the environmental review process for the proposed project. As a result of the outreach process, the number of rezone candidate sites was reduced to eighteen that met the site selection criteria described below.

For the 2014-2019 Housing Element update, the County recognized that there would be a reduction in the overall rezoning need to accommodate 699-units rather than 1,270-units. Therefore, the County included only those sites that were currently being reviewed by this EIR and no new sites were added nor were any sites removed. While it was anticipated that the certification of the Housing Element would result in the reduction, the County had spent a significant amount of time and financial resources of reviewing the original candidate rezone sites and felt it would be premature to start removing sites at this stage. By keeping all eighteen sites (later reduced to seventeen) it provided the greatest amount of flexibility to the County's decision makers to choose the sites that made the most sense from a planning, infrastructure, and environmental standpoint.

When selecting potential rezone candidate sites, the County created a specific set of criteria for a property to be considered. The most critical and primary determiner for a site to be considered as a rezone candidate site was related to the fact that for a site to be developed with high density residential use it must have access to public sewer, water and roads and therefore should be within a designated Community Region or Village Center. With that in mind, rezone candidate sites were required to meet the majority of the following factors to be added to the list: 1) the site is currently undeveloped; 2) the site has ingress and egress on a County maintained road or is in close proximity to a County maintained road; 3) the site is located within or in close proximity to a Community Region or Village Center that has access to services and jobs; 4) the site is on or in close proximity to a public transit route; 5) the site is within or in close

proximity to an existing sanitation district; 6) the site is within an existing or in close proximity to a public water district; 7) the site has areas that are relatively flat that could accommodate higher density development; 8) the site is relatively clear of environmental constraints, such as wetlands, watercourses, excessive slopes, etc.; 9) the site is zoned Planned Development (PD) that anticipated high density residential development; and/or 10) the Planning Commissioner or Supervisor from the Supervisorial District identified the site as a viable option for rezoning. These standards were later incorporated into Land Use and Development Code Section L-II 2.7.11: Regional Housing Need (RH) Combining District as the "Site Selection Criteria" for future properties to be considered for the addition of the RH Combining District. As briefly mentioned above, for a site to actually be rezoned to add the RH Combining District, the Board also added a requirement for staff to work with willing property owners.

In addition to adhering to the rezone candidate site criteria, Planning Department staff also followed a logical zoning progression when looking at existing zoning of potential rezone candidate sites. The most logical first place to identify sites for an increase in density were sites that were zoned for Urban Medium Density (UMD/R2) uses, which would be the smallest increase in density. Next was Urban Single Family (USF/R1), which was a larger jump in density but still in areas that are typically near more built up areas with existing infrastructure. Next were Planned Development (PD)/Interim Development Reserve (IDR) properties that already had an allocation of either R3 or at least R2 zoning assigned to the PD/IDR. The next designations that were considered were both Business Park (BP) and Office Professional (OP) because staff recognized that the County had a good amount of BP and OP properties that could meet the rezone candidate site criteria and particularly due to the fact that these properties were located primarily in areas that had public roads, sewer, and water. Additionally, there has not been a history of Business Park or Office Professional development that had occurred in the unincorporated area over the last 5 to 10-years. The final existing zoning designation that was considered for the candidate rezone sites was Commercial. Typically, sites that are zoned commercial are located in areas that most easily meet the rezone candidate site criteria. Staff viewed these properties not for conversion to Urban High Density, but as sites that could be built out as a mixed-use development that still retained the underlying commercial designation with an increase in the allowed residential units from four units per acre to the state required minimum 16-units per acre.

Unless added by the Planning Commission or the Board of Supervisors, the Planning Department did not consider Rural designations such as General Agriculture (AG), Agriculture Exclusive (AE), Forest (FR), Recreation (REC) or Timber Production Zone (TPZ) as potential candidate rezone sites because in most cases properties with these designations are in areas that do not have public sewer and other necessary infrastructure needed to support high density residential housing and subsequently could not meet the candidate rezone site criteria. Staff also did not include the potential rezoning of Industrial designated properties primarily because a lack of suitable industrial designated properties for industrial use had been identified by the local development community and because typically industrial uses are the least compatible with residential uses. As an exception, a site with an Industrial designation was included as a potential candidate site in the 2009-2014 Housing Element update at the direction of the Planning Commission which is allowed by the rezone candidate site criteria. That site was later removed from consideration at the request of the property owner. Utilizing this process of elimination, the County started out considering every property in the unincorporated area (41,865 parcels) and reduced that down to 39-candidate rezone sites, which was then reduced down to the original 18-sites (now 17) that were included in the Project Description and that are being reviewed as a part of this EIR.

As described above, several criteria were considered when selecting potential candidate rezone sites. The need for a property owner to willingly participate in the process was only one of these criteria and was the result of specific verbal direction provided to the Planning Department when adopting the 2009-2014 Housing Element update. The sites that were removed at the request of property owners are likely less suitable than those that were ultimately included for consideration in the Draft EIR, due to the majority of those sites being designated on the General Plan Land Use Maps as Business Park, Office Professional, Commercial and Industrial, and being surrounded by similar uses (see Table 6.0 below). For example several of the properties that were included in the 2003-2008 Housing Element were located on East Bennett Road in the Grass Valley SOI in an area that is predominately developed with Commercial, Business Park, and Light Industrial uses. Additionally, the property owner for those properties envisioned the use of their property for non-residential use as currently designated by the County General Plan Land Use and Zoning District Maps. Further, the majority of the sites that were removed by property owners were not included in the Draft EIR Project Description and subsequently, were not further discussed as an Alternative within the EIR. For all of the reasons above, the County has determined that further analysis or review of any of the removed 23-sites is not required. This determination was made in the same fashion the County has determined not to include the other 41,847 properties in unincorporated area that did not become a candidate rezone site as a feasible alternative; because these sites either did not meet some of the important site selection criteria and/or they were originally identified as rezone candidate sites only to be rezoned for consistency with the City of Grass Valley General Plan and not to meet RHNA requirements.

TABLE 6.0
SITES THAT WERE REMOVED FROM REZONING CONSIDERATION AT
REQUEST OF PROPERTY OWNER

<u>APN</u>	<u>Acres</u>	<u>Co General Plan</u>	<u>Current Co Zoning</u>	<u>GV General Plan</u>	<u>Notes</u>
<u>09-560-33*</u>	<u>13.04</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	<u>*2003-08 Sites</u>
<u>09-560-34*</u>	<u>5.32</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-05*</u>	<u>7.92</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-32*</u>	<u>2.43</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-37*</u>	<u>8.91</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-39*</u>	<u>4.03</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-38*</u>	<u>2.03</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-13*</u>	<u>1.31</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-10*</u>	<u>8.86</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>07-550-16</u>	<u>20.02</u>	<u>OP</u>	<u>OP</u>	<u>OP</u>	<u>2009-2014 Sites</u>
<u>07-400-01</u>	<u>4.87</u>	<u>OP</u>	<u>OP</u>	<u>OP</u>	
<u>09-680-50</u>	<u>2.97</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>09-680-51</u>	<u>3.56</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>09-680-53</u>	<u>4.55</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>09-680-52</u>	<u>9.62</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>12-010-59</u>	<u>4.30</u>	<u>BP</u>	<u>BP-SP</u>	<u>n/a (Cedar Ridge Y)</u>	

<u>23-300-54**</u>	<u>2.01</u>	<u>UMD</u>	<u>R2-MH</u>	<u>n/a (Hwy 49 Near Alta Sierra Entrance)</u>	
<u>51-160-24</u>	<u>1.19</u>	<u>CC</u>	<u>C2-SP</u>	<u>n/a (Penn Valley)</u>	
<u>51-130-14</u>	<u>2.16</u>	<u>CC</u>	<u>C2</u>	<u>n/a (Penn Valley)</u>	
<u>60-100-18</u>	<u>3.57</u>	<u>NC/ RUR-10</u>	<u>C1/AG-10</u>	<u>n/a (North San Juan)</u>	
<u>09-270-04*</u>	<u>10.68</u>	<u>USF</u>	<u>3.62-acres R3 Remainder R1</u>	<u>UHD</u>	<u>Withdrawn Late</u>
<u>37-050-69</u>	<u>4.54</u>	<u>IND</u>	<u>M1</u>	<u>PD (NC SOI)</u>	
<u>29-350-12</u>	<u>11.36</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	

** Removal of this site was mutually agreed to by the County and property owner.

Section 6.3.3, page 6-18

Recreation

Alternative 2 would result in the same amount of residential development as the proposed project and would have a similar demand for park and recreational facilities. However, the closest existing park to the East Bennett Road sites would be Empire Mine State Historic Park. As such development on these sites would be required to contribute to recreation mitigation fees or other such fee program as determined by the County as a fair share payment for use of the Empire Mine State Park given those sites' proximity to the park. Thus, Alternative 2 would be equivalent to the proposed project.

This change was made in Response to Comment 5-F.

Section 6.3.3, page 6-21

Aesthetics

Alternative 3 would likely contain similar guidance and direction addressing the visual appearance of new development and the protection of aesthetic resources as the proposed project. However, Site 7 would require specific design measures such as screening vegetation, setbacks, and interior security fencing should be incorporated into the project design to minimize potential impacts on the Empire Mine State Historic Park. As a result, the potential aesthetic impacts of new development would be mitigated in the same manner as the proposed project (adherence to County and City regulations and design guideline requirements). Because of the sloped terrain on Site 6 (the larger of Berriman Ranch sites), Alternative 3 would result in increased grading and clearing of the existing woodlands in order to create building pads, parking areas, and driveways associated with multi-family development. However, most of the views from public vantage points such as SR 49 would be screened from view due to the existing woodlands that line the highway in this area. Relocating the development on these sites to Berriman Ranch will result in physical and visual separation among the projects located along Brunswick Road. Because of the proximity of the proposed project Sites 6, 7, and 8 to Brunswick Road, the reduction in density along Brunswick Road would be more noticeable to the public than the development at Berriman Ranch because of the existing screening along SR 49. For these reasons, aesthetic impacts associated with Alternative 3 would be ~~slightly less~~ similar compared to the proposed project.

These changes were made in response to Comment 5-C.

Section 6.3.3, page 6-23

Recreation

Alternative 3 would result in the same amount of residential development as the proposed project and would have a similar demand for park and recreational facilities. However, the closest existing park to Site 7 would be Empire Mine State Historic Park. As such development on this site would be required to contribute to recreation mitigation fees or other such fee program as determined by the County as a fair share payment for use of the Empire Mine State Park given that site's proximity to the park. Thus, Alternative 3 would be equivalent to the proposed project.

This change was made in response to Comment 5-F.

Section 6.3.3, page 6-24 – Alternative 4

Alternative 4, the Reduced Project alternative has been revised to reflect changes in the project such as the property owner of Site 2 requesting to be removed from the program, and a decision by the County to remove Site 1 based on the desires of the property owner to seek commercial uses on the property, and to include site 14 as part of the alternative based on the property owner's desire to seek access off of Combie Road (pending permission for access from the Higgins Fire Protection District, and the desire of the County to retain the site because of its proximity to the commercial areas and infrastructure located at the Combie Road/SR 49 intersection.

Alternative 4: Reduced Development

Description of Alternative

The Reduced Development Alternative (Alternative 4) removes ~~four~~three of the most environmentally sensitive sites from the program to minimize the environmental effects of implementing the Housing Element Rezone. Two sites in the Grass Valley SOI area are removed based on information the property provided to County staff during the Draft EIR public review process. The purpose of this alternative is to remove the sites with ~~the most significant~~ physical constraints to development such that the overall environmental impact of implementing the program is reduced, yet still leaving enough opportunity to for the County to meet the required Regional Housing needs and state law. The sites that have ~~the most significant~~ physical constraints were removed to decrease impacts on biological resources, cultural resources, traffic, aesthetics, and other issues that would be adversely affected by development. One of the sites was removed, because the owner no longer wished to participate in the program and another site was removed given the relatively small size of the site (approximately one acre) and the property owner's desire to develop mixed uses with a commercial designation, and to decrease the number of units in the City of Grass Valley SOI area.

The following sites would be removed from the project under this alternative:

Site 1: This site was removed because it's relatively small size, 1.08 acres, did not provide a significant number of units to the County's overall density requirements. Removing the site from the program eliminates some of the density from the Grass Valley SOI. Additionally, the property owner desires to have a mixed use development with commercial and residential uses which would not be permitted under the RH Combining District, because the existing zoning on the site is Office Professional.

Site 2: This site was removed because the County was informed by the property owner that participation was no longer desired and requested the property be removed from consideration.

Site 7: This site is removed because of physical constraints associated with the property. A tributary to Wolf Creek traverses the southeast portion of the site as well as intermittent streams riparian vegetation on other places throughout the site. Potential historic resources were identified at this site. Additionally, as one of the three largest parcels in the cluster of sites along Brunswick Road, it has one of the highest maximum yield of units at 198 units. Removal of these units would reduce the amount of traffic from this cluster of development. Additionally, this site is located adjacent to the recently approved Loma Rica Ranch Project.

By removing this site from the program it would provide an additional visual and physical from the future development on the Loma Rica Ranch site.

Site 8: This site has similar physical constraints as those described for Site 7 and has been removed from the program for the same reasons. A tributary to Wolf Creek traverses the site near the center of the property which substantially restricts the amount of area available for development due to wetland protection requirements. Intermittent wetlands also are located along the property frontage of Brunswick Road which would result in potential wetland impacts associated with roadway improvements.

~~*Site 14:* This site is removed because of physical constraints on the property. This site contains a well-developed blue oak woodland over approximately 80% of the site which makes avoidance difficult. The project site is located on a hillside which would require grading with manufactured slopes that would be visible from SR 49.~~

Site 17: This site is removed because of the physical constraints associated with developing the property. The site is bisected by Ragsdale Creek and has a wide riparian zone associated with the creek that would make avoidance difficult. The site also contains sensitive black oak dominated woodland outside the riparian zone. Ragsdale Creek is potential habitat for sensitive aquatic species.

Table 6-5 shows the maximum number of units for the Reduced Development Alternative with Sites 1, 2, 7, 8, 13, 14, and 17 removed. As shown in the table, the project would reduce the total acreage of properties in the program by ~~27.69~~35.13 acres or ~~approximately 19~~24%. The maximum number of units would be reduced by ~~519~~692 units or ~~approximately 20~~26%.

**Table 6-5
Theoretical Yield of the Reduced Development Alternative**

Site	1*	2*	3	4	5	6	7*	8*	9	10	11	12	13	14	15	16	17*	18	TOTAL ¹			
Parcel Area (Acres)	1.08	11.36	9.15	11.35	4.5	9.7			6.49	5.95	3.1	4.37	20.1	5.0	5.0	18.12		11.03	121.30 113.86			
Building Density (du/acres)	20	20	20	20	20	20			20	16	16	16	16	16	16	16		16	-			
Maximum Yield (Units)	22	227	183	227	90	194			130	129	95	50	49	70	69	322		80	80	290 289	176	2,156 1,983

*These sites are removed from the Reduced Development Alternative

¹ For comparison, the proposed project is 148.99 acres and 2,675 units.

Environmental Impacts Compared to the Project

Land Use and Planning

Under Alternative 4, the type and distribution of land uses would be similar to the proposed project, though this alternative would provide fewer residential units, but similar conflicts with the Grass Valley General Plan that occur with the proposed project would remain under Alternative 4. Neither the proposed project nor Alternative 4 would physically divide any existing communities within the County of Nevada or the City of Grass Valley SOI or Planning Area. By eliminating Sites 1 and 2, the proposed sites within the Grass Valley SOI are limited to the 5 sites located off of Brunswick Road. Each alternative would propose new land use designations for the project area. As a result, Alternative 4 would have the same impacts as the proposed project.

Aesthetics

~~Residential development would be reduced by approximately 19 percent in the proposed RH Combining District area. Approximately 24 percent fewer acres would be developed under Alternative 4. Both~~

Alternative 4 and the proposed project would result in temporary increases in light and glare, as well as temporary impacts on scenic views and visual quality during construction. Construction-related visual quality impacts would be mitigated in the same manner under each scenario.

Alternative 4 would remove sites that would be most visible from major public thoroughfares such as Sites 7 and 8 (Brunswick Road), ~~Site 14 (SR 49)~~, and Site 17 (Combie Road). For the remaining sites, the potential aesthetic impacts of new development would be mitigated in the same manner as the proposed project (adherence to County and City regulations and design guideline requirements). For these reasons, impacts associated with Alternative 4 would be reduced compared to the proposed project.

Air Quality and Greenhouse Gas

Alternative 4 would result in less residential development compared to the proposed project. The reduced number of units would result in fewer vehicle trips compared to the proposed project. Both Alternative 4 and the proposed project would be expected to contribute to pollutants for which the area is in non-attainment and would, therefore, conflict with applicable air quality management plans and result in cumulatively considerable impacts on air quality. In addition, both Alternative 4 and the proposed project in combination with other projects would cumulatively contribute GHG emissions in amounts that could hinder the state’s ability to achieve AB 32 goals. However, overall Alternative 4 would result in reduced air quality and greenhouse gas impacts compared to the proposed project.

Biological Resources

Alternative 4 would result in development that would reduce potential impacts on biological resources compared to the proposed projects. The four of the five sites that have been removed under Alternative 4 support sensitive biological resources such as wetlands, oak woodlands, and riparian habitat on all or significant portion of the site. Table 6-6 provides a comparison of the impacts to plant communities. ~~This alternative would eliminate impacts to Blue Oak Woodland habitat.~~ For the remainder of the sites in this alternative, mitigation addressing biological resources required for the proposed project would also be implemented under Alternative 4 and it would likely have similar the same guidance and direction. For these reasons, Alternative 4 would have reduced biological impacts compared to the proposed project.

**Table 6-6
Potential Impacts to Plant Communities
for the Reduced Development Alternative**

Site	Annual Grassland (Acres)	Valley Oak Woodland (Acres)	Blue Oak Woodland (Acres)	Montane Hardwood (Acres)	Sierran Mixed Conifer (Acres)	Foothill Riparian (Acres)	Mixed Chaparral (Acres)	Blue Oak-Foothill Pine (Acres)
1	-	-	-	-	-	-	-	-
2	-	-	-	5.780	8.110	-	-	-
3	-	-	-	.03	8.01	0.07	-	-
4	-	-	-	-	11.48	-	-	-
5	-	-	-	-	5.62	-	-	-
6	-	-	-	-	10.06	-	-	-
7	-	-	-	-	0	0	-	-
8	-	-	-	-	0	0	-	-
9	-	-	-	-	4.85	-	-	-

Site	Annual Grassland (Acres)	Valley Oak Woodland (Acres)	Blue Oak Woodland (Acres)	Montane Hardwood (Acres)	Sierran Mixed Conifer (Acres)	Foothill Riparian (Acres)	Mixed Chaparral (Acres)	Blue Oak-Foothill Pine (Acres)
10	4.18	-	-	-	-	-	-	-
11	2.31	-	-	-	-	-	-	-
12	2.82	-	-	-	-	-	-	-
13	7.33	2.97	-	-	1.29	-	-	-
14	-	-	2.63	-	-	-	-	-
15	-	-	-	3.86	-	-	-	-
16	-	-	-	5.25	-	-	1.68	11.93
17	-	-	-	0	-	0	-	-
18	-	-	-	4.82	3.80	-	-	-
Total	9.31	2.97	2.63	14.93 13.96	51.93 45.11	0.07	1.68	11.93
Proposed Project	16.64	2.97	1.27 2.63	14.93	61.12	0.74	1.68	11.93

Cultural Resources

Under Alternative 4, the development footprint would be reduced compared to that of the proposed project. Impacts on potential historical and prehistoric resources on Sites 7 and 8 would be avoided under this alternative. For the remaining sites, potential impacts on cultural resources and mitigation necessary to reduce impacts to less than significant would be comparable. For these reasons, potential cultural resource impacts associated with Alternative 4 would be reduced compared to the proposed project.

Geology and Soils

Alternative 4 would result in approximately 28 fewer acres of development compared to the proposed project. Overall, up to approximately ~~519,692~~ fewer units would be in the project area under Alternative 4. When compared to the proposed project, fewer people would be exposed to seismic and unstable soil hazards under the Alternative 4. Regardless, current federal, state and local regulations require specific mitigations to reduce impacts related to geologic and seismic hazards, which would apply to both Alternative 4 and the proposed project. Additionally, each scenario would require site-specific measures on a project-by-project basis to reduce potential seismic and geologic hazard impacts to less than significant. Thus, Alternative 4 would result in a slight improvement compared to the proposed project.

Hazards and Hazardous Materials

Since Alternative 4 would result in fewer people in the project area, it would have the potential to expose less people to risks associated with hazards and hazardous materials. With the removal of Sites 7 and 8, fewer people would be living within Zone D of the Nevada County Airport Land Use Compatibility Plan area. Federal, state and local regulations would mitigate potential hazards and hazardous materials impacts under Alternative 4 in the same manner they would under the proposed project. For these reasons, Alternative 4 would result in a slight reduction compared to the proposed project.

Hydrology and Water Quality

Compared to the proposed project, Alternative 4 would result in less multi-family residential development. Both would substantially increase impermeable surfaces, which could result in an increased risk of flooding, stormwater contamination and degradation of water quality in receiving water bodies. Applicable state and local regulations protecting against flooding and hydrologic impacts would apply under Alternative 4. In addition, site-specific measures would be required on a project-by-project basis to address flooding and other hydrologic impacts. For these reasons, Alternative 4 would be slightly less compared to the proposed project as a result of less building area.

Noise

Under Alternative 4, there would be up to approximately ~~519-692~~ fewer homes. Neither Alternative 4 nor the proposed project would exceed established noise standards as a result of traffic increases, and mitigation would be required for each to prevent potential noise impacts on any sensitive uses should they be proposed along specific roadways. Like the project, Alternative 4 would be subject to County and City policies and regulations regarding construction noise, and mitigation for construction noise and ground-borne vibration would be required to reduce impacts to less than significant. Furthermore, both Alternative 4 and the proposed project would be required to mitigate potential stationary mechanical noise impacts to less than significant. Therefore, Alternative 4 would have the same impact as the proposed project.

Population and Housing

Alternative 4 would result in up to approximately ~~519-692~~ fewer homes compared to the proposed project and would be within the growth estimates identified in the County General Plan and, like the proposed project, would exceed estimates the City's 2020 General Plan because of the higher densities proposed on the sites within the City's Sphere of Influence. However, the population growth within the City of Grass Valley would be incrementally less because ~~two-four~~ of the sites, and up to 655 fewer units that are removed from this Alternative are within the City's Sphere of Influence. Like the proposed project, Alternative 4 would not displace existing housing or people. Therefore, Alternative 4 would be equivalent compared to the proposed project.

Public Services, Utilities and Service Systems

Population growth associated with Alternative 4 would have less demand for fire and police services, libraries, schools and parks and recreational services when compared to the proposed project. Similar to the proposed project, mitigation measures to reduce potential utility impacts associated with the water and sewer demand increases would be required, but would still be considered significant and unavoidable, due to the unknown capacities at the time development of the sites would occur. As a result, Alternative 4 would have a reduced impact compared to the proposed project.

Recreation

When compared to the proposed project, Alternative 4 would result in approximately ~~519-692~~ fewer units. Accordingly, the decrease in population would decrease the demand for park and recreational facilities. Therefore, Alternative 4 would have a slight improvement over the proposed project.

Transportation/Traffic

Under Alternative 4, there would be less development by up to ~~519-692~~ units. Thus, there would be fewer daily vehicle trips associated with new housing. Daily vehicle trips would decrease under Alternative 4 when compared to the proposed project. Under the proposed project there would be significant unavoidable cumulative traffic impacts at the Brunswick Road/SR 49, Brunswick Road/Town Talk, and SR 49/Combie Road intersections. Under Alternative 4 there would be a reduction in traffic volumes at these intersections because Sites 1, 2, 7, 8, 14, and 17 have been removed from the project and would no longer contribute to

these failing intersections. Additionally, there would be less cumulative potential safety risk associated with the Brunswick Road/Town Talk intersection because Sites 7 and 8 would no longer contribute to traffic to the intersection. The removal of Site 2 under this alternative would direct impacts eliminate direct project impacts the La Barr Meadows Road/Mcknight Way intersection. Cumulative impacts at the SR 49/McKnight Way intersection would be reduced as well as Sites 1 and 2 would no longer contribute to traffic to this intersection. Sites 1 and 2 are the two closest project sites to the SR 49/ McKnight Way intersection, and therefore would have result in the biggest reduction in cumulative impacts to this intersection. Consequently, Alternative 4 would have a reduced impact compared to the proposed project, however mitigation requirements within the jurisdiction of the City of Grass Valley would remain significant and unavoidable.

UPDATED REGIONAL HOUSING NEED ALTERNATIVE

The following alternative addresses a new alternative that was added to the EIR analysis as part of the preparation of the Final EIR.

ALTERNATIVE 5: UPDATED REGIONAL HOUSING NEED ALTERNATIVE

This Alternative is proposed as a result of the adoption of the County's 5th Revision to the Housing Element (2014-2019 planning cycle), adopted by the Board of Supervisors on June 24, 2014 and certified by HCD on July 17, 2014. As a result, the County was able to reduce the minimum amount of required rezoning from 1,270-units to 699-units. The same sites that are included in the analysis of 2009-2014 planning cycle (those evaluated in Chapter 4 of this EIR) were retained as potential candidate rezone sites in the latest revision of the County's Housing Element, with the exception of Site 2 which was withdrawn from the Program in November 2013 at the request of the property owner.

As result of the reduction in Regional Housing Need from 1,270 units to 699 units, County staff looked at alternatives to rezoning fewer properties to decrease potential impacts on the environment as a result of the project. County staff evaluated the proposed properties and ranked the properties in "Tiers" based on the suitability of the properties for re-designation. With the required number of overall units reduced to 699, County staff considered options for reducing the number of sites in each of the three communities in which the re-designation was proposed.

As described in Chapter 3, the following sites have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These sites and would be considered the first tier for implementing the project and meeting the project objectives.

There are several different combinations however that will accomplish the same goal. The second tier of sites which are almost equally suitable as the tier one sites include Sites 4, 9, 13 (at 91-units only) and 15. These sites are considered tier two sites because they are located in the immediate vicinity the tier one sites that accomplishes the project's objectives. These sites could be mixed in with the first eight sites to go beyond the unmet need of 699-units or could be switched with one or multiple first tier sites with similar identified aggregate densities to meet the minimum of 699 units of density.

The least desirable sites, or the third tier sites, are those that are considered the most constrained or only minimally implement the project goals and include Sites 1, 7, 8, 10, and 17. As a result of this EIR, the

third tier sites could effectively be chosen for rezoning, but are less suitable than the twelve sites that are identified as first and second tier sites.

As previously noted, any combination of Tier 1 and 2 Sites would meet the project objective. However, this alternative will evaluate the Tier 1 sites as those sites would be considered the most suitable. Evaluating Tier 1 and 2 sites together was considered, but evaluating Tiers 1 and 2 together would result in an alternative that was substantially the same as the Alternative 4: The Reduced Development Alternative. Tier 3 Sites 7, 8, and 14 were also those selected to be removed from the Reduced Development Alternative. Only Tier 3 Sites 1 and 17 were not removed from the Reduced Development Alternative, and those sites are less than 3.5 acres combined and would not result in a substantially different conclusion.

For these reasons County staff decided to evaluate only the Tier 1 Sites to determine if the Tier 1 sites would reduce significant environmental impacts. Table 6-7 shows what the theoretical yield of the site would be with the eight Tier 1 units. Table 6-7 shows that the Tier 1 Sites would generate a maximum of 1,130 units on 64.97 acres. Compared to the proposed project that is 1,542 fewer units (58% fewer) on 84.02 fewer acres. Table 6-8 compares the aggregate density of the Tier 1 sites, based on building footprint of each site. Based on a development footprint of 47.68 acres, this alternative would yield 759 units. This would exceed the Regional Housing Need of 699 units.

Table 6-7
Theoretical Yield of the Updated Regional Housing Need Alternative – Tier 1 Sites

Site	1*	2*	3	4*	5	6	7*	8*	9*	10*	11	12	13*	14	15*	16	17*	18	TOTAL ¹
Parcel Area (Acres)			9.15		4.5	9.7					3.1	4.37		5.0		18.12		11.03	64.97
Building Density (du/acres)			20		20	20					16	16		16		16		16	:
Maximum Yield (Units)			183		90	194					49	69		80		289		176	1,130

*These sites are removed from the Updated Regional Housing Need Alternative

¹ For comparison, the proposed project is 148.99 acres and 2,675 units.

Table 6-8
Identified Potential Density for the Updated Regional Housing Need Alternative – Tier 1 Sites
(i.e., Aggregate Density)

<u>Site</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>	<u>TOTAL</u>
<u>Parcel Area (Acres)¹</u>			9.15		4.5	9.7					3.1	4.37		5.0		18.12		11.03	64.97
<u>Development Footprint (Acres)</u>			7.39		4.48	9.45					2.29	2.82		2.63		11.81		6.81	47.68
<u>Proposed Building Density (du/acre)</u>			16		16	16					16	16		16		16		16	:
<u>Proposed Density (Units)</u>			118		71	151					36	45		42		188		108	759

¹ Based on existing County of Nevada Assessor's Parcel data

Environmental Impacts Compared to the Project

Land Use and Planning

Under Alternative 5, the type and distribution of land uses would be reduced compared to the proposed project, as this alternative would provide fewer residential units. Conflicts with the Grass Valley General Plan that occur with the proposed project would remain under Alternative 5, however, the conflicts would be limited to 3 properties clustered on Brunswick Road. Neither the proposed project nor Alternative 5 would physically divide any existing communities within the County of Nevada or the City of Grass Valley SOI or Planning Area. Each alternative would propose new land use designations for the project area. As a result, Alternative 5 would have reduced impacts compared to the proposed project.

Aesthetics

Residential development would be reduced by approximately 58 percent in the proposed RH Combining District area under Alternative 5. Both Alternative 5 and the proposed project would result in temporary increases in light and glare, as well as temporary impacts on scenic views and visual quality during construction. Construction-related visual quality impacts would be mitigated in the same manner under each scenario.

Alternative 5 would remove sites that would be most visible from major public thoroughfares such as Sites 7 and 8 (Brunswick Road), Site 15 (SR 49), and Site 17 (Combie Road). For the remaining sites, the potential aesthetic impacts of new development would be mitigated in the same manner as the proposed project (adherence to County and City regulations and design guideline requirements). For these reasons, impacts associated with Alternative 4 would be reduced compared to the proposed project.

Air Quality and Greenhouse Gas

Alternative 5 would result in less residential development compared to the proposed project. The reduced number of units would result in fewer vehicle trips compared to the proposed project. Both Alternative 5 and the proposed project would be expected to contribute to pollutants for which the area is in non-attainment and would, therefore, conflict with applicable air quality management plans and result in cumulatively considerable impacts on air quality. In addition, both Alternative 5 and the proposed project

in combination with other projects would cumulatively contribute GHG emissions in amounts that could hinder the state’s ability to achieve AB 32 goals. However, overall Alternative 5 with a maximum yield of 1,542 fewer units and a reduction of 84.02 acres compared to the proposed project would substantially reduce air quality and greenhouse gas impacts compared to the proposed project.

Biological Resources

Alternative 5 would result in development that would reduce potential impacts on biological resources compared to the proposed projects. The nine sites that have been removed under Alternative 5 support sensitive biological resources such as wetlands, oak woodlands, and riparian habitat on all or significant portion of the site. Table 6-9 provides a comparison of the impacts to plant communities. This alternative would eliminate impacts to Valley Oak Woodland, and substantially reduce impacts on Sierran Mixed Conifer and Foothill Riparian habitats. For the remainder of the sites in this alternative, mitigation addressing biological resources required for the proposed project would also be implemented under Alternative 5 and it would likely have similar guidance and direction. For these reasons, Alternative 5 would have reduced biological impacts compared to the proposed project.

Table 6-9
Potential Impacts to Plant Communities
for the Reduced Development Alternative

<u>Site</u>	<u>Annual Grassland (Acres)</u>	<u>Valley Oak Woodland (Acres)</u>	<u>Blue Oak Woodland (Acres)</u>	<u>Montane Hardwood (Acres)</u>	<u>Sierran Mixed Conifer (Acres)</u>	<u>Foothill Riparian (Acres)</u>	<u>Mixed Chaparral (Acres)</u>	<u>Blue Oak-Foothill Pine (Acres)</u>
<u>1</u>	-	-	-	-	-	-	-	-
<u>2</u>	-	-	-	0	0	-	-	-
<u>3</u>	-	-	-	.03	8.01	0.07	-	-
<u>4</u>	-	-	-	-	0	-	-	-
<u>5</u>	-	-	-	-	5.62	-	-	-
<u>6</u>	-	-	-	-	10.06	-	-	-
<u>7</u>	-	-	-	-	0	0	-	-
<u>8</u>	-	-	-	-	0	0	-	-
<u>9</u>	-	-	-	-	0	-	-	-
<u>10</u>	0	-	-	-	-	-	-	-
<u>11</u>	2.31	-	-	-	-	-	-	-
<u>12</u>	2.82	-	-	-	-	-	-	-
<u>13</u>	0	0	-	-	0	-	-	-
<u>14</u>	-	-	1.27	-	-	-	-	-
<u>15</u>	-	-	-	0	-	-	-	-
<u>16</u>	-	-	-	5.25	-	-	1.68	11.93

<u>Site</u>	<u>Annual Grassland (Acres)</u>	<u>Valley Oak Woodland (Acres)</u>	<u>Blue Oak Woodland (Acres)</u>	<u>Montane Hardwood (Acres)</u>	<u>Sierran Mixed Conifer (Acres)</u>	<u>Foothill Riparian (Acres)</u>	<u>Mixed Chaparral (Acres)</u>	<u>Blue Oak-Foothill Pine (Acres)</u>
17	-	-	-	0	-	0	-	-
18	-	-	-	4.82	3.80	-	-	-
Total	5.13	0	1.27	10.1	27.49	0.07	1.68	11.93
Proposed Project	16.64	2.97	1.27	14.93	61.12	0.74	1.68	11.93

Cultural Resources

Under Alternative 5, the development footprint (47.68 acres) would be reduced by 47% compared to that of the proposed project. Impacts on potential historical and prehistoric resources on Sites 2, 7, 8, 9, and 13 would be avoided under this alternative. For the remaining sites, Sites 3 and 11, potential impacts on cultural resources and mitigation necessary to reduce impacts to less than significant would be comparable. For these reasons, potential impacts on cultural resources associated with Alternative 5 would be reduced compared to the proposed project.

Geology and Soils

Alternative 5 would result in approximately 84 fewer acres of development compared to the proposed project. Overall, up to approximately 1,542 fewer units would be in the project area under Alternative 5. When compared to the proposed project, fewer people would be exposed to seismic and unstable soil hazards under the Alternative 5. Regardless, current federal, state, and local regulations require specific mitigations to reduce impacts related to geologic and seismic hazards, which would apply to both Alternative 5 and the proposed project. Additionally, each scenario would require site-specific measures on a project-by-project basis to reduce potential seismic and geologic hazard impacts to less than significant. Thus, Alternative 5 project impacts would be reduced compared to the proposed project due to the reduced number of units.

Hazards and Hazardous Materials

Since Alternative 5 would result in fewer people in the project area, it would have the potential to expose less people to risks associated with hazards and hazardous materials. With the removal of Sites 4, 5, 7 and 8, fewer people would be living within Zone D of the Nevada County Airport Land Use Compatibility Plan area. Federal, state and local regulations would mitigate potential hazards and hazardous materials impacts under Alternative 5 in the same manner they would under the proposed project. For these reasons, Alternative 5 would result in a slight reduction of impacts compared to the proposed project.

Hydrology and Water Quality

Compared to the proposed project, Alternative 5 would result in less multi-family residential development. Alternative 5 would eliminate Sites 13 and 17, two of the sites within floodplains. Alternative 5 and the proposed project would substantially increase impermeable surfaces, which could result in an increased risk of flooding, stormwater contamination and degradation of water quality in receiving water bodies. Applicable state and local regulations protecting against flooding and hydrologic impacts would apply under Alternative 5. In addition, site-specific measures would be required on a project-by-project basis to address flooding and other hydrologic impacts. For these reasons, Alternative 5 project impacts would be reduced compared to the proposed project as a result of less building area.

Noise

Under Alternative 5, there would be up to approximately 1,542 fewer homes. Neither Alternative 5 nor the proposed project would exceed established noise standards as a result of traffic increases, and mitigation would be required for each to prevent potential noise impacts on any sensitive uses should they be proposed along specific roadways. Like the project, Alternative 5 would be subject to County and City policies and regulations regarding construction noise, and mitigation for construction noise and ground-borne vibration would be required to reduce impacts to less than significant. Furthermore, both Alternative 5 and the proposed project would be required to mitigate potential stationary mechanical noise impacts to less than significant. Therefore, Alternative 5 would have the similar noise impacts as the proposed project.

Population and Housing

Alternative 5 would result in up to approximately 1,542 fewer units compared to the proposed project and would be within the growth estimates identified in the County General Plan and, like the proposed project, would exceed estimates the City's 2020 General Plan because of the higher densities proposed on the sites within the City's Sphere of Influence. However, the population growth within the City of Grass Valley would be substantially less because six of the sites that are removed from this Alternative are within the City's Sphere of Influence. Like the proposed project, Alternative 5 would not displace existing housing or people. Therefore, Alternative 5 impacts related to population and housing would be comparable to the proposed project.

Public Services, Utilities, and Service Systems

Population growth associated with Alternative 5 would have less demand for fire and police services, libraries, schools and parks and recreational services when compared to the proposed project. Similar to the proposed project, mitigation measures to reduce potential utility impacts associated with the water and sewer demand increases would be required, but would still be considered significant and unavoidable, due to the unknown capacities at the time development of the sites would occur. As a result, Alternative 5 would have a reduced impact on Public Services, Utilities, and Service Systems compared to the proposed project.

Recreation

When compared to the proposed project, Alternative 5 would result in approximately 1,542 fewer units. Accordingly, the decrease in population would decrease the demand for park and recreational facilities. Therefore, Alternative 5 would result in a slight improvement on recreational impacts over the proposed project.

Transportation/Traffic

Under Alternative 5, there would be less development by up to 1,542 units. Thus, there would be fewer daily vehicle trips associated with new housing. Daily vehicle trips would decrease under Alternative 4 when compared to the proposed project. Under the proposed project there would be significant unavoidable cumulative traffic impacts at the Brunswick Road/SR 49, Brunswick Road/Town Talk, and SR 49/Combie Road intersections. Under Alternative 5 there would be a reduction in traffic volumes at these intersections because Sites 4, 7, 8, 9, 15, and 17 have been removed from the project and would no longer contribute to these failing intersections. Additionally, there would be less cumulative potential safety risk associated with the Brunswick Road/Town Talk intersection because Sites 4, 7, 8, and 9 would no longer contribute to traffic to the intersection. Consequently, Alternative 5 would have reduced transportation and traffic impacts compared to the proposed project, however mitigation requirements within the jurisdiction of the City of Grass Valley would remain significant and unavoidable.

4.15 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table 6-710, *Comparison of Alternative Project Impacts to the Proposed Project*, compares each alternative to the proposed project according to whether it would have a mitigating or adverse effect for each of the environmental resource areas analyzed under each alternative above.

Table 6-710
Comparison of Alternative Project Impacts to the Proposed Project

<u>Topic</u>	<u>Alternative 1 No Project/ Future Development Under Existing Nevada County General Plan</u>	<u>Alternative 2 East Bennett Road Sites</u>	<u>Alternative 3 Berriman Ranch Sites</u>	<u>Alternative 4 Reduced Development</u>	<u>Alternative 5 Updated Regional Housing Need Alternative</u>
<u>Land Use and Planning</u>	=	±	≡	≡	-
<u>Aesthetics</u>	=	=	≡	=	-
<u>Air Quality and Greenhouse Gas</u>	=	≡	≡	=	-
<u>Biological Resources</u>	=	≡	±	=	-
<u>Cultural Resources</u>	=	≡	≡	=	-
<u>Geology and Soils</u>	=	=	≡	=	-
<u>Hazards and Hazardous Materials</u>	=	≡	-	=	-
<u>Hydrology and Water Quality</u>	=	≡	≡	=	-
<u>Noise</u>	=	=	≡	≡	≡
<u>Population and Housing</u>	=	≡	≡	≡	≡
<u>Public Services, Utilities and Service Systems</u>	=	≡	≡	=	-
<u>Recreation</u>	=	≡	≡	=	-
<u>Transportation/Traffic</u>	=	=	±	=	-

Notes:

- Reduced impact compared to the proposed project.

+ Increased impact compared to the proposed project.

= Same or similar impact as proposed project.

CEQA requires the identification of the environmentally superior alternative in an EIR, which is an alternative that would result in the fewest or least significant environmental impacts. If the "No Project"

Alternative is the environmentally superior alternative, *CEQA Guidelines* Section 15126.6 (e) (2) requires that another alternative that could feasibly attain most of the project's basic objectives be chosen as the environmentally superior alternative. Based on the above analysis, summarized in Table 6-10, the environmentally superior alternative is the ~~Reduced Development Alternative~~ Updated Regional Housing Need Alternative. The majority of impacts would be reduced compared to those identified for the proposed project. Specifically, impacts associated with land use and planning; aesthetics; air quality and greenhouse gas; biological resources; cultural resources; geology and soils; hydrology and water quality; noise; public services, utilities, and service systems; recreation and transportation/traffic would be reduced under the Updated Regional Housing Need Alternative ~~Reduced Development Alternative~~.

The Updated Regional Housing Need Alternative ~~Reduced Development Alternative~~ would be able to satisfy a majority of the project objectives as well as provide the County with enough area to meet the Regional Housing Need requirements and satisfy state law for providing adequate multi-family housing development opportunities.

**Table 2-1
Summary of Impacts and Mitigation**

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Land Use and Planning			
<p>4.2-1 - The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.</p>	<p>Potentially Significant Impact</p>	<p>4.2-1 The County of Nevada shall develop a policy agreement with the City of Grass Valley regarding exchange density calculations between the jurisdictions. The purpose of this agreement is to obtain parity among the jurisdictions regarding the provision of urban high density residential housing to satisfy state mandated housing requirements and other housing or density needs as appropriate. The County shall develop this agreement and submit to the City prior to the issuance of development permits for this first project site.</p> <p>Enforcement / Monitoring Agency: County of Nevada</p>	<p>Significant and Unavoidable Impact.</p> <p>While the mitigation would address the density conflicts with the City of Grass Valley, the conflicts would remain until there was a change in the Grass Valley General Plan. Acceptance of an agreement by the City of Grass Valley or a change in the City’s General Plan is outside the jurisdiction of the County and potential conflicts would remain significant.</p>
Aesthetics			
<p>4.3-1 - Grading and construction associated with implementation of the Proposed Project would alter the visual appearance of the project area.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.3-1 - Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be approved by the County or City Engineer prior to the commencement of construction of each phase of the project.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Less Than Significant Impact</p>
<p>4.3-2 - Implementation of the Proposed Project may have an adverse effect on a scenic vista.</p>	<p>Less Than Significant Impact</p>	<p>No mitigation required</p>	<p>Less Than Significant Impact</p>
<p>4.3-3 - Project implementation may permanently degrade the existing visual character/quality of the project area.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.3-3 - Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation request for Sites 1-9), the project shall require design review approval by the Planning Commission to ensure landscaping, lighting, parking, layout and building design are compatible with the surrounding development, natural resources, and/or historic features within the project area. However, since the density of development is determined at the time the site is rezoned to add the RH Combining District, design review will not include a review of the</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>density of the project. The density shall be based on the State mandated 16-units minimum per acre but will allow for a maximum of 20-units per acre on sites within the Grass Valley Sphere of Influence.</p> <p>All future developments associated with the proposed project would be required to follow the specific design principles and standards that respect the goals, objectives, and policies of the Nevada County General Plan and the City of Grass Valley 2020 General Plan, as well as any area plan design guidelines that each site may be located within. Such design guidelines will ensure each development is providing a balance between development and the natural environment.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.3-4 - The Proposed Project may generate additional sources of light and glare beyond existing conditions from urban lighting and vehicular traffic.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.3-4 - For all future projects in the in the proposed project area, all potentially reflective building materials and surfaces shall be painted or otherwise treated to minimize reflectivity, except as necessary to achieve desired green building objectives. All glass used on external building walls shall be low-reflectivity.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Less Than Significant Impact</p>
<p>Cumulative Impact - Project implementation may permanently degrade the existing visual character/quality of the project area.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>Implement Mitigation Measures 4.3-1, 4.3-3 and 4.3-4.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Less Than Significant Impact</p>
Biological Resources			
<p>4.4-1 - The Proposed Project has the potential to adversely affect special-status plant species.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 2, 3, 7 through 13, 17, and 18.</p> <p>4.4-1a - Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 2, 3, 7, 8 and 9):</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>Designate wetland and riparian habitat areas an Environmentally Sensitive Area (ESA) consistent with the ESA exhibits shown in Section 3.0 of this EIR on all Site Plans, grading plans, or any permit authorizing construction for a property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a management plan consistent with Nevada County Land Use and Development Code Section L-II 4.3.17, is approved by the County Planning Department. For projects located within the Grass Valley SOI, a Wetland and Riparian Mitigation Monitoring Program shall be approved by the City Planning Department. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.4.4-1b - During ground disturbance activities associated with the Grass Valley sites, the construction contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing NOA (Section 93105 and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and surface mining operations, as well as surfacing applications.</p> <p>Enforcement / Monitoring Agency: For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.</p> <p>The following mitigation measure applies to all sites:</p> <p>4.4-1b Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>i) Conduct focused special status plant surveys within and adjacent to (within 100 feet, where appropriate) the proposed impact area, which will include impacts from project construction (temporary construction zone and staging areas) or by post-construction fuel management. Surveys shall be conducted during the appropriate time of year to determine the presence of special-status plant species that have been identified as potentially occurring on the project site. Surveys shall be conducted in accordance with the Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000). Field surveys shall be scheduled to coincide with known flowering periods (for the specific species)</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>and/or during periods of physiological development that are necessary to identify the plant species of concern. According to the known blooming periods, surveys would need to be conducted in May or June and again in July or August; however, unusual weather may affect blooming periods so reference sites should be checked.</p> <p>It is important for the required plant survey to be scheduled in time to allow for salvage and transplantation, if required, prior to initiation of project grading. Specifically, if construction is to be initiated during or prior to September in any year, the survey will need to be completed during the previous calendar year in order to satisfy the mitigation measure requirements. Project approval conditions should include language that alerts project proponents to this circumstance to avoid costly construction delays.</p> <p>The survey report, including a description of methods, map of area surveyed, results, and a complete list of all plant taxa found during the survey, shall be provided to County staff prior to initiation of any grading or equipment operation. If no occurrences of special-status species are found, no further mitigation is required.</p> <p>ii) If any federally or state-listed, CNPS Rare Plant Rank 1 or 2 plant species are found within or adjacent to (within 100 feet) the proposed impact area during the surveys, the CDFW (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants), as applicable, shall be notified regarding the status and location of the plant and the necessary approval and/or permits obtained. These plant species shall be avoided to the extent feasible. Avoidance measures shall include fencing of the population(s) before construction, exclusion of project activities from the fenced-off areas (no ingress of personnel or equipment), and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. If these plants cannot be avoided completely, the following mitigation measures shall be applied:</p> <ul style="list-style-type: none"> • Before the approval of grading plans or any groundbreaking activity within the project site, the project developer shall submit a mitigation plan concurrently to the CDFW (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants) for review and comment, and the 	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>developer may consult with these entities before approval of the plan. The plan shall include mitigation measures for the population(s) to be directly affected. Possible mitigation for the population(s) that would be removed during construction of the project includes implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites. The mitigation ratio for directly impacted plant species shall be at a minimum ratio of 2:1. The actual level of mitigation may vary depending on the sensitivity of the species (its rarity or endangerment status), its prevalence in the area, and the current state of knowledge about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by the project developer at an approved mitigation bank should such credits be available.</p> <ul style="list-style-type: none"> • Transplantation of existing special-status plants could be undertaken to move the plant(s) to a suitable habitat location, either within the project site or at an off-site preserve to be protected in perpetuity. The off-site preserve shall include similar soil, climate, and associated plant species as are currently present at the project site. This location will be protected in perpetuity under a conservation easement and managed appropriately to ensure the transplantation is a success. Please note, however, that for some species transplantation may not be a successful or effective method for conservation, as requirements for some species are highly specialized and not clearly understood. Thus, transplantation shall only be used where success can be assured. Avoidance shall be required for special-status plant species that cannot be transplanted, salvaged or cultivated. • If on-site preservation is determined to be feasible, a conservation easement shall be placed over project open space areas to preserve the mitigation areas in perpetuity. <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites.</p> <p>4.4-1c Appropriate Permits: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the project developer has obtained all permits and authorizations required by federal, state, regional and local jurisdictions to proceed with their development proposals. These could include incidental take permits that set forth specific measures to minimize, avoid, or fully mitigate impacts to listed species. This should also include, for sites with mapped ESAs, a demonstration of how the development footprint will avoid all ESAs on the project site. Measures could also include limiting operating periods such as prohibiting grading during the wet season (October to May), requiring 100 foot buffers to disturbance and fencing for sensitive areas, design revisions, and species relocation by soil salvage, seed collection, or other means approved by the agencies with jurisdiction. Prior to development of any individual site, additional species could be listed or designated as special-status, and the future developers of the Housing Element Rezone Implementation Program project sites shall comply with any new requirements of the USFWS or CDFW for such species, as may be imposed through subsequent consultation, if necessary.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.4-2 - The Proposed Project has the potential to adversely affect special-status wildlife species.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 2 through 18: Valley Elderberry Long Beetle</p> <p>4.4-2a Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 3-9):</p> <p>Conduct surveys for the elderberry shrub VELB host plant prior to site disturbance within riparian or wetland areas depicted in the ESA figures in Section 3.0: Project Description. Prior to development, any elderberry shrubs measuring 1.0 inch or greater in diameter shall be mapped and clearly marked in the field. At all times during development of the project, developers shall comply with the conservation guidelines set forth in USFWS’s Conservation Guidelines for the Valley Elderberry Longhorn Beetle (July 9, 1999), which guidelines generally require a buffer of 100 feet around each elderberry shrub with stems measuring 1.0 inch or</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>greater in diameter at ground level. If encroachments into the ESA are required, consultation with USFWS shall be required as contemplated by USFWS 1999 Guidelines. Mitigation for impacts on VELB habitat shall be determined via consultation with USFWS pursuant to Section 7, Section 10, or USFWS 1999 Guidelines, as applicable, and may include onsite mitigation planting or the purchase of mitigation credits from an approved conservation bank. To avoid adverse effects on VELB, Mitigation Measures 4.4-1a, and 4.4-1c shall be implemented to ensure avoidance of elderberry shrubs and appropriate protection for this species. If necessary, agency-approved mitigation developed through the permitting process would establish the appropriate and required mitigation for impacts to this species. Note: If VELB is de-listed by the USFWS or if there is any change in the listing status of this species, the USFWS guidance in effect at the time of site development shall be followed for impacts to VELB and elderberry shrubs. Additionally, if development does not occur within 5 years on any of the proposed project sites, additional surveys would be required upon development to reassess the location of the elderberry shrub VELB.</p> <p>Enforcement / Monitoring Agency: For Sites 2-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites:</p> <p>4.4 -2b Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Conduct Pre-construction Surveys for Nesting Birds. The future developers within the RH Combining District shall avoid disturbance to active nests within or near disturbance areas. To avoid take of any active raptor nest or disturbance of other protected native birds, to the extent feasible, site disturbance shall be avoided from March 1 through August 31, which coincides with the typical nesting season for most common bird species in the region.</p> <p>If construction, grading or other project-related activities will occur during the typical nesting season, a pre-construction nesting survey shall be conducted by a qualified wildlife biologist to determine if any raptors or protected native birds are nesting in or in the</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>immediate vicinity of vegetation that will be removed. The survey shall be conducted within 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and within 30 days prior to the start of work from June through August. If active nests are found in the work area, the biologist shall determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist, and if necessary, in consultation with the CDFW (and USFWS as appropriate). Buffer widths shall be determined based on the nesting species and its sensitivity to disturbance. The no-work buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Monitoring of nest activity by a qualified biologist may be required if the project-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity shall commence within the no-work buffer area until a qualified biologist confirms that the nest is no longer active.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites:</p> <p>4.4-2c Protect Special-Status Wildlife Species: Where construction of future development projects within RH Combining District would occur within or near known or potential habitat for special-status species, as defined the following measures shall be implemented:</p> <p>Employ Approved Biological Monitors: Prior to commencement of grading for any phase of the project or portion thereof, a project biologist should be designated as an environmental monitor. The qualified biologist should be approved by the County and shall be present at clearing and grubbing stage or as mandated through the regulatory permitting process. Qualified biologists shall be responsible for pre-construction surveys, staking sensitive resources, onsite monitoring, documentation of violations and compliance, coordination with contract compliance inspectors, and post-construction documentation.</p> <p>Foothill Yellow-legged Frog. Suitable breeding, aestivation, and dispersal habitat for the foothill yellow-legged frog is present along</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>perennial waterways within several of the proposed rezone sites. If disturbance would occur within 100 feet of known or potential habitat for foothill yellow-legged frog (i.e., perennial streams), pre-construction surveys shall be conducted to determine if this species is present in the disturbance area. If surveys determine that foothill yellow-legged frogs are present, a determination shall be made in consultation with CDFW as to whether or not construction would adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, or other measures approved by CDFW.</p> <p>Western Pond Turtle. Potential basking, foraging, and dispersal habitat for the western pond turtle is present along perennial waterways within some of the RH Combining District. Where disturbance would occur within 200 feet of potential habitat for western pond turtle (i.e., near perennial streams), pre-construction surveys shall be conducted to determine whether the proposed disturbance would adversely affect this species. This determination shall be made by a qualified biologist based on the suitability of the affected habitat for this species and/or the presence or absence of this species in the affected area as determined by surveys of suitable habitat. If pond turtles are observed, a determination shall be made in consultation with CDFW as to whether or not construction will adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, relocation, or other measures approved by CDFW.</p> <p>Other Special-Status Wildlife Species. Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the site has been assessed for habitat suitability for special-status species of wildlife and that appropriate surveys have been carried out, as necessary, and according to the protocol of State or federal agencies with jurisdiction over the special-status species under review. Should any special-status species be identified, the developer shall retain a qualified biologist to develop and oversee implementation of a management plan. Depending on the species identified, appropriate measures could include avoidance, impact minimization, relocation or other measures and must incorporate measures to satisfy regulatory</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>requirements of agencies with jurisdiction over the species at issue (Mitigation Measure 4.4-1b). Where onsite avoidance is feasible, barrier fencing, stakes, flagging or other measures shall be implemented prior to site disturbance to ensure impacts are avoided.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.4-3 The Proposed Project has the potential to directly impact wetlands and riparian areas due to vegetation removal and to indirectly affect wetlands by altering hydrology, increasing erosion and sedimentation, and/or adversely affecting water quality.</p>	<p>Less than Significant Impact</p>	<p>The following mitigation measure applies to Sites 2, 3, 7, 8 within the Grass Valley SOL.</p> <p>4.4-3a Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the Grass Valley Planning Department:</p> <p>Develop and implement a Wetland and Riparian Mitigation Monitoring Program that provides measures that avoid, minimize, and compensate for damages and/or losses of wetland and riparian vegetation resulting from the future development proposals by completing the following:</p> <ul style="list-style-type: none"> • Avoidance of wetlands and riparian areas through project design. • Maximum avoidance of wetlands and riparian areas by including fencing and using appropriate buffer zones during construction activities. Unless otherwise required through consultation with state and federal agencies, the minimum development-free setback from the top of creek bank for linear water features shall be 50 feet. For non-linear wetlands or Waters of the U.S., the minimum development-free setback shall be 25 feet. Development-free shall mean building construction and grading. • Provide measures for creek enhancement and added habitat value. • If wetlands cannot be avoided, a minimum 1:1 replacement ratio to compensate for lost extent and functioning of wetland areas. • Supervision and verification of the implementation of adopted measures, including provisions for an onsite Environmental Monitor (a qualified biologist approved by the City, USFWS and CDFW) during construction activities. <p>Unavoidable direct impacts on wetland vegetation types during construction of future development projects on Sites 2, 3, 7, and 8 shall require consultation with the appropriate jurisdiction</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>(USACE and RWQCB) and would require a permit from these agencies. Potential impacts shall be mitigated by restoration of the affected area to pre-construction conditions, offsite compensatory mitigation, or purchase of credits in a mitigation bank, in accordance with permits issued by the ACOE, RWQCB and CDFW.</p> <p>Enforcement / Monitoring Agency: For Sites 2, 3, 7, 8, City of Grass Valley, if annexed; County of Nevada if not annexed.</p> <p>The following mitigation measures apply to Sites 10 – 13, and 17:</p> <p>4.4-3b Where potential wetland impacts are involved, the following mitigation measure would apply.</p> <p>A formal wetland delineation shall be conducted for areas that will be permanently or temporarily impacted by the proposed project including driveway improvements where access to the site would otherwise be prohibited. If jurisdictional waters cannot be avoided, the project developer shall apply for a CWA Section 404 permit from the USACE and a Section 401 permit from the RWQCB. These permits shall be obtained prior to issuance of grading permits and implementation of the proposed project.</p> <p>The project developer shall ensure that the project will result in no net loss of waters of the U.S. by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permits. Mitigation must also be consistent with any permitting requirements of the CDFW Section 1602 Streambed Alteration Agreement.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This last type of compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation).</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>The project proponent/permit applicant retains responsibility for the implementation and success of the mitigation project. Written documentation of compliance with this mitigation measure shall be provided to the County prior to construction and grading activities for the proposed project.</p> <p>Enforcement / Monitoring Agency: County of Nevada.</p>	
<p>4.4-4 The Proposed Project has the potential to indirectly impact sensitive aquatic habitat as a result of erosion, sedimentation, and/or contamination.</p>	<p>Potentially Significant Impact.</p>	<p>The following mitigation measure applies to Sites 2-9, 10-13, 17, and 18: Implement Mitigation Measures 4.4-1a, 4.4-3a and 4.4-3b. Enforcement / Monitoring Agency: For Sites 2-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.</p>	<p>Less Than Significant Impact</p>
<p>4.4-5 The Proposed Project would impact oak woodland habitat</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 13 through 18: 4.4-5 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall prepare an oak woodland Management Plan (Management Plan) as required under the Nevada County Tree Preservation and Protection Ordinance. The Management Plan shall specify measures to mitigate for the loss of oak woodland habitat values as a result of site development to ensure no net loss of oak woodland habitat. Measures could include preservation of onsite oak woodlands in a conservation easement, purchase and preservation of offsite oak woodlands, on or offsite enhancement of degraded oak woodlands, or by paying in-lieu fees into a County-approved fund used to purchase and preserve comparable oak woodland communities in the region. The Management Plan shall also include measures to protect trees during construction and following site development. Measures could include specifications for protective fencing and construction buffers, project design modifications, woodland maintenance prescriptions for fuel reduction, forest health, and habitat improvements, and specifications for appropriate uses of the woodland area following site development. The plan shall identify financial responsibility and funding sources for all measures. Enforcement / Monitoring Agency: County of Nevada.</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Air Quality			
<p>4.5-1 – The Proposed Project would result in temporary construction related dust and vehicle emissions during construction within the project area.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measures apply to all sites.</p> <p>4.5-1a Prior to the issuance of grading permits, all construction contracts shall include dust control mitigation requirements. All construction contracts <u>improvement plans</u> shall require the following:</p> <ul style="list-style-type: none"> ▪ All construction activities shall be subject to the requirements of the NSAQMD’s Regulation 2, Rule 226 regarding dust control. ▪ Alternatives to open burning of vegetative material on the project site shall be used unless deemed infeasible by the NSAQMD. Suitable alternatives are chipping, mulching, or conversion to biomass fuel. ▪ Contractors shall be responsible for ensuring that adequate dust control measures are implemented in a timely manner during all phases of project development and construction. ▪ 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 violation of an ambient air standard. Watering shall occur at least twice daily, with complete site coverage, preferably in the mid-morning and after work is completed each day. ▪ All areas (including unpaved roads) with vehicle traffic shall be watered or have a dust palliative applied as necessary for stabilization of dust emissions. ▪ All onsite vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. ▪ All land clearing, grading, earth moving or excavation activities shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour. Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by the County and/or applicable local agencies. ▪ Construction activities shall be scheduled to direct construction traffic flow to off-peak hours as much as possible. 	<p>Significant and Unavoidable Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ All inactive portions of the construction site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, apply nontoxic soil stabilizers (according to manufacturer’s specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with County standards. Acceptable materials that may be used for chemical soil stabilization include petroleum resins, asphaltic emulsions, acrylics, and adhesives, which do not violate Regional Water Quality Control Board or California Air Resources Board standards. ▪ Track-out devices (e.g., gravel pads, wheel shakers, etc.) or wheel washers shall be installed where project vehicles and/or equipment enter and/or exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip, as necessary to prevent visible dust emissions from adhering dirt or deposition on roadways. ▪ All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance. ▪ Ground cover shall be re-established onsite through seeding and watering in accordance with the local grading ordinance. ▪ All mobile and stationary equipment shall be properly maintained. ▪ The County shall require projects to utilize best management practices and the use of construction equipment that meets applicable non-road diesel fuel emission standards. <p>4.5-1b The following measures shall be implemented by the contractor to reduce ROG emissions resulting from application of architectural coatings:</p> <ul style="list-style-type: none"> ▪ Use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; ▪ Use required coatings and solvents with a low ROG content VOC pursuant to the limits in the U.S. EPA National Architectural Coating Rule (40 CFR Part 59); and ▪ Use pre-painted construction materials. <p>4.5-1c During ground disturbance activities associated with the Grass Valley candidate sites, the construction contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing Naturally Occurring Asbestos (NOA) (Section 93105</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and surface mining operations, as well as surfacing applications. It should be noted that this mitigation measure applies to the candidate sites within the Grass Valley sphere of influence. NOA is not anticipated to occur within the candidate sites in Penn Valley or Lake of the Pines.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.5-2 – The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measures apply to all sites.</p> <p>4.5-2a Prior to the approval of any site plans, the Planning Director or City of Grass Valley Planning Director for Sites 1-9 shall confirm that all project plans incorporate the suggested mitigation measures for mobile source emissions identified in the <i>NSAQMD Draft Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects</i> (Draft Guidelines). These measures include the following:</p> <ul style="list-style-type: none"> ▪ Streets shall be designed to maximize pedestrian access to transit stops. ▪ Provide for onsite road and offsite bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by local transportation planning agencies. ▪ Larger projects may be required to contribute a proportionate share to the development and/or continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc. ▪ Provide for pedestrian access between bus service and major transportation points within the project, and between separate sections of the project, where feasible. ▪ Contribute to traffic-flow improvements (i.e., right-of-way, capital improvements, etc.) that reduce emissions and are not considered as substantially growth inducing. ▪ Larger projects may be required to provide for, contribute to, or dedicate land for the provision of offsite bicycle trails linking the project to designated bicycle commuting routes in 	<p>Significant and Unavoidable Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>accordance with an adopted citywide or countrywide bikeway plan.</p> <p>4.5-2b Only natural gas/liquefied petroleum gas (LPG) fireplaces or stoves shall be permitted within the candidate sites. EPA Phase II-certified wood-burning fireplaces or stoves may be used if natural gas/LPG fireplaces or stoves are considered infeasible based on consultation with the County and NSAQMD. Conventional open-hearth fireplaces shall not be permitted.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
4.5-3 - The Proposed Project could result in an overall increase in odors within the project area.	Less Than Significant Impact	No mitigation required	Less Than Significant.
4.5-4 - Carbon monoxide hot spots may occur as a result of the LRR specific plan.	Less Than Significant Impact	No mitigation required	Less Than Significant.
4.5-5 - The project may not be consistent with the air quality attainment plan (AQAP) criteria.	Potentially Significant Impact	<p>The following mitigation measure applies to all sites: Implement Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, and 4.5-2b.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	Significant and Unavoidable Impact
Cumulative Impact - The project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area classified as nonattainment for Federal and State O3 and state PM10 standards.	Potentially Significant Impact	<p>The following mitigation measure applies to all sites: Implement Mitigation Measures 4.5-1a, 4.5-1b, and 4.5-2.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	Significant and Unavoidable Impact
Cumulative Impact - Additionally, the Housing Element Rezone’s GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would	Potentially Significant Impact	No additional mitigation has been identified.	Significant and Unavoidable Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
potentially hinder the intent and statewide reduction goals of AB 32.			
Greenhouse Gas Emissions			
4.6-1 – Greenhouse gas emissions generated by the project would have a significant impact on the environment.	Potentially Significant Impact	<p>No additional mitigation has been identified. The following mitigation measure shall apply to all sites.</p> <p><u>Prior to the issuance of a building permit for a development within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9):</u></p> <p><u>Demonstrate that the proposed development has satisfied CALGreen Building Code Tier 1 standards (Title 24, Part 11). The CALGreen standards for residential development are located in Appendix A4 of the Green Building Standards and are intended to provide developers with specific options to construct energy efficient buildings. The more energy efficient the building design and construction, the fewer greenhouse gas emissions from the building over its lifetime. These standards include specific requirements in order to demonstrate that the project has an energy budget no greater than 85 percent of what is allowed by Title 24, Part 6 energy budget. The budget is calculated based on Compliance Software designed by Energy Commission. Appendix A4 of the CALGreen Building Code includes a range of voluntary measures that the developer may select in order to meet reduce the overall energy budget of the development. Such measures include water efficient appliances for indoor water use (Section A4.303), efficient irrigation systems for outdoor water use (Section A4.304), using material sources that are made of recycled content or from rapidly renewable sources (Section A4.405), and energy efficient heating and cooling systems Section A4.207). Implementation of the measures would reduce greenhouse gas emissions from the project.</u></p> <p><u>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</u></p>	Significant and Unavoidable Impact
4.6-2 – Implementation of the Proposed Project would conflict with an applicable greenhouse gas reduction plan, policy, or regulation.	Less Than Significant Impact	No additional mitigation has been identified.	Less Than Significant Impact
Cultural Resources			

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>4.7-1 - The Proposed Project could potentially result in the damage or destruction of unique archaeological resources, as defined by Public Resources Code §21083.2(g), and historical resources, as defined by CEQA Guidelines §15064.5(a).</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Sites 2, 3, 7-9, 11 and 13.</p> <p>4.7-1 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Establish areas with potentially significant cultural resources as Environmentally Sensitive Areas consistent with the mapped areas in Figures 3-15 through 3-24 of this EIR. Prior to construction, all potential prehistoric and historic resources shall be designated as an ESA on project plans and specifications. No construction shall be permitted within the ESAs.</p> <p>Enforcement / Monitoring Agency: For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 11 and 13.</p>	<p>Less Than Significant Impact</p>
<p>4.7-2 - The Proposed Project could potentially result in the damage or destruction of unknown paleontological resources.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.7-2 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified paleontologist that states one of the following:</p> <p>Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the County (or City as applicable) shall be immediately notified. A qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The County (or City as applicable) and the project developer shall consider the recommendations of the qualified paleontologist. The County (or City as applicable), the qualified paleontologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City as applicable), the qualified paleontologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>by the project developer, qualified paleontologist, and the County (or City as applicable), as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.7-3 - The Proposed Project could potentially result in the damage or destruction of unknown archaeological resources, including human remains.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.7-3 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified archaeologist that states the following:</p> <p>A. The project developer shall retain a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. If no cultural resources are identified during this phase of ground disturbance, and if determined between the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status. If any prehistoric or historic artifacts or other indications of archaeological resources are found during site grading or once project construction is under way, the on-site monitor shall be empowered to temporarily halt or divert construction in the immediate vicinity of the discovery while it is evaluated for significance, and the County (or City as applicable) shall be immediately notified. Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County and the project developer will consider the recommendations of the qualified archaeologist. The County (or City as applicable), the qualified archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County, the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation,</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency as to the appropriate preservation or mitigation measures.</p> <p>B. Should cultural resources, other than human remains, be discovered during construction activities when an archaeological monitor is not present, project personnel shall halt such activities in the immediate area and notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with PRC Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County (or City, as applicable) and the project developer will consider the recommendations of the qualified archaeologist. The County (or City, as applicable), the qualified archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City, as applicable), the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p>Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, PRC Section 5097.98 and California Code of Regulations (CCR) Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Commission, and the procedures outlined in CEQA Sections 15064.5(d) and (e) shall be followed. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	
Geology and Soils			
4.8-1 - The Proposed Project could expose people or structures to potentially substantial adverse effects including the risk of loss, injury, or death as a result of secondary seismic hazards (ground shaking, differential compaction, liquefaction, seismically induced flooding and landslides).	Potentially Significant Impact	The following mitigation measure applies to all sites: 4.8-1 Prior to issuance of grading permits for development projects (or as part of the annexation request for sites 1-9) within the proposed project sites, a design-level investigation should be performed to ensure the findings of the Preliminary Geotechnical Engineering Report for Housing Element Rezone, Nevada County, California have been incorporated in the project design. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.8-2 - The Proposed Project could result in substantial soil erosion or the loss of topsoil.	Potentially Significant Impact	The following mitigation measure applies to all project sites: Implement Mitigation Measures 4.10-1b and 4.10-1d. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.8-3 - The Proposed Project could be located on a geologic formation unit or soil that is unstable, or that would become unstable as a result of construction, and potentially result in landslides or subsidence.	Potentially Significant Impact	The following mitigation measure applies to all project sites: Implement Mitigation Measure 4.8-1 and 4.8-3. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18. The following mitigation measure applies to Site 18: 4.8-3 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department: Establish areas with slopes greater than 30% as Environmentally Sensitive Areas. Prior to construction, slopes greater than 30% shall be designated as an Environmentally Sensitive Area (ESA) on all Site Plans, grading plans, or any plan authorizing construction for a	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a mitigation plan approved by the County. The boundaries of the ESAs shall be clearly shown on all final plans and specifications. Enforcement / Monitoring Agency: County of Nevada.	
4.8-4 - The Proposed Project could be located on expansive soil, as defined in table 18-1-b of the uniform building code (1994), creating substantial risks to life or property.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measure 4.8-1. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
Hazards and Hazardous Materials			
4.9-1 - The Proposed Project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-2 - The Proposed Project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-3 - The Proposed Project may emit hazardous emissions or result in the handling of hazardous materials, substances, or waste within one-quarter mile of a proposed school site.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-4 - The Proposed Project would be located within an airport land use plan and could result in a safety hazard for people residing or working in the project area.	Potentially Significant Impact	The following mitigation measure applies to Sites 3 through 9. 4.9-4 All future development in the proposed project proposed within Safety Areas, as designated by the Nevada County Airport Land Use Compatibility Plan (ALUCP), shall comply with all policies pertaining to safety hazards (including density standards) set forth in the ALUCP on a project-by-project basis, and the recordation of an Avigation Easement. Enforcement / Monitoring Agency: For Sites 3-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.9-5 - The Proposed Project may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-6 - The Proposed Project could expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	Potentially Significant Impact	The following mitigation measure applies to all sites. Implement Mitigation Measures 4.13-1b and 4.13-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
Hydrology and Water Quality			
4.10-1 - The Proposed Project could violate water quality standards or waste discharge requirements.	Potentially Significant Impact	The following mitigation measure applies to Sites 10 and 13: 4.10-1a Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department: <ul style="list-style-type: none">▪ Establish all floodplains as Environmentally Sensitive Areas (ESAs) in compliance with the ESA maps in Chapter 3.0. The placement of structures on sites 10 and 13 must avoid the floodplain ESA. Should development within the floodplain ESA be required, then the developer shall obtain a discretionary use permit for any development within the floodplain and a ministerial management plan for any development within the floodplain 100 foot setback. Prior to construction or vegetation removal, the floodplain ESA shall be designated as an ESA on plans and specifications. All work proposed within the ESA shall not begin until the ESAs are delineated on the ground with orange safety fencing. A biologist shall verify the limits of the ESA fencing on the ground prior to construction. The ESA fences shall remain in place for the entire duration of construction. No earthmoving activities, vehicles, heavy equipment, lay-down areas, or other construction shall be permitted within the ESAs unless as part of a mitigation plan approved by the appropriate permitting agencies. The boundaries of the ESAs shall be clearly shown on all final plans and specifications. Enforcement / Monitoring Agency: County of Nevada.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>The following mitigation measure applies to all sites:</p> <p>4.10-1b Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department <u>and Public Works Department</u> for Sites 1-9) prepare a Water Quality Management Plan that implements the following items:</p> <p>Best Management Practices to protect water quality. The contractor shall implement standard Best Management Practices during and after construction. These measures include, but are not limited to:</p> <ul style="list-style-type: none"> a) Construction in or near drainages shall only occur during the dry season. b) Coordination with CDFW, U.S. Army Corps of Engineers, and Regional Water Quality Control Board to obtain all required permits and comply with all terms and conditions of the permits. c) At no time shall heavy equipment operate in flowing water or saturated soils. d) Prior to the start of work, 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 drainages. Retain existing ground cover to further reduce the potential impacts of the project on erosion along the steep bank. 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 and transported away for disposal. e) Disruption of soils and vegetation near Squirrel Creek (on sites 10 and 13) shall be minimized to limit potential erosion and sedimentation; disturbed areas shall be graded to minimize surface erosion and siltation; bare soils shall be immediately stabilized and re-vegetated. Seeded areas shall be covered with broadcast straw or mulch. If straw is used for mulch or for erosion control, utilize only certified weed free straw to minimize the risk of introduction of noxious weeds, such as yellow star thistle. f) The contractor shall exercise every reasonable precaution to protect nearby water bodies from pollution with fuels, oils, bitumen, calcium chloride and other harmful materials, 	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected and removed from the site. No slash or other natural debris shall be placed in or adjacent to water bodies. All construction debris and associated materials and litter shall be removed from the work site immediately upon completion.</p> <p>g) Provide copies of these BMPs to the Contractors and their workers to assure compliance with mitigation measures during construction.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to all sites:</p> <p>4.10-1c Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the Director of the County Public Works Department (for sites 10-18), or City Engineer (for sites 1-9), a project-specific hydrology report to verify expected pre- and post-project stormwater volumes from the proposed development, projected peak storage capacity of detention basins, and percolation characteristics of the soil. The hydrology reports shall confirm that adequate stormwater conveyance and capacity is available in either the region or onsite basins, depending on the chosen option, as well as no net increase in stormwater flow rate to the County’s or City’s storm drainage system.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p> <p>The following mitigation measure applies to Sites 1-9:</p> <p>4.10-1d Prior to approval of an annexation request for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the City Engineer (for Sites 1-9), a water quality management plan which include measures that filter pollutants from stormwater in order to ensure that discharged water meets applicable City standards, such as:</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Source Control BMPs <ul style="list-style-type: none"> ▪ Permeable pavers/pavement ▪ Hybrid parking areas/parking groves ▪ Roof runoff controls (i.e., rain barrels) ▪ Efficient irrigation to minimize runoff of excess irrigation water Treatment Control BMPs <ul style="list-style-type: none"> ▪ Vegetated swales within parking lots ▪ Vegetated swales on lots (adjacent to pads) ▪ Bioretention ▪ Hydrodynamic separators/wet vaults ▪ Drain inserts Flow Control BMPs <ul style="list-style-type: none"> ▪ Detention Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	
4.10-2 – The Proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	Less Than Significant With Mitigation	The following mitigation measure applies to all sites: Implement Mitigation Measure 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.10-3 - The Proposed Project could substantially alter the existing drainage pattern of the site or area, which could result in substantial erosion or siltation on- or off-site.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measures 4.10-1b and 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.10-4 - The Proposed Project could substantially alter the existing drainage pattern of the site or area, which could substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measures 4.10-1b, 4.10-1c and 4.10-1d. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.10-5 - The Proposed Project could create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measure 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.10-6 - The Proposed Project could place housing within a 100-year flood hazard area, or place within a 100-year flood hazard area structures which could impede or redirect flood flows.	Potentially Significant Impact	The following mitigation measure applies to Sites 10 and 13: Implement Mitigation Measure 4.10-1a. Enforcement / Monitoring Agency: County of Nevada.	Less Than Significant Impact
4.10-7 - The Proposed Project could expose people or structures to a significant risk of loss, injury or death involving flooding, including as a result of the failure of a levee or dam.	Potentially Significant Impact	The following mitigation measure applies to Sites 10 and 13: Implement Mitigation Measure 4.10-1a. Enforcement / Monitoring Agency: County of Nevada	Less Than Significant Impact
Noise			
4.11-1 - Construction-related activities resulting from the Proposed Project could generate noise levels in excess of established standards.	Potentially Significant Impact	The following mitigation measures apply to all sites: 4.11-1a Project developers shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the County or City prior to issuance of a grading or building permit (whichever is issued first) or as part of the annexation request for Sites 1-9. The construction BMPs shall include the following: <ul style="list-style-type: none"> • Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. • Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. • Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. • Use electric air compressors and similar power tools rather than diesel equipment, where feasible. 	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. • Construction shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or legal holidays. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. <p>4.11-1b Project developers shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the County prior to issuance of a grading permit.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.11-2 – Construction-related activities resulting from the Proposed Project could generate or expose persons or structures to excessive ground-borne vibration.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.11-2 Future projects shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment would be located as far away from vibration and noise sensitive sites as feasible. Should construction or grading activities take place within 25 feet of an occupied structure, a project specific vibration impact analysis shall be conducted, with appropriate recommendations to ensure vibration levels are below the 0.2 inch-per-second PPV significance threshold at sensitive uses. Contract specifications incorporating this measure shall be included in the proposed project construction documents, which shall be reviewed by the County prior to issuance of a grading permit or by the City as part of the annexation request for Sites 1-9.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.11-3 - Future noise levels associated with the Proposed Project could contribute to an exceedance of the County’s noise standards resulting in potential noise impacts to sensitive receptors.	Less Than Significant Impact	No mitigation required	Less Than Significant Impact.
Cumulative Mobile Noise - The Proposed Project, in conjunction with cumulative projects, would result in significant long-term mobile noise impacts, based on combined and incremental noise levels.	Potentially Significant Impact	The following mitigation measures apply to all sites: Refer to Mitigation Measures 4.11-1a, 4.11-1b, and 4.11-2. Additional mitigation is not required. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
Population and Housing			
4.12-1 - The Proposed Project would directly induce population growth in the City of Grass Valley.	Potentially Significant Impact	No feasible mitigation measures have been identified. The County of Nevada does not have land use authority over the City of Grass Valley to amend or alter the City’s existing planning policies or the existing General Plan.	Significant and Unavoidable
Public Services, Utilities and Service Systems			
4.13-1 - The public service needs of the Proposed Project could result in substantial adverse impacts.	Potentially Significant Impact	The following mitigation measures apply to all sites: 4.13-1a Prior to Building Permit issuance, the project developer shall provide written documentation from the Fire Department ensuring adequate fire response times to the project site. <u>The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</u> 4.13-1b Construction Plan applications (or as part of the annexation request for Sites 1-9) submitted for all sites shall include a vegetation fuel management plan, which addresses overall fuels management for achieving a reduction in wildland fire intensity, subject to review and approval of the Fire Department. The plan shall also address management of the vegetative fuels in those areas that may be considered environmentally sensitive. 4.13-1c Prior to Building Permit issuance, the project developer shall provide written documentation from the Police or Sheriff services ensuring adequate police response times. <u>The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</u>	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	
<p>4.13-2 - The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity to provide for the project’s projected demand in addition to the provider’s existing commitments.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies all sites:</p> <p>4.13-2 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department <u>Public Works Director/City Engineer</u> for Sites 1-9):</p> <p><u>Provide written documentation that adequate sewer capacity and infrastructure is available to serve the project. This can be accomplished by providing project specific design calculations (i.e. Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate for the proposed development. The Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities have been upgraded to increase capacity and include calculations from a registered civil engineer demonstrating that adequate capacity is available. If adequate sewer capacity of conveyance, collection and wastewater treatment facilities does not exist, the developer will pay for upgrades to account for the additional effluent. The project developer may enter into a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.</u></p> <p>Provide written documentation that adequate sewer capacity project specific design calculations (Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate is available for the proposed development. The project developer may provide written documentation that the Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities have has been upgraded to increase capacity or a report and include calculations from a registered civil engineer demonstrating that that adequate capacity is available. If adequate sewer capacity of conveyance, collection, and wastewater treatment facilities does not exist, the developer will</p>	<p>Significant and Unavoidable.</p> <p>This impact remains significant because it is unknown what the capacity of the wastewater treatment facilities would be at the time of project construction. It is also unknown if completion of the required wastewater facility improvements would be feasible for a single project developer. Furthermore, the County does not have jurisdiction over the timing of when wastewater improvements would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>pay for WWTP upgrades to account for the additional effluent. The project developer may develop enter into a reimbursement agreement, if needed, to recuperate fair share costs associated with other proposed developments nearby.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
<p>4.13-3 - Sufficient water supplies are available to serve the Proposed Project from existing entitlements and resources; no new or expanded entitlements would be required.</p>	<p>Potentially Significant Impact</p>	<p><u>Sufficient water supply is available to serve the proposed project, however; the Proposed Project could require new local infrastructure improvements to increase capacity.</u></p> <p>The following mitigation measure applies all sites:</p> <p>4.13-3 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Provide the County (or the City for Sites 1 through 9) with an approved set of improvement plans accepted by NID, which include the following:</p> <ul style="list-style-type: none"> ▪ Quantification of anticipated water usage by parcel. ▪ A comprehensive water system design for distribution piping and connection to the existing NID distribution system. ▪ Appropriate pipe sizing to accommodate minimum fire flow water pressures (as determined by CAL FIRE, NID, and the HFPD). ▪ Identification of pipe sizing, pipe location, and the location of the tie-in with NID facilities. ▪ Provisions for easement, rights-of-way, and in-fee land to NID for water facilities. <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Significant and Unavoidable.</p> <p>This impact remains significant and unavoidable because it is unknown what the capacity of the potable water facilities would be at the time of project construction. It is also unknown if completion of the required water infrastructure improvements would be feasible for a single project developer. Furthermore, the County does not have jurisdiction over the timing of when wastewater improvements would occur within the City of Grass Valley.</p>
<p>4.13-4 - The landfill that would serve the Proposed Project has sufficient permitted capacity to accommodate the project's solid waste disposal needs. The project would</p>	<p>Less Than Significant Impact</p>	<p>No mitigation required</p>	<p>Less Than Significant.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
comply with federal, state and local statues and regulations related to solid waste.			
Recreation			
4.14-1 - The Proposed Project could increase the use of existing neighborhood and regional parks or other recreational facilities.	Potentially Significant Impact	<p>The following mitigation measure applies to all sites:</p> <p>4.14-1 Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Demonstrate that the proposed development is consistent with the County’s Western Nevada County Non-motorized Recreational Trails Master Plan and pay recreation mitigation fees in an amount established by the County. For projects located within the City of Grass Valley SOI, the developer shall provide for community and regional parks consistent with the City’s Park and Recreation Master Plan or pay an in-lieu fee in an amount established by the City.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	Less Than Significant Impact
4.14-2 - The Proposed Project would not include the construction of recreational facilities that might have an adverse effect on the environment.	Less Than Significant Impact	No Mitigation required	Less Than Significant
Transportation and Traffic			
4.15-1 - The Proposed Project would result in an increase in traffic at study area intersections and roadway segments. Twenty three study intersections would continue to operate at acceptable levels of service in accordance with n Nevada County and the City of Grass Valley significance criteria during the weekday PM peak hour.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.15-2 - The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection	Potentially Significant Impact	<p>The following mitigation measure applies to Sites 3 through 9:</p> <p><u>1. If the project would result in more than 63 total PM peak hour trips and more than 10PM peak hour trips at the intersection of Idaho-Maryland Road/Brunswick Road, a supplemental traffic</u></p>	<p>Significant and Unavoidable</p> <p>This impact remains significant because it is unknown when the intersection improvement</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>is projected to operate at LOS F (unacceptable) in the PM peak hour.</p>		<p><u>analysis shall be prepared consistent with the City’s Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:</u></p> <p>a) <u>Be required to install the improvements (likely a roundabout) at the Idaho-Maryland Road/Brunswick Road intersection; or</u></p> <p>b) <u>Pay the project’s proportionate share of the Idaho-Maryland Road/Brunswick Road intersection improvements; or</u></p> <p>c) <u>Construction some associated improvement that would address project impacts at the Idaho-Maryland Road/Brunswick Road intersection; or</u></p> <p>d) <u>Be required to complete some combination of the above to address project impacts at the Idaho-Maryland Road/Brunswick Road identified in the supplemental traffic study.</u></p> <p><u>2. If the project would result in less than 10PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.</u></p> <p><u>Timing/Implementation: Prior to occupancy of development within the project area.</u></p> <p><u>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</u></p> <p>4.15 2 — As described in the Loma Rica Ranch Specific Plan EIR (RBF Consulting, 2011), a roundabout shall be constructed at the intersection of Idaho Maryland Road and Brunswick Road. This intersection is located on the downhill slope. The installation of a roundabout has been shown to reduce the number and severity of accidents. This mitigation would improve the operation of the intersection to LOS A. The improvement is identified in the Grass Valley Traffic Impact Fee (GVTIF).</p> <p>To mitigate direct traffic impacts on the Idaho Maryland Road and Brunswick Road intersection, a new roundabout is required at this intersection. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to</p>	<p>would occur and the construction of the complete improvement may not be feasible for a single project. Furthermore, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>construct the roundabout in its entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.</p> <p>The individual development of Sites #3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	
<p>4.15-3 - The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Site 2:</p> <p><u>1. If the project would result in more than 63 total PM peak hour trips and more than 10PM peak hour trips at the intersection of La Barr Meadows Drive/McKnight Way, a supplemental traffic analysis shall be prepared consistent with the City's Traffic Policy to determine the extent to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:</u></p> <p><u>a) Be required to install the improvements (likely a roundabout) at the La Barr Meadows Drive/McKnight Way intersection; or</u></p> <p><u>b) Pay the project's proportionate share of the La Barr Meadows Drive/McKnight Way intersection improvements; or</u></p> <p><u>c) Construction some associated improvement that would address project impacts at the La Barr Meadows Drive/McKnight Way intersection; or</u></p> <p><u>d) Be required to complete some combination of the above to address project impacts at the La Barr Meadows Drive/McKnight Way identified in the supplemental traffic study.</u></p> <p><u>2. If the project would result in less than 10PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.</u></p> <p><u>Timing/Implementation: Prior to occupancy of development within the project area.</u></p>	<p>Significant and Unavoidable</p> <p>This impact remains significant because it is unknown when the intersection improvement would occur and the construction of the complete improvement may not be feasible for a single project. Furthermore, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><u>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</u></p> <p>4.15-3 — The provision of the dual roundabouts on McKnight Way at the SR 49 interchange would improve operation of the intersection to LOS A. This improvement would combine the McKnight Way / La Barr Meadows Road / Auburn Street and McKnight Way / SR 49 Northbound Ramps intersection into one intersection, and the McKnight Way / Taylorville Road and McKnight Way / SR 49 Southbound Ramps intersections into one intersection. Due to the close intersection spacing and the coordinated operation of the intersections, the roundabouts would need to be installed simultaneously in order to adequately accommodate traffic flows. This improvement is identified in the Nevada County Regional Transportation Plan and the City of Grass Valley Capital Improvement Program.</p> <p>To mitigate direct impacts at the La Barr Meadows and McKnight Way intersection dual roundabouts would be required to be constructed. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the required dual roundabouts in their entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.</p> <p>Site Specific Development Analysis: The individual development of Site #2 would generate 10 or more trips at the intersection and require implementation of the intersection mitigation.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: City of Grass Valley</p>	
<p>4.15-4 - The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 3 through 9:</p> <p>4.15-4 The realignment of Triple Crown Road with Town Talk Road into one intersection and the installation of a traffic signal will improve intersections of Brunswick Road and Triple Crown Drive and Brunswick Road and Town Talk Road / Bubbling Wells Road to LOS B during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic</p>	<p>Significant and Unavoidable</p> <p>While the proposed improvement is expected to mitigate the potential impacts to less than significant, this impact remains significant because the County of Nevada does not have</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>signal under Existing plus Background plus Project conditions. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane. In addition, the existing unsigned driveway (designated as “Ranchview Court” in County Map data) located approximately 35 feet to the south of Town Talk Road shall be combined with Town Talk Road at the west leg of the intersection.</p> <p>The project developer shall install or fund the improvement at the intersection prior to issuance of a building permit.</p> <p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Brunswick Road and Triple Crown Road. The individual development of Sites #3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>
<p>4.15-5 - The Proposed Project would add traffic to the intersections of SR 49 / Combine Road. This intersection is projected to operate at Los F (unacceptable) in the PM Peak Hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 14 through 18:</p> <p>4.15-5 The Nevada County Regional Transportation Plan and RTMF includes the following improvements to the SR 49 / Combie Road intersection. The improvements would improve the PM peak hour level of service to LOS C.</p> <ul style="list-style-type: none"> • Construct one additional southbound left turn lane that is at least 325 feet in length • Construct one additional receiving lane at the east leg of intersection on Combie Road • Reconstruct or reconfigure the westbound left turn lanes to be a minimum of 250 feet in length to allow for adequate storage <p>The project developer shall install or fund the improvement at the intersection. The developer and the County of Nevada should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer’s fair share.</p> <p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of SR 49 / Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		intersection and require implementation of the intersection mitigation. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: Nevada County	
4.15-6 – The Proposed Project would add traffic to the intersections of Higgins Road and Combie Road. This intersection is projected to operate at Los F (unacceptable) in the PM peak hour.	Potentially Significant Impact.	The following mitigation measure applies to Sites 14 through 18: 4.15-6 The Higgins Marketplace EIR (2007) identified mitigation for this intersection including of the installation of a traffic signal and the installation of an additional eastbound through lane. Implementation of this mitigation measure would improve level of service to an acceptable LOS C during the PM peak hour. Prior to the development of the project site, the Project Developer shall pay a fair share contribution to the LTMF and RTMF program. Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Higgins Road and Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: Nevada County	Less Than Significant Impact.
4.15-7 – The Proposed Project would add traffic at new driveway intersections which would have restricted sight distance and close spacing and may impact safety and traffic operations.	Potentially Significant Impact.	The following mitigation measure applies to all sites: 4.15-7 The sight distances at all project site access intersections shall be reviewed during the design phase of the project sites with attention given to horizontal and vertical sight distance constraints. To maintain adequate corner sight distance consistent with Caltrans Highway Design Manual requirements, parking shall not be permitted on major onsite roadways within close proximity to intersections. All onsite intersections, landscaping, signing, and parking shall be designed so that adequate corner sight distance is achieved. Prior to issuance of a building permit, the developer shall provide verification by a professional engineer that sight distance has been evaluated. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>5.2.14.1 - Cumulative Impact - The Proposed Project would add traffic to the signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Sites 3 through 9: 5.2.14.1 - Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the installation of signal timing at the intersection of Nevada City Highway and Brunswick Road to improve operations and meet future traffic volume demand. Signal timing splits shall be optimized based upon a cycle length of 90 seconds. This mitigation would improve the operation of the intersection to LOS D. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: City of Grass Valley</p>	<p>Significant and Unavoidable</p> <p>While the proposed fair share contribution is expected to reduce cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction over the approval of funding or construction of the improvement within the City of Grass Valley.</p>
<p>5.2.14.2 - The proposed project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Sites 3 through 9: 5.2.14.2 Prior to issuance of a building permit, the project developer shall install or fund the realignment of Triple Crown Road with Town Talk Road (Sites 7 and 8 access) into one intersection and the installation of a traffic signal. This measure will improve intersections of Brunswick Road / Triple Crown Drive and Brunswick Road / Town Talk Road / Bubbling Wells Road to LOS C during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane. The developer and the City of Grass Valley should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer’s fair share. <u>The formation of an assessment district is considered a fair share cost sharing mechanism.</u> Timing Implementation: Prior to issuance of a building permit. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Significant and Unavoidable</p> <p>While the proposed improvement is expected to mitigate the potential impacts to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>
<p>5.2.14.3 The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the PM Peak Hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Site 2: Prior to the development of the project site, the Project Developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program for the provision of the dual roundabouts on McKnight Way at the SR 49 interchange described in Mitigation Measure 4.15-3. Enforcement / Monitoring Agency: City of Grass Valley</p>	<p>Significant and Unavoidable.</p> <p>While the proposed fair share contribution is expected to reduce cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			over the approval of funding or construction of the improvement within the City of Grass Valley.
<p>5.2.14-4 – The proposed project would add traffic to the intersections of the SR 49/Combie Road. This intersection is projected to operate at LOS E (Unacceptable) in the PM Peak Hour</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Sites 14 through 18: 5.2.14-4 Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the Nevada County RTMF program for the construction of an additional southbound left turn lane that is at least 325 feet in length shall be installed at the intersection of SR 49 and Combie Road. This improvement will improve operations at the intersection to LOS D during the PM peak hour. The addition of a southbound left turn lane is an identified improvement in the Nevada County Regional Transportation Plan and RTMF. Enforcement / Monitoring Agency: County of Nevada.</p>	<p>Less Than Significant Impact</p>

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