

3.0 PROJECT DESCRIPTION

3.1 PROJECT BACKGROUND

The County of Nevada Board of Supervisors adopted the most recent update of 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. 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 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 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 and proximity to local services such as commercial areas with grocery stores, bus stops, and other commercial/retail opportunities. Additionally, 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 to 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 17 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 sites, approximately 101.6 acres would be available for development. At 16 dwelling units per acre (du/acre), the maximum number of units would be 1,630 units. This number exceeds the 1,270 units the County currently needs to meet its housing element goals. The number of potential units (1,630) 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.

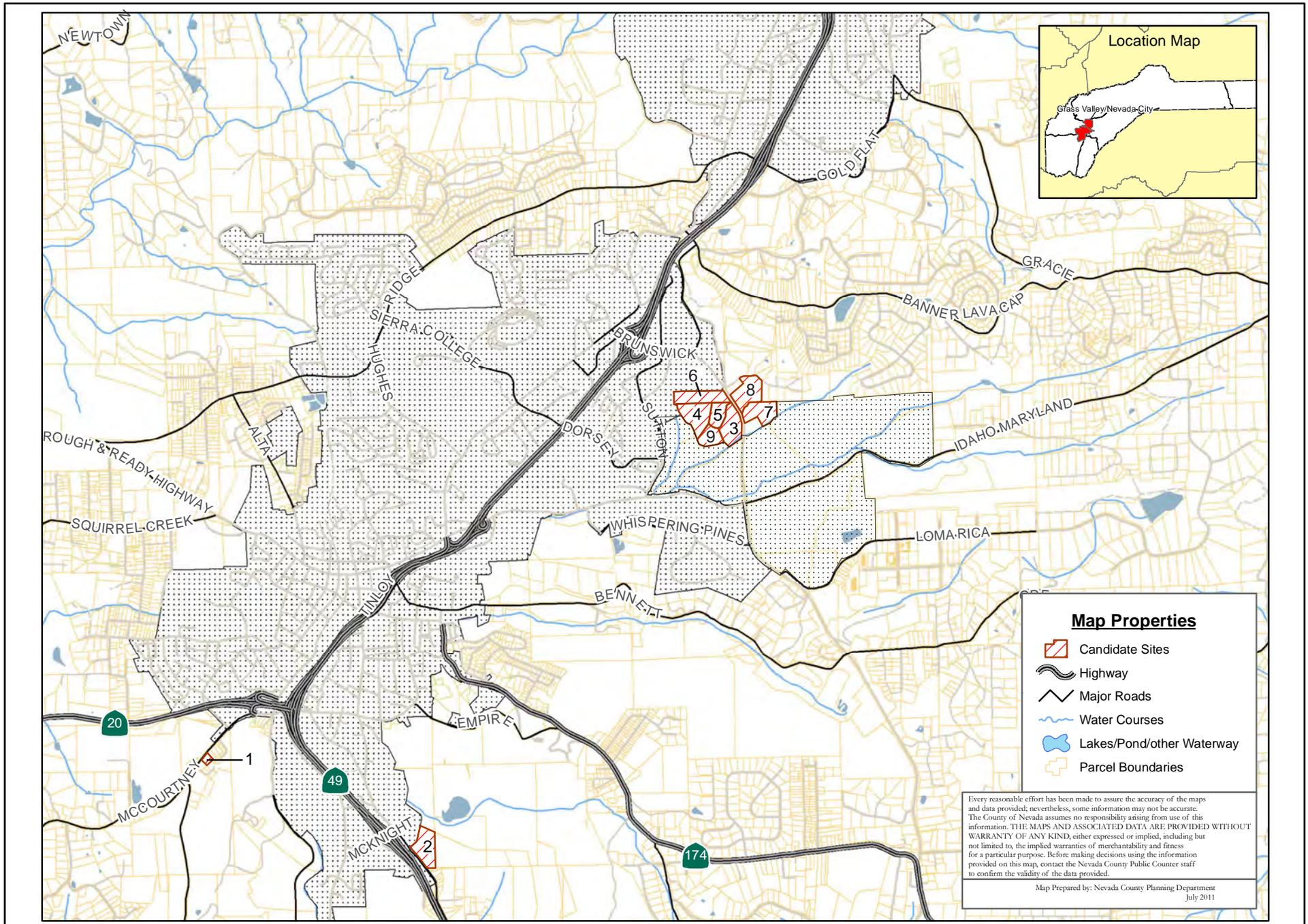
This EIR evaluates multi-family development on each of the sites based on the proposed zoning. The EIR evaluates the buildout of each site based on the maximum yield allowed under the proposed overlay zoning. When future development proposals are received by the County, they will be evaluated against this.

3.2 PROJECT LOCATION

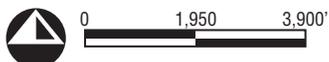
The 18 sites associated with the project are located in the western portion of Nevada County, approximately 50 miles northeast of Sacramento and about 50 miles west of Lake Tahoe (refer to Figure 3-1, *Regional Location Map*). This region of the western Sierra Nevada foothills separates the low-lying 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 3-1, *Project Sites*, below.

**Table 3-1
 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 & 34-412-20		
Site 9: 35-412-16		



Source: Nevada County GIS 2012; ESRI 2012.

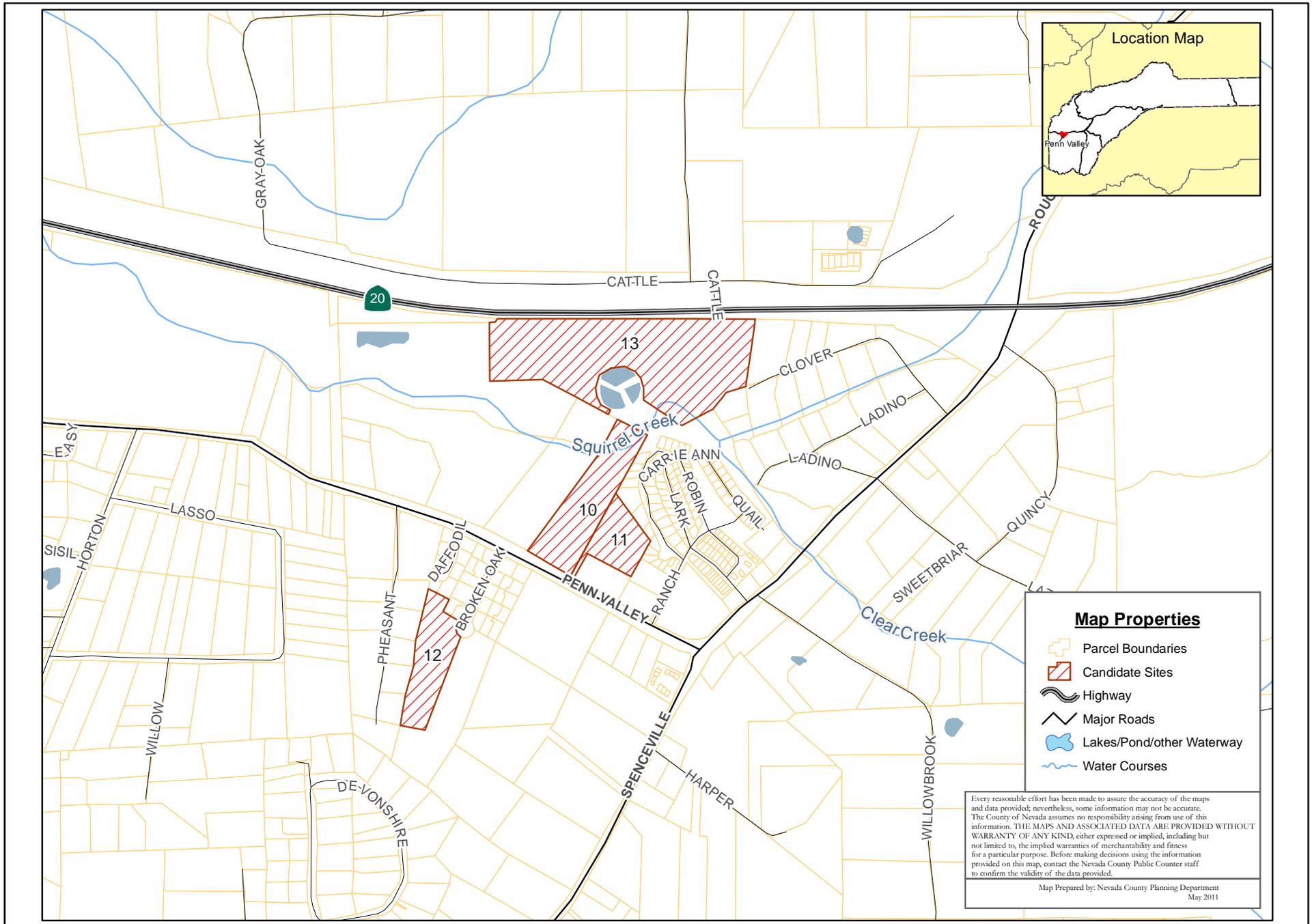


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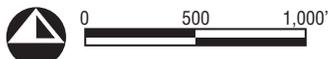
COUNTY OF NEVADA
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

Grass Valley Area Sites

FIGURE 3-2



Source: Nevada County GIS 2012; ESRI 2012.

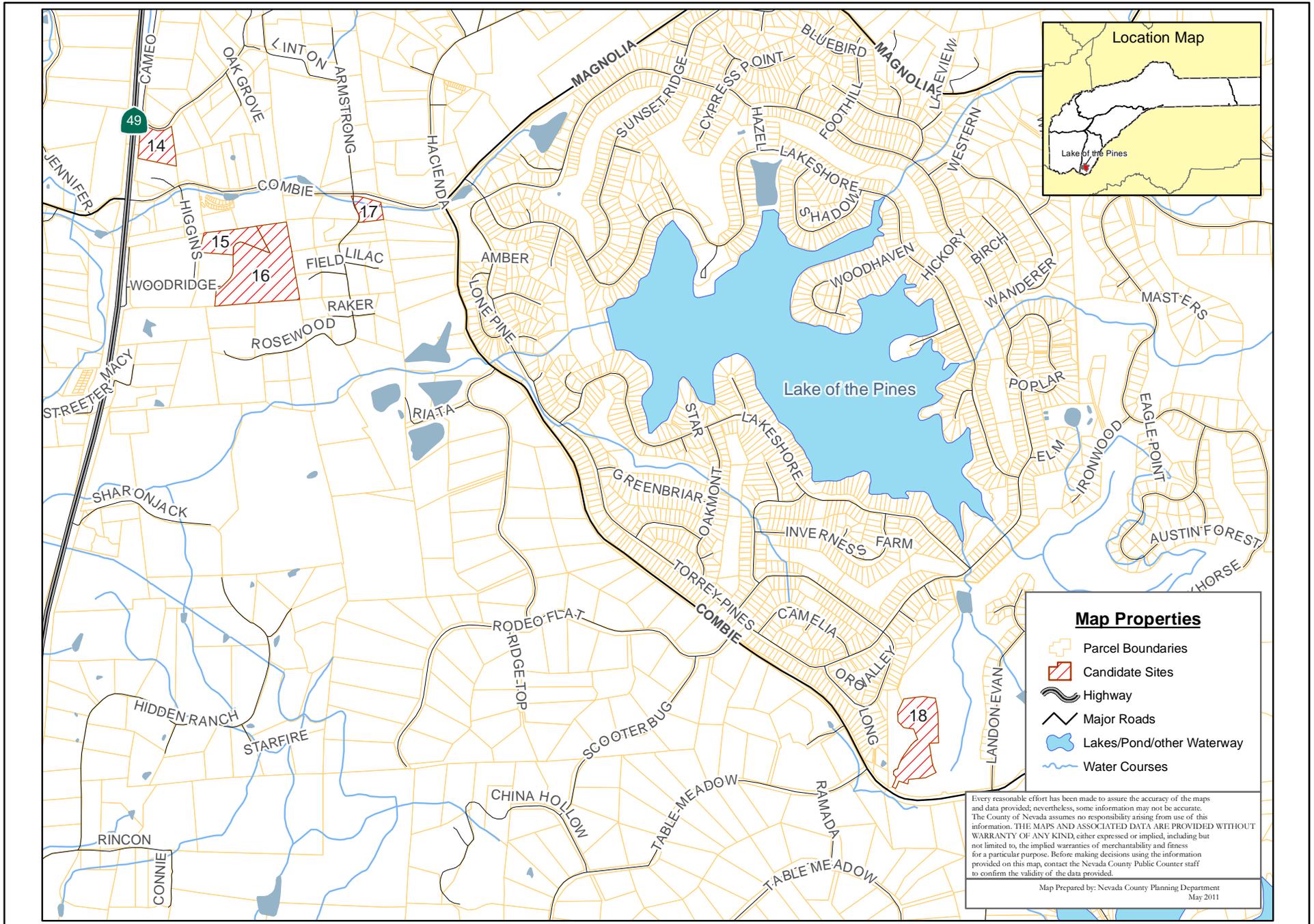


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Penn Valley Area Sites

FIGURE 3-3



Source: Nevada County GIS 2012; ESRI 2012.



1/18/13 JN 131242-18945

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Lake of the Pines Area Sites

FIGURE 3-4

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Site	2
Size:	11.36 ac
Proposed Density:	16-20 du/ac
Max Yield:	227

Legend

- Rezone Sites
- Parcels

Contours

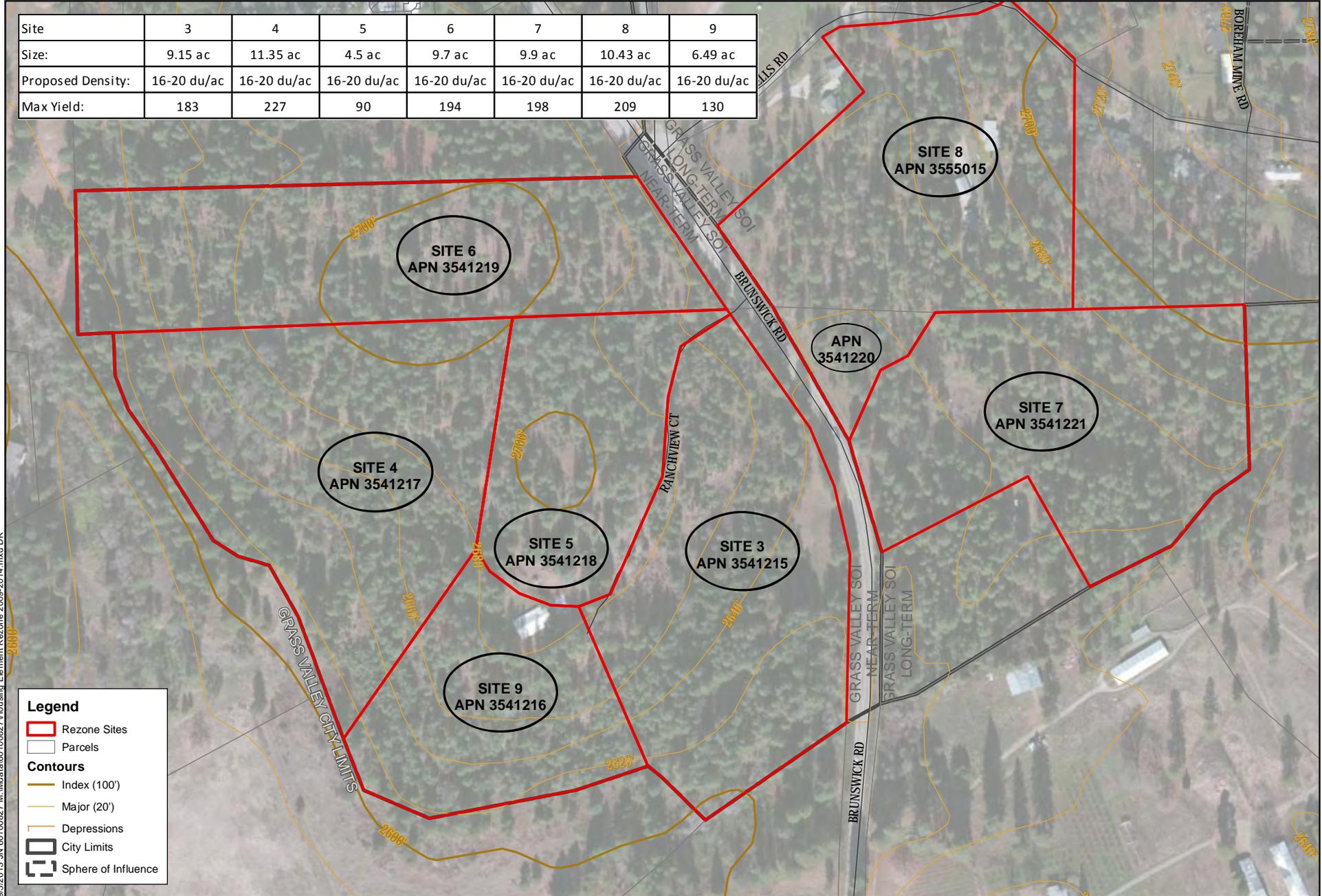
- Index (100')
- Major (20')
- Depressions

- City Limits
- Sphere of Influence



Source: Nevada County GIS 2013; ESRI 2013.

Site	3	4	5	6	7	8	9
Size:	9.15 ac	11.35 ac	4.5 ac	9.7 ac	9.9 ac	10.43 ac	6.49 ac
Proposed Density:	16-20 du/ac						
Max Yield:	183	227	90	194	198	209	130



Legend

- Rezone Sites
- Parcels

Contours

- Index (100')
- Major (20')
- Depressions

- City Limits
- Sphere of Influence

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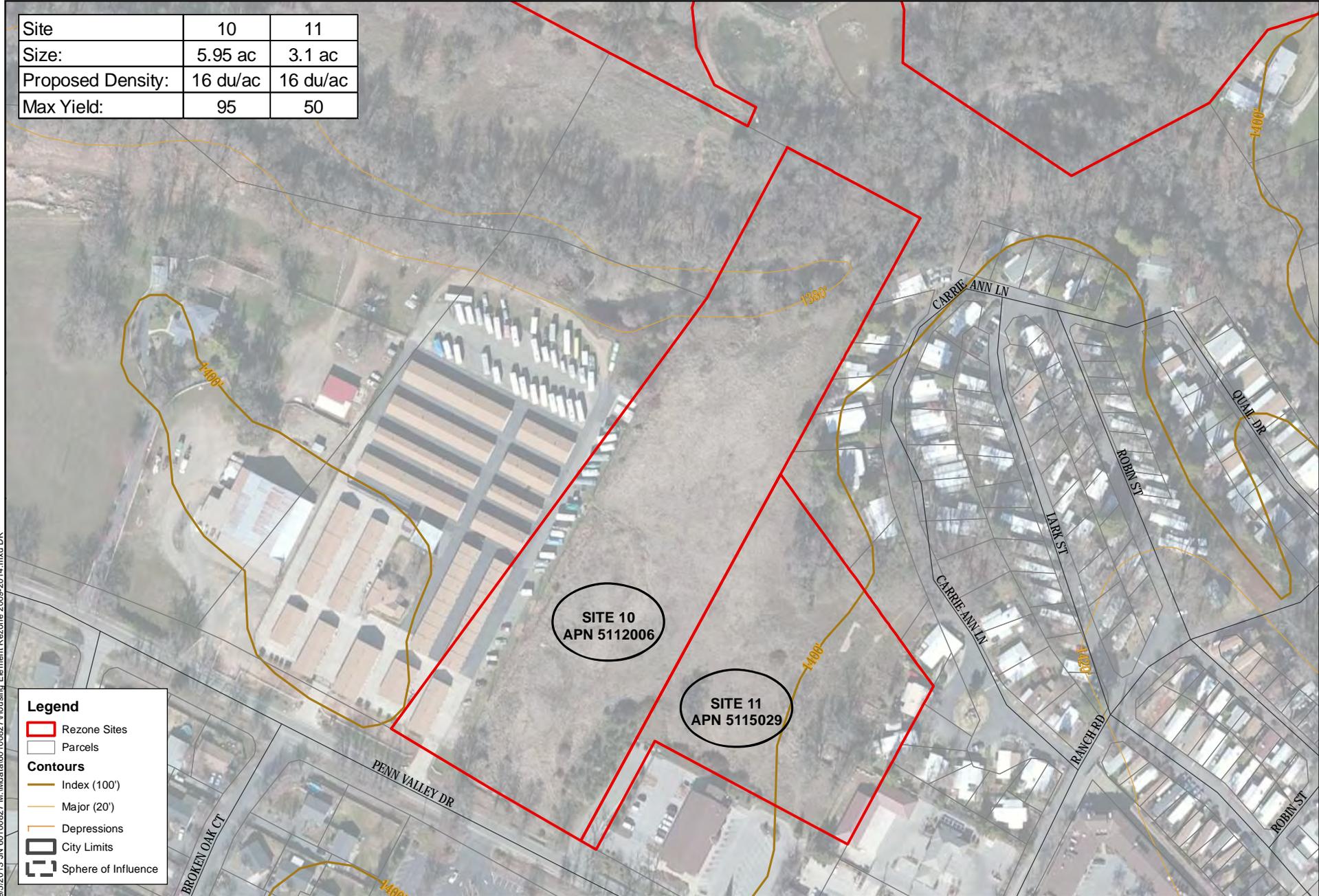
Source: Nevada County GIS 2013; ESRI 2013.

COUNTY OF NEVADA
 2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
SITES 3, 4, 5, 6, 7, 8 & 9

FIGURE 3-7

Site	10	11
Size:	5.95 ac	3.1 ac
Proposed Density:	16 du/ac	16 du/ac
Max Yield:	95	50

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- Rezone Sites
- Parcels
- Contours**
- Index (100')
- Major (20')
- Depressions
- City Limits
- Sphere of Influence



Source: Nevada County GIS 2013; ESRI 2013.

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Site	12
Size:	4.37 ac
Proposed Density:	16 du/ac
Max Yield:	70

Legend

- Rezone Sites
- Parcels
- Contours**
- Index (100')
- Major (20')
- Depressions
- City Limits
- Sphere of Influence



Source: Nevada County GIS 2013; ESRI 2013.

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Legend

- Rezone Sites
- Parcels

Contours

- Index (100')
- Major (20')
- Depressions
- City Limits
- Sphere of Influence

Site	13
Size:	20.1 ac
Proposed Density:	16 du/ac
Max Yield:	322



Source: Nevada County GIS 2013; ESRI 2013.

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Site	14
Size:	5 ac
Proposed Density:	16 du/ac
Max Yield:	80

Legend

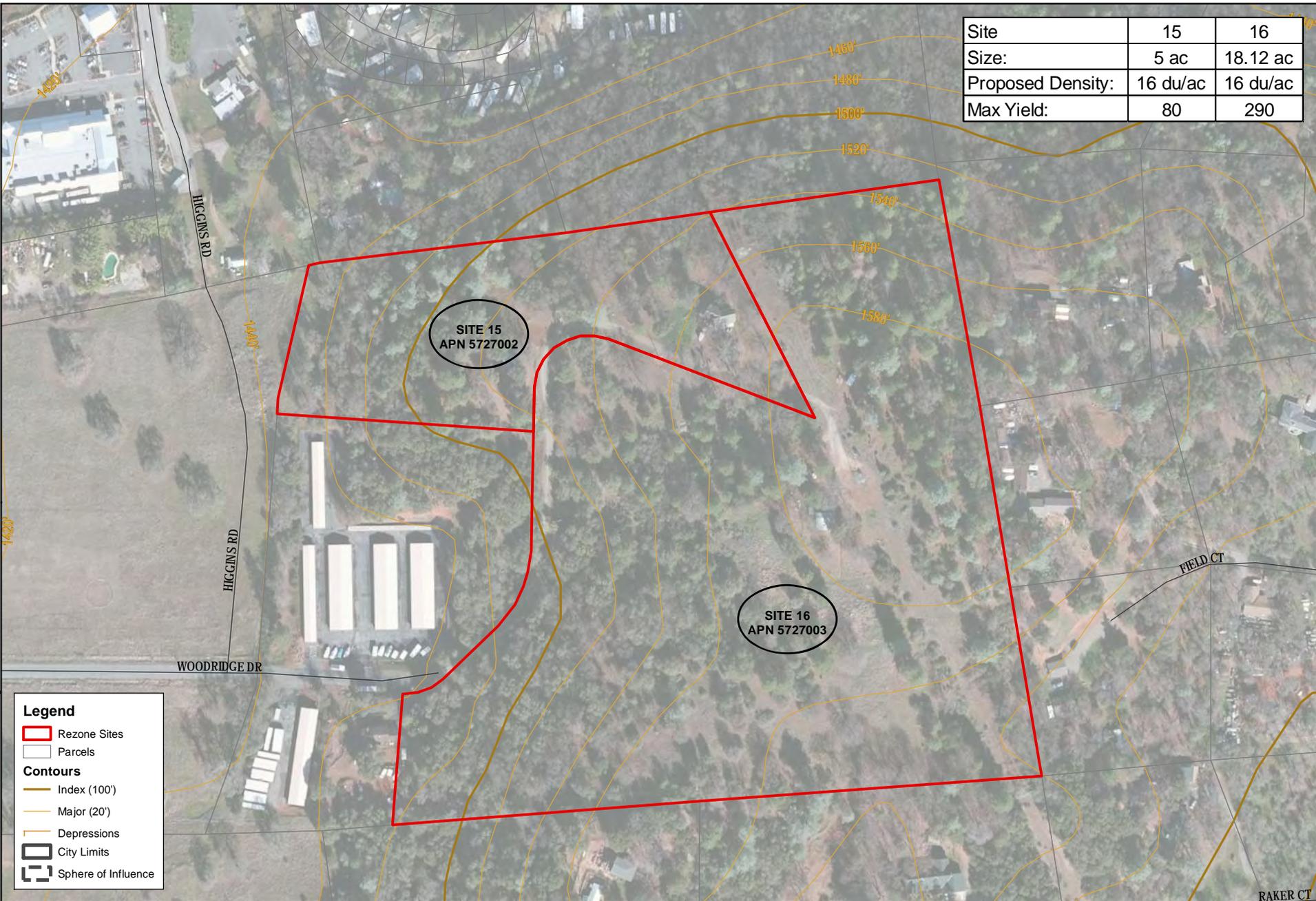
- Rezone Sites
- Parcels
- Contours**
- Index (100')
- Major (20')
- Depressions
- City Limits
- Sphere of Influence



Source: Nevada County GIS 2013; ESRI 2013.

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Site	15	16
Size:	5 ac	18.12 ac
Proposed Density:	16 du/ac	16 du/ac
Max Yield:	80	290



Legend

- Rezone Sites
- Parcels

Contours

- Index (100')
- Major (20')
- Depressions

- City Limits
- Sphere of Influence

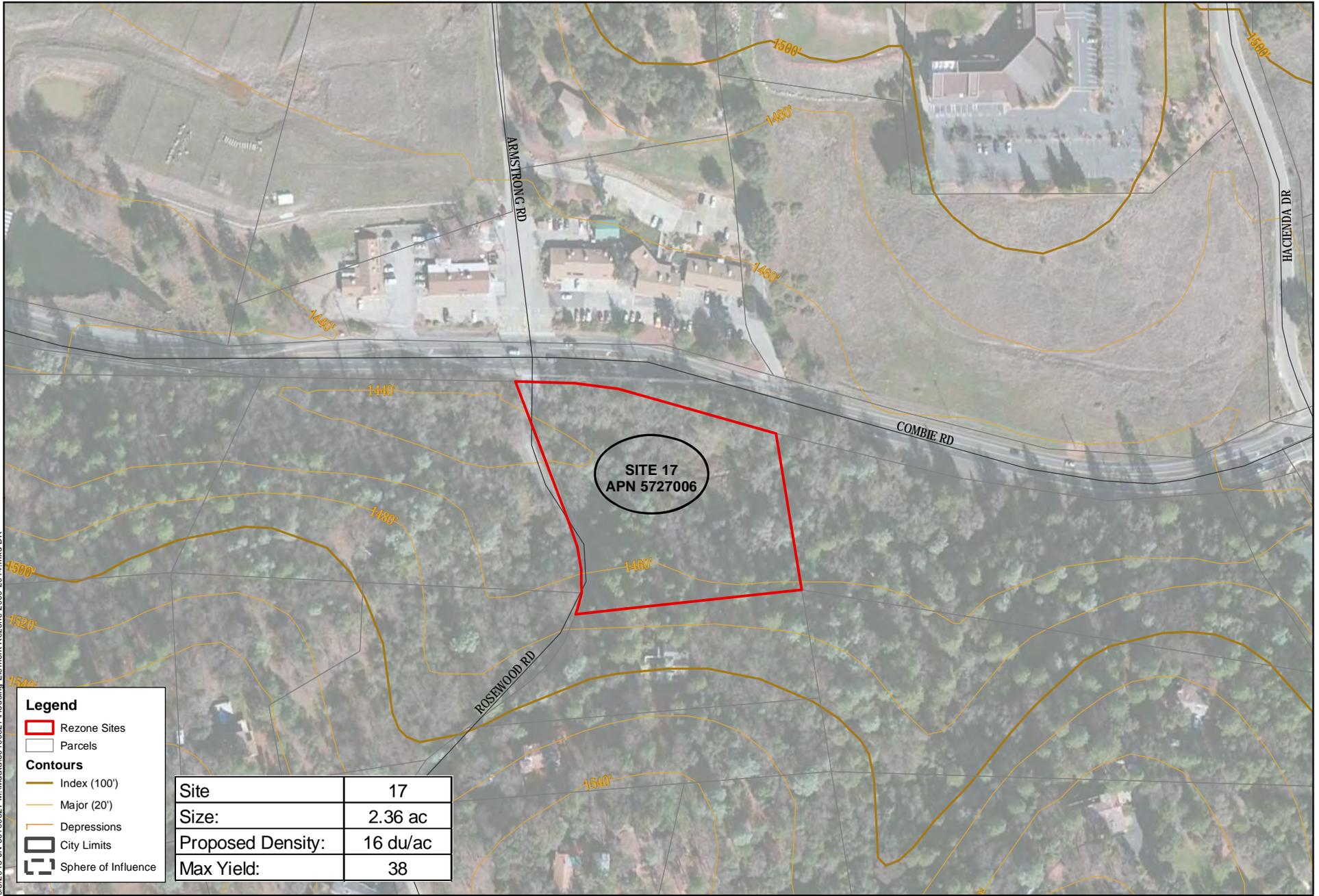


Source: Nevada County GIS 2013; ESRI 2013.

COUNTY OF NEVADA
 2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR
SITE 15 & 16

FIGURE 3-12

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- Legend**
- Rezone Sites
 - Parcels
- Contours**
- Index (100')
 - Major (20')
 - Depressions
- City Limits
 - Sphere of Influence

Site	17
Size:	2.36 ac
Proposed Density:	16 du/ac
Max Yield:	38



Source: Nevada County GIS 2013; ESRI 2013.

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Site	18
Size:	11.03 ac
Proposed Density:	16 du/ac
Max Yield:	176

Legend

- Rezone Sites
- Parcels

Contours

- Index (100')
- Major (20')
- Depressions

- City Limits
- Sphere of Influence



Source: Nevada County GIS 2013; ESRI 2013.

3.3 PROJECT SETTING

3.3.1 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 SOI 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 are 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.

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 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 is a 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 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, 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 1,621¹, but approximately 12,000 people consider Penn Valley home². 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 9, 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.

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 through the northwest portion of the site. This site is surrounded on all sides by single and multifamily residential development.

¹ U.S. Census Bureau, 2010 U.S. Census.

² Penn Valley Area Chamber of Commerce, http://www.pennvalleycoc.org/html/penn_valley_today.html, accessed October 30, 2012

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.

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.

3.4 PROJECT CHARACTERISTICS

3.4.1 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 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 a maximum 20 du/acre for sites 1-9 located within the Grass Valley SOI area of Nevada County, and a maximum 16 du/ac for sites 10-18. 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. 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, will require a General Plan Map Amendment to change the designation to Urban High Density Residential. Table 3-2, *General Plan Land Use Designations*, shows the existing and proposed General Plan designation for each site and the proposed allowable density for each site.

3.4.2 ZONING AMENDMENTS

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 Housing Element Programs are described below:

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.

**Table 3-2
 General Plan (GP) Land Use Designations**

Site	Existing GP Designation	Proposed GP Designation	Proposed Maximum Density
Grass Valley SOI			
1	Office Park	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	16 du/acre
11	Community Commercial	Urban High Density	16 du/acre
12	Urban Medium Density Residential	Urban High Density	16 du/acre
13	Community Commercial	Urban High Density	16 du/acre
Lake of the Pines Area			
14	Public	Urban High Density	16 du/acre
15	Industrial	Urban High Density	16 du/acre
16	Industrial	Urban High Density	16 du/acre
17	Residential	Urban High Density	16 du/acre
18	Planned Residential Community	Urban High Density	16 du/acre

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)³. 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.

Table 3-2, *Proposed Zoning*, shows the proposed zoning designation for each site and the proposed allowable density for each site.

**Table 3-3
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	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 dwelling units total for both sites	R3-RH or PD-RH	16 du/acre
16	IDR-SC-SP		R3-RH or PD-RH	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

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.

³ California Government Code, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=65001-66000&file=65580-65589.8>

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		6	4	-	
Existing Max Yield (Units)	4	45	54	68	27	58	6	6	38	23	12	26	20	20	15		14	44	480	
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

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 with 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 Figure 3-15 through Figure 3-24, *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 within ESA with 100 foot buffers. Additionally, 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.

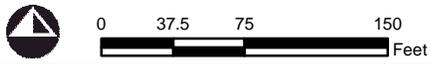
Site 11

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 longer 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 1	Acres
ROW	0.17
Development Footprint	0.98
ESA	0
Total	1.08
Total ESA Impacted	0

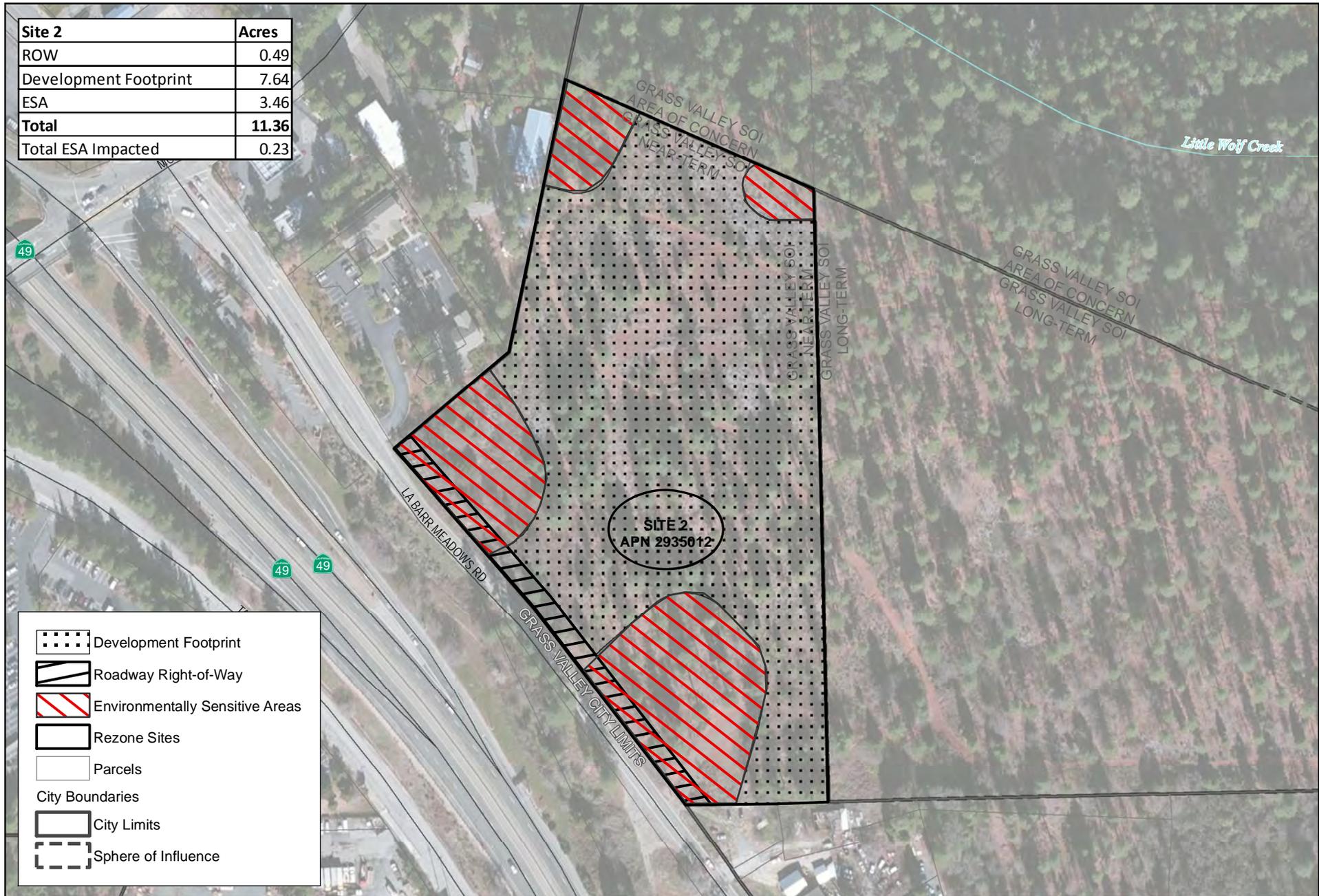


Source: Nevada County GIS 2013; ESRI 2013.

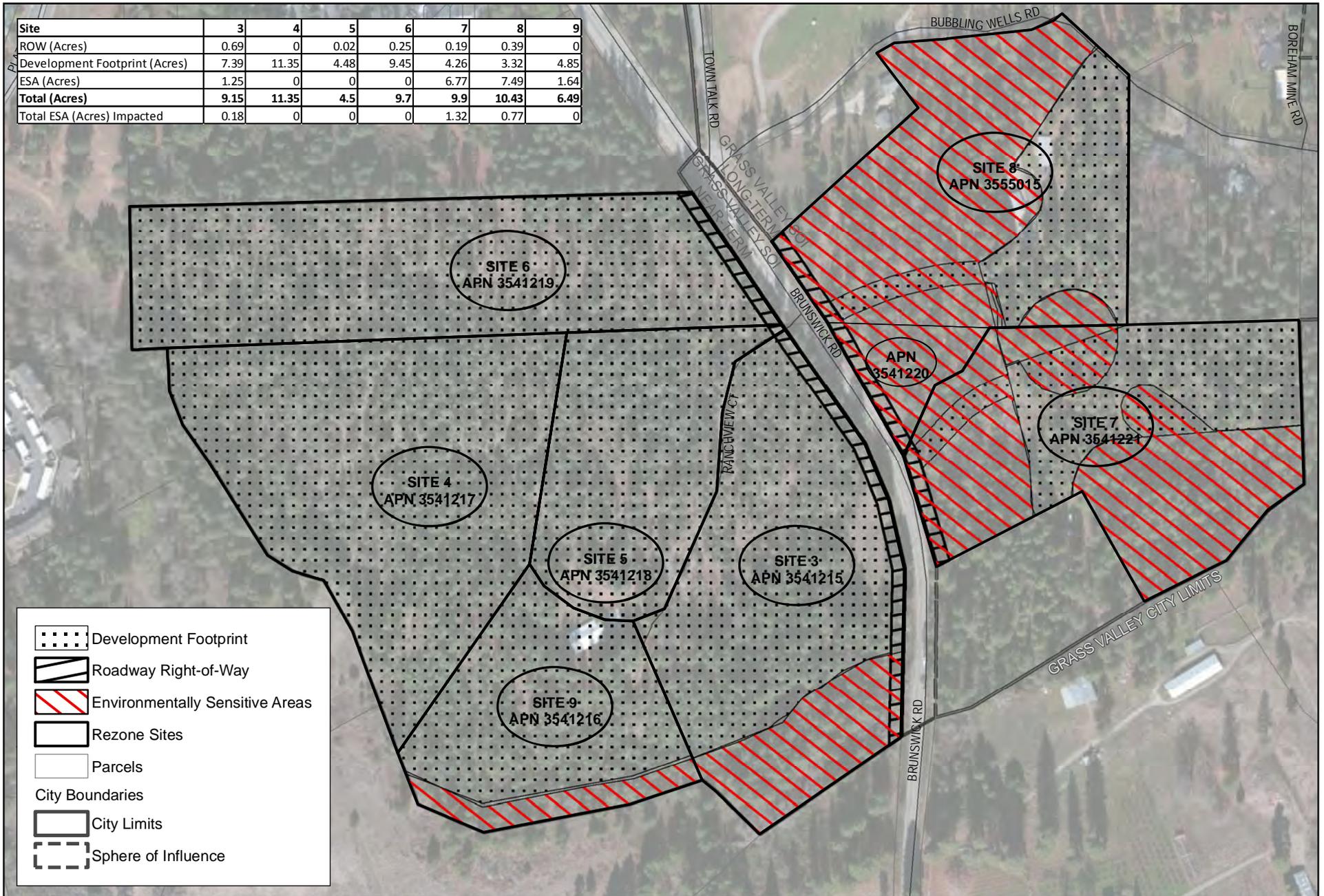
Site 1 - Environmentally Sensitive Areas and Building Footprints

Figure 3-15

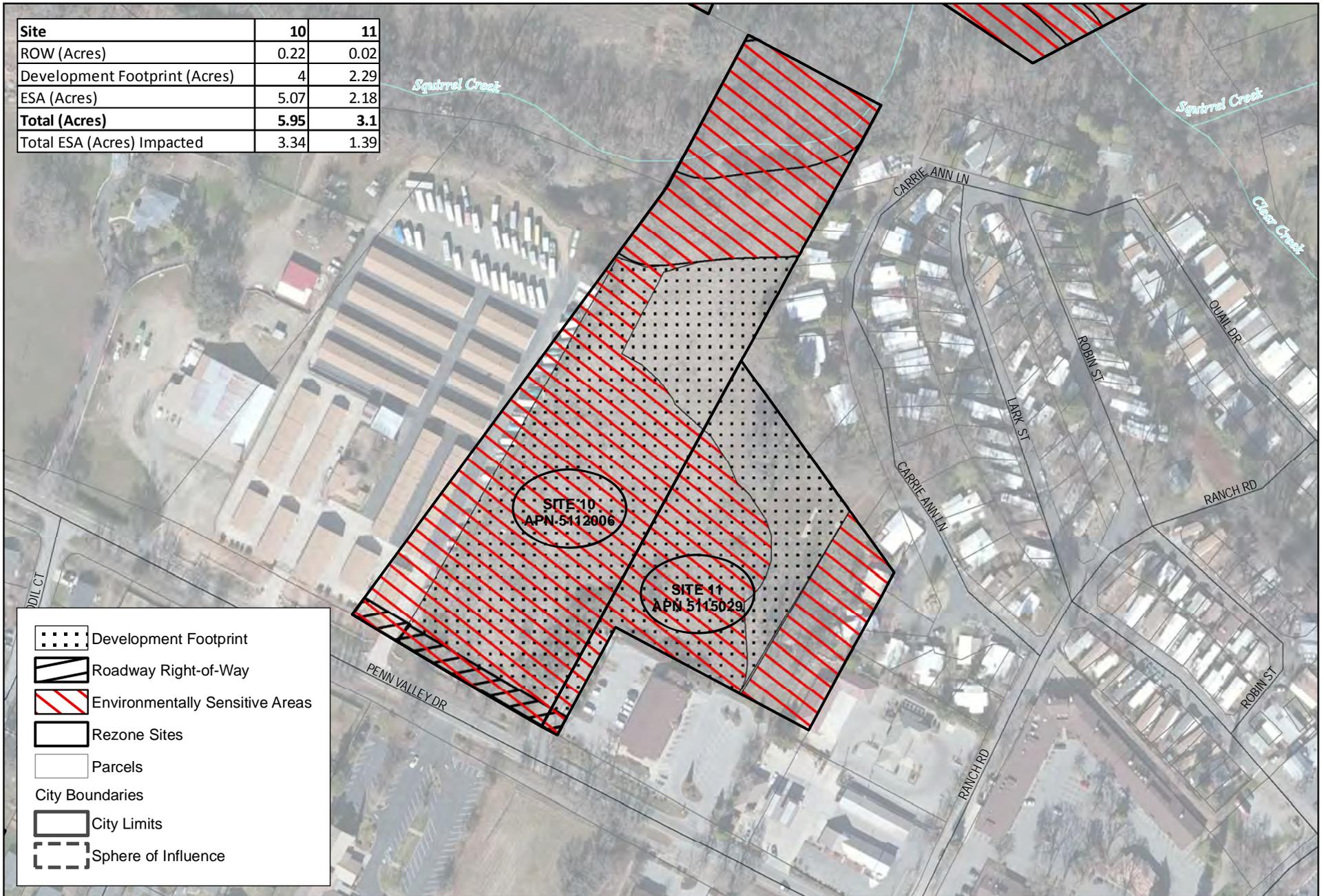
Site 2	Acres
ROW	0.49
Development Footprint	7.64
ESA	3.46
Total	11.36
Total ESA Impacted	0.23



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

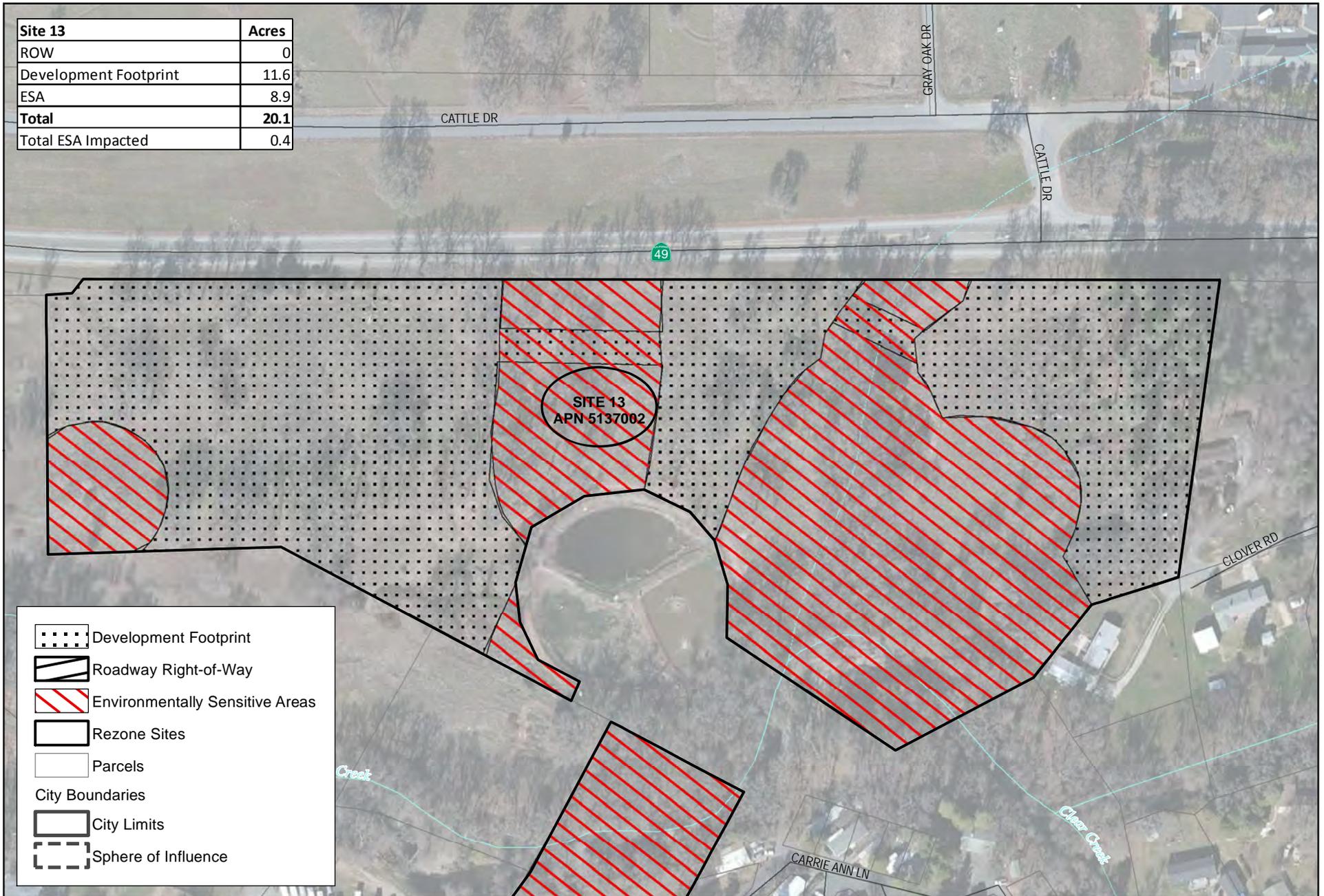


Site	10	11
ROW (Acres)	0.22	0.02
Development Footprint (Acres)	4	2.29
ESA (Acres)	5.07	2.18
Total (Acres)	5.95	3.1
Total ESA (Acres) Impacted	3.34	1.39

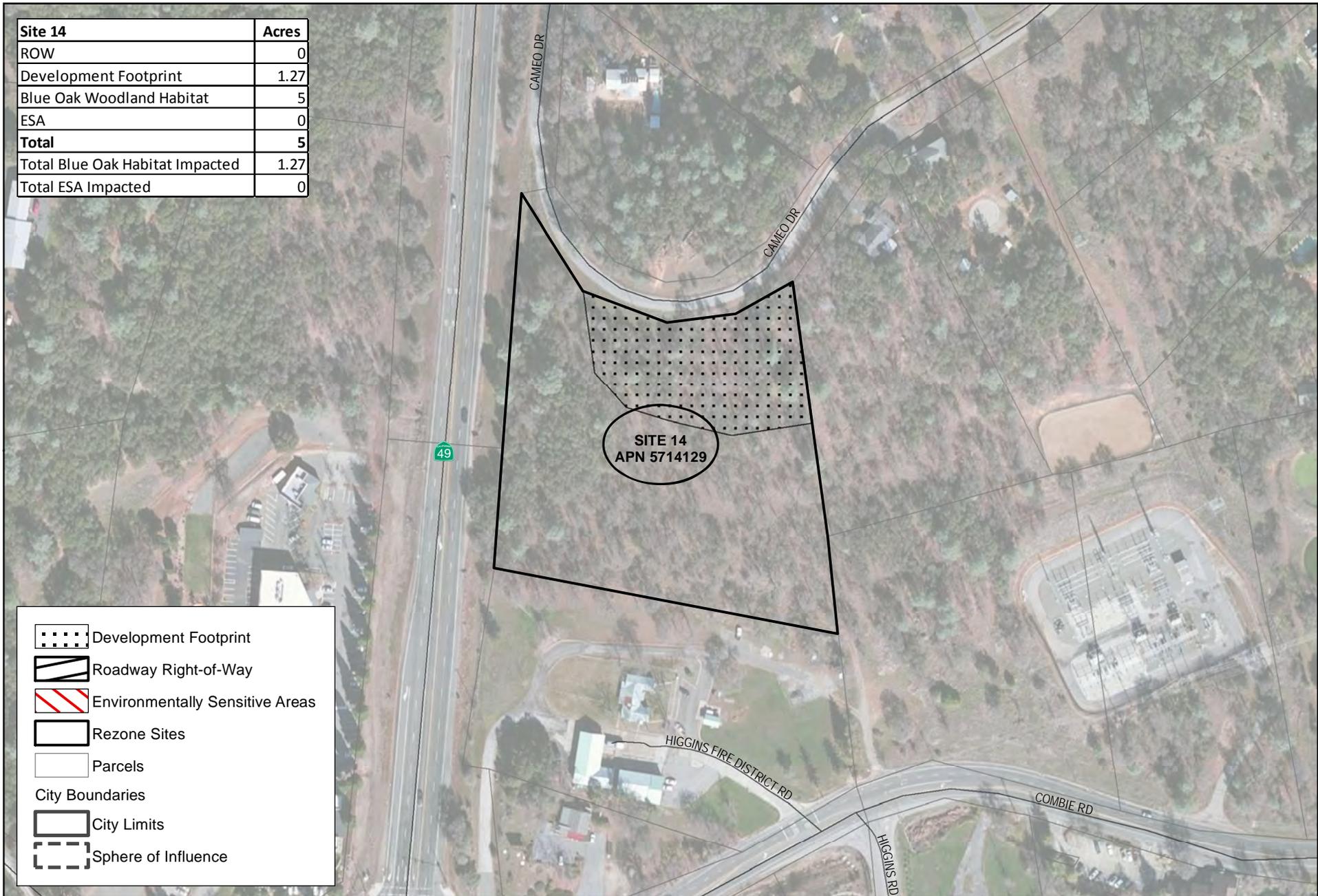




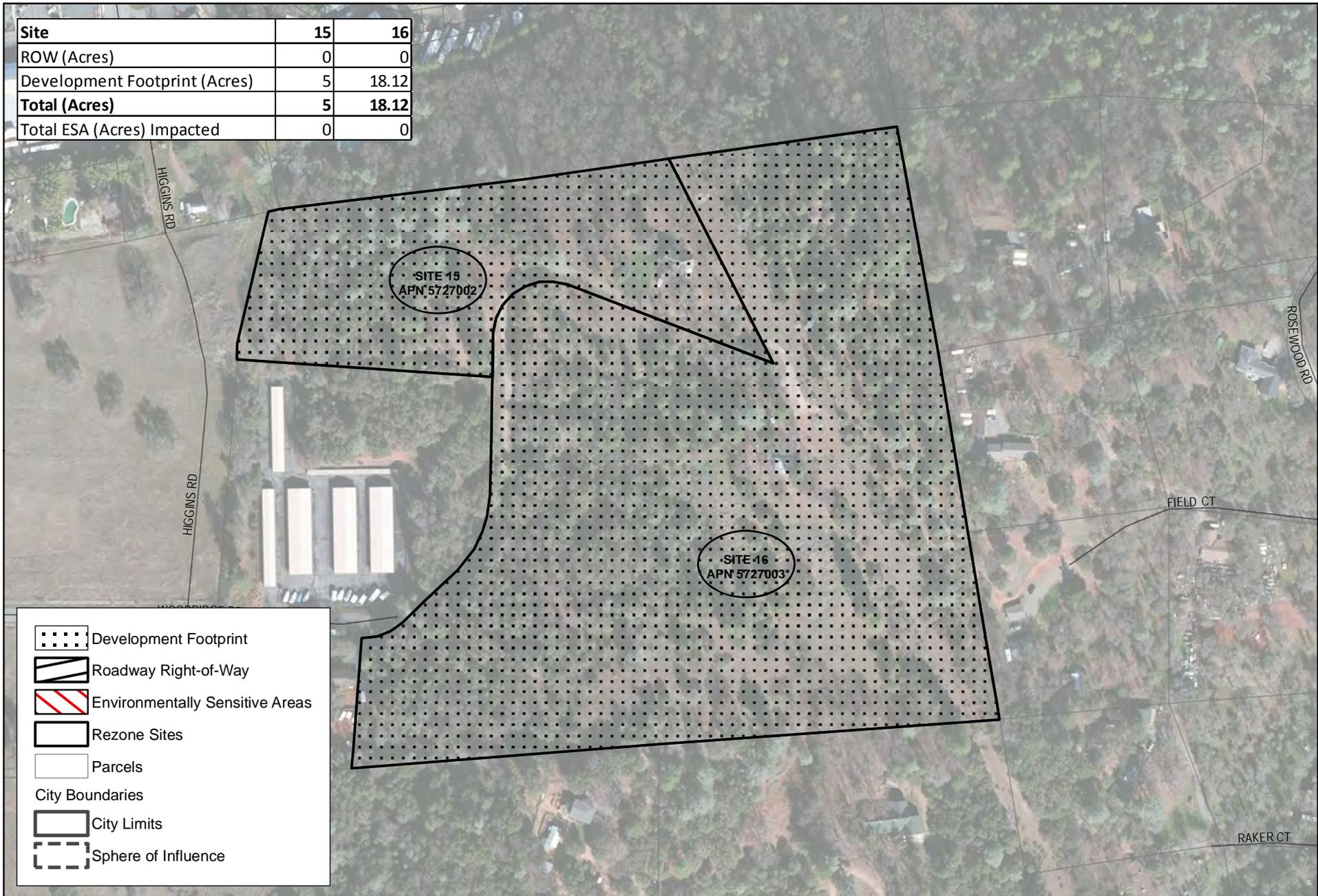
Site 13	Acres
ROW	0
Development Footprint	11.6
ESA	8.9
Total	20.1
Total ESA Impacted	0.4



Site 14	Acres
ROW	0
Development Footprint	1.27
Blue Oak Woodland Habitat	5
ESA	0
Total	5
Total Blue Oak Habitat Impacted	1.27
Total ESA Impacted	0



Site	15	16
ROW (Acres)	0	0
Development Footprint (Acres)	5	18.12
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



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 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.

Site 15

All of Site 15 is assumed to be within the development footprint. Access to Site 15 is off of Woodside Road.

Site 16

All of Site 16 is assumed to be within the development footprint. Access to Site 16 is off of Woodside Road.

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.

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. Appropriately 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 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.

3.4.3 ANNEXATION

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 (RH) Combining District. Accordingly, the Nevada County 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.

3.5 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;
- 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;
- 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 to ensure that the future development of high density housing on that site meets County development standards and does not result in significant and unavoidable environmental impacts.

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 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
- Northern Sierra Air Quality Management District