



COUNTY OF NEVADA

Penn Valley Area Municipal Advisory Council

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November 13, 2018

Attn: Sadie Caldas, Assistant Planner
Planning Department
Nevada County
950 Maidu Ave.
Nevada City, CA 95959-8617

RE: Comments/Recommendations regarding Third Distribution/Project Description for Caldwell Application: (APN 051-110-004) PLN18-0023; CUP18-0009; MGT18-0018 & -0019; AAM18-002; EIS18-0012

Dear Ms. Caldas,

At a special meeting on November 8, 2018, the Penn Valley Area Municipal Advisory Council (MAC) reviewed the Third Distribution/Project Description for the revised, combined application to the Planning Commission for a Use Permit, two Management Plans, and an Amendment to an Approved Tentative Parcel Map of applicant Mardalynne Caldwell (APN 051-110-004) PLN18-0023; CUP18-0009; MGT18-0018 & -0019; AAM18-002; EIS18-0012. As such the MAC voted unanimously on the following comments and recommendations for the consideration of the Planning Commission, as follows:

- (1.) The Penn Valley Area MAC unanimously recommends that the Use Permit be denied.
- (2.) The Penn Valley Area MAC unanimously recommends that the Planning Commission should take into consideration the applicant's compliance history when determining whether the Use Permit should be approved.
- (3.) The Penn Valley Area MAC unanimously recommends that the Use Permit, should it be considered for approval, allow up to but not more than twenty (20) separate events held within a year on non-consecutive weekends.
- (4.) The Penn Valley Area MAC unanimously recommends that a single separate event should be defined to be consistent with the applicable definition of a single outdoor event as referenced in the Nevada County General Code and Nevada County Ordinance 2383 (8/26/14) within the Use Permit, should it be considered for approval.
- (5.) The Penn Valley Area MAC unanimously recommends that the Use Permit, should it be considered for approval, require the applicant to provide written notice to all adjoining parcels/neighbors within at least thirty (30) days before an event is held.
- (6.) The Penn Valley Area MAC unanimously recommends that the Use Permit, should it be considered for approval, provide noise restrictions from bass subsonic frequencies that may not have a high decibel rating but remain a nuisance to the surrounding neighborhood (i.e. restricting subwoofers, etc.)
- (7.) The Penn Valley Area MAC unanimously recommends that the Use Permit, should it be considered for

approval, include reference language to the Right to Farm Act for adjoining parcel land use for the understanding of the Use Permit holder and the protection of the surrounding farming community in the future and in perpetuity.

- (8.) The Penn Valley Area MAC unanimously recommends that Nevada County establish and put in place a process by which the number of events and applicable restrictions can be monitored to ensure an applicant's compliance with the provisions and restrictions as outlined within the Use Permit as approved.

Thank you for the opportunity to provide comment on this important issue to our county and the community's interests.

Regards,



Mike Mastrodonato
Chair, Penn Valley Area Municipal Advisory Council