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## NEVADA COUNTY PLANNING COMMISSION STAFF REPORT

**FILE NOs:** PLN24-0089; GPA24-0003;  
RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007

**HEARING DATE:** December 2, 2025

**APPLICANT/OWNER:** North State Grocery, Inc. (Holiday Market)

**REPRESENTATIVE:** Richie Morgan

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**PROJECT:** A proposed General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750-square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5 acre parcel. The proposed grocery store will employ a total of 75 employees, with 30-35 employees being onsite at one time. The grocery store will be open seven (7) days a week from 6:00 am to 11:00 pm.

The subject parcel currently has a General Plan designation of both Neighborhood Commercial (NC) and Industrial (IND) and corresponding zoning of Neighborhood Commercial, Site Performance Combining (C1-SP) District and Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The General Plan Amendment (GPA24-0003) proposes to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District.

The Development Permit (DVP24-2) is required for review and approval of the proposed 30,711 square foot grocery store building including an approximate 750 square foot interior area for a Starbucks Coffee restaurant and outdoor seating area, and other related site improvements. The project will be served by public sewer and will be annexed into the Nevada County Sanitation District No. 1, Penn Valley, Zone 6. The Management Plan (MGT24-0011) is required due to the removal of 4.64 acres of Landmark Groves including five (5) Landmark Oak Trees on the subject property.

**LOCATION:** 18805 and 18807 Pine Shadows Lane, Penn Valley, CA 95946. Project parcel is located along the south side of Pine Shadows Lane and the east side of Pleasant Valley Road, approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection.

**ASSESSOR'S PARCEL NUMBER:** 051-240-014

**PROJECT PLANNER:** Steve Geiger, Senior Planner

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<b>General Plan:</b>	Neighborhood Commercial (NC)/Industrial (IND)	<b>Supervisor District:</b>	District 4
<b>Region:</b>	Penn Valley Community	<b>Recreation:</b>	Western Gateway
<b>Zoning:</b>	C1-SP; M1-SP	<b>Schools:</b>	Penn Valley USD/NJUHSD
<b>Parcel Size</b>	5.50-acres	<b>Fire:</b>	Penn Valley Fire
<b>ZDM:</b>	16a	<b>Sewage:</b>	Currently individual septic system; Proposed public sewer (Nevada Co. Sanitation Dist. No. 1, Penn Valley, Zone 6)
<b>Farmland:</b>	Urban and Built-Up; Grazing	<b>Water:</b>	NID
<b>Flood Map:</b>	0604	<b>Flood Zone:</b>	X
<b>Previous File:</b>	None		

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**ATTACHMENTS:**

1. Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program
  2. Initial Study/Mitigated Negative Declaration
  3. Architectural Site Plan
  4. Floor plan, Elevations, Lighting Details
  5. Landscape Plan
  6. Existing and proposed General Plan and Zoning Exhibit Map
  7. Existing Traffic Counts (2025 vs. 2022)
  8. Comments Received
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**RECOMMENDATIONS:**

1. Environmental Action: Recommend the Board of Supervisors adopt Mitigated Negative Declaration EIS24-0007.
2. Project Action: Recommend the Board of Supervisors approve the General Plan Amendment (GPA24-0003), Rezone (RZN24-0003); Development Permit (DVP24-0002); and Management Plan (MGT24-0011), to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5 acre parcel, subject to the Conditions of Approval and Mitigation Monitoring & Reporting Plan (MMRP) contained in Attachment 1 of this Staff Report.

## **BACKGROUND**

The applicant (Holiday Market) currently operates an existing grocery store located at 11324 Pleasant Valley Road, within the commercial area directly across from the entrance to the Lake Wildwood Subdivision. The existing store is located approximately one mile north of the proposed project site. The applicant indicates they would like to expand the size of their store to provide more products and services to customers but are constrained by the existing location and are not able to expand the existing store.

This proposed project has been in the planning, discussion, and review stages for the last few years. On October 19, 2023, the applicant made a presentation on the project to the Penn Valley Municipal Advisory Council (PVMAC). According to the meeting minutes, the applicant addressed both public and council member comments and questions regarding issues such as: traffic congestion, delivery routes, closing the current store location, possibility of including a walking trail or bike path, changes to access/egress from Pleasant Valley Road, Caltrans approval of new road accesses/intersections, amenities of the new grocery store, pace of construction, and golf cart access. At the end of the presentation, the PVMAC Chair stated since the project had not yet been submitted to the County, the PVMAC could not make a motion for approval or disapproval to Supervisor Susan Hoek.

On May 20, 2024, the applicant formally submitted this project to the Planning Department. Staff conducted its initial review of the project and on June 20, 2024, issued an Application Incomplete letter to the applicant which contained questions and required items still needed for further processing of the application to occur. The items required included the following:

- Revising plans to address setback issues with proposed retaining walls;
- Submittal of a Noise and Vibration Assessment;
- Submittal of a Transportation Demand Management Plan;
- Revision of the proposed Landscape Design Plan;
- Revisions to the Lighting Plan;
- Screening of a proposed trash compacter/recycling area;
- Submittal of an Air Quality and Greenhouse Gas Modeling analysis;
- Submittal of a Vehicle Miles Traveled (VMT) analysis;
- Clarification of Traffic Mitigation Measures;
- Submittal of a site distance analysis and a truck turning exhibit;
- Conducting a tribal survey for the presence of unrecorded Tribal Cultural Resources.

On February 28, 2025, the Planning Department received a resubmittal of the project with additional information related to the Application Incomplete letter. The original project submittal had included a Tentative Parcel Map application proposing to divide the subject property into two parcels: one proposed for the C1-SP zoning and the other for the M1-PD-SP zoning. With the resubmittal, the applicant is no longer proposing the Tentative Parcel Map. After reviewing the resubmittal, Planning staff determined the requested information had been provided and

issued a Notice of Completeness letter to the applicant on April 24, 2025, allowing for processing and review of the application to continue.

On October 8, 2025, the applicant presented the project at a town hall meeting held at the community of Lake Wildwood. County staff was present at the meeting and provided information on the processing and status of the project. The meeting was well attended with many residents expressing concerns over potential traffic and traffic safety impacts. The applicant's presentation included a discussion of the traffic analysis and its findings by the applicant's traffic consultant.

**PROJECT LOCATION, SITE DESCRIPTION, AND SURROUNDING LAND USES:**

The project site is located within the central portion of a small Neighborhood Commercial (NC) and Industrial (IND) corridor that extends approximately 0.35 mile north of State Highway 20, located on the east side of Pleasant Valley Road, and within the Penn Valley Community Region. The site is located approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection and approximately one mile south of the entrance to the Lake Wildwood residential subdivision. Access to the site is from Pine Shadows Lane, which extends east from Pleasant Valley Road along the northern boundary of the site. A secondary access is provided from Commercial Avenue which extends east from Pleasant Valley Road to the south and currently ends near the southern boundary of the site.

The subject parcel is approximately 5.5-acres in size comprised of sloped terrain located along the east side of Pleasant Valley Road and south side of Pine Shadows Lane. Pleasant Valley Road serves as the main gateway to the Lake Wildwood Community Region from Highway 20 and Penn Valley. The parcel is located approximately 0.25 mile north of the Pleasant Valley Road/State Route 20 intersection, within the northwest edge of the Penn Valley Community Region, in a partially developed commercial and industrial area along the east side of Pleasant Valley Road. The parcel is currently developed with a residence and accessory buildings which will be removed to allow construction of the proposed project.

Directly north of the project site is a parcel with the same split zoning as the subject parcel (C1-SP/M1-SP) that is developed with a mini-storage light industrial use, parcels to the east are zoned AG-5-SP and AG-5 and are developed with rural residential uses, to the south is C1-SP/M1-PD-SP split zoning with parcels developed with multiple commercial and industrial uses, and directly to the west across Pleasant Valley Road is a vacant parcel zoned IDR-SP (Interim Development Reserve, Site Performance Combining) with rural residences on parcels zoned AG-5 located further west.

# Holiday Market: Project Zoning and Notification Map



Figure 1. Project Zoning, Vicinity and Public Notice Map

**PROJECT DESCRIPTION:**

The project proposes an application for a General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5-acre parcel. The proposed grocery store will employ a total of approximately 75 employees, with 30-35 employees being onsite at one time. The grocery store will be open seven (7) days a week from 6:00 am to 11:00 pm.

The subject parcel currently has a General Plan designation of both Neighborhood Commercial (NC) and Industrial (IND) and corresponding zoning of Neighborhood Commercial, Site Performance Combining (C1-SP) District and Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The General Plan Amendment (GPA24-0003) proposes to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The Development Permit (DVP24-2) is required for review and approval of the proposed 30,711 square foot grocery store building including an approximate 750 square foot interior area for a Starbucks Coffee restaurant and outdoor seating area, and other related site improvements. The Management Plan (MGT24-0011) is required due to the removal of 4.64 acres of Landmark Groves including five (5) Landmark Oak Trees on the subject property.

Existing on-site improvements to be removed for the project include a residence and accessory building. Proposed project improvements include: a 30,711 square foot Holiday Market grocery store building including an approximate 750 square foot interior area and outdoor seating area for Starbucks Coffee; 158 paved parking spaces located both in front (west side) and behind (east side) of the proposed grocery store building; paved two-way accessways to the project site located along the north and south sides of the subject parcel; freestanding outdoor parking lot lighting; a loading dock, trash compactor, and recycling area with enclosure located on the rear (east) side of the proposed grocery store building; retaining walls; landscaping; and a monument sign located along the Pleasant Valley Road property frontage. Figure 2 shows the proposed site plan for the project.

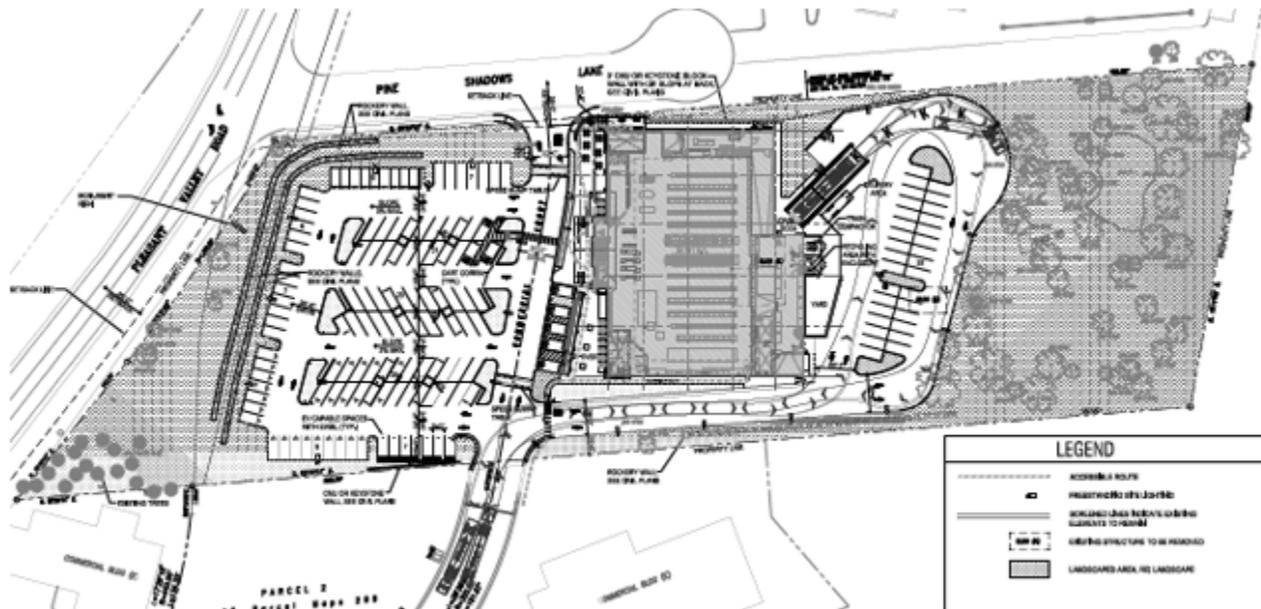


Figure 2. Proposed Site Plan

Proposed project signage will include a monument sign to be located along the Pleasant Valley Road frontage approximately 80 feet south of Pine Shadows Lane. Wall mounted signage on the building is proposed and additional on-site directional signage may also be proposed. Size and design details of the proposed project signage are currently being worked on and a comprehensive sign program that is consistent with Nevada County Code requirements will be required to be submitted to the Planning Department for review and approval.

The project proposes to install twenty-five (25) parking lot pole lights with nineteen (19) of them being 20 feet in height and six (6) of them being 15 feet in height. In addition, wall mounted lighting is proposed on the building at locations ten to fifteen feet in height.

The proposed building frontage is orientated to the west, facing Pleasant Valley Road with the north side of the building facing toward Pine Shadows Lane. The proposed building will utilize a variety of neutral, earth tone colors including Nomadic Desert (light brown), Panda White, Reddened Earth (red/brown), and Cloak Gray. The building will also have varying materials including metal roofing, cement plaster siding, cement fiber siding, both smooth and split face CMU block, and river stone siding.

Several architectural treatments are provided including but not limited to: wall variations with different colors and materials, varying roof lines and heights along the west elevation, metal roof overhangs located above windows, and decorative wall light fixtures primarily along the west elevation. In addition to these building materials, rock retaining walls are proposed along the

Pleasant Valley Road frontage (west side), along the northwest corner of the site, and along the southeast boundary of the site. See Figure 3 below for building exterior elevations.

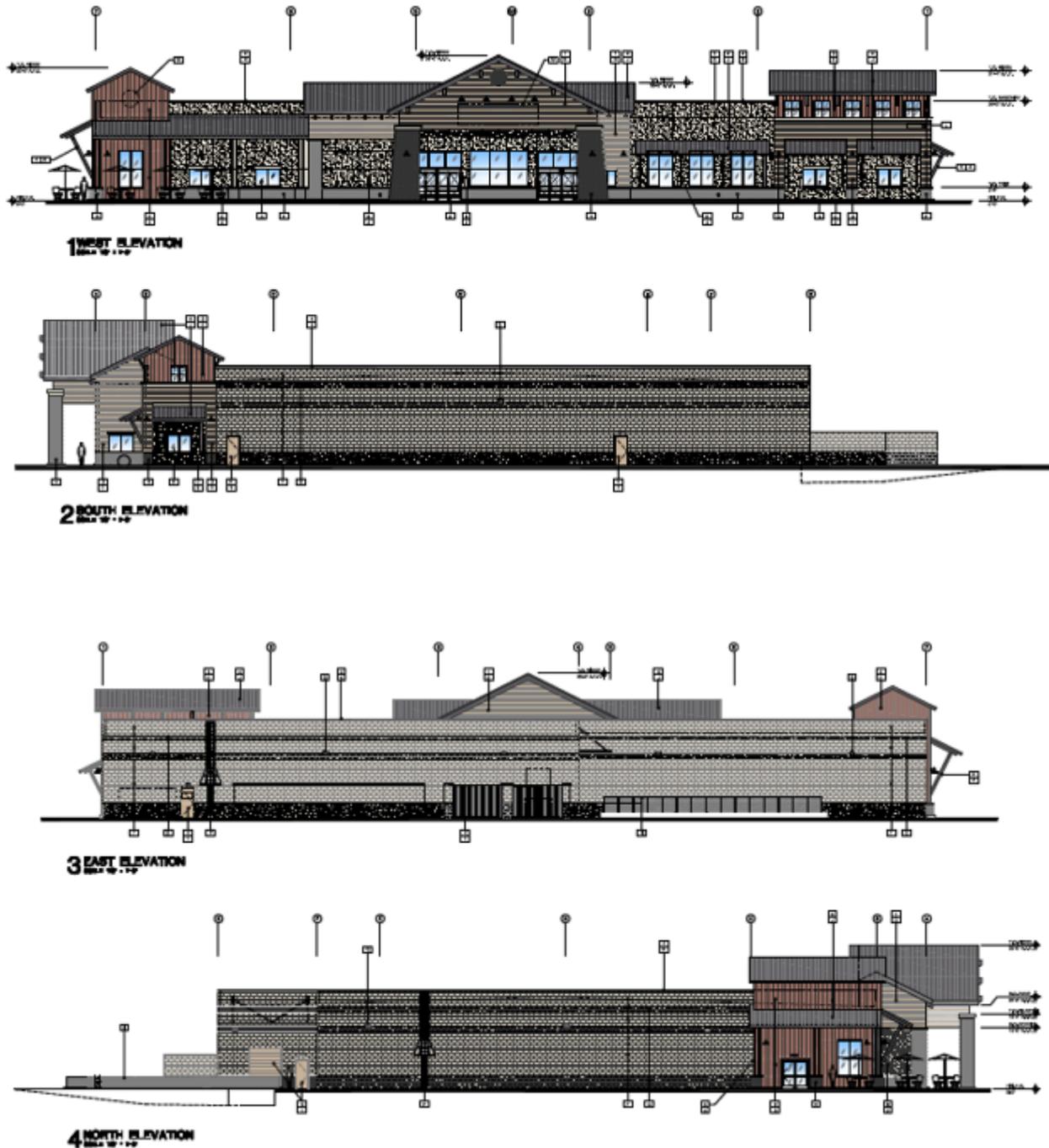
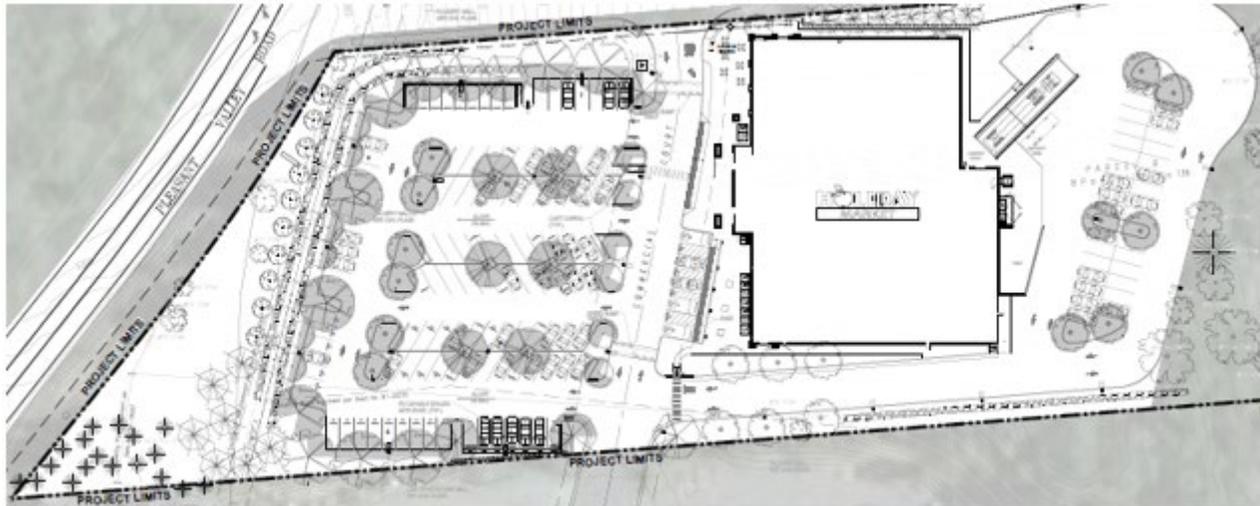


Figure 3. Building Elevations

The project proposes approximately 55% of the site as impervious surface, including asphalt for circulation and parking lot areas and buildings. A total of 39% of the site located in the eastern

portion of the subject parcel will be retained as open space area, and 6% of the site will be required landscape area. The landscape design plan submitted by the applicant shows a total of thirty-six (36), 24-inch box trees consisting of two separate species and forty-five (45), 15-gallon trees consisting of four separate species. Ten different species of 5-gallon shrubs are proposed along with a species of one-gallon groundcover. The landscape plan details the site's shade trees will provide 43.7% parking lot coverage within 15-years of building permit issuance, meeting the Nevada County Code requirement of 40%. The project provides street front landscaping consisting of 17 new trees planted and 19 existing trees to remain. See Figure 4. Landscape Design Plan.



PRELIMINARY TREE PLANTING PALETTE					
TREE SPECIES SYM	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WATER DEMAND
	QUERCUS LOBATA	VALLEY OAK	15 GAL	9	V. LOW
	PISTACIA CHINENSIS KEITH DAVEY	CHINESE PISTACHE	15 GAL	13	LOW
	PRUNUS X. YEDOENSIS	FLOWERING CHERRY 'ANZONO'	34" BOX	18	LOW
	PINUS HALEPENSIS	ALEPPO PINE	15 GAL	13	LOW
	PYRUS CALLERYANA 'NEW BRADFORD'	ORNAMENTAL PEAR	34" BOX	18	MEDIUM
	LAGERSTROEMIA H. 'MUSKOGEE'	LAVENDER CRAPE MYRTLE	15 GAL	10	LOW
	EXISTING TREE TO REMAIN (TYP.)				N/A

PRELIMINARY SHRUB PLANTING PALETTE				
SHRUB SPECIES	BOTANICAL NAME	COMMON NAME	SIZE	WATER USAGE
	ARCTOSTAPHYLOS 'JOHN DOURLEY'	LOW GROWING MANDARINA	5 GAL	LOW
	FEUJIA BELLOWANA	PINEAPPLE GUAVA	5 GAL	LOW
	GREVILLEA ROSMARINIFOLIA	ROSEMARY GREVILLEA	5 GAL	LOW
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	LOW
	LAVANDULA S. 'OTTO QUAST'	SPANISH LAVENDER	5 GAL	LOW
	MULLENBERGIA RIGENS	DEER GRASS	5 GAL	LOW
	NANDINA D. 'NANA'	DWARF HEAVENLY BAMBOO	5 GAL	LOW
	OLEA EUROPAEA 'PETITE OLIVE'	DWARF OLIVE	5 GAL	LOW
	RHAPHIDOLEPIS L. 'CLARA'	WHITE INDIAN HAWTHORN	5 GAL	LOW
	ROSMARINUS OFFICINALIS 'DOLLINGWOOD INGRAM'	DWARF ROSEMARY	5 GAL	LOW
GROUNDCOVER SPECIES				
BOTANICAL NAME	COMMON NAME	SIZE	WATER USAGE	
MYOPORIUM PARVIFOLIUM 'PUTAH CREEK'	CREeping MYOPORIUM	1 GAL	LOW	

SHADE CALCULATIONS					
	QUERCUS LOBATA		PISTACIA CHINENSIS KEITH DAVEY		PRUNUS X. YEDOENSIS
% SF	100% 25% 50% 25%	% SF	100% 25% 50% 25%	% SF	100% 25% 50% 25%
QTY	2 2 4 1	QTY	7 2 3 5	QTY	12 0 0 0
TOTAL: 6,828 SF		TOTAL: 7,880 SF		TOTAL: 8,880 SF	
	PYRUS CALLERYANA 'NEW BRADFORD'	<b>SHADE CALCULATIONS</b>			
% SF	100% 25% 50% 25%	TOTAL PARKING AREA ADJACENT: 47,670 SF			
QTY	3 3 3 3	REQUIRED SHADE AREA 40%: 19,068 SF			
TOTAL: 2,388 SF		15-YR PROVIDED SHADE AREA: 26,652 SF			
		PROVIDED SHADE AREA %: 43.7%			

**PROPERTY LINE ENCLOSURE:**  
 THE PROPERTY LINES SHOWN ON THESE PLANS WERE PROVIDED BY MILESTONE ASSOCIATES, INC. AND ARE FOR REFERENCE PURPOSES ONLY AND DO NOT REPRESENT THE ACTUAL PROPERTY LINES. THE ACTUAL PROPERTY LINES CAN ONLY BE ESTABLISHED WITH A BOUNDARY SURVEY. NOTICE IS HEREBY GIVEN THAT THE DEVELOPER/CONTRACTOR AND/OR HIS SUBCONTRACTORS SHALL ACCEPT FULL RESPONSIBILITY FOR THE LAYOUT OF THE PROJECT. LANDSCAPE ARCHITECT WILL NOT ACCEPT LIABILITY FOR ANY OF THE FACILITIES CONSTRUCTED OUTSIDE OF PROPERTY BY OTHERS, BASED UPON THE INFORMATION CONTAINED HEREIN.

Figure 4. Landscape Design Plan

Proposed Preliminary earthwork calculations estimate a cut of approximately 39,200 cubic yards and fill of 17,255 cubic yards. The project will also include construction of a sidewalk along the south side of Pine Shadows Lane, from Pleasant Valley Road to the entrance to the proposed parking lot. Water will be provided from the Nevada Irrigation District and wastewater from the

Nevada County Sanitation District No. 1, Penn Valley, Zone 6 after the property is annexed into the District.

**STAFF COMMENT:**

This project contains the following applications: General Plan Amendment, Zoning District Map Amendment (Rezone), Development Permit, and Management Plan. Each of these application requests are discussed below:

**General Plan Amendment/Zoning District Map Amendment (Rezone):** The project parcel has two General Plan land use designations. The western one-third portion of the subject property is designated Neighborhood Commercial (NC) by the Nevada County General Plan, while the central and eastern two-thirds portion is designated Industrial (IND). The parcel has corresponding zoning classifications of Neighborhood Commercial with Site Performance Combining District (C1-SP) on the western portion and Light Industrial with Site Performance and Planned Development Combining District (M1-PD-SP) on the central and eastern portion. The SP combining district requires adherence to policies and standards of the Penn Valley Area Plan.

Located directly north of the subject parcel is property that is also designated Neighborhood Commercial (NC) with corresponding C1-SP zoning, and property developed with a mini-storage facility that is designated Industrial (IND) with corresponding M1-SP zoning. To the east are parcels designated Rural-5 (RUR-5) with corresponding AG-5-PD-SP zoning that are developed with scattered rural residences. To the south are parcels designated Neighborhood Commercial (NC) with corresponding C1-SP zoning and Industrial (IND) with corresponding M1-PD-SP developed with various commercial and industrial uses. Directly to the west are parcels designated Planned Development with an underlying mix of Neighborhood Commercial and Open Space. These parcels are zoned IDR-SP (Interim Development Reserve, Site Performance Combining) and are mostly undeveloped.

The General Plan Amendment proposes to adjust the current boundary line between the two existing designations. The proposed amendment will result in an increase in the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and a decrease in the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District.

There are no new General Plan or zoning designations proposed by the project. The project will result in an increase in Neighborhood Commercial and corresponding C1-SP zoning of approximately 2.4 acres (1.9 to 4.3 acres) which will result in a decrease in Industrial and corresponding M1-PD-SP zoning of approximately 2.4 acres (3.6 to 1.2 acres). The adjustment in the land use designations is necessary to accommodate the proposed 30,711 square foot grocery store building entirely on commercially designated land.

**Development Permit:**

Development permits are governed by Nevada County Code Section 12.05.050. Development permits are required to conform to all laws and requirements of the County Code. The purpose of a Development Permit is to allow for consideration of uses that are generally consistent with the purpose of the zoning district but require careful review to ensure compliance with all site development standards of the County Code. Administrative Development Permits provide for those smaller development projects where the review ensures consistency with Code standards. Larger development projects require either Zoning Administrator or Planning Commission review to allow an opportunity for public input.

Pursuant to Nevada County Code Section 12.05.050.E.4., the Planning Commission automatically considers development permits involving commercial projects of 10,000 square feet or larger and as in the case if this application, development permits combined with any other application requiring Planning Commission consideration (General Plan Amendment/Rezone). A total of twelve (12) specific findings are required to be made for either an approval or denial of a Development Permit as outlined in Section 12.05.052.C. of the Zoning Regulations.

The proposed project requests approval of a Development Permit to allow for a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area. Under Nevada County Code Zoning Regulations Table 12.02.040.D, indoor retail sales and restaurants are allowable uses in the Neighborhood Commercial (C1) zoning district with approval of a Development Permit.

**STAFF COMMENT:**

The purpose of the Nevada County Zoning Regulations is to provide requirements to guide the design, location, and development of new land uses and the alteration of existing uses. The regulations assist in furthering numerous County General Plan goals, objectives and policies that provide for the preservation and enhancement of the County’s rural quality and small-town character. They also assist to further General Plan provisions for maintaining the County’s high-quality natural landscape and scenic resources, as well as protecting existing historical resources. This section will discuss how the project has demonstrated compliance with applicable site development standards and where specific conditions or mitigation measures have been required of the project to ensure it meets those standards.

The project application materials have been reviewed by County departments and agencies and responsible regional, state, and federal departments and agencies for their review and comment. The agency comments and the results of Staff’s policy review are discussed below.

**Neighborhood Commercial (C1) District Site Development Standards**

The C1 Zoning District is intended to provide for the retail and service needs of nearby neighborhoods, and to provide limited mixed-use employment opportunities. As discussed above, the proposed indoor retail sales (grocery store) and restaurant (Starbucks) uses are allowed in this zoning district with the approval of a Development Permit.

Nevada County Code Table 12.02.040.E establishes the site development standards for any development within a Commercial Zoning District such as the C1 zone. These standards include: standard building setbacks for front yard (35-feet from the center line of the Pine Shadows Lane Right of Way, with a mean average of 45-feet), exterior yard (10-feet from the Pleasant Valley Road Right of Way, with a mean average of 20-feet), interior side (0-feet), and rear yard (0-feet); building height limits of 45-feet or 3 stories, whichever is less; reference to the County's Fencing standards; maximum impervious surfacing of 85% maximum; reference to the County's Parking regulations; reference to the County's sign regulations; minimum road frontage requirements; and minimum parcel size. Most of these standards are outlined in the adopted County Comprehensive Site Development Standards (Nevada County Code Title 12 Chapter 4 Sections 12.04.010-12.04.112), which are discussed in more detail below. The project as designed meets the applicable standards including setbacks, impervious surfaces, and building height. The project is not proposing any new parcels and as it exists is consistent with the minimum parcel size and road frontage requirements for the C1 zone.

Overall, the proposed project meets all site development standards of the C1 Zoning District identified in the Nevada County Zoning Regulations.

### Design and Site Layout

The subject 5.5-acre parcel is bordered by Pine Shadows Lane to the north and Pleasant Valley Road to the west. The proposed 30,711 square foot grocery store building will have a varying setback of approximately 250 to 400 feet from the west property line along Pleasant Valley Road. A total of 158 parking spaces are proposed with 126 spaces provided in front of the proposed building providing direct customer access to the building entrance and 32 spaces will be provided behind the proposed building. Based on the parking requirement of one space per 200 square feet of floor area, a total of 154 parking spaces are required. Nine (9) EV parking spaces with Electric Vehicle Supply Equipment (EVSE) are initially proposed for the project and 26 future EV capable spaces have been designated. (See Site Plan, Attachment 3).

Primary access to the site will be provided by Pine Shadows Lane which borders the site to the north. One lane will provide for entrance to the subject property and one lane will provide for exiting the property. Commercial Court, which currently terminates at the south property line of the parcel, will be extended onto the property to provide a secondary access originating from Pleasant Valley Road and the accessway directly in front of the proposed grocery store. Paved walkways will be provided along the west (front), north, and south sides of the proposed building.

The subject property is located within the Penn Valley Community Region and is subject to the Penn Valley Area Plan. Chapter 4: Existing Public Services, Pedestrian Improvements, of the Area Plan encourages the development of pedestrian walkways and paths to link adjacent uses and reduce dependency on the automobile. A community-identified solution includes supporting the development of a future extension of the Penn Valley Drive pedestrian and bike trail along Pleasant Valley Road. The subject parcel is approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection. Properties located along the east side of Pleasant Valley Road from this intersection south of the subject property have not been required to provide a

pedestrian walkway or path at the time they were developed. Staff is therefore not requiring this applicant to dedicate area or provide a walkway at this time. As a mitigation measure (MM#17H) to encourage pedestrian and bicycle access, the applicant will construct paved pedestrian sidewalks along the west, north, and south sides of the proposed building. In addition, a sidewalk will be provided along the south side of Pine Shadows Lane and bicycle racks will be provided along the grocery store building frontage for bicycle parking.

The front of the proposed building will be orientated to the west, facing Pleasant Valley Road with the north side of the building facing toward Pine Shadows Lane. The proposed building will utilize a variety of neutral, earth tone colors including Nomadic Desert (light brown), Panda White, Reddened Earth (red/brown), and Cloak Gray. The building will also have varying materials including metal roofing, cement plaster siding, cement fiber siding, both smooth and split face CMU block, and river stone siding. Areas for storage, recycling and a trash compactor will be located behind the building adjacent to the rear wall and will be screened from view with matching smooth and split face CMU block walls and steel gate doors painted colors to match the building.

Several architectural treatments are provided including but not limited to: wall variations with different colors and materials, varying roof lines and heights along the west elevation, metal roof overhangs located above windows, and decorative wall light fixtures primarily along the west elevation. In addition to these building materials, rock retaining walls are proposed along the Pleasant Valley Road frontage (west side), along the northwest corner of the site, and along the southeast boundary of the site (See Elevations in Figure 3 above).

The project is consistent with the following Penn Valley Area Plan Design Guidelines:

**SP13. Site design should consider the placement and screening of utilities, storage areas, and auxiliary structures.** A storage area, trash compactor, and recycling area will be located behind the building adjacent to the rear wall and will be screened from view.

**BD2. Building facades should be designed to provide visual interest and relief.** The proposed building will include a variety of neutral, earth tone colors, varying materials, varying heights, and architectural treatments that will provide visual interest.

**BD4. Commercial structures should not exceed a height of 35 feet or two stories.** The proposed building will have varying heights and will be 35 feet at its highest point.

**BD7. Exterior wall colors should harmonize with the site and surrounding buildings.** This guideline states the predominant color on exterior walls should be in earthy hues, such as tans, grays or browns. The proposed building proposes earth tone colors such as light brown, red/brown, and gray.

**BD9. Windows should be simple and uncluttered.** The building elevations provided show proposed windows on the building to be simple and uncluttered.

**BD11. Commercial, industrial and multi-family development interior trash enclosures should be fully enclosed with materials compatible with building materials used on site.** The proposed

trash enclosure area will be fully enclosed with walls and gates compatible with proposed building materials.

Staff believes the project is consistent with the Penn Valley Area Plan Design Guidelines and the Western Nevada County Design Guidelines. Condition A.5 is included to ensure final design is consistent with the preliminary design.

### Signage

Based on the site plan, proposed project signage will include a monument sign to be located along the Pleasant Valley Road frontage approximately 80 feet south of Pine Shadows Lane. Nevada County Code Section 12.04.112.K.4.b.(2) allows a single monument sign for multiple tenants (Holiday Market and Starbucks Coffee) not to exceed fifty (50) square feet in size and a height of six (6) feet. Wall mounted signage is proposed above the entrance on the front of the building and additional on-site directional signage may also be proposed. Size and design details of the proposed project signage are still being prepared. As a condition of approval, a comprehensive sign program that is consistent with Nevada County Code requirements, the Penn Valley Area Plan and Western Nevada County Design Guidelines will be required to be submitted to the Planning Department for review and approval (Condition A.6).

### Lighting

Proposed outdoor lighting will be required to conform with the requirements of Zoning Regulations Section 12.04.108. The project proposes to install twenty-five (25) parking lot pole lights with nineteen (19) of them being 20 feet in height and six (6) of them being 15 feet in height. In addition, wall mounted lighting is proposed on the building at locations ten to fifteen feet in height. As a condition of approval (A.7), all light poles proposed behind (east side of) the proposed building shall be limited to a maximum height of fifteen (15') feet, as shown on the photometric plan, due to the rural zoning (AG) located adjacent to the east. Light poles proposed along the front (west side) and along the north and south sides and not behind the proposed building shall be limited to a maximum height of twenty (20') feet.

Two mitigation measures (MM#1A and #1B) are being required for the project. Mitigation Measure 1A requires all outdoor light fixtures to be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited. Mitigation Measure 1B will require the applicant to provide a final lighting and photometric plan that demonstrates all project lighting shall be maintained on site. This plan should include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at "0" at all property lines.

### Landscaping/Permanent Open Space

The project proposes approximately 55% of the site as impervious surface, approximately 39% as undeveloped open space area, and approximately 6% as landscaped area. The landscape

plan prepared by a licensed landscape architect shows a total of thirty-six (36), 24-inch box trees consisting of two different species (Flowering Cherry 'Akebono' and Ornamental Pear) and forty-five (45), 15-gallon trees consisting of four different species (Valley Oak, Chinese Pistache, Aleppo Pine, and Lavender Crape Myrtle). Ten different species of 5-gallon size shrubs are proposed and Creeping Myoporum will be provided as groundcover (one-gallon size).

According to the preliminary landscape plan submitted, the proposed shade trees will provide 43.7% parking lot shade coverage within 15 years of building occupancy which meets the 40% shade coverage required by the Nevada County Code Section 12.04.107. Required buffer landscaped areas along street frontages is provided with four different tree species being provided along the Pleasant Valley Road frontage. Standard conditions of approval are required to ensure final landscape plans are consistent with the State Model Water Efficient Landscape Ordinance (MWEL0), that final plantings are accomplished consistent with the preliminary plan, that locations of proposed shrubs and their species are shown on the plan, and a letter of surety is provided to ensure the long-term maintenance of landscaping for the life of the project. The project as conditioned meets the County's landscape requirements. Final landscaping is subject to Section 12.04.107 and condition A.11.

Nevada County Code Section 12.04.110 requires that projects within commercial zoning districts located below 4,000-foot elevation and on parcels greater than one acre in size provide a minimum of 15% of the site as permanent open space. As noted above, the applicant is providing approximately 39% of the subject parcel as permanent open space area. This area is primarily provided in the eastern portion of the site beyond the rear parking lot area where existing trees and other vegetation will remain.

**Management Plan:**

Nevada County Code Section 12.04.215 contains provisions to protect both Landmark Trees and Landmark Groves when a development project is proposed. A Landmark Tree includes any oak tree that is thirty-six (36) or more inches in diameter measured at breast height (DBH = 4' 6"), and a Landmark Grove includes hardwood tree groves with a 33+% canopy closure. Projects that propose to remove or disturb Landmark Trees and/or Landmark Groves may only be approved with review and approval of a Management Plan. Based on the large number of trees on the subject property, the size and location of the proposed project, and potential for impacts to Landmark Trees and Groves, a Tree Inventory and Arborist Report along with a Management Plan were required to be submitted with the project.

The Tree Inventory was conducted by an ISA Certified Arborist and included an inventory of all native trees equal to or greater than 6" DBH. A total of one hundred fifty (150) trees with a DBH of 6" or greater were mapped within the project area. Of these, one hundred twenty-five (125) trees were identified as either Interior Live Oaks or Blue Oaks. A total of eight (8) native oak trees were identified to be Landmark Trees. In addition, the Interior Live Oak Woodland present on the project parcel also has greater than 33% canopy closure and is therefore considered a Landmark Grove by the Nevada County Code.

Most of the project site (4.64 acres) will be impacted by grading and clearing for the proposed project and related improvements. Of the eight Landmark Trees identified in the inventory, five will be removed in order to accommodate the proposed grocery store building, parking area, and

other improvements. The three Landmark Trees that will remain are located in the eastern portion of the subject parcel behind the building and rear parking area. The project will impact 4.64 acres of Landmark Grove and a total of 200 DBH inches from the five Landmark Trees that will be removed for the project. To address this impact, the applicant will be required to mitigate through payment into the in-lieu mitigation fund administered by the Bear Yuba Land Trust (BYLT). Based on the per acre mitigation fee for Landmark Groves and the separate mitigation fee for each DBH inch of Landmark Trees removed, the applicant's mitigation fee to be paid is approximately \$100,779.

### **ENVIRONMENTAL REVIEW:**

The Planning Department prepared a project specific draft Initial Study for the project and found this project will not result in a significant physical change to the environment. The draft Initial Study made a good faith effort to disclose anticipated future impacts of the proposed project. The draft initial study/proposed Mitigated Negative Declaration (MND) was circulated for public comment between October 17, 2025 and November 17, 2025. The Notice of Availability/Notice of Intent to adopt a Mitigated Negative Declaration was sent to several local and state responsible agencies as well as surrounding property owners.

As of this writing, the Planning Department has received seventy-one (71) public comments on the project during the California Environmental Quality Act (CEQA) public comment period. Included in these comments is a letter from the Central Valley Regional Water Quality Control Board (CVRWQB) indicating the project is subject to specific Board regulations and permitting requirements. A condition of approval has been added requiring the applicant to comply with the CVRWQB requirements and permitting requirements stated in their November 17, 2025 letter. Staff will provide the Planning Commission with additional comment letters received after this count was made subsequent to the distribution of this staff report.

Of the comments received, twenty-two (22) indicated support for the project and forty-seven (47) expressed concerns regarding the environmental review – primarily traffic and traffic safety related. One comment was received from LAFCo which requested a minor revision to the project description to include the project will be required to annex to the County Sanitation District. This revision has been made by staff. All letters are provided in Attachment 8 for the public record and consideration by the Planning Commission. The issue areas that have not been addressed above are outlined below. These issues include information in response to public comments that have been received:

#### **Aesthetics**

The proposed grocery store building will be setback over 250 feet from Pleasant Valley Road. The applicant is incorporating two rockery retaining walls in front of the proposed parking lot which along with the proposed building will be at a higher elevation than Pleasant Valley Road. The parking lot and building will not be visible for a long period by persons traveling in vehicles along Pleasant Valley Road due to this setback, higher elevation, and the speed at which vehicles are traveling along the road. The site is located between parcels already developed with existing commercial and industrial uses. Existing trees located behind the proposed building, along the

far eastern portion of the site, will be retained and will provide screening of the building from residences located to the east. Required landscaping along the front of the parcel along with the applicant retaining existing trees located at the southwest corner of the parcel will provide some visual buffering of the parking lot and building from Pleasant Valley Road.

The project will result in the applicant moving from their existing location across from the Lake Wildwood subdivision entrance to the subject property into their new proposed building. Staff notes the applicant's existing location is within an existing commercial shopping center with several tenants. Within retail commercial centers like this it's normal for tenants to come and go over time and to leave space available. Based on this commercial center's location in close proximity to Lake Wildwood, it's more likely the applicant's vacated space will not remain vacant for an extended period. The space will be attractive to a new business looking to relocate their or an existing business within the center looking for a larger space. The proposed project will therefore not lead to a building that is subject to blight. The project will not result in an impact to aesthetics. More information on aesthetics is contained in the Aesthetics section of the attached MND.

### Air Quality/Greenhouse Gas Emissions

Construction and operation of the proposed project has the potential to generate impacts to air quality and greenhouse gas (GHG) emissions. To address these potential impacts, an Air Quality and Greenhouse Gas Impact Analysis was prepared for the project by Raney Planning and Management (February 2025). The air quality and GHG impacts were evaluated in the Air Quality and Greenhouse Gas sections of the proposed attached MND (Attachment 2) and five mitigation measures are recommended. These include the use of alternatives to open burning, the use of grid power during construction where feasible as opposed to diesel generators, providing temporary traffic control, directing construction traffic flow to off-peak hours when practicable, and approval of a Dust Control Plan by the Northern Sierra Air Quality Management District.

### Biological Resources

In order to address potential impacts to biological resources, a Biological Resources Assessment (May 2024) and Special-Status Plant Survey Report (August 2024) were prepared for the project by Madrone Ecological Consulting. The Assessment identified potential impacts to nesting raptors and other birds, roosting bats, Northern California ringtail, and landmark trees and groves. To address these potential impacts to biological resources, a mitigation measure is recommended requiring a pre-construction nesting bird survey, preparation of a survey report, and potential additional mitigation if active raptor nests are found. Mitigation measures are also recommended requiring pre-construction roosting bat surveys be conducted during the breeding season, requiring non-invasive pre-construction surveys for Northern California ringtail and ringtail nests, and requiring a Worker Environmental Awareness Training (WEAT) be prepared and administered to the construction crews prior to any ground disturbing or vegetation removal activities.

A Tree Inventory and Arborist Report (April 2024) was also prepared for the project by Greg Matuzak Environmental Consulting. As discussed in the **Management Plan** section above, a mitigation measure is being required to mitigate for impacts to landmark trees and groves. More

information on potential impacts to biological resources is contained in the Biological Resources section of the attached MND.

### Cultural Resources/Tribal Cultural Resources

A Cultural and Paleontological Resources Assessment was prepared by Natural Investigations Company (Lori Harrington, M.A., R.P.A, and Dylan Stapleton, M.A., R.P.A.) and submitted with the project. This Assessment determined the sensitivity of the project area for the presence of buried deposits of cultural resources is low. In addition, the cultural and paleontology surface survey of the project area did not identify any new resources or any indication of buried deposits of cultural resources. While the sensitivity of the project area for the presence of buried deposits of cultural resources is low, a mitigation measure is being required to address any unanticipated discoveries of cultural or unique paleontological resources onsite.

In accordance with Assembly Bill (AB) 52, the project application was distributed to respective tribal agencies for tribal cultural resource review and comment. The United Auburn Indian Community (UAIC) requested consultation with the Nevada County Planning Department regarding the proposed project. On August 29, 2024, the UAIC Tribal Monitoring Program Lead conducted a site survey for the identification of tribal cultural resources (TCRs).

Based on the tribe's review and the survey results, and due to the proximity (within ¼ to 1/3 mile) of significant cultural sites and limited ground visibility, UAIC recommended three mitigation measures: one requiring the project contractor to provide a tribal cultural resources sensitivity and awareness training program for all personnel involved in project construction; one requiring tribal monitoring at initial ground disturbance in the project area; and one addressing unanticipated discoveries of tribal cultural resources. More detailed information is contained in the Cultural Resources and Tribal Cultural Resources sections of the attached MND.

### Geology and Soils

A Geotechnical Engineering Report was prepared by the NV5 Engineering consulting firm (dated April 2024) and submitted with this project application. To address potential impacts, a mitigation measure is included requiring the recommendations of the NV5 Geotechnical Engineering Report be implemented. These recommendations are included as Appendix B of the attached MND. With these recommendations required, the project will not result in any significant impacts to geology and soils.

### Hydrology and Water Quality

The project has the potential to impact hydrology and water quality. To address these impacts, two mitigation measures are included requiring best management practices for preventative erosion and sediment control measures in the project area and to include distribution of these practices to the contractor and their workers to ensure compliance. With these mitigation measures required, potential impacts to hydrology and water quality are less than significant.

### Noise

The proposed project has the potential to generate noise impacts from grading and construction activities. In addition, potential noise impacts may be generated by large heavy and medium duty trucks making deliveries to the site. In order to evaluate and address these potential noise impacts, an Environmental Noise and Vibration Assessment was prepared by Bollard Acoustical Consultants (October 8, 2024) and submitted with this project.

Based on the results of the Assessment, a total of nine (9) mitigation measures are being required to address potential noise impacts. On site construction activities has the potential to create noise annoyance to existing residences in the project area. These measures are:

1. During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday.
2. Use of temporary construction noise control measures for noise generated during construction.
3. Requiring all noise-producing project equipment and vehicles using internal-combustion engines to be equipped with manufacturers-recommended mufflers and be maintained in good working condition.
4. Compliance with all applicable regulations (federal, state, or local agency).
5. Use of electrically powered equipment instead of pneumatic or internal-combustion-powered equipment where feasible.
6. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.
7. Project area and site access road speed limits shall be established and enforced during the construction period.
8. All project on-site truck circulation related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). On-site truck circulation shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).
9. All project loading dock activities related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). Loading dock activities shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

More detailed information is contained in the Noise section of the attached MND. With these mitigation measures required, potential noise impacts are considered less than significant.

### Transportation

As previously stated, the primary access to the site will be provided by Pine Shadows Lane which extends east from Pleasant Valley Road and borders the site to the north. One lane will be provided for entrance to the subject property and one lane will provide for exiting the property. Commercial Court, which currently terminates at the south property line of the parcel, will be extended onto the property to provide a secondary access originating from Pleasant Valley Road. It will also serve as the accessway directly in front of the proposed grocery store.

The project has the potential to generate additional traffic that could conflict with a program plan, ordinance, or policy addressing the County's circulation system. The applicant submitted a Traffic Impact Analysis (TIA), or traffic study, prepared by GHD consultants to analyze potential transportation related impacts. The project and the Traffic Impact Analysis were circulated to the

County Public Works Department, Caltrans, and the Nevada County Transportation Commission (NCTC) for review.

The traffic study selected five primary intersections adjacent to and providing access to the project site for evaluation in coordination with the County of Nevada and Caltrans Highway Operations staff for the weekday AM and PM peak hour conditions. The study intersections for the project are listed below:

1. Lake Wildwood Drive and Pleasant Valley Road
2. Pine Shadows Lane and Pleasant Valley Road
3. Commercial Avenue and Pleasant Valley Road
4. Highway 20 and Pleasant Valley Road
5. Penn Valley Drive and Pleasant Valley Road

The roadway network that provides primary vehicle circulation for the project study area includes Lake Wildwood Drive, Pleasant Valley Road, Pine Shadows Lane, Commercial Avenue, Highway 20, and Penn Valley Drive. Regional access is provided by Highway 20, south of the project site.

Turning movement traffic counts for these five existing intersections were collected on Tuesday, August 30, 2022, during the AM peak and PM peak periods. The AM peak hour is defined as the one continuous hour of peak traffic flow counted between 7:00 AM and 9:00 AM, and the PM peak hour is defined as the one continuous hour of peak traffic flow counted between 4:00 PM and 6:00 PM under typical weekday conditions.

Level of Service (LOS) methodologies for intersections were used to determine if the project will cause an increase in traffic that is substantial and adverse in relation to the traffic load and capacity of the existing street system. LOS is a qualitative measure of traffic operating conditions, whereby a letter grade "A" through "F" is assigned to an intersection, or roadway segment, representing progressively worsening traffic conditions. LOS "A" represents free-flow operating conditions and LOS "F" represents over-capacity conditions.

Since the project site is located within the Penn Valley Community Region, Circulation Element Policy LU-4.1.2 from the General Plan is applicable:

*"The minimum acceptable level of service (LOS) for areas identified as Community Regions in the General Plan shall be LOS D, except where the existing LOS is less than D. In those situations, the LOS shall not be allowed to drop below the existing LOS. Level of service shall be based on the typical highest peak hour of weekday traffic."*

The results of the traffic study indicate the five evaluated intersections have existing AM and PM peak hour LOS ranging from LOS A (Pleasant Valley Road/Pine Shadows Lane – AM peak hour) to LOS D (Pleasant Valley Road/Commercial Avenue – PM peak hour) and are operating at acceptable conditions (LOS D or better) during the AM and PM peak hour.

The traffic study notes that significant vehicle queuing was observed for the southbound left-turn movement from Pleasant Valley Road onto eastbound Highway 20 during the AM peak hour.

The vehicle queue extended for approximately 800-1,000 feet back north on Pleasant Valley past Commercial Avenue and Pine Shadows Lane. The southbound vehicle queue dissipated after 15-30 minutes during the AM peak hour.

Project site trip generation was estimated for the proposed Holiday Market using square footage of the proposed market building. Daily and peak hour project trip generation was calculated by utilizing the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (11<sup>th</sup> Edition)* trip rates for Supermarket (ITE Code 850). The number of trips were estimated for daily and AM and PM peak hours of adjacent street traffic.

Since this type of project would serve traffic already using local roadways (Pleasant Valley Road), a pass-by reduction of trips can be considered. The pass by reduction is calculated based on ITE Publication *Trip Generation Handbook (3<sup>rd</sup> Edition, September 2017)*. A brief description of pass-by trips from the *ITE Trip Generation Handbook* is as follows:

*A pass-by trip is made as an intermediate trip on the way from an origin to a primary trip destination without route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offer direct access to the generator. Pass-by trips are not diverted from another roadway not adjacent to the site.*

According to average pass-by trip percentages from ITE Trip Generation Handbook (3<sup>rd</sup> Edition), supermarket uses would see a reduction of 36% during the AM peak hour and 36% during the PM peak hour. This coincides with the typical need or ability to get grocery items from the supermarket on the way to/from your destination (pass-by trips rather than new trips).

Since the proposed project would replace the existing Holiday Market use currently located north of the project site at the Wildwood Center, there would be an overall increase in net new vehicle trips. The Holiday Market at the Wildwood Center totals 12,870 square feet of supermarket uses. Since the existing Holiday Market at the Wildwood Center is currently generating vehicle trips, the net new increase in vehicle trips was calculated.

After accounting for existing Holiday Market uses at the Wildwood Center, the proposed project is expected to generate 1,071 net new daily trips with 33 net new AM peak hour trips and 102 net new PM peak hour trips. However, since the proposed project is essentially being moved and enlarged from the Wildwood Center to its current proposed site, all calculated peak hour vehicle trips associated with a 30,711 square-foot supermarket would be travelling through the access roadways/driveways at Pine Shadows Lane and Commercial Drive. Pass-by trips are not discounted at proposed project driveways from Pleasant Valley Road. Therefore, these vehicle trips would equate to 87 AM peak trips and 271 PM peak hour trip at proposed project driveways.

The traffic study includes a summary of the intersection operations for the weekday AM and PM peak hour scenarios for the Existing Plus Project Conditions. According to the summary, four out of the five study intersections would be operating at acceptable conditions (LOS D or better) during the AM and PM peak hour under Existing Plus Project Conditions. However, the intersection of Pleasant Valley Road and Commercial Avenue would be operating at LOS E (46.5 seconds of delay) during the PM Peak Hour.

To address this drop in LOS for the Pleasant Valley Rd./Commercial Ave. intersection, the traffic study identified a mitigation measure requiring the applicant to re-stripe the westbound Commercial Avenue approach to include a shared left-through and separate right-turn lane. With these proposed improvements, the Pleasant Valley Rd./Commercial Ave. intersection overall LOS would improve from LOS E (46.5 seconds of delay) to LOS D (33.5 seconds of delay) during the PM peak hour. This would result in the intersection being consistent with General Plan Circulation Element Policy LU-4.1.2, noted above. This information is summarized in Table 25 of the traffic study.

CEQA Guidelines Section 15064.3(a) states that “Generally, vehicle miles traveled is the most appropriate measure of transportation impacts.” Vehicle miles traveled (VMT) refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Regarding land use projects, CEQA Guidelines Section 15064.3(b)(1) states that vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.

The applicant’s traffic consultant evaluated the proposed project considering Caltrans’ Transportation Impact Study Guidelines (TISG) and its likely VMT impact. Based on TISG guidelines, it was determined a Vehicle Miles Traveled (VMT) analysis will not be required for this proposed project due to its size, land use, and overall characteristics. Based on the LCI guidance, the proposed project is a locally serving commercial-retail development and falls under the 50,000 square foot threshold for such VMT analyses. Retail projects larger than 50,000 square feet may be considered regional serving, so a VMT analysis should be prepared for projects that exceed the 50,000 square foot threshold. Based on the size of the proposed grocery store building (30,711 square feet), therefore, a VMT analysis is not required.

Additional mitigation measures required to address transportation related impacts include:

1. The improvement and extension of Commercial Avenue through the project site and connecting with Pine Shadows Lane.
2. Removal of the existing 90° parking along Commercial Avenue east of the existing cul-de-sac and re-striping this portion of Commercial Avenue to provide a centerline yellow stripe and white fog lines delineating two, 11-foot wide traffic lanes. Allow for parallel parking along this portion of Commercial Avenue.
3. The project applicant shall contribute to the County’s Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. The Nevada County Regional Transportation Plan (NCRTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20.
4. Install all-way-stop-control at the Commercial Drive/Project Rear Access Driveway intersection located south of the primary supermarket building.
5. Install raised speed table/crosswalk(s) on the Commercial Drive northern extension between the Holiday Market building and main parking field.
6. Install stop-sign control for northbound turning movements at Commercial Drive extension (site access driveway)/Pine Shadows Lane intersection.
7. Pedestrian sidewalks shall be installed along key project frontages (west, north, and south sides of building) and along the south side of Pine Shadows Lane. Pedestrian

connections shall be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. Bicycle racks shall be provided along the main building frontage for bicycle parking.

As stated in the **BACKGROUND** section at the beginning of this report, the applicant and County staff attended a Lake Wildwood Town Hall meeting on October 8, 2025, to present the project and provide information on the processing and status of the project. After the presentation, there were questions asked from several members of the audience. Most of the questions were related to traffic and traffic safety issues. In addition, some speakers questioned the age of the traffic count data used in the traffic study (August 2022), that commute patterns had changed, and stated that more current traffic data should be used.

As a result of these concerns, the traffic consultant conducted new AM peak period (7:00-9:00 a.m.) and PM peak period (4:00-6:00 p.m.) intersection turning movement counts at all five project study intersections on Pleasant Valley Road. These peak period traffic counts were conducted on Tuesday October 21, 2025. Schools were in session on this day and it reflected a typical commute period for employees traveling to and from work. The results of the new traffic data collection are shown in the 2025-2022 Volume Comparison Table (See Attachment 7).

As analyzed, the new 2025 intersection volumes are lower than 2022 traffic volumes at every project study intersection with one exception: Pleasant Valley Road/Highway 20. At this location, PM peak hour traffic volumes were 6.9% higher than the previous 2022 volumes. Intersection operations (Level-of-Service) were re-calculated for Existing (No Project) and Existing plus Project conditions. As a result of increased volumes, intersection operations at the Pleasant Valley Road/Highway 20 intersection would remain unchanged from previous 2022 levels with increases of 1.4 – 1.5 seconds of delay in overall intersection LOS. During the AM peak hour for Existing (No Project) Conditions, intersection LOS would remain unchanged (LOS C 21.9 seconds of delay to LOS C 23.3 seconds of delay). During the PM peak hour for Existing plus Project, intersection LOS would remain unchanged (LOS C 22.1 seconds of delay to LOS C 23.6 seconds of delay). Therefore, no revisions to the Mitigated Negative Declaration are necessary. No other project study intersection experienced increases in overall AM or PM peak hour volumes (condition C.34).

As a mitigation measure, the applicant will be required to pay the County's Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. This fee will be applied to future County regional roadway improvements. The Nevada County Regional Transportation Plan (NCRTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20. Based on the NCRTP 2025-2045 (July 2025 Draft), the total costs for these improvements are estimated at \$804,000 with funding sources from the County's Local Transportation Mitigation Fee (LTMF). The project applicant is required to contribute their fair share toward this estimated cost based on the County's fee schedule.

In addition, to address potential traffic safety issues at the intersection of Pleasant Valley Road/Pine Shadows Lane, a condition has been added requiring the applicant to stripe the westbound Pine Shadows Lane approach to Pleasant Valley Road to include a separate left and right turn lane.

For more information on potential transportation impacts, see the Transportation section of the attached MND.

### Utilities and Service Systems

The project parcel is located within the boundaries of the Nevada Irrigation District (NID). The District provided a comment letter dated October 21, 2024. The letter states the parcel has a standby account (#36351) and treated water service is available to the parcel from the Lake Wildwood Treatment Plant upon proper application to NID and payment of applicable connection fees. NID has capacity to serve the project.

Regarding wastewater treatment, the project parcel is currently located outside the boundaries of the Nevada County Sanitation District. The District boundary currently runs along the south side of the project parcel and there are several parcels to the south that are currently served by the District. The Nevada County Sanitation District has provided a “will serve” letter dated June 20, 2024, which states it has sufficient capacity in the Penn Valley Zone to accommodate an annexation request for the project parcel for the development of the proposed grocery store. For the District to provide future sewer service, it will be necessary for the parcel to annex into Nevada County Sanitation District No. 1, Penn Valley, Zone 6, and acquire sewer capacity. Subsequent to project approval, the property owner will be required to complete the annexation process through the Local Agency Formation Commission (LAFCo) prior to submitting a sewer connection application. The Nevada County Sanitation District has capacity to serve the project.

After the annexation process is completed, the property owner will be required to acquire all necessary permits and permissions and to install the infrastructure to facilitate capture and conveyance of sewerage from the proposed building to the mainline connection point at the District’s force main.

The site is served by Pacific Gas & Electric (PG&E) for electricity needs and solid waste services are provided by Waste Management. Both these utilities have capacity to serve the project. Additional information is provided in the Utilities and Service Systems section of the MND. The project will not result in any impact to utilities and service systems.

### Economic and Community Impacts

CEQA addresses a project’s proposed physical changes to the environment. The potential economic or social effects of a project are not evaluated under CEQA. However, physical changes may result in economic or social effects. For example, a business district could be impacted economically by a project, resulting in the failure of multiple businesses leading to urban decay or blight. The proposed project will not have a negative economic impact on any existing businesses in the area.

The project involves the construction of a larger and more modern building for an existing grocery store to provide a greater variety of products for its customers. The project will not

result in foreseeable potential significant impacts that would result in blight. This project will result in the construction of a new 30,711 square foot building within an established commercial/industrial corridor for an existing grocery store business.

Consistent with General Plan Policy 2.6, an Economic Benefit Analysis was prepared and submitted with the project. According to this analysis, the direct economic benefit from the project's operations and employees totals \$10 million annually. When completed, the project will support approximately 82 jobs with an annual payroll (labor income) of \$4.5 million. The indirect economic benefit from project operations and employees totals approximately \$1.7 million. The induced economic benefit from project operations and employees is anticipated to be approximately \$2.2 million to the local economy. The project will provide economic benefits to the County and other local agencies by creating jobs, driving demand for local goods and services, supporting business development, and paying taxes.

Since this project will not result in significant impacts to the environment, staff has determined that a Mitigated Negative Declaration is the appropriate environmental document for this project. Staff therefore recommends the Planning Commission recommend the Board of Supervisors adopt the draft Initial Study/proposed Mitigated Negative Declaration for this project.

### **ZONING AND GENERAL PLAN CONSISTENCY**

As discussed above, the subject property contains two General Plan designations (Neighborhood Commercial and Industrial) and two corresponding zoning districts (C1-SP and M1-PD-SP). This project contains a General Plan Amendment that will adjust the current boundary line between the two existing designations. The proposed amendment will result in an increase in the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and a decrease in the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. This modification in the General Plan/Zoning district boundary will allow for additional commercial land in order to accommodate the proposed grocery store building. The project will then be consistent with the General Plan and Zoning designations.

With approval of the General Plan Amendment, Zoning District Amendment, Development Permit, Management Plan, and adoption of the proposed Mitigated Negative Declaration, the proposed use of the project site will be consistent with the General Plan land use designation, zoning district, and with the Nevada County Code Commercial District standards. Additionally, the design of the proposed project has been reviewed and found to be consistent with the applicable comprehensive site development standards contained in the Nevada County Code as well as the design standards provided in the Penn Valley Area Plan. The project is consistent with the County's standards regarding setback requirements, building height and the protection of sensitive environmental resources.

The proposed project is consistent with the following General Plan goals and policies:

### Land Use

- Goal 1.1: Promote and encourage growth in *Community Regions* while limiting growth in *Rural Regions*.
- Policy 1.1.3: Within Nevada County, the *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.
- Policy 1.2.4.g: Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*.
- Goal 1.6: Allow for growth while protecting, maintaining and enhancing communities and neighborhoods.
- Policy 1.6.1: Establish land uses which protect, enhance, and complement existing communities and neighborhoods.

### Economic Development

- Policy 2.6: The County shall require an economic analysis as an integral part of all General Plan amendments, addressing the impact on the County Economic Policy and its supporting policies and programs. The analysis shall particularly address impact on the short-term and long-term jobs/housing balance including the land use designations of the General Plan intended to achieve a jobs/housing balance.

### Public Facilities and Services

- Policy 3.2: The County shall encourage development within *Community Regions* where higher density development can more efficiently be provided with a full range of public facilities and services.
- Policy 3.10: The following specific level of service standards shall be applicable to *Community Regions* and *Rural Regions* for public facilities which the County has responsibility for providing:

County roads (other than local roads, as identified on the County Road Functional Classification Plan.

Recognize existing LOS, including segment and intersection deficiencies, and at a minimum maintain the following minimum LOS:

e. For *Community Regions*, Level of Service (LOS) “D”, except where the existing LOS is less than “D”. In those situations, do not let the LOS further decline.

- Policy 3.19A: For all discretionary development, increases in stormwater runoff due to new development, which could result in flood damage to downstream residences, commercial, industrial, active natural resource management uses, public facilities, roads, bridges, and utilities shall not be permitted. Required retention/detention facilities, where necessary, shall be designed such that the water surface returns to its base elevation within 24 hours after the applicable storm event. The sizing of such facilities, when needed, shall be based upon the protection of downstream facilities.
- Policy 3.19C: For all discretionary projects, the County shall require that maintenance of all onsite drainage facilities and all offsite facilities constructed as part of the project is assured through a permanent, legally-enforceable mechanism such as, but not limited to, a CSA or CSD.

### Circulation

- Policy LU-4.1.2: The minimum acceptable level of service (LOS) for areas identified as *Community Regions* in the General Plan shall be LOS D, except where the existing LOS is less than D. In those situations, the LOS shall not be allowed to drop below the existing LOS. Level of service shall be based on the typical highest peak hour of weekday traffic.
- Policy LU-4.1.3: The land use pattern reflected in the Nevada County General Plan Land Use Map is correlated with the future ability of the transportation system, including the major roadway network, to adequately serve said land uses based upon the service criteria and levels of service. All General Plan amendments shall be required to show that the proposed development is also correlated with the future provision of transportation facilities and levels of service according to the same criteria.
- Policy MV-4.2.5: In the review of all discretionary permits, the County shall consider the effect of the proposed development on the area-wide transportation network and the effect of the proposed development on the road network and other transportation facilities in the immediate vicinity of the project site.

### Noise

- Policy 9.1.2: The noise standards contained in Table 9.1 of the Noise Element, as performance standards and land use compatibility standards, shall apply to all discretionary and ministerial projects excluding permitted residential (including tentative maps) land uses.
- Policy 9.1.13: Require the preparation of a comprehensive noise study for all land use projects determined to have a potential to create noise levels inconsistent with those

standards found in Program 9.1, and in accordance with the methodology identified in the Noise Element Manual contained in General Plan Volume 2, Section 3 – Noise Analysis Appendix A.

### Cultural Resources

- Policy 19.6: Require all applications for discretionary project permits, and all applications for ministerial project permits except single family residences on individual lots to be accompanied by a Site Sensitivity Literature Review, prepared by a qualified archaeologist or entity such as the North Central Information Center, Department of Anthropology, California State University at Sacramento.
- Objective 19.3: Include in the development review process consideration of historic, cultural, and Native American concerns and values.
- Policy 19.7: Cooperate with local historical societies and the Native American Indian community to protect significant historical, cultural and archaeological artifacts, improve access to and interpretation of unrestricted resources and archaeological history by involving them in the development review process.

With adherence to proposed conditions of approval and mitigation measures, the project has been found to be compliant with both the Zoning Regulations and the County General Plan.

### **SUMMARY**

The applicant is requesting approval of a General Plan Amendment, Zoning District Map Amendment, Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area, as allowed by the Nevada County Code. The project has been reviewed for potential environmental impacts through the project specific Mitigated Negative Declaration (EIS24-0007) and it has been determined that all potential project impacts are mitigated to less than significant levels with no significant and unavoidable impacts identified. As documented throughout this report, the project has been found to be consistent with all applicable standards including adopted Comprehensive Site Development Standards and Resource Protection Standards. The recommended mitigation measures and conditions of approval will protect the resources located onsite and ensure compliance with the applicable provisions of the Nevada County Code and General Plan, as well as ensure neighborhood compatibility as envisioned with the County General Plan and Zoning Regulations. Therefore, the Planning Department is recommending the Planning Commission recommend approval of the project to the Board of Supervisors as provided for below.

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### **RECOMMENDATION**

Staff recommends the Planning Commission take the following actions:

1. **Environmental Action:** After review and consideration, recommend the Board of Supervisors adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (EIS24-0007) provided in Attachment 2 pursuant to Sections 15074, and 15097 of the California Environmental Quality Act Guidelines, and make Findings A through C:
  - A. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment;
  - B. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Board of Supervisors; and that the mitigation measures, as agreed to by the applicant, will reduce potentially significant impacts to less than significant levels; and
  - C. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.
  
2. **Project Action:** After reviewing and considering the proposed General Plan Amendment application (GPA24-0003), recommend the Board of Supervisors approve amending the General Plan Land Use Map Designation of APN: 051-240-014 to change the land use designation for the parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres, based on the findings A through C set forth in Title 12, Chapter 5, Section 090 of the Nevada County Code, shown below:
  - A. That the proposed amendment is consistent with the goals, objectives, policies, and implementation measures of the General Plan and the provisions of the Nevada County Code, more specifically General Plan Policy 1.1.3, which states that within Nevada County, *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; General Plan Policy 1.2.4.g, which states Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*; General Plan Policy 1.6.1, which encourages the establishment of land uses which protect, enhance, and complement existing communities and neighborhoods; and is consistent with the additional Land Use, Economic Development, Public Facilities and Services, Circulation, Noise, and Cultural Resources General Plan goals and policies contained in this staff report above under **ZONING AND GENERAL PLAN CONSISTENCY**; and,
  - B. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and is consistent with General Plan Policy EP-10.1.4 which has the goal of providing for adequate evacuation routes in

areas of high fire hazard, and General Plan Policy SF-10.6.3 which has the goal of providing land use patterns and development standards that shall minimize hazards resulting from wildfire, flooding, earthquake, slope failure, avalanche, and other natural occurrences. The project will not result in an increase in population in the Penn Valley area. The project site is located approximately 0.25 mile north of State Highway 20 and adequate access to the highway is provided via Pleasant Valley Road. The project has been reviewed by the Penn Valley Fire Protection District, the County Fire Marshal's office, and the Nevada County Public Works Department and no concerns with regard to potential impacts to evacuation routes have been noted; and,

C. That for the General Plan land use map amendment, the site is physically suitable for the requested Plan designation(s) and anticipated land use development(s). Factors considered to evaluate suitability include access, provision of public facilities and utilities, compatibility with nearby land uses, and presence or absence of resources and constraints as found in the Resource Standards. The project parcel is located off of Pleasant Valley Road, classified as a Major Collector in the Circulation Element of the General Plan, and is within an existing commercial-industrial corridor within the Penn Valley Community Region. Public facilities and utilities are available, the project is consistent with nearby land uses, and is consistent with the County's Resource Standards.

3. After reviewing and considering the proposed Rezone application (RZN24-0003), recommend the Board of Supervisors approve the Rezone to amend Zoning District Map No. 16a to rezone the approximate 4.3 acres APN: 051-240-014 to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District based on the findings A through C set forth in Title 12, Chapter 5, Section 090 of the Nevada County Code, shown below:

A. That the proposed rezone is consistent with the provisions of the Nevada County Code, and furthers the goals, objectives, policies, and implementation measures of this Code, more specifically General Plan Policy 1.1.3, which states that within Nevada County, *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; General Plan Policy 1.2.4.g, which states Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*; General Plan Policy 1.6.1, which encourages the establishment of land uses which protect, enhance, and complement existing communities and neighborhoods; and,

B. That the proposed rezone will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and is consistent with General Plan Policy EP-10.1.4 which has the goal of providing for adequate evacuation routes in areas of high fire hazard, and General Plan Policy SF-10.6.3 which has the goal of providing land

use patterns and development standards that shall minimize hazards resulting from wildfire, flooding, earthquake, slope failure, avalanche, and other natural occurrences. The project will not result in an increase in population in the Penn Valley area. The project site is located approximately 0.25 mile north of State Highway 20 and adequate access to the highway is provided via Pleasant Valley Road. The project has been reviewed by the Penn Valley Fire Protection District, the County Fire Marshal's office, and the Nevada County Public Works Department and no concerns with regard to potential impacts to evacuation routes have been noted; and,

- C. That for the Zoning District map amendment, the site is physically suitable for the requested Plan designation(s) and anticipated land use development(s). Factors considered to evaluate suitability include access, provision of public facilities and utilities, compatibility with nearby land uses, and presence or absence of resources and constraints as found in the Resource Standards. The project parcel is located off of Pleasant Valley Road, classified as a Major Collector in the Circulation Element of the General Plan, and is within an existing commercial-industrial corridor within the Penn Valley Community Region. Public facilities and utilities are available, the project is consistent with nearby land uses, and is consistent with the County's Resource Standards.
4. After reviewing and considering the proposed Oak Resources Management Plan application (MGT24-0011), recommend the Board of Supervisors approve the Oak Resources Management Plan, prepared by Madrone Ecological Consulting (Biological Resources Assessment, May 2024) and Greg Matuzak Environmental Consulting, LLC, to allow removal of Landmark Groves and Landmark Trees, making findings A-B, shown below:
    - A. That construction activities are proposed to occur within areas designated as Landmark Oak Groves and Landmark Oak Trees as identified in the Oak Resources Management Plan, resulting in a loss of oak tree resources. To address this impact, the applicant will be required to mitigate through payment into the in-lieu mitigation fund administered by the Bear Yuba Land Trust (BYLT). Based on the per acre mitigation fee for Landmark Groves and the separate mitigation fee for each DBH inch of Landmark Trees removed, the applicant's mitigation fee to be paid is approximately \$100,779; and,
    - B. There are no feasible alternatives available as the project site contains a large area of Landmark Oak Groves and Landmark Oak Trees. The applicant is proposing the leave the eastern portion of the site undeveloped, which will result in three (3) of the eight (8) identified Landmark Oak Trees to remain on the site.
  5. After reviewing and considering the proposed project, recommend the Board of Supervisors approve the Development Permit (DVP24-2), subject to the Conditions of Approval and Mitigation Monitoring and Reporting Program (Attachment 1), and pursuant to the Nevada County Zoning Regulations make the following findings A through L:

- A. That this project as conditioned and mitigated is consistent with the General Plan goals, objectives, and policies, with the Neighborhood Commercial (NC) and Industrial (IND) General Plan land use map designations applicable to this project, and the Penn Valley Area Plan; and,
- B. The proposed use is allowed within and is consistent with the purpose of the C1-SP zoning district (within which the project is located), which allows for “Retail sales conducted indoors” with an approved Development Permit; and,
- C. The proposed use and any facilities, as conditioned and mitigated, will meet all applicable provisions of the Zoning Regulations or a same practical effect of those provisions, including design and siting to meet the intent of the Site Development Standards and Resource Standards mitigating the impact of development on environmentally sensitive resources; and,
- D. The design of proposed facilities, as conditioned and mitigated, is consistent with the intent of the design goals, standards, and elements of the Zoning Regulations, and will be compatible with the design of existing and anticipated future onsite uses and the uses of the nearby surrounding area including being consistent with the design standards outlined in the Western Nevada County Design Guidelines as refined by the Penn Valley Area Plan; and
- E. The site for the proposed use is adequate in size, shape, and location to accommodate the proposed use and all facilities needed for that use and reasonable expansion, and to make appropriate transitions to nearby properties and permitted uses thereon, without compromising site development standards, because the parcel is approximately 5.5-acres in size, and there is adequate space for the proposed facilities, including meeting impervious surface coverage and setback requirements; and,
- F. The proposed use and facilities, as conditioned and mitigated, are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding neighborhood or area with the implementation of the conditions and mitigation measures; and,
- G. Adequate provisions exist for water and sanitation for the proposed use as reviewed, conditioned, and mitigated by the Nevada County Department of Sanitation (sewer) and the Nevada Irrigation District (water); and,
- H. Highways, streets, and roads on and near the site are adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use, which has been determined by the Department of Public Works, Office of the County Fire Marshal and Caltrans, and adequate provision has been made for project specific impacts and the cumulative effect traffic generated by the proposed use so that it will not create or add to an identified problem before construction of needed improvements for which a development fee has been established and imposed upon the project; and,

- I. Adequate provisions have been made for emergency access to the site; and,
- J. Adequate public facilities and public services exist within the project area which will be available to serve the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare, including public roads, public utilities, and fire service; and,
- K. All feasible mitigation measures, as provided in Attachment 1, have been imposed upon the project; and,
- L. The conditions provided in Attachment 1 include all feasible are deemed necessary to protect the public health, safety, and general welfare.

Sincerely,



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Brian Foss, Director of Planning

**Attachment 1:**  
**North State Grocery, Inc. (Holiday Market)**  
**Conditions of Approval & Mitigation Monitoring & Reporting Plan (MMRP)**  
**PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007**

**A. PLANNING DEPARTMENT**

1. A General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan are approved to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5-acre parcel. The proposed grocery store will employ a total of 75 employees, with 30-35 employees being onsite at one time. The grocery store will be open seven (7) days a week from 6:00 am to 11:00 pm.
2. Defense and Indemnity Agreement. Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department the attached Defense and Indemnity Agreement. No further permits or approvals shall be issued for the project, unless and until the applicant has fully complied with this condition.
3. Expiration Date. The project shall be operational, construction completed, and all Conditions of Approval shall be completed within three (3) years from the effective date of the approval of the pursuant to Section 12.05.100.A of the Nevada County Zoning Regulations.
4. Hours of operation for the Holiday Market grocery store and Starbucks Coffee restaurant are 6:00 am to 11:00 pm, seven (7) days a week.
5. Design of the building, its architectural features, and rockery retaining walls shall be in substantial conformance to that authorized in this approval, as represented on the approved building elevations, architectural and civil plans kept in the Planning File. All final building plans shall represent the design details, color, materials, and architectural features as described in the project staff report, or as may be modified at the public hearing and kept on file with the Planning Department.
6. The applicant shall submit a Comprehensive Sign Plan for the subject property to the Planning Department for review and approval. The Plan shall include details on sizes, colors, materials, lighting, and locations of the proposed monument sign, wall signs, and all other proposed signage for the project. Proposed signage shall comply with the requirements of the Nevada County Code (Section 12.04.112) and be consistent with both the Penn Valley Area Plan and Western Nevada County Design Guidelines. These Guidelines include the following:
  - Shrubs should be planted around the base of any freestanding sign to integrate the sign with the ground. Freestanding signs should be low profile wherever site and visibility allow. (S7, PVAP)
  - Internally lit signs are discouraged except for small, informational neon signs which are located inside windows. (S8, PVAP)

- Encouraged materials for signage includes carved or sand blasted wood signs, painted wood signs, and wood/masonry combinations for the base of freestanding signs. (S11, PVAP)
  - Light levels should be carefully chosen to provide optimum illumination and energy efficiency without casting light upward or into lanes of traffic. (WNCDG)
  - The use of backlit or can-type box signs with translucent panels is strongly discouraged. (WNCDG)
  - Monument signs made of natural materials and that use external lighting are the preferred alternative for business identification whenever possible. (WNCDG)
7. Proposed outdoor lighting shall conform with the requirements of Zoning Regulations Section 12.04.108. All light poles proposed behind (east side of) the proposed building shall be limited to a maximum height of fifteen (15') feet, as shown on the photometric plan, due to the rural zoning (AG) located adjacent to the east. Light poles proposed along the front (west side) and along the north and south sides and not behind the proposed building shall be limited to a maximum height of twenty (20') feet.

All proposed outdoor lighting shall be shown on building plans and shall be screened and directed downward to prevent off-site spill and night sky pollution. All exterior lighting shall be maintained as approved and installed.

8. **Outdoor Light Fixtures. (Mitigation Measure 1A).** All outdoor light fixtures shall be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited.

**Timing:** Prior to building permit issuance  
**Reporting:** Agency approval of permits or plans  
**Responsible Agency:** Planning Department

9. **Final Photometric Plan. (Mitigation Measure 1B).** The applicant shall provide a final lighting and photometric plan that demonstrates all project lighting shall be maintained on site. This plan should include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at "0" at all property lines. Recommended methods for reducing potential light spill include: reducing the lumen output of proposed lighting systems, reducing the height of the proposed lights, reducing the number of proposed lights and relocating lights farther into the interior of the parcel.

**Timing:** Prior to building permit issuance  
**Reporting:** Agency approval of permits or plans  
**Responsible Agency:** Planning Department

10. All trash, recycling, and storage yard areas shall be contained within screened enclosures as shown on the site plan, protected from adverse weather conditions, and accessible to the solid waste collection equipment. Said enclosures shall be at least one foot higher than the receptacle and shall be built with building materials and colors compatible with the grocery store building as shown in the plans kept on file with the Planning Department.
11. Final landscaping for the project shall comply with Section 12.04.107 of the Zoning Regulations and the preliminary landscape plan. A final landscape plan shall be provided with building plans. Landscaping shall be provided in accordance with County standards. Prior to issuance of any grading or building permits, the applicant shall submit a Final Landscape Plan, prepared, signed and stamped by a licensed landscape architect, to the Planning Department for review and approval, including the following:
  - a. All details depicted on the preliminary plans and any modifications included by these conditions of approval; and
  - b. The location of all required plant materials, evenly dispersed within each required planting area; and
  - c. A legend listing the type, number and size of plant materials, indicating both the both the required number and the provided number of each plant type. List plants for each required landscaped area. Include a listing of water usage type, or hydro zone, for each plant type. List plant materials in groupings of trees, shrubs, and ground cover plants. Show both common names and botanical names. Native vegetation must shall be included in all required plantings pursuant to the Zoning Code; and
  - d. Irrigation plan per the Zoning Code; and
  - e. A note on the plan, certified by a licensed landscape architect, landscape designer, or horticulturalist, that trees are located on the plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with the Zoning Code; and
  - f. A note that "All plantings and irrigation shall be maintained by the property owner and in any case where a required planting has not survived the property owner shall be responsible for replacement with equal or better plant materials."
  - g. Prior to final occupancy of any phase of the project, the landscape architect shall verify that all plant materials have been established for said phase including all building(s) and parking area(s) pursuant to the approved plan.
12. Parking areas shall be constructed in accordance with the design standards of Nevada County Code Section 12.04.109, including surfacing, curbing, slope, drainage, back-out area, driveway/aisle widths, and parking stall sizes. The project site plan shows a total of 158 spaces, 23 of which are compact spaces, 35 are EV/EV capable spaces, parking spaces, and 6 are ADA accessible spaces. Final plans shall be in substantial conformance with approved site plans and maintained for the life of the project. All parking areas shall be maintained free of flammable vegetation and consist of surfacing capable of supporting a 75,000-pound vehicle.

13. All mechanical equipment, air conditioning units, heating units shall be screened from the view of adjacent properties or roadways. All rooftop equipment shall be screened from view by integral elements of the building. All gutters, screens, vents, and flashing shall be painted to prevent glare and to blend with adjacent building colors.
14. Prior to building permit approval, all existing and proposed easements shall be shown on the improvement plans, including but not limited to any access and utility easements.
15. **Avoid Impacts to Nesting Raptors and Other Birds. (Mitigation Measure 4A).** The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically February 15 through September 1).

#### Pre-Construction Nest Survey

A pre-construction nesting bird survey shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than seven days prior to the initiation of construction. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

If active raptor nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the County after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). A qualified biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.

#### Survey Report

A report summarizing the survey(s) shall be provided to the County within 30 days of the completed survey and is valid for one construction season. If no nests are found, no further mitigation is required.

#### Changes to Buffers and Completion of Nesting

Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the County.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

**Timing:** Prior to and during construction

**Reporting:** Grading/Building plans

**Responsible Agency:** Planning Department

16. **Avoid Impacts to Roosting Bats. (Mitigation Measure 4B).** Pre-construction roosting bat surveys shall be conducted by a qualified biologist within 14 days prior to any tree or building removal that will occur during the breeding season (April through August). If preconstruction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusion shall be conducted as recommended by the qualified biologist. Methods may include acoustic monitoring, evening emergence surveys, and the utilization of two-step tree removal supervised by the qualified biologist. Two-step tree removal involves removal of all branches that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Building exclusion methods may include such techniques as installation of passive one-way doors, or the installation of netting when the bats are not present to prevent their reoccupation. Once the bats have been excluded, tree or building removal may occur.

**Timing:** Prior to and during construction

**Reporting:** Grading/Building plans

**Responsible Agency:** Planning Department

17. **Avoid Impacts to Northern California Ringtail (Mitigation Measure 4C).** To mitigate for potential impacts to Northern California ringtail, the following measure is recommended:

- Within 14 days prior to the initiation of any construction activities, a qualified biologist shall conduct non-invasive preconstruction surveys for Northern California ringtail and ringtail nests in suitable habitats (riparian habitats, oak woodlands with shrubby understory, and/or trees 5 inches dbh or greater in riparian areas, particularly those with cavities) that will be disturbed by construction activity. Non-invasive methods may include camera traps and track plates as well as physical surveys of suitable habitat. If ringtail are found prior to the initiation of, and/or during construction activities, a qualified biologist shall consult with CDFW prior to relocation of any individual ringtail. The camera trap may be removed once construction begins.
- If a ringtail nest is observed within the proposed impact area during the preconstruction survey, the Project biologist shall establish a no-disturbance buffer and the nest shall be fenced off and avoided until the young have left the nest, and the nest is no longer active as determined by the Project biologist. A qualified biologist shall monitor to ensure that ringtails do not disperse into the construction area.

- If any ringtails are observed within the Project area, work will be suspended in a 100-foot radius of the animal until the animal leaves the Project site on its own volition. If necessary, the Project biologist will notify CDFW to determine the appropriate procedures related to relocation. Any worker who inadvertently injures or kills a ringtail or who finds one dead, injured, or entrapped must immediately report the incident to the Project biologist.

**Timing:** Prior to and during construction

**Reporting:** Grading/Building plans

**Responsible Agency:** Planning Department

**18. Impacts to Landmark Grove and Landmark Oak Trees. (Mitigation Measure 4D).**

Prior to removal of onsite Landmark Groves and Landmark Oak trees and issuance of a grading or building permit for the proposed project, payment of an in-lieu fee shall be made to the approved Bear Yuba Land Trust (BYLT) compensatory mitigation fund for protected oak resources. It shall be specified that the fee paid will be used to purchase mitigation landmark grove(s) within Nevada County. The compensatory mitigation ratio required by Nevada County is 2:1. An administration fee is included in the current rates charged by BYLT to cover their costs associated with this option.

At the time this mitigation measure was prepared, incorporating the 2:1 mitigation ratio for the oak woodlands results in an in-lieu fee of \$13,530 per impacted acre (April 2024). In addition, a 2:1 mitigation is recommended for landmark trees which results in an in-lieu fee of \$190 per impacted DBH inch. Based on impacts to 4.64 acres of Landmark Groves on the entire project site and 200 DBH inches of Landmark Oak trees, the total in-lieu mitigation fees would be \$100,779.20 (BYLT, April 2024).

Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation. If any trees can ultimately be avoided, the Improvement Plans shall include a note and show placement of temporary construction fencing outside of the driplines of trees to be saved.

**Timing:** Prior to removal of onsite Landmark Groves and Landmark Oak trees; Prior to issuance of grading and building permits

**Reporting:** Grading/Improvement plans

**Responsible Agency:** Planning Department

**19. Worker Environmental Awareness Training. (Mitigation Measure 4E).**

Prior to any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction crews. The WEAT shall include the following: discussion of the state and federal Endangered Species Act, the Clean Water Act, the Project's permits and CEQA documentation, and associated mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife, location of any avoided Waters of the U.S; hazardous substance spill prevention and

containment measures; and the contact person in the event of the discovery of a special-status wildlife species. The WEAT will also discuss the different habitats used by the species' different life stages and the annual timing of these life stages. A handout summarizing the WEAT information shall be provided to workers to keep on-site for future reference. Upon completion of the WEAT training, workers shall sign a form stating that they attended the training, understand the information presented and will comply with the regulations discussed. Workers will be shown designated "avoidance areas" during the WEAT training; worker access should be restricted to outside of those areas to minimize the potential for inadvertent environmental impacts. Fencing and signage around the boundary of avoidance areas may be helpful.

**Timing:** Prior to any ground-disturbing or vegetation-removal activities

**Reporting:** Form signed confirming attendance at training

**Responsible Agency:** Planning Department

20. **Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction. (Mitigation Measure 5A).** All equipment operators and employees involved in any form of ground disturbance at any phase of project improvements shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately and the Nevada County Planning Department, United Auburn Indian Community of the Auburn Rancheria, and any other interested and affected tribe shall be contacted. A professional archaeologist shall be retained by the developer and consulted to assess any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for each phase of this project.

**Timing:** Prior to the issuance of building/grading permits and during construction

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Planning Department

21. **Best Management Practices. (Mitigation Measure 10A).** Implement the following BMPs to minimize construction related impacts to water quality. The following BMPs shall be incorporated into all Contract Documents and Construction Plans for the project and implemented by the contractor to protect water quality:
- a. Construction crews shall be instructed in preventing and minimizing water pollution on the job.
  - b. Interim erosion control measures may be needed and shall be installed during construction to assure adequate erosion control facilities are in place at all times.
  - c. Straw or rice mulch may be used if needed with a tackifier.

- d. All earth moving or excavation activities shall cease when winds exceed 20 mph.
- e. Haul trucks shall be always covered with tarpaulins or other effective covers.
- f. Use broom and shovels when possible, to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
- g. Designate a concrete washout area, as needed; to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
- h. Establish a vehicle storage, maintenance, and refueling area, as needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
- i. Dust control measures shall conform to the requirements of the Dust Control Plan submitted to and approved by the Northern Sierra Air Quality Management District (NSAQMD).

**Timing:** *Prior to grading/building permit issuance and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

22. **Provide copies of BMPs. (Mitigation Measure 10B).** Copies of the project's Mitigation Monitoring and Reporting Program and all BMPs shall be supplied to the Contractor(s) and their workers to assure compliance with mitigation measures during construction.

**Timing:** *Prior to grading/building permit issuance and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

23. **Limit construction work hours to 7:00 a.m. to 7:00 p.m. Monday-Saturday. (Mitigation Measure 13A).** During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday. Prior to issuance of grading and building permits, improvement plans shall include this restriction on the hours of construction.

**Timing:** *Prior to Issuance of Grading and Building Permits; During construction*

**Reporting:** *Planning Department approval of Grading and Building permits. Noted on improvement plans.*

**Responsible Agency:** *Planning Department*

24. **Temporary construction noise control measures. (Mitigation Measure 13B).** The project shall utilize temporary construction noise control measures including the use of temporary noise barriers, or other appropriate measures as mitigation for noise generated during construction of the project.

**Timing:** *During construction of the project. Noted on improvement plans.*

**Reporting:** *Planning Department approval of Grading and Building permits.*

**Responsible Agency:** *Planning Department*

- 25. Mufflers installed on project equipment and vehicles. (Mitigation Measure 13C).** All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.

**Timing:** Prior to and during construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department

- 26. Comply with applicable noise regulations. (Mitigation Measure 13D).** All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

- 27. Electrically powered equipment. (Mitigation Measure 13E).** Where feasible, electrically powered equipment shall be used instead of pneumatic or internal-combustion- powered equipment.

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

- 28. Material stockpiles and mobile equipment. (Mitigation Measure 13F).** Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

- 29. Project area speed limits. (Mitigation Measure 13G).** Project area and site access road speed limits shall be established and enforced during the construction period.

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

30. **On-site truck circulation hours. (Mitigation Measure 13H).** All project on-site truck circulation related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). On-site truck circulation shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

**Timing:** During grocery store operations; Ongoing.

**Reporting:** Project approval.

**Responsible Agency:** Planning Department.

31. **Project loading dock activities. (Mitigation Measure 13I).** All project loading dock activities related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). Loading dock activities shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

**Timing:** During grocery store operations; Ongoing.

**Reporting:** Project approval.

**Responsible Agency:** Planning Department.

32. Noise generated by operations shall not exceed the County Noise Standards for commercial zoning districts as outlined in Nevada County Code Title 12 Chapter 4 Section 12.04.070 Table 12.04.070.

33. **Cultural Awareness Training. (Mitigation Measure 18A).** The applicant/contractor shall be required to provide a tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers, at their own expense. The WEAP training shall be conducted by either a qualified archaeologist for cultural resources or a tribal representative for tribal cultural resources (TCRs). The WEAP shall be developed in coordination with interested Native American Tribes.

The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values. The training may be done in coordination with the project archaeologist.

All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training.

**Timing:** *Prior to any project-related grading or construction*

**Reporting:** *Noted on improvement plans; Project proponent/contractor to notify Planning Department when training is scheduled/completed*

**Responsible Agency:** *Planning Department*

**34. Tribal Monitoring at Initial Ground Disturbance. (Mitigation Measure 18B).** The project proponent shall contact the United Auburn Indian Community (UAIC) Tribal Historic Preservation Officer (thpo@auburnrancheria.com) at least 2 to 3 weeks prior to project ground-disturbing activities to retain the services of a UAIC Certified Tribal Monitor(s). The duration of the construction schedule and Tribal Monitoring shall be determined at this time.

A contracted UAIC Certified Tribal Monitor(s) shall monitor the initial ground disturbance in the project area. The project proponent shall pay the costs for the time spent by the Tribal Monitor. If there are cultural finds, the UAIC Tribal Historic Preservation Officer (THPO) may require additional Tribal Monitoring.

Tribal Monitors or Tribal Representatives shall have the authority to direct that work be temporarily paused, diverted, or slowed within 100 feet of the immediate impact area if sites, cultural soils, or objects of potential significance are identified. The temporary pause/diversion shall be of an adequate duration for the Tribal Representative to examine the resource.

Appropriate treatment of Tribal Cultural Resources (TCRs) or other cultural finds may include but is not limited to:

- a. Recordation of the resource(s)
- b. Avoidance and preservation of the resource(s)
- c. Recovery and reburial of the resource(s) onsite or in a feasible off-site location in a designated area subject to no future disturbance. The location of the reburial shall be acceptable to the UAIC.

To track the implementation of this measure, the Tribal Monitor(s) shall document field-monitoring activities on a Tribal Monitor log. The Tribal Monitor(s) shall wear the appropriate safety equipment while on the construction site.

In consultation with the UAIC THPO, the Tribal Monitor and the project proponent shall determine a mutual end or reduction to the on-site monitoring if/when construction activities have a low potential for impacting Tribal Cultural Resources.

In the event the Tribal Monitor does not report to the job site at the scheduled time after receiving 24-hour business day notice, construction activities may proceed without tribal

monitoring. At no time, regardless of the presence or absence of a Tribal Monitor, shall suspected TCRs be mishandled or disrespected.

The Nevada County Planning Department shall assist with resolution of disagreements between the project proponent/contractor and the Tribe if such occurs on the project.

**Timing:** *Prior to and during initial ground disturbance of the site*

**Reporting:** *Noted on improvement plans; Project proponent/contractor to notify Planning Department of contracted Certified Tribal Monitor(s); Notify Planning Department if TCRs discovered and construction work stopped*

**Responsible Agency:** *Planning Department*

**35. Unanticipated Discoveries of Tribal Cultural Resources. (Mitigation Measure 18C).**

If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the Nevada County Planning Department shall be immediately notified, and the Tribal Representative in coordination with the Planning Department shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

The culturally affiliated Tribe shall consult with the Nevada County Planning Department to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and the Nevada County Planning Department shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Any discoveries shall be documented on a Department of Parks and Recreation (DPR) 523 form within 2 weeks of the discovery and submitted to the appropriate CHRIS center in a timely manner.

Work at the TCR discovery location shall not resume until authorization is granted by the Nevada County Planning Department in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the [City/County] Coroner and the culturally affiliated Tribe shall be contacted immediately. Upon determination by the [City/County] Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendent who will work with the project proponent to define appropriate treatment and disposition of the burials.

**Timing:** *During project-related grading or construction*

**Reporting:** *Noted on improvement plans; Notify Planning Department if TCRs discovered and construction work stopped*

**Responsible Agency:** *Planning Department*

## **B. BUILDING DEPARTMENT**

1. Complete grading, erosion control, construction and utility plans shall be submitted for review at time of building/grading permit submittals in conformance with Nevada County Land-Use Code Chapter V.
2. Two (2) sets of wet stamped/signed complete geotechnical evaluation reports shall be submitted at time of building/grading permit submittals.
3. A State Storm Water Pollution Prevention Plan (SWPPP) permit shall be obtained and submitted at time of grading plan submittal if more than 1 acre is disturbed.
4. Complete drainage calculations shall be provided at time of grading plan submittals.
5. A special inspection agreement shall be completed and included at time of construction plan submittal for all required project special inspections.

6. Disabled accessible parking shall be provided with paths of travel to building entrances based on the overall number of parking spaces provided.
7. There shall be an accessible route of travel from the structures to the public way if applicable.
8. Structures shall be designed to meet disabled accessibility standards in accordance with Chapter 11B of the California Building Code.
9. Temporary and permanent bike parking spaces shall be provided by the total number of parking spaces provided per the CA Green Building Standards Code.
10. Clean air/EV/vanpool parking spaces shall be provided based on the overall number of parking spaces provided per the CA Green Building Standards Code. The surface of these spaces shall be constructed of concrete or asphalt.
11. Plans shall indicate the accommodation for the installation of required elements for the future installation of Electric Vehicle (EV) charging stations per CA Green Building Standards Code 5.106.5.3. A minimum number of future EV charging stations shall be provided per this code. A minimum number of these spaces shall be designed to meet requirements for a van accessible parking space and a minimum of spaces shall be designed to meet the requirements for a standard disabled accessible parking space per Chapter 11B of the California Building Code.
12. A complete code analysis shall be provided for the building showing allowable area, height, fire protection components, non-separated/separated uses, property setbacks, etc.
13. A plumbing fixture analysis/calculation shall be provided for all structures showing the minimum number/type of plumbing fixtures required for the building uses per the CA Plumbing Code.
14. The project shall meet all ignition resistant Wildland Urban Interface (WUI) construction requirements per Chapter 7A of the CA Building Code.
15. The landscaping on the site shall be designed to meet the State Model Water Efficient Landscape Ordinance (MWELo) requirements. Complete plans, details and calculations shall be provided by a licensed landscape architect indicating compliance.
16. **Use of grid power. (Mitigation Measure 3B).** During construction, grid power shall be used (as opposed to diesel generators) for job site power needs where feasible.

**Timing:** During construction

**Reporting:** Building plans

**Responsible Agency:** *Planning Department/Building Department*

**17. Implement the Recommendations of the NV5 Geotechnical Engineering Report. (Mitigation Measure 7A).** The applicant shall include the recommendations of the NV5 Geotechnical Engineering Report (April 2024) incorporated herein by reference, provided in Appendix B of this initial study, and maintained on file with the Planning Department. These recommendations shall be incorporated in the project design and included in all improvement plans, demolition permit(s), and grading and construction permits. These recommendations are specific to: Clearing and Grubbing, Expansive Soil, Soil Preparation for Fill Placement, Engineered Fill, Fill Slope Grading, Cut Slope Grading, Differential Fill Depth, Temporary Excavations, Underground Utility Trenches, Erosion Controls, Wet Weather Grading, Surface Water Drainage, Infiltration Basins, Construction Dewatering, Soil Corrosion Potential, Grading Plan Review and Construction Monitoring, Seismic Design Criteria, Foundations, Retaining Wall Design Criteria, Surface Water and Near-Surface Groundwater, Perimeter Foundation Drains, and Slab Underdrains.

**Timing:** *Prior to issuance of grading or improvement permits/During Construction*

**Reporting:** *Approval of permits or plans/During Construction*

**Responsible Agency:** *Building Department*

### **C. DEPARTMENT OF PUBLIC WORKS**

1. **Road Improvements:** Commercial Avenue shall be improved and extended from the end of the existing street through the project site and connecting to Pine Shadow Lane to the minimum following standards and shall meet LUDC Sec. L-XVII 3.4 Design Geometrics and 3.5 Structural Section Design:
  - Local Class 2 – 401-2000 ADT (County Std. Dwg. A-1)
2. **Engineer's Certification:** The applicant's engineer shall certify that any required improvements have been completed in conformance with the applicable standards.
3. **Encroachment Permit:** Prior to any work within the Pleasant Valley Road right of way, the applicant shall obtain an encroachment permit from the County, which includes a Traffic Control Plan showing all public roadways where work is to be performed and indicates each stage of work, closure dates for street and section of closure (if necessary and otherwise allowed by local jurisdiction), signage, flaggers, and any other pertinent information. The Traffic Control Plan shall be reviewed and approved by the County before the contractor begins work.
4. **Driveway- Commercial Approach Standard:** New driveways must conform to the County's Commercial Approach standards in the Nevada County Code, as shown in the County's Standard Drawings. Compliance with the standards must be shown on

plans. Any driveway and road improvements within the County right of way shall require an encroachment permit from the County prior to any work within the right of way.

5. **Grading/Drainage:** Prior to issuance of grading permit, the applicant shall provide a grading and drainage plan with an accompanying analysis prepared by a registered civil engineer that demonstrate no net stormwater runoff from the proposed project. The Hydrology and Hydraulics analysis shall meet all requirements of Nevada County Land Use and Development Code Section 16.12. This shall include an analysis of the project's drainage, including but not limited to, culvert/pipe sizing, inlet/outlet sizing, invert elevations, design storm freeboard and the sizing of detention , retention, and infiltration mitigation measures. The hydrologic analysis shall include an analysis of post-development peak runoff versus pre-development peak runoff at all points exiting the development. Include in the grading plan grading for structures, parking areas and detention ponds. The applicant shall submit the Drainage Plan and Hydrologic and Hydraulic calculations to the Building Department for review and approval in accordance with County improvement standards and storm drainage criteria.
6. **Construction SWPPP:** The project disturbs more than one acre; therefore, the applicant shall be required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2022-0057-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grad, or capacity of the facility. The Construction General Permit shall require the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The applicant shall submit a SWPPP to the County for acceptance, file a Notice of Intent with the California Regional Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the State, to the Building Department.
7. **Oil, Grease, and Silt Traps:** Pursuant to General Plan Policy 11.6A, new development shall minimize the discharge of pollutants into surface water drainages by providing the following improvements or similar methods which provide equal or greater runoff control: (a) include curbs and gutters on arterials, collectors, and local roads consistent with adopted urban street designs; and (b) oil, grease, and silt traps for commercial and industrial development of 1 acre or greater in size. The applicant shall provide for oil, grease, and silt traps designed by a registered civil engineer in the site improvement plans and shall demonstrate that a legally enforceable mechanism for long-term maintenance of such facilities has been provided pursuant to General Plan Policy 3.19C. The Public Works

Department recommends incorporating biotreatment (grass lined swales, bioretention, draining to/through landscaped areas, etc.).

8. **Maintenance of Drainage Facilities:** Pursuant to General Plan Policy 3.19C, the applicant shall maintain all drainage facilities constructed as part of the project through a permanent, legally enforceable mechanism such as, but not limited to, a CSA, CSD, or recorded covenant. Prior to any grading or building permit issuance, the applicant shall demonstrate that a legally enforceable mechanism for long-term maintenance of such facilities has been provided.
9. **Traffic Mitigation Fees:** Prior to issuance of any building permits, the applicant shall pay appropriate traffic impact fees based on the latest fee schedule adopted by the Nevada County Board of Supervisors for additional trips generated by the project.
10. **Truck Turning Analysis:** Driveways and parking lot circulation shall be designed to fire safe road standards. A truck turning analysis shall be submitted with improvement plans for ingress and egress to the project site along with internal circulation areas to ensure that the larger of fire trucks or delivery vehicles can successfully navigate the project site.
11. **Sight Distance Analysis:** Prior to issuance of grading permit, provide a sight distance exhibit and analysis for the encroachments of Pine Shadow Lane and Commercial Avenue onto the public right of way of Pleasant Valley Road using the County's procedures for measurements in Standard Drawing A-6.
12. **Sight Distance Maintenance:** Landscaping and all other improvements shall be designed, installed, and maintained to ensure that driver sight distance is sufficient. No improvements other than maintainable landscaping shall be permitted in the County right of way.
13. **Lighting Analysis:** Indicate on the final construction plans the location of all proposed lighting. Public Works Department requires all proposed lighting be shielded and directed away from rights-of-way to prevent any light and glare trespass that could result in safety issues for passing motorists.
14. **Easements and Utilities:** Identify all easements and utilities on and adjacent to the site on the final construction plans.
15. **Road Maintenance:** The applicant shall create and/or join an established Road Maintenance Agreement for the maintenance of Commercial Avenue and Pine Shadow Lane roadways and other infrastructure, including storm water facilities.
16. **Sewer Service:**

The following conditions shall apply/be implemented:

- a) Prior to issuance of building permits, the applicant shall annex into the Sanitation District No. 1, Penn Valley, Zone 6 through the Local Agency Formation Commission (LAFCo).
- b) Prior to issuance of building permits, the applicant shall submit a written application to the district to acquire 8 EDUs of sewer capacity for this project.
- c) The applicant shall acquire EDUs to ensure sewer service to the parcel.
- d) The applicant shall be responsible for all costs associated with new connection lateral and cleanout installation from the applicant's property to the District's collector main.
- e) All requirements contained in the Nevada County Sanitation District No. 1 Sanitary Code will apply to the project.

17. **Solid Waste and Recycling Accessibility:** In compliance with LUDC Sec. L-II 4.2.11.C.2, the applicant has provided documentation of Waste Management's approval of the location of the waste and recycling bins shown on the site plan. See Waste Management email correspondence from the District Manager on July 31, 2023. The trash bin shall be placed within a solid screen enclosure constructed of materials and colors compatible with the building style, at least one foot higher than the receptacle.

18. The applicant shall submit to the Building Department for review and approval, an improvement and grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway/parking lot slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street/parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with County improvement standards.

19. The project plans shall include the following notes:

A) All trees to be saved shall be enclosed by a construction barrier placed around the dripline zone of the tree. The construction barrier shall consist of four-foot tall mesh safety fencing in a bright color. The fencing shall be tied to six-foot tall metal poles spaced a maximum of twenty feet apart. Each pole shall be placed with two feet below the surface of the ground.

B) Prior to any work being conducted with the State or County right-of-way, the applicant shall obtain an Encroachment Permit from the appropriate Agency.

C) A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify both the Planning Department and Building Department of the intent to begin grading operations. Prior to notification, all grade

stakes shall be in place identifying limits of all cut and fill activities. After notification, Planning Department and Building Department staff shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.

D) The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period.

E) Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the Building Department. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.

F) No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of in accordance with the County's Standard Specifications and any property receiving any exported material shall have a current Grading Permit issued by the Building Department.

G) The contractor shall comply with all Occupational Safety & Health Administration (OSHA) requirements.

20. For trees to be removed that are 6" or greater in diameter, are classified to be in Group A or B per the California Forest Practice Rules, and are on timberland, the applicant shall obtain one of the following harvest document(s) from the California Department of Forestry and Fire Protection and submit a copy of the approved document to the County:
  - a. Less Than 3 Acre Conversion Exemption. Any project with less than 3 acres of land disturbance may qualify (see 14 CCR 1104.1 (a)(2) for conditions).
  - b. Timberland Conversion (PRC4621) and Timber Harvest Plan (PRC.4581). Any project with 3 acres or greater or that do not meet the conditions in 14 CCR 1104.1 (a)(2).
21. The applicant shall submit to the Building Department for review and acceptance a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies

shall be reported immediately in writing to the permittee, the building official, and the Department of Public Works.

22. Retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) shall be identified on the Grading/Improvement Plans and the applicant shall:
- a. Place a note on the Grading/Improvement Plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.
  - b. Submit design calculations for the walls for review and acceptance.
  - c. If the proposed walls are to be constructed against a cut slope that cannot be graded back per the California Building Code, submit:
    1. A signed and stamped letter from a Licensed Civil or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.
    2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the County prior to any excavation on the site and that a qualified OSHA Approved Inspector or Professional Civil Engineer will:
      - 1) be onsite during excavation for and construction of the retaining walls.
      - 2) be onsite at least once a day during inclement weather; and
      - 3) will submit daily reports to the County.
23. A detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Building Department prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans. Any expenses made by the County to enforce the required erosion control measures will be paid by the deposit.
24. **Traffic control. (Mitigation Measure 3C).** Temporary traffic control shall be provided during all phases of the construction to improve traffic flow.

**Timing:** During construction

**Reporting:** Grading/Building/Improvement plans

**Responsible Agency:** Planning Department/Public Works Department

25. **Traffic flow to off-peak hours. (Mitigation Measure 3D).** Construction activities shall be scheduled to direct traffic flow to off-peak hours as much as practicable.

**Timing:** During construction

**Reporting:** Grading/Building plans

**Responsible Agency:** Planning Department/Public Works Department

26. **Improvement of Commercial Avenue. (Mitigation Measure 17A).** Commercial Avenue shall be improved and extended through the project site and connect with Pine Shadow Lane in accordance with County standards.

*Timing:* Prior to issuance of certificate of occupancy

*Reporting:* Shown on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

27. **Change to parking along Commercial Avenue. (Mitigation Measure 17B).** Remove existing 90° parking along Commercial Avenue east of the existing cul-de-sac and re-stripe this portion of Commercial Avenue to provide a centerline yellow stripe and white fog lines delineating two, 11-foot wide traffic lanes. Allow for parallel parking along this portion of Commercial Avenue.

*Timing:* Prior to issuance of certificate of occupancy

*Reporting:* Shown on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

28. **Pleasant Valley Road/Commercial Avenue. (Mitigation Measure 17C).** The project applicant shall re-stripe the westbound Commercial Avenue approach to include a shared left-through lane and separate right-turn lane. With proposed project improvements for westbound Commercial Avenue, the Nevada County Connects transit stop would be moved east to the north side of the existing Commercial Avenue cul-de-sac where the transit bus already turns around for convenience purposes. Transit stop improvements will be coordinated with Nevada County Connects. With proposed improvements, the Pleasant Valley Road/Commercial Avenue intersection overall LOS would improve from LOS E (46.5 seconds of delay) to LOS D (33.5 seconds of delay) during the PM. The Pleasant Valley Road/Commercial Avenue intersection would continue to qualify for the peak hour signal warrant during the PM peak hour with Existing plus Project traffic.

*Timing:* Plans approved, and striping completed prior to issuance of certificate of occupancy

*Reporting:* Noted on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

29. **Pleasant Valley Road/Highway 20. (Mitigation Measure 17D).** The project applicant shall contribute to the County's Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. The Nevada County Regional Transportation Plan (NCRTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20. Based on the NCRTP 2025-2045 (July 2025 Draft), the total costs for these improvements are estimated at \$804,000 with funding sources from the County's Local Transportation Mitigation Fee (LTMF). The project applicant shall contribute their fair

share toward this estimated cost based on the County's fee schedule. With planned Nevada County roadway improvements at the Pleasant Valley Road/Highway 20 intersection, overall vehicle delay would improve slightly during the AM peak hour to aide in vehicle progression and queuing.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** According to County requirements

**Responsible Agency:** Planning and Public Works Departments

30. **Commercial Drive/Rear Access Driveway. (Mitigation Measure 17E).** Install all-way-stop-control at the Commercial Drive/Project Rear Access Driveway intersection located south of the primary supermarket building.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

31. **Raised speed table/crosswalk(s). (Mitigation Measure 17F).** Install raised speed table/crosswalk(s) on the Commercial Drive northern extension between the Holiday Market building and main parking field.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

32. **Commercial Drive/Pine Shadows Lane. (Mitigation Measure 17G).** Install stop-sign control for northbound turning movements at Commercial Drive extension (site access driveway)/Pine Shadows Lane intersection.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

33. **Sidewalks/Bicycle Racks. (Mitigation Measure 17H).** With proposed project development, pedestrian sidewalks shall be installed along key project frontages (west, north, and south sides of building) and along the south side of Pine Shadows Lane. Pedestrian connections shall be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. Bicycle racks shall be provided along the main building frontage for bicycle parking.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

34. Prior to certificate of occupancy, the applicant shall stripe the westbound Pine Shadows Lane approach to Pleasant Valley Road to include a separate left and right turn lane. All striping shall meet Caltrans striping standards and final Striping Plan approval shall be to the satisfaction of the Nevada County Public Works Department.

**D. NEVADA COUNTY OFFICE OF THE FIRE MARSHAL/ PENN VALLEY FIRE PROTECTION DISTRICT**

1. **California Fire & Building Codes:** All review and approval of construction plans will be predicated on use of the building and fire codes adopted at the time of the building permit's issuance by the Nevada County Building Department. Date of land use decisions is not a factor in this.
2. **California Public Resources Code:** All access to the facilities and defensible space requirements shall be governed by the California PRC as adopted at time of building permit issuance. This project is subject to the findings and requirements of the Nevada County Fire Planner regarding fuel modification alongside roadways and near structures. Approval of this application is contingent upon performance of said modifications as required by that office.
3. Ensure all Fire related site notes are met, as they will be inspected prior to issuance of final occupancy.

**E. ENVIRONMENTAL HEALTH DEPARTMENT**

1. The commercial food facility/retail space shall obtain a food facility permit from Nevada County Department of Environmental Health (NCDEH). To begin the permitting process:
  - A. Submit a major food facility plan check application packet for review and written approval, along with applicable fees. The plan review submittal (electronic or paper) shall contain design/plans for the construction of the food facility/retail space.
  - B. The submittal packet shall include but not limited to: equipment specification cut sheets, specific design of the commercial kitchen, any proposed retail area, food storage areas, janitorial areas, restrooms, plumbing, hot water demands, floor, integral coving, wall, and ceiling finish schedules, and applicable written standard operating procedures (for example use of time in lieu of temperature for a public health control) etc.
  - C. If submitted in paper form, please include 2 sets of plans along with the items described in b.
  - D. If submitted in electronic form, only 1 set of plans is required, along with the items described in b.

- E. The plan check submittal shall be approved by NCDEH before any construction of the food facility can begin. The facilities shall pass a final construction inspection with NCDEH, submit for annual Certificate of Operation permits, and pay applicable fees prior to opening.

Please be advised that all independent food businesses operated within the store will need to go through the process described above and shall be permitted separately. Examples are independently owned and operated sushi inserts within the deli space and coffee kiosks.

2. With the proposed existence of hazardous material storage at this location, the applicant and/or facility operator shall adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code Section 25500 - 25519 and 25100 - 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). [CERS | California Environmental Reporting System](#).

Upon approval from local Planning, Fire, and Building Departments, the applicant and/or facility operator must apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from the Nevada County Department of Environmental Health (NCDEH), the Certified Unified Program Agency (CUPA). The applicant and/or facility operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations.

3. The proposed project shall comply with applicable regulations which are enforced by Nevada County Department of Environmental Health (NCDEH) as the Local Enforcement Agency (LEA) pertaining to the storage and management of solid wastes (Title 14, California Code of Regulations (14 CCR), Title 27, California Code of Regulations (27 CCR) & Nevada County Code, Chapter IV, Article 8).
4. A septic abandonment permit from NCDEH Land Use Division is required. To apply for a septic abandonment permit: submit applicable application and fee, site plan, scope of work, tank pump out report from a septage hauler licensed to pump and haul sewage in Nevada County, and tank demolition details. Contact the NCDEH Land Use Division for more details.
5. A licensed well driller shall submit for four (4) separate water well destruction permits with NCDEH Land Use Division. The submittals shall include appropriate application, applicable fees, and site plan. A driller's report will be required to final these permits. Contact the NCDEH Land Use Division for more details.

#### **F. NEVADA IRRIGATION DISTRICT (NID)**

1. The applicant shall provide new easements acceptable to NID to cover proposed facilities to be conveyed.

2. A Water Demand Analysis (WDA) was submitted to NID for review. The final numbers presented in the analysis are a combination of both domestic and landscape water usage. NID indicates the WDA for domestic water use is acceptable and a one-inch meter is recommended at 2.56 ERUs. The appropriate backflow prevention will be required.

With regard to landscape irrigation water use, the numbers provided in the WDA were preliminary. Prior to issuance of any grading or building permit, the applicant shall provide the final landscape and irrigation plan including the estimated water use and meter size to NID for review and approval.

3. All treated water services are metered. NID's responsibility ends at the meter. It is the property owner's responsibility to acquire necessary easements and to install and maintain the private service pipeline(s) and appurtenances there from.
4. NID does not assume liability or responsibility for the provision or supply of water for fire protection; however, the District's treated water system is available for fire protection. Review of fire flow requirements is not an assumption of liability or responsibility for fire flow design criteria.

**G. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**

1. **Alternatives to open burning. (Mitigation Measure 3A).** Alternatives to open burning of site-cleared vegetative material shall be used unless otherwise deemed infeasible by the Northern Sierra Air Quality Management District (NSAQMD). Among suitable alternatives are chipping, mulching, hauling to an approved disposal site, cutting for firewood, or conversion to biomass fuel. This shall be included as a note on all grading and improvement plans.

**Timing:** *During grading/construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department/NSAQMD*

2. **Dust Control Plan. (Mitigation Measure 3E).** Prior to issuance of grading and improvement permits, a Dust Control Plan shall be submitted to the Northern Sierra Air Quality Management District pursuant to Rule 226 and approved. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

- a. Contact details must be provided for the person/s responsible for ensuring that all dust control measures are performed in a timely manner during all phases of project construction.
- b. 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 a violation of an ambient air standard.
- c. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.
- d. All inactive portions of the site shall be covered, seeded, or watered until a suitable cover is established.
- e. All material transported off-site shall be either sufficiently watered, or securely covered to prevent it being entrained in the air, and there must be a minimum freeboard of six inches maintained in the bed of the transport vehicle.
- f. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
- g. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
- h. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

**Timing:** Prior to issuance of grading permits and improvement permits

**Reporting:** Grading/Improvement Plans

**Responsible Agency:** Planning Department/NSAQMD

#### **H. CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD (CVRWQB)**

1. The applicant shall comply with the Central Valley Regional Water Quality Control Board regulations and permitting requirements as stated in their November 17, 2025 letter.

#### **I. CALIFORNIA DEPARTMENT OF FISH & WILDLIFE**

1. **Notice of Determination Fee.** Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Wildlife Code, a fee, currently \$2,968.75, (to increase to \$3,043.75 on 1/1/2026) must be paid as a condition of filing the Notice of Determination for this project. This fee must be submitted to the Planning Department within 5 days of the permit approval with the check made payable to the County Clerk, County of Nevada. Without payment of this fee, the 30-day Statute of Limitations on court challenges to this project's approved environmental document will remain open, which could affect the permit validity.

*North State Grocery, Inc. (Holiday Market)  
Conditions of Approval & Mitigation Monitoring & Reporting Plan (MMRP)  
PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007*

This fee is required to be collected on behalf of the State Department of Fish & Wildlife.

# Initial Study

## North State Grocery, Inc. – Holiday Market (Penn Valley) Project

### Nevada County, California

To:

Supervisor Susan Hoek – District IV	Caltrans Highways
Commissioner John Foley – District IV	CA Department of Fish & Wildlife
Agricultural Commissioner – Chris de Nijs; Luci Wilson	Central Valley RWQCB
Assessor’s Office – Rolf Kleinhans	Native American Heritage Commission
Building Dept. – Nick McBurney	North Central Information Center
Code and Cannabis Compliance Dept. - Jessica Rist	Nevada City Rancheria Nisenan Tribe
County Counsel – Doug Johnson; Sims Ely	Colfax-Todds Valley Consolidated Tribe
CDA Director – Trisha Tillotson	Shingle Springs Band of Miwok Indians
CEO – Alison Lehman	Tsi-Akim Maidu Tribal Council
Assistant CEO – Patrick Eidman	United Auburn Indian Community
COB	Wilton Rancheria of Wilton, CA
Environmental Health Dept. – Nicole Johnson	Nevada County Contractors’ Association
Economic Development – Kimberly Parker	Nevada County Economic Resource Council
Fire Protection Planner – Dan Collins	PG&E
LAFCo – SR Jones	Penn Valley Chamber of Commerce
Nevada County Transportation Commission	Bear Yuba Land Trust
Public Works Dept. - Engineering	CNPS – Redbud Society
Public Works Dept. – Surveying	Community Environmental Advocates
Public Works Dept. – Sanitation	Federation of Neighborhoods Associations
Public Works Dept. – Transit Services	FREED
Penn Valley Municipal Advisory Council	General Plan Defense Fund
Penn Valley Fire Protection District	Gray Pine Vineyard & Winery – Guy & Karen Lauterbach
Nevada Irrigation District	Lake Wildwood HOA
Northern Sierra Air Quality Mgt. Dist.	Sierra Club – Sierra Nevada Group
Resource Conservation District	CAL EPA
Western Gateway Park District	U.S. Fish and Wildlife Service
Nevada County Association of Realtors	Chris Stiles – Remy Moose Manley, LLP
Chris Boyd, General Manager - Lake Wildwood Association	Neighboring parcels within 300 feet

**Date:** October 17, 2025

**Prepared by:** Steve Geiger, Senior Planner  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959  
(530) 265-1236  
[steve.geiger@nevadacountyca.gov](mailto:steve.geiger@nevadacountyca.gov)

**File Number:** PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0001; EIS24-0007

**Assessor Parcel Number:** 051-240-014

**Zoning Districts:** C1-SP (Neighborhood Commercial/ Site Performance Combining District); M1-SP (Light Industrial/ Site Performance Combining District)

**General Plan Designations:** NC (Neighborhood Commercial); IND (Industrial)

**Project Location:** 18805 and 18807 Pine Shadows Lane, Penn Valley, CA 95946. Project parcel is located along the south side of Pine Shadows Lane and the east side of Pleasant Valley Road, approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection (See Figure 1).

**Project Site & Surrounding Land Uses:**

The project site is within the central portion of a small Neighborhood Commercial (NC) and Industrial (IND) corridor that extends approximately 0.35 mile north of State Highway 20, located on the east side of Pleasant Valley Road, and within the Penn Valley Community Region. The site is located approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection and approximately one mile south of the entrance to the Lake Wildwood residential subdivision. Access to the site is from Pine Shadows Lane, which extends east from Pleasant Valley Road along the northern boundary of the site. A secondary access is provided from Commercial Avenue which extends east from Pleasant Valley Road to the south and currently ends near the southern boundary of the site.

The project site is surrounded by a mini-storage light industrial use to the north, residential uses to the east, multiple commercial uses to the south including a fuel station, and a vacant parcel immediately to the west across Pleasant Valley Road with scattered residences located further west.



**Figure 1. Project Zoning, Vicinity and Public Notice Map**

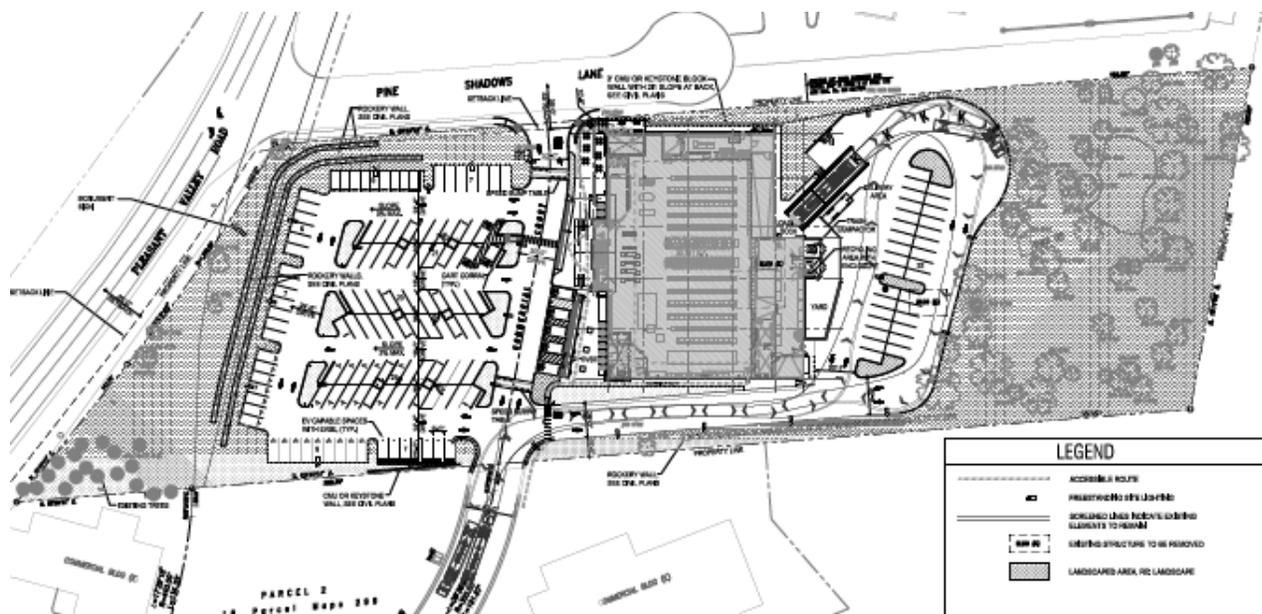
## **Project Description**

The project proposes an application for a General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store including an approximate 750 square-foot interior area for a Starbucks Coffee restaurant and outdoor seating area on a 5.5 acre parcel. The proposed grocery store will employ a total of 75 employees, with 30-35 employees being onsite at one time. The grocery store will be open seven (7) days a week from 6:00 am to 11:00 pm.

The subject parcel currently has a General Plan designation of both Neighborhood Commercial (NC) and Industrial (IND) and corresponding zoning of Neighborhood Commercial, Site Performance Combining (C1-SP) District and Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The General Plan Amendment (GPA24-0003)

proposes to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The Development Permit (DVP24-2) is required for review and approval of the proposed 30,711 square foot grocery store building including an approximate 750 square foot interior area for a Starbucks Coffee restaurant and outdoor seating area, and other related site improvements. The Management Plan (MGT24-0011) is required due to the removal of 4.64 acres of Landmark Groves including five (5) Landmark Oak Trees on the subject property.

Existing on-site improvements to be removed for the project include a residence and accessory building. Proposed project improvements include: a 30,711 square foot Holiday Market grocery store building including an approximate 750 square foot interior area and outdoor seating area for Starbucks Coffee; 158 paved parking spaces located both in front (west side) and behind (east side) of the proposed grocery store building; paved two-way accessways to the project site located along the north and south sides of the subject parcel; freestanding outdoor parking lot lighting; a loading dock, trash compactor, and recycling area with enclosure located on the rear (east) side of the proposed grocery store building; retaining walls; landscaping; and a monument sign located along the Pleasant Valley Road property frontage. Figure 2 shows the proposed site plan for the proposed project.



**Figure 2. Proposed Site Plan**

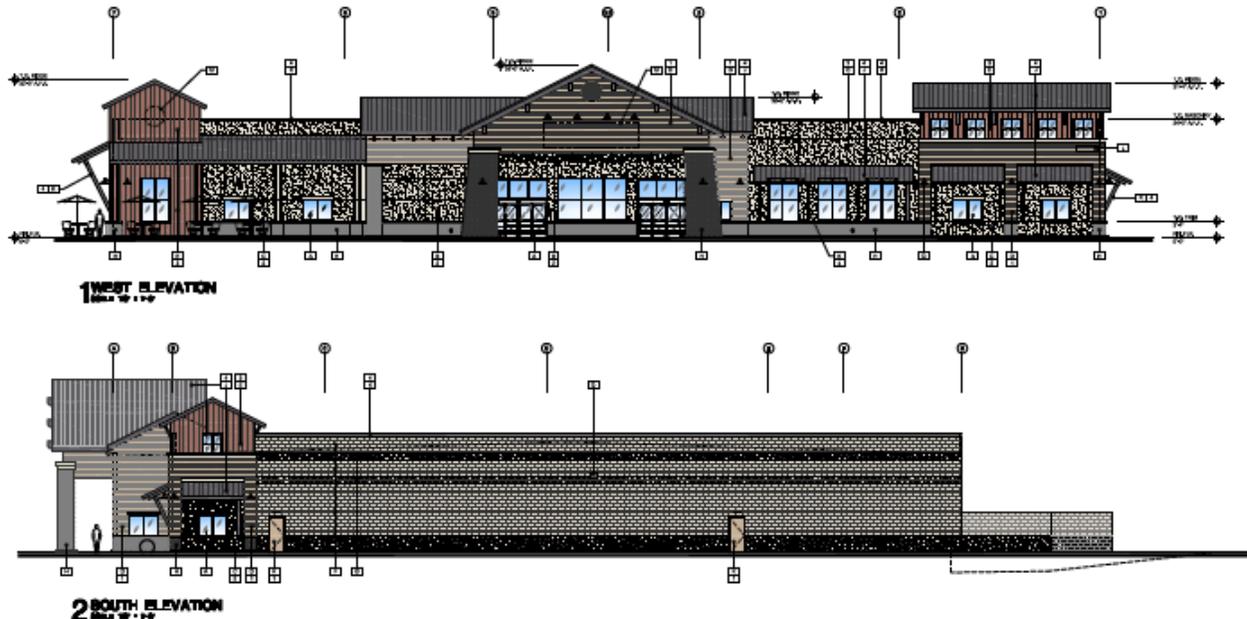
Proposed project signage will include a monument sign to be located along the Pleasant Valley Road frontage approximately 80 feet south of Pine Shadows Lane. Wall mounted signage on the

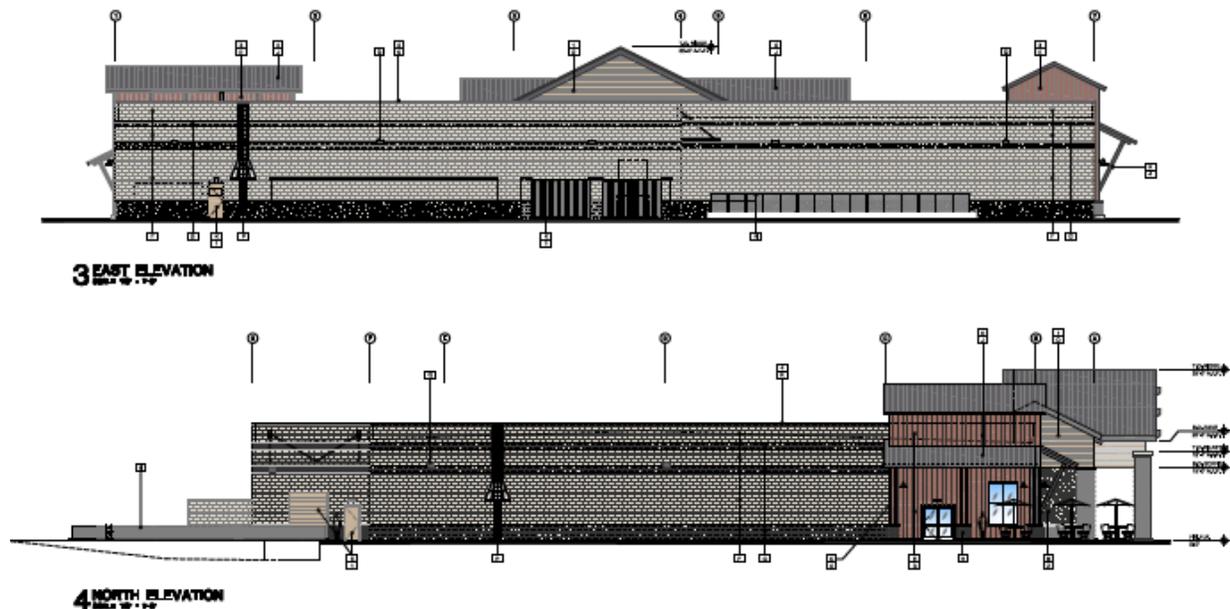
building is proposed and additional on-site directional signage may also be proposed. Size and design details of the proposed project signage are currently being worked on and a comprehensive sign program that is consistent with Nevada County Code requirements will be required to be submitted to the Planning Department for review and approval.

The project proposes to install twenty-five (25) parking lot pole lights with nineteen (19) of them being 20 feet in height and six (6) of them being 15 feet in height. In addition, wall mounted lighting is proposed on the building at locations ten to fifteen feet in height.

The proposed building frontage is orientated to the west, facing Pleasant Valley Road with the north side of the building facing toward Pine Shadows Lane. The proposed building will utilize a variety of neutral, earth tone colors including Nomadic Desert (light brown), Panda White, Reddened Earth (red/brown), and Cloak Gray. The building will also have varying materials including metal roofing, cement plaster siding, cement fiber siding, both smooth and split face CMU block, and river stone siding.

Several architectural treatments are provided including but not limited to: wall variations with different colors and materials, varying roof lines and heights along the west elevation, metal roof overhangs located above windows, and decorative wall light fixtures primarily along the west elevation. In addition to these building materials, rock retaining walls are proposed along the Pleasant Valley Road frontage (west side), along the northwest corner of the site, and along the southeast boundary of the site. See Figure 3 below for building exterior elevations.





**Figure 3. Building Elevations**

The project proposes approximately 55% of the site as impervious surface, including asphalt for circulation and parking lot areas and buildings. A total of 39% of the site located in the eastern portion of the subject parcel will be retained as open space area, and 6% of the site will be required landscape area. The landscape design plan submitted by the applicant shows a total of thirty-six (36), 24-inch box trees consisting of two separate species and forty-five (45), 15-gallon trees consisting of four separate species. Ten different species of 5-gallon shrubs are proposed along with a species of one-gallon groundcover. The landscape plan details the site's shade trees will provide 43.7% parking lot coverage within 15-years of building permit issuance, meeting the Nevada County Code requirement of 40%. The project provides street front landscaping consisting of 17 new trees planted and 19 existing trees to remain. See Figure 4. Landscape Design Plan.



PRELIMINARY TREE PLANTING PALETTE					
TREE SPECIES SYM	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WATER DEMAND
	QUERCUS LOBATA	VALLEY OAK	15 GAL	9	V. LOW
	PISTACIA CHINENSIS 'KEITH DAVEY'	CHINESE PISTACHE	15 GAL	13	LOW
	PRUNUS X. YEDOENSIS	FLOWERING CHERRY 'AKEBONO'	24" BOX	18	LOW
	PINUS HALEPENSIS	ALEPPO PINE	15 GAL	13	LOW
	PYRUS CALLERYANA 'NEW BRADFORD'	ORNAMENTAL PEAR	24" BOX	18	MEDIUM
	LAGERSTROEMIA H. 'MUSKOGEE'	LAVENDER CRAPE MYRTLE	15 GAL	10	LOW
	EXISTING TREE TO REMAIN (TYP.)				N/A

PRELIMINARY SHRUB PLANTING PALETTE				
SHRUB SPECIES	BOTANICAL NAME	COMMON NAME	SIZE	WATER USAGE
	ARCTOSTAPHYLOS 'JOHN DOURLEY'	LOW GROWING MANZANITA	5 GAL	LOW
	FEUJIA BELLOWANA	PINEAPPLE GUAVA	5 GAL	LOW
	GREVILLEA ROSMARINIFOLIA	ROSEMARY GREVILLEA	5 GAL	LOW
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	LOW
	LAVANDULA S. 'OTTO QUAST'	SPANISH LAVENDER	5 GAL	LOW
	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL	LOW
	HANDMA D. 'NANA'	DWARF HEAVENLY BAMBOO	5 GAL	LOW
	OLEA EUROPAEA	DWARF OLIVE	5 GAL	LOW
	RHAPHOLEPIS L. 'CLARA'	WHITE INDIAN HAWTHORN	5 GAL	LOW
	ROSMARINUS OFFICINALIS 'COLLINGWOOD INGRAM'	DWARF ROSEMARY	5 GAL	LOW
GROUNDCOVER SPECIES				
	MYOPORUM PARVIFOLIUM	CREeping MYOPORUM	1 GAL	LOW
	'PUTAH CREEK'			

SHADE CALCULATIONS					
	QUERCUS LOBATA		PISTACIA CHINENSIS 'KEITH DAVEY'		PRUNUS X. YEDOENSIS
%	100% 75% 50% 25%	%	100% 75% 50% 25%	%	100% 75% 50% 25%
SF	681 723 481 240	SF	736 530 353 177	SF	490 328 245 125
TOTAL:	1,526 SF	TOTAL:	7,080 SF	TOTAL:	8,880 SF
QTY	2 2 4 1	QTY	7 2 3 0	QTY	12 0 0 0
<b>SHADE CALCULATIONS</b> TOTAL PARKING AREA ASPHALT: 47,870 SF REQUIRED SHADE AREA 40%: 19,068 SF 15-YR PROVIDED SHADE AREA: 20,821 SF PROVIDED SHADE AREA %: 43.7%					
	PYRUS CALLERYANA 'NEW BRADFORD'				
%	100% 75% 50% 25%				
SF	314 238 157 79				
TOTAL:	2,388 SF				
QTY	0 0 0 0				

**PROPERTY LINE DISCLOSURE:**  
 THE PROPERTY LINES SHOWN ON THESE PLANS WERE PROVIDED BY MILESTONE ASSOCIATES, INC. AND ARE FOR REFERENCE PURPOSES ONLY AND DO NOT REPRESENT THE ACTUAL PROPERTY LINES. THE ACTUAL PROPERTY LINES CAN ONLY BE ESTABLISHED WITH A BOUNDARY SURVEY. NOTICE IS HEREBY GIVEN THAT THE DEVELOPER/CONTRACTOR AND/OR HIS SUBCONTRACTORS SHALL ACCEPT FULL RESPONSIBILITY FOR THE LAYOUT OF THE PROJECT. LANDSCAPE ARCHITECT WILL NOT ACCEPT LIABILITY FOR ANY OF THE FACILITIES CONSTRUCTED OUTSIDE OF PROPERTY BY OTHERS, BASED UPON THE INFORMATION CONTAINED HEREIN.

Figure 4. Landscape Design Plan

Proposed Preliminary earthwork calculations estimate a cut of approximately 39,200 cubic yards and fill of 17,255 cubic yards. The project will also include construction of a sidewalk along the south side of Pine Shadows Lane, from Pleasant Valley Road to the entrance to the proposed parking lot. Water will be provided from the local Nevada Irrigation District and wastewater connected to the Nevada County Sanitation District No. 1, Penn Valley, Zone 6 after the property is annexed into the District.

**Other Permits that May be Necessary:**

1. Grading and Building Permits – Nevada County Building Department
2. Encroachment Permits – Nevada County Public Works Department
3. Food Facility, CUPA Permits – Nevada County Dept. of Environmental Health
4. Stormwater Pollution Prevention Plan (SWPPP) – California State Water Resources Control Board

5. National Pollutant Discharge Elimination System (NPDES) General Permit– California State Water Resources Control Board
6. Dust Control Plan - Northern Sierra Air Quality Management District

**Relationship to Other Projects:**

There are no directly related development projects known to this project. This scope of work is proposed to allow the existing Holiday Market store located to the north near the entrance to Lake Wildwood to move from its existing building to a larger, new building.

**Consultation with Native American Tribes:**

Pursuant to Assembly Bill 52, tribal consultation began May 22, 2024. Native American tribes traditionally and culturally affiliated with the project area were notified of the project and invited to consultation. The United Auburn Indian Community (UAIC) tribe requested consultation with the County and an on-site survey was conducted by the tribe in August 2024. Based on this survey, UAIC recommended mitigation measures be incorporated into the project to address potential impacts to tribal cultural resources. These mitigation measures have been included and are discussed in Section 18, Tribal Cultural Resources, of this initial study.

# Summary of Impacts and Proposed Mitigation Measures

## Environmental Factors Potentially Affected:

All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

✓	1. Aesthetics		2. Agricultural and Forestry Resources	✓	3. Air Quality
✓	4. Biological Resources	✓	5. Cultural Resources		6. Energy
✓	7. Geology and Soils		8. Green House Gas Emissions		9. Hazards and Hazardous Materials
✓	10. Hydrology and Water Quality		11. Land Use and Planning		12. Mineral Resources
✓	13. Noise		14. Population and Housing		15. Public Services
	16. Recreation	✓	17. Transportation	✓	18. Tribal Cultural Resources
	19. Utilities and Service Systems		20. Wildfire	✓	21. Mandatory Findings of Significance

## Recommended Mitigation Measures:

The following measures shall be implemented, and where appropriate, included as a note on construction plans as outlined in each.

### 1. **AESTHETICS**

**Mitigation Measure 1A. Outdoor Light Fixtures.** All outdoor light fixtures shall be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited.

**Timing:** Prior to building permit issuance  
**Reporting:** Agency approval of permits or plans  
**Responsible Agency:** Planning Department

**Mitigation Measure 1B. Final Photometric Plan.** The applicant shall provide a final lighting and photometric plan that demonstrates all project lighting shall be maintained on site. This plan should include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at “0” at all property lines. Recommended methods for reducing potential light spill include: reducing the lumen output of proposed lighting systems, reducing the height of the proposed lights, reducing the number of proposed lights and relocating lights farther into the interior of the parcel.

**Timing:** Prior to building permit issuance  
**Reporting:** Agency approval of permits or plans  
**Responsible Agency:** Planning Department

### 3. **AIR QUALITY**

**Mitigation Measure 3A: Alternatives to open burning.** Alternatives to open burning of site-cleared vegetative material shall be used unless otherwise deemed infeasible by the Northern Sierra Air Quality Management District (NSAQMD). Among suitable alternatives are chipping, mulching, hauling to an approved disposal site, cutting for firewood, or conversion to biomass fuel. This shall be included as a note on all grading and improvement plans.

**Timing:** During grading/construction  
**Reporting:** Grading/Building plans  
**Responsible Agency:** Planning Department/NSAQMD

**Mitigation Measure 3B: Use of grid power.** During construction, grid power shall be used (as opposed to diesel generators) for job site power needs where feasible.

**Timing:** During construction  
**Reporting:** Building plans  
**Responsible Agency:** Planning Department/Building Department

**Mitigation Measure 3C: Traffic control.** Temporary traffic control shall be provided during all phases of the construction to improve traffic flow.

**Timing:** During construction  
**Reporting:** Grading/Building/Improvement plans  
**Responsible Agency:** Planning Department/Public Works Department

**Mitigation Measure 3D: Traffic flow to off-peak hours.** Construction activities shall be scheduled to direct traffic flow to off-peak hours as much as practicable.

**Timing:** During construction

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department/Public Works Department*

**Mitigation Measure 3E:** Prior to issuance of grading and improvement permits, a Dust Control Plan shall be submitted to the Northern Sierra Air Quality Management District pursuant to Rule 226 and approved. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

- a. Contact details must be provided for the person/s responsible for ensuring that all dust control measures are performed in a timely manner during all phases of project construction.
- b. 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 a violation of an ambient air standard.
- c. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.
- d. All inactive portions of the site shall be covered, seeded, or watered until a suitable cover is established.
- e. All material transported off-site shall be either sufficiently watered, or securely covered to prevent it being entrained in the air, and there must be a minimum freeboard of six inches maintained in the bed of the transport vehicle.
- f. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
- g. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
- h. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

**Timing:** *Prior to issuance of grading and improvement permits*

**Reporting:** *Grading/Improvement plans*

**Responsible Agency:** *Planning Department/NSAQMD*

#### **4. BIOLOGICAL RESOURCES**

**Mitigation Measure 4A: Avoid Impacts to Nesting Raptors and Other Birds.** The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically February 15 through September 1).

##### Pre-Construction Nest Survey

A pre-construction nesting bird survey shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than seven days prior to the initiation of construction. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

If active raptor nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the County after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). A qualified biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.

#### Survey Report

A report summarizing the survey(s) shall be provided to the County within 30 days of the completed survey and is valid for one construction season. If no nests are found, no further mitigation is required.

#### Changes to Buffers and Completion of Nesting

Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the County.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

**Timing:** *Prior to and during construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4B: Avoid Impacts to Roosting Bats.** Pre-construction roosting bat surveys shall be conducted by a qualified biologist within 14 days prior to any tree or building removal that will occur during the breeding season (April through August). If preconstruction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusion shall be conducted as recommended by the qualified biologist. Methods may include acoustic monitoring, evening emergence surveys, and the utilization of two-step tree removal supervised by the qualified biologist. Two-step tree removal involves removal of all branches that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Building exclusion methods may include such techniques as installation of passive one-way doors, or the installation of netting when the bats are not present to prevent their reoccupation. Once the bats have been excluded, tree or building removal may occur.

**Timing:** *Prior to and during construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4C: Avoid Impacts to Northern California Ringtail.** To mitigate for potential impacts to Northern California ringtail, the following measure is recommended:

- Within 14 days prior to the initiation of any construction activities, a qualified biologist shall conduct non-invasive preconstruction surveys for Northern California ringtail and ringtail nests in suitable habitats (riparian habitats, oak woodlands with shrubby understory, and/or trees 5 inches dbh or greater in riparian areas, particularly those with cavities) that will be disturbed by construction activity. Non-invasive methods may include camera traps and track plates as well as physical surveys of suitable habitat. If ringtail are found prior to the initiation of, and/or during construction activities, a qualified biologist shall consult with CDFW prior to relocation of any individual ringtail. The camera trap may be removed once construction begins.
- If a ringtail nest is observed within the proposed impact area during the preconstruction survey, the Project biologist shall establish a no-disturbance buffer and the nest shall be fenced off and avoided until the young have left the nest, and the nest is no longer active as determined by the Project biologist. A qualified biologist shall monitor to ensure that ringtails do not disperse into the construction area.
- If any ringtails are observed within the Project area, work will be suspended in a 100-foot radius of the animal until the animal leaves the Project site on its own volition. If necessary, the Project biologist will notify CDFW to determine the appropriate procedures related to relocation. Any worker who inadvertently injures or kills a ringtail or who finds one dead, injured, or entrapped must immediately report the incident to the Project biologist.

**Timing:** *Prior to and during construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4D: Impacts to Landmark Grove and Landmark Oak Trees.** Prior to removal of onsite Landmark Groves and Landmark Oak trees and issuance of a grading or building permit for the proposed project, payment of an in-lieu fee shall be made to the approved Bear Yuba Land Trust (BYLT) compensatory mitigation fund for protected oak resources. It shall be specified that the fee paid will be used to purchase mitigation landmark grove(s) within Nevada County. The compensatory mitigation ratio required by Nevada County is 2:1. An administration fee is included in the current rates charged by BYLT to cover their costs associated with this option.

At the time this mitigation measure was prepared, incorporating the 2:1 mitigation ratio for the oak woodlands results in an in-lieu fee of \$13,530 per impacted acre (April 2024). In addition, a 2:1 mitigation is recommended for landmark trees which results in an in-lieu fee of \$190 per impacted DBH inch. **Based on impacts to 4.64 acres of Landmark Groves on the entire project site and 200 DBH inches of Landmark Oak trees, the total in-lieu mitigation fees would be \$100,779.20 (BYLT, April 2024).**

Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation. If any trees can ultimately be avoided, the Improvement Plans shall include a note and show placement of temporary construction fencing outside of the driplines of trees to be saved.

**Timing:** *Prior to removal of onsite Landmark Groves and Landmark Oak trees; Prior to issuance of grading and building permits*

**Reporting:** *Grading/Improvement plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4E: Worker Environmental Awareness Training.** Prior to any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction crews. The WEAT shall include the following: discussion of the state and federal Endangered Species Act, the Clean Water Act, the Project's permits and CEQA documentation, and associated mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife, location of any avoided Waters of the U.S; hazardous substance spill prevention and containment measures; and the contact person in the event of the discovery of a special-status wildlife species. The WEAT will also discuss the different habitats used by the species' different life stages and the annual timing of these life stages. A handout summarizing the WEAT information shall be provided to workers to keep on-site for future reference. Upon completion of the WEAT training, workers shall sign a form stating that they attended the training, understand the information presented and will comply with the regulations discussed. Workers will be shown designated "avoidance areas" during the WEAT training; worker access should be restricted to outside of those areas to minimize the potential for inadvertent environmental impacts. Fencing and signage around the boundary of avoidance areas may be helpful.

**Timing:** *Prior to any ground-disturbing or vegetation-removal activities*

**Reporting:** *Form signed confirming attendance at training*

**Responsible Agency:** *Planning Department*

## 5. **CULTURAL RESOURCES**

**Mitigation Measure 5A. Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction.** All equipment operators and employees involved in any form of ground disturbance at any phase of project improvements shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately and the Nevada County Planning Department, United Auburn Indian Community of the Auburn Rancheria, and any other interested and affected tribe shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for each phase of this project.

**Timing:** *Prior to the issuance of building/grading permits and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

## 7. GEOLOGY AND SOILS

**Mitigation Measure 7A: Implement the Recommendations of the NV5 Geotechnical Engineering Report:** The applicant shall include the recommendations of the NV5 Geotechnical Engineering Report (April 2024) incorporated herein by reference, provided in Appendix B of this initial study, and maintained on file with the Planning Department. These recommendations shall be incorporated in the project design and included in all improvement plans, demolition permit(s), and grading and construction permits. These recommendations are specific to: Clearing and Grubbing, Expansive Soil, Soil Preparation for Fill Placement, Engineered Fill, Fill Slope Grading, Cut Slope Grading, Differential Fill Depth, Temporary Excavations, Underground Utility Trenches, Erosion Controls, Wet Weather Grading, Surface Water Drainage, Infiltration Basins, Construction Dewatering, Soil Corrosion Potential, Grading Plan Review and Construction Monitoring, Seismic Design Criteria, Foundations, Retaining Wall Design Criteria, Surface Water and Near-Surface Groundwater, Perimeter Foundation Drains, and Slab Underdrains.

**Timing:** *Prior to issuance of grading or improvement permits/During Construction*

**Reporting:** *Approval of permits or plans/During Construction*

**Responsible Agency:** *Building Department*

## 10. HYDROLOGY AND WATER QUALITY

**Mitigation Measure 10A: Best Management Practices.** Implement the following BMPs to minimize construction related impacts to water quality. The following BMPs shall be incorporated into all Contract Documents and Construction Plans for the project and implemented by the contractor to protect water quality:

- a. Construction crews shall be instructed in preventing and minimizing water pollution on the job.
- b. Interim erosion control measures may be needed and shall be installed during construction to assure adequate erosion control facilities are in place at all times.
- c. Straw or rice mulch may be used if needed with a tackifier.
- d. All earth moving or excavation activities shall cease when winds exceed 20 mph.
- e. Haul trucks shall be always covered with tarpaulins or other effective covers.
- f. Use broom and shovels when possible, to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
- g. Designate a concrete washout area, as needed; to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
- h. Establish a vehicle storage, maintenance, and refueling area, as needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
- i. Dust control measures shall conform to the requirements of the Dust Control Plan submitted to and approved by the Northern Sierra Air Quality Management District (NSAQMD).

**Timing:** *Prior to grading/building permit issuance and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 10B: Provide copies of BMPs.** Copies of the project's Mitigation Monitoring and Reporting Program and all BMPs shall be supplied to the Contractor(s) and their workers to assure compliance with mitigation measures during construction.

*Timing:* Prior to grading/building permit issuance and during construction

*Reporting:* Agency approval of permits or plans

*Responsible Agency:* Planning Department

### 13. **NOISE**

**Mitigation Measure 13A: Limit construction work hours to 7:00 a.m. to 7:00 p.m. Monday-Saturday.** During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday. Prior to issuance of grading and building permits, improvement plans shall include this restriction on the hours of construction.

*Timing:* Prior to Issuance of Grading and Building Permits; During construction

*Reporting:* Planning Department approval of Grading and Building permits. Noted on improvement plans.

*Responsible Agency:* Planning Department

**Mitigation Measure 13B: Temporary construction noise control measures.** The project shall utilize temporary construction noise control measures including the use of temporary noise barriers, or other appropriate measures as mitigation for noise generated during construction of the project.

*Timing:* During construction of the project. Noted on improvement plans.

*Reporting:* Planning Department approval of Grading and Building permits.

*Responsible Agency:* Planning Department.

**Mitigation Measure 13C: Mufflers installed on project equipment and vehicles.** All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.

*Timing:* Prior to and during construction.

*Reporting:* Planning Department approval of Grading and Building permits. Noted on improvement plans.

*Responsible Agency:* Planning Department.

**Mitigation Measure 13D: Comply with applicable noise regulations.** All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.

*Timing:* During construction.

*Reporting:* Planning Department approval of Grading and Building permits. Noted on improvement plans.

*Responsible Agency:* Planning Department.

**Mitigation Measure 13E: Electrically powered equipment.** Where feasible, electrically powered equipment shall be used instead of pneumatic or internal-combustion- powered equipment.

*Timing: During construction.*

*Reporting: Planning Department approval of Grading and Building permits. Noted on improvement plans.*

*Responsible Agency: Planning Department.*

**Mitigation Measure 13F: Material stockpiles and mobile equipment.** Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.

*Timing: During construction.*

*Reporting: Planning Department approval of Grading and Building permits. Noted on improvement plans.*

*Responsible Agency: Planning Department.*

**Mitigation Measure 13G: Project area speed limits.** Project area and site access road speed limits shall be established and enforced during the construction period.

*Timing: During construction.*

*Reporting: Planning Department approval of Grading and Building permits. Noted on improvement plans.*

*Responsible Agency: Planning Department.*

**Mitigation Measure 13H: On-site truck circulation hours.** All project on-site truck circulation related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). On-site truck circulation shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

*Timing: During grocery store operations; Ongoing.*

*Reporting: Project approval.*

*Responsible Agency: Planning Department.*

**Mitigation Measure 13I: Project loading dock activities.** All project loading dock activities related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). Loading dock activities shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

*Timing: During grocery store operations; Ongoing.*

*Reporting: Project approval.*

*Responsible Agency: Planning Department.*

## 17. TRANSPORTATION

**Mitigation Measure 17A: Improvement of Commercial Avenue.** Commercial Avenue shall be improved and extended through the project site and connect with Pine Shadow Lane in accordance with County standards.

**Timing:** *Prior to issuance of certificate of occupancy*

**Reporting:** *Shown on improvement plans and approved by CDA*

**Responsible Agency:** *Planning and Public Works Departments*

**Mitigation Measure 17B: Change to parking along Commercial Avenue.** Remove existing 90° parking along Commercial Avenue east of the existing cul-de-sac and re-stripe this portion of Commercial Avenue to provide a centerline yellow stripe and white fog lines delineating two, 11-foot wide traffic lanes. Allow for parallel parking along this portion of Commercial Avenue.

**Timing:** *Prior to issuance of certificate of occupancy*

**Reporting:** *Shown on improvement plans and approved by CDA*

**Responsible Agency:** *Planning and Public Works Departments*

**Mitigation Measure 17C: Pleasant Valley Road/Commercial Avenue:** The project applicant shall re-stripe the westbound Commercial Avenue approach to include a shared left-through lane and separate right-turn lane. With proposed project improvements for westbound Commercial Avenue, the Nevada County Connects transit stop would be moved east to the north side of the existing Commercial Avenue cul-de-sac where the transit bus already turns around for convenience purposes. Transit stop improvements will be coordinated with Nevada County Connects. With proposed improvements, the Pleasant Valley Road/Commercial Avenue intersection overall LOS would improve from LOS E (46.5 seconds of delay) to LOS D (33.5 seconds of delay) during the PM. The Pleasant Valley Road/Commercial Avenue intersection would continue to qualify for the peak hour signal warrant during the PM peak hour with Existing plus Project traffic.

**Timing:** *Plans approved, and striping completed prior to issuance of certificate of occupancy*

**Reporting:** *Noted on improvement plans and approved by CDA*

**Responsible Agency:** *Planning and Public Works Departments*

**Mitigation Measure 17D: Pleasant Valley Road/Highway 20:** The project applicant shall contribute to the County's Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. The Nevada County Regional Transportation Plan (NC RTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20. Based on the NC RTP 2025-2045 (July 2025 Draft), the total costs for these improvements are estimated at \$804,000 with funding sources from the County's Local Transportation Mitigation Fee (LTMF). The project applicant shall contribute their fair share toward this estimated cost based on the County's fee schedule. With planned Nevada County roadway improvements at the Pleasant Valley Road/Highway 20 intersection, overall vehicle delay would improve slightly during the AM peak hour to aide in vehicle progression and queuing.

**Timing:** *Prior to issuance of certificate of occupancy*

**Reporting:** *According to County requirements*

**Responsible Agency:** *Planning and Public Works Departments*

**Mitigation Measure 17E: Commercial Drive/Rear Access Driveway:** Install all-way-stop-control at the Commercial Drive/Project Rear Access Driveway intersection located south of the primary supermarket building.

*Timing:* Prior to issuance of certificate of occupancy

*Reporting:* Noted on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

**Mitigation Measure 17F: Raised speed table/crosswalk(s):** Install raised speed table/crosswalk(s) on the Commercial Drive northern extension between the Holiday Market building and main parking field.

*Timing:* Prior to issuance of certificate of occupancy

*Reporting:* Noted on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

**Mitigation Measure 17G: Commercial Drive/Pine Shadows Lane:** Install stop-sign control for northbound turning movements at Commercial Drive extension (site access driveway)/Pine Shadows Lane intersection.

*Timing:* Prior to issuance of certificate of occupancy

*Reporting:* Noted on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

**Mitigation Measure 17H: Sidewalks/Bicycle Racks:** With proposed project development, pedestrian sidewalks shall be installed along key project frontages (west, north, and south sides of building) and along the south side of Pine Shadows Lane. Pedestrian connections shall be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. Bicycle racks shall be provided along the main building frontage for bicycle parking.

*Timing:* Prior to issuance of certificate of occupancy

*Reporting:* Noted on improvement plans and approved by CDA

*Responsible Agency:* Planning and Public Works Departments

## **18. TRIBAL CULTURAL RESOURCES**

**Mitigation Measure 18A: Cultural Awareness Training.** The applicant/contractor shall be required to provide a tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers, at their own expense. The WEAP training shall be conducted by either a qualified archaeologist for cultural resources or a tribal representative for tribal cultural resources (TCRs). The WEAP shall be developed in coordination with interested Native American Tribes.

The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also

describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values. The training may be done in coordination with the project archaeologist.

All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training.

**Timing:** *Prior to any project-related grading or construction*

**Reporting:** *Noted on improvement plans; Project proponent/contractor to notify Planning Department when training is scheduled/completed*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 18B: Tribal Monitoring at Initial Ground Disturbance.** The project proponent shall contact the United Auburn Indian Community (UAIC) Tribal Historic Preservation Officer (thpo@auburnrancheria.com) at least 2 to 3 weeks prior to project ground-disturbing activities to retain the services of a UAIC Certified Tribal Monitor(s). The duration of the construction schedule and Tribal Monitoring shall be determined at this time.

A contracted UAIC Certified Tribal Monitor(s) shall monitor the initial ground disturbance in the project area. The project proponent shall pay the costs for the time spent by the Tribal Monitor. If there are cultural finds, the UAIC Tribal Historic Preservation Officer (THPO) may require additional Tribal Monitoring.

Tribal Monitors or Tribal Representatives shall have the authority to direct that work be temporarily paused, diverted, or slowed within 100 feet of the immediate impact area if sites, cultural soils, or objects of potential significance are identified. The temporary pause/diversion shall be of an adequate duration for the Tribal Representative to examine the resource.

Appropriate treatment of Tribal Cultural Resources (TCRs) or other cultural finds may include but is not limited to:

- a. Recordation of the resource(s)
- b. Avoidance and preservation of the resource(s)
- c. Recovery and reburial of the resource(s) onsite or in a feasible off-site location in a designated area subject to no future disturbance. The location of the reburial shall be acceptable to the UAIC.

To track the implementation of this measure, the Tribal Monitor(s) shall document field-monitoring activities on a Tribal Monitor log. The Tribal Monitor(s) shall wear the appropriate safety equipment while on the construction site.

In consultation with the UAIC THPO, the Tribal Monitor and the project proponent shall determine a mutual end or reduction to the on-site monitoring if/when construction activities have a low potential for impacting Tribal Cultural Resources.

In the event the Tribal Monitor does not report to the job site at the scheduled time after receiving 24-hour business day notice, construction activities may proceed without tribal monitoring. At no time, regardless of the presence or absence of a Tribal Monitor, shall suspected TCRs be mishandled or disrespected.

The Nevada County Planning Department shall assist with resolution of disagreements between the project proponent/contractor and the Tribe if such occurs on the project.

**Timing:** *Prior to and during initial ground disturbance of the site*

**Reporting:** *Noted on improvement plans; Project proponent/contractor to notify Planning Department of contracted Certified Tribal Monitor(s); Notify Planning Department if TCRs discovered and construction work stopped*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 18C: Unanticipated Discoveries of Tribal Cultural Resources.**

If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the Nevada County Planning Department shall be immediately notified, and the Tribal Representative in coordination with the Planning Department shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

The culturally affiliated Tribe shall consult with the Nevada County Planning Department to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and the Nevada County Planning Department shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes

providing a reburial location that is consistent with the Tribe’s preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Any discoveries shall be documented on a Department of Parks and Recreation (DPR) 523 form within 2 weeks of the discovery and submitted to the appropriate CHRIS center in a timely manner.

Work at the TCR discovery location shall not resume until authorization is granted by the Nevada County Planning Department in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the [City/County] Coroner and the culturally affiliated Tribe shall be contacted immediately. Upon determination by the [City/County] Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendent who will work with the project proponent to define appropriate treatment and disposition of the burials.

**Timing:** During project-related grading or construction

**Reporting:** Noted on improvement plans; Notify Planning Department if TCRs discovered and construction work stopped

**Responsible Agency:** Planning Department

## Mitigation and Monitoring Matrix

MEASURE #	MONITORING AUTHORITY	IMPLEMENTATION TIMING
1A	Planning Department	Prior to issuance of building permits
1B	Planning Department	Prior to issuance of building permits
3A	Planning Dept./NSAQMD	During grading/construction
3B	Planning/Building Depts.	During construction
3C	Planning/Public Works Depts.	During construction
3D	Planning/Public Works Depts.	During construction
3E	Planning Dept./NSAQMD	Prior to issuance of grading/imp. permits
4A	Planning Department	Prior to and during construction
4B	Planning Department	Prior to and during construction
4C	Planning Department	Prior to and during construction
4D	Planning Department	Prior to removal of onsite Landmark Groves and Landmark Oak trees; Prior to issuance of grading and building permits
4E	Planning Department	Prior to any ground-disturbing or vegetation-removal activities
5A	Planning Department	Prior to the issuance of building/grading permits and during construction

7A	Building Department	Prior to issuance of grading or improvement permits and during construction
10A	Planning Department	Prior to grading/building permit issuance and during construction
10B	Planning Department	Prior to grading/building permit issuance and during construction
13A	Planning Department	Prior to the issuance of grading and building permits; During construction
13B	Planning Department	During construction of the project. Noted on improvement plans
13C	Planning Department	Prior to and during construction
13D	Planning Department	During construction
13E	Planning Department	During construction
13F	Planning Department	During construction
13G	Planning Department	During construction
13H	Planning Department	During grocery store operations; Ongoing
13I	Planning Department	During grocery store operations; Ongoing
17A	Planning/Public Works Depts.	Prior to certificate of occupancy
17B	Planning/Public Works Depts.	Prior to certificate of occupancy
17C	Planning/Public Works Depts.	Plans approved and striping completed prior to issuance of certificate of occupancy
17D	Planning/Public Works Depts.	Prior to certificate of occupancy
17E	Planning/Public Works Depts.	Prior to certificate of occupancy
17F	Planning/Public Works Depts.	Prior to certificate of occupancy
17G	Planning/Public Works Depts.	Prior to certificate of occupancy
17H	Planning/Public Works Depts.	Prior to certificate of occupancy
18A	Planning Department	Prior to any project-related grading or construction
18B	Planning Department	Prior to and during initial ground disturbance of the site
18C	Planning Department	During project-related grading or construction

# Initial Study and Checklist

## Introduction

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except “No Impact” responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect

as well as direct, and construction as well as operational impacts. This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

## 1. Aesthetics

**Existing Setting:** The project parcel is approximately 5.5-acres in size comprised of sloped terrain located along the east side of Pleasant Valley Road and south side of Pine Shadows Lane. Pleasant Valley Road serves as the main gateway to the Lake Wildwood Community Region from Highway 20 and Penn Valley. The parcel is located approximately 0.25 mile north of the Pleasant Valley Road/State Route 20 intersection, within the northwest edge of the Penn Valley Community Region, in a partially developed commercial and industrial area along the east side of Pleasant Valley Road.

Views of the project site are predominantly seen travelling north and south along Pleasant Valley Road, which is a Nevada County maintained road. The public views from Pleasant Valley Road consist of commercial development on the east side of the road including a gas station and the Gateway Center shopping area near the intersection of Highway 20. A mini-storage facility is located directly north of the subject parcel. Mixed oak and pine woodlands are located on the undeveloped land west of Pleasant Valley Road. Access to the project site will be via Pleasant Valley Road to Pine Shadows Road to enter from the north or Pleasant Valley Road to Commercial Avenue to enter from the south. There will not be direct access from Pleasant Valley Road to the project site.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect on a scenic vista?			✓		A,1, 2
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓	A,4; F,3
c. In non-urbanized areas, substantially degrade the existing visual character or			✓		A,4; F,3

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?					
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓			A,5

**Impact Discussion:**

1a. The project parcel contains two zoning districts: C1-SP (Community Commercial, Site Performance Combining), and M1-SP (Light Industrial, Site Performance Combining). The parcel has corresponding General Plan designations of Neighborhood Commercial (NC) and Industrial (IND). The Penn Valley Area Plan overlays the project parcel and surrounding community. The purpose of the Area Plan is to provide long-term guidance that is intended to improve the prosperity of Penn Valley in a way that supports a healthy economy, environment, protects the rural quality of life and the social fabric for the residents and general public.

A scenic vista is typically considered to be a view that possesses visual and aesthetic qualities of high value to the public. Scenic vistas can provide views of natural features or significant structures and buildings. The project site contains an existing residence and accessory buildings as well as a significant number of trees. The site is also located between a parcel developed with a mini-storage use to the north, and parcels developed with existing commercial uses to the south.

The proposed project requires review and approval of a Development Permit for the construction of a 30,711 square foot building to accommodate a Holiday Market grocery store and a Starbucks Coffee restaurant, along with related improvements. A General Plan Amendment (GPA24-0003) is also proposed to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The change from industrial to commercial designated land will result in less intensive uses with similar or fewer potential impacts which are not considered significant. In addition, the specific development project being considered is a 30,711 square foot grocery store building.

Removal of the residence and accessory buildings, along with the removal of trees to allow for construction of the project, will result in a change in the appearance of the site. Development of the project will incorporate contemporary design standards and will include perimeter landscaping along the northern, southern, and western property

boundaries and interior landscaping of the parking lot. Existing trees located behind the proposed building, along the far eastern portion of the site, will be retained and will provide screening of the building from residences located to the east. With required landscaping and these design elements incorporated, potential impacts to scenic vistas are considered **less than significant**.

- 1b. The subject parcel is located on Pleasant Valley Road, approximately 0.25 miles north of State Highway 20. The portion of State Highway 20 that runs through Penn Valley is not a listed scenic highway, pursuant to the State Department of Transportation (Caltrans) and the Nevada County General Plan (Chapter 18: Aesthetics). With the surrounding area being considered semi-urbanized, the addition of a grocery store building utilizing natural earth tone colors with varying and attractive design details will result in **no impacts** to the scenic resources in the area and will blend in with the surrounding built environment.
- 1c. The project parcel is located in a semi-urbanized area with existing commercial and industrial development located to the north and south. The project will result in a large number of trees and other vegetation being removed from the property to provide area for the proposed grocery store building, parking lot areas, and other related improvements. Required landscaping of the site in accordance with County requirements and the design details of the proposed building will lessen the potential for impacts. A **less than significant** impact is anticipated to the existing visual character or quality of public views of the site and its surroundings.
- 1d. The project will create a new source of lighting associated with the subject property. New lighting associated with the proposed building will include building/wall mounted lighting, pole lighting within the parking lot and circulation areas, and interior building lighting that may be seen from building windows. These new sources of light may be considered a visual impact; however, the project will be required to meet the Nevada County Code to ensure lighting is compatible with the surrounding area, including not allowing for light spill outside of the property boundaries. New proposed lighting will utilize the latest LED technology and will be downcast and directed downwards in compliance with local site development standards to prohibit light trespass and limit unnecessary light pollution. Having all commercial lighting be downward facing and fully shielded is standard for all commercial development in Nevada County and generally will be ensured by a standard condition of approval for the project.

The project's submitted lighting and photometric plan, prepared by CSHQA Architecture and dated January 11, 2024, analyzes details related to potential light spill off the project site resulting from the proposed development. To address potential lighting impacts, recommended **Mitigation Measure 1A** requires all outdoor light fixtures to be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. In addition, fixtures shall have high efficiency lamps. As currently designed, there are a few areas to the north of the proposed building and south of the parking lot that show some light spill off the subject parcel. Therefore, **Mitigation Measure 1B** below requires a final photometric plan to be submitted prior to building permit issuance. The final plan shall demonstrate that all lighting can be kept on site and recommends providing bulbs with less intensity, a reduction in height of lighting fixtures, or removal or relocation of light standards to achieve this requirement. Similar to adjacent commercial development, applicable lighting standards will be required to be met for this

parcel. Overall, proposed lighting will not substantially and adversely impact day and nighttime views in the area. With the incorporation of lighting standards and design criteria, potential impacts from proposed lighting is anticipated to be **less than significant with mitigation**.

**Mitigation:** To reduce potential light impacts the following mitigation measures shall be required:

**Mitigation Measure 1A. Outdoor Light Fixtures.** All outdoor light fixtures shall be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited.

**Timing:** *Prior to building permit issuance*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 1B. Final Photometric Plan.** The applicant shall provide a final lighting and photometric plan that identifies all outdoor lighting fixtures and property lines and demonstrates all project lighting will be maintained on site. This plan shall include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at “0” at all property lines. Recommended methods for reducing potential light spill include: reducing the lumen output of proposed lighting systems, reducing the height of the proposed lights, reducing the number of proposed lights and relocating lights farther into the interior of the parcel.

**Timing:** *Prior to building permit issuance*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

## 2. Agricultural and Forestry Resources

**Existing Setting:** The project site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Significance by the State of California Farmland Mapping and Monitoring Program. The site is currently developed with a residence and accessory buildings and is designated as Grazing Land by the California Department of Conservation (California Important Farmland, 2023). The site is bordered to the north by a mini-storage facility, designated as Other Land, and to the south by various commercial uses, with properties designated Urban and Built-Up Land. The subject parcel is located within an existing commercial/industrial corridor along the east side of Pleasant Valley Road, 0.25 miles north of State Highway 20 and approximately one mile south of the entrance to the Lake Wildwood residential subdivision. There are no active Williamson Act contracts on the project parcel. There is no Timberland Production Zone (TPZ) or Forest (FR) zoning on the subject parcel, and no forestry uses are existing on these parcels or in the project vicinity.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓	A,6
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓	A
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓	A
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓	A
e. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓	A

**Impact Discussion:**

- 2a. The project parcel does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as identified by the Farmland Mapping and Monitoring Program under the California Department of Conservation. There is no existing agricultural use on the parcel. Therefore, **no impact** to protected farmlands is anticipated.
- 2b. There are no Williamson Act contracts on the subject project parcel. The subject parcel has a zoning classification of Neighborhood Commercial, Site Performance Combining (C1-SP) and Light Industrial, Site Performance (M1-SP). There is no agricultural zoning applied to the property. Therefore, **no impact** to zoning for agricultural use or Williamson Act contracts are anticipated.
- 2c,d,e. The subject property is not zoned for forest land use, and no change of zoning classification is proposed that would otherwise cause rezoning of forest land. The project will not result in loss of forest land or conversion of forest land to non-forest use. The property is designated as Grazing Land and would not result in the conversion of farmland to non-agriculture land use. There are no aspects of the project proposal that could result in conversion of farmland or forest land. Therefore, there is **no impact** to forest land or timberland.

**Mitigation Measures:** None required.

### 3. Air Quality

**Existing Setting:** Nevada County is in the Mountain Counties Air Basin (MCAB) and is under the Northern Sierra Air Quality Management District (NSAQMD), which has jurisdiction over an area encompassing Nevada, Plumas, and Sierra counties. Topography and meteorological conditions vary widely in the areas under the NSAQMD’s jurisdiction and air quality conditions can be heavily influenced by local factors. Consequently, air quality conditions within the MCAB vary, resulting in differing attainment status designations for State and federal ambient air quality standards (AAQS) within various portions of the MCAB. The attainment status for AAQS for ozone, respirable particulate matter 10 microns in diameter or less (PM<sub>10</sub>), fine particulate matter 2.5 microns in diameter or less (PM<sub>2.5</sub>), and carbon monoxide (CO), are presented in Table 1 below.

Ozone is a secondary pollutant generated from ozone precursor gases, primarily oxides of nitrogen (NO<sub>x</sub>) and reactive organic gases (ROG), which react with sunlight to create ozone. Reductions in ozone are accomplished through reducing precursor emissions. Western Nevada County is designated as being in nonattainment for the federal 8-hour ozone standard and all of Nevada County is designated as being in nonattainment for the State 1-hour ozone standard. Ozone exceedances in Nevada County are primarily due to transport of emissions from the broader Sacramento area and San Francisco Bay Area. As a result, the NSAQMD has jurisdiction over a relatively small portion of the pollutants using nonattainment within the MCAB.

Nevertheless, because portions of the MCAB have been designated as nonattainment, NSAQMD has prepared a federally enforceable State Implementation Plan (SIP) for western Nevada County in accordance with the Clean Air Act. The SIP is an air quality attainment plan designed to reduce emissions of ozone precursors sufficient to attain the federal ozone AAQS by the earliest practicable date. The Ozone Attainment Plan for western Nevada County was adopted on February 27, 2023. The SIP includes various reasonable available control measures (RACMs). Overall emissions of ozone precursors must be reduced in western Nevada County (consistent with Reasonable Further Progress requirements specified in the Clean Air Act) until attainment is reached. Most of the reductions are expected to come from motor vehicles throughout the MCAB, Sacramento region, and San Francisco Bay Area becoming cleaner as a result of State regulations mandating further emissions reductions.

<u>Pollutant</u>	<u>State Designation</u>	<u>Federal Designation</u>
Ozone (O <sub>3</sub> )	Nevada County: Non-attainment (due to overwhelming transport)	2008 O <sub>3</sub> Standard (75 ppb) Western Nevada County: Serious Non-attainment;
		2015 O <sub>3</sub> Standard (70 ppb) Western Nevada County: Serious Non-attainment;
PM <sub>10</sub>	Nevada County: Non-attainment	Unclassified
PM <sub>2.5</sub>	Nevada County: Unclassified	2012 Annual Standard (12µg/m <sup>3</sup> ) Nevada County: Unclassifiable/Attainment
		2012 24-hour Standard (35µg/m <sup>3</sup> ) Unclassifiable/Attainment

CO	Nevada County: Unclassified	Unclassifiable/Attainment
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Source: NSAQMD. Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects. Aug. 26, 2024

The NSAQMD has established significance thresholds associated with development projects for emissions of the ozone precursors ROG and NO<sub>x</sub>, as well as for PM<sub>10</sub>. Adopted NSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment. The thresholds, expressed in pounds per day (lbs./day), are listed in Table 2 and apply to both construction-related emissions and operational emissions.

As shown in the table, NSAQMD has developed a tiered approach to determine significance levels based on a range of emissions levels. According to the NSAQMD Guidance, emissions that exceed 136 lbs./day (Level C) are considered to be significant. In addition, if emissions of two or more pollutants are determined to be within Level B, emissions are determined to be significant.

Table 2 NSAQMD Thresholds (lbs/day)		
ROG	NO <sub>x</sub>	PM <sub>10</sub>
<b>Level A</b>		
<24	<24	<79
<b>Level B</b>		
24-136	24-136	79-136
<b>Level C</b>		
>136	>136	>136

Source: NSAQMD. Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use projects. August 26, 2024.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with or obstruct implementation of the applicable air quality plan?		✓			A,7
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		✓			A,7
c. Expose sensitive receptors to substantial pollutant concentrations?			✓		A,7; G
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓		A,7

**Impact Discussion:**

3a,b To address potential air quality impacts, an Air Quality and Greenhouse Gas Impact Analysis was prepared for the project by Raney Planning and Management (February

2025). The proposed project’s construction and operational emissions were quantified using the California Emissions Estimator Model (CalEEMod) software version 2022.1.1.28 – a State-wide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including greenhouse gas (GHG) emissions, from land use projects. The model applies inherent default values for various land uses, including construction data, trip generation rates, vehicle mix, trip length, average speed, compliance with the California Building Standards Code (CBSC), etc. Where project-specific information is available, such information should be applied in the model. Accordingly, the proposed project’s modeling assumes the following inherent site design features and project-specific information:

- Construction would occur over an approximately one-year period;
- Approximately 2,306-sf of building materials associated with the existing on-site single-family residence and ancillary structures would be demolished and removed from the project site;
- A total of 21,945 cubic yards (CY) of soils would be exported from the site during grading activities;
- The project would include the removal of 4.34 acres of mixed forest;
- Vehicle trips were adjusted consistent with project-specific trip rate data provided by GHD for the proposed project;<sup>1</sup>
- The proposed project would result in a 20 percent reduction in outdoor water usage beyond current State requirements; and
- All refrigerants used during operation of the proposed project would be R448A refrigerants.

All CalEEMod results are included in Appendix A of the Air Quality Analysis. The results of the emissions analysis for construction and operational emissions are discussed separately below.

Construction Emissions

According to the CalEEMod results, the proposed project would result in maximum unmitigated construction emissions as shown in Table 3. As shown in the table, the proposed project’s construction emissions would be within the Level A thresholds for ROG and PM<sub>10</sub> and the Level B thresholds for NO<sub>x</sub>.

<b>Table 3</b>		
<b>Maximum Unmitigated Construction Emissions (lbs/day)</b>		
<b>Pollutant</b>	<b>Proposed Project Emissions</b>	<b>Threshold Level</b>
ROG	5.23	Level A
NO <sub>x</sub>	31.7	Level B
PM <sub>10</sub>	21.2	Level A
<i>Source: CalEEMod, December 2024 (see Appendix A).</i>		

All projects Level A or greater, including the proposed project, are required to comply with the basic measures recommended by NSAQMD, as applicable, which would help to reduce the construction emissions from the levels presented in Table 3. NSAQMD-recommended measures for projects Level A or greater that are applicable to the proposed project include the following. These measures will be addressed as mitigation measures for the project:

- Alternatives to open burning of vegetative material will be used unless otherwise deemed infeasible by the NSAQMD. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel (**Mitigation Measure 4A**); and
- Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction. (**Mitigation Measure 4B**).

In addition, projects that result in emissions which fall within the Level B thresholds are required to implement additional measures recommended by NSAQMD. The NSAQMD-recommended Level B measures that are applicable to the proposed project include the following, which will also be addressed as mitigation measures:

- Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by local transportation agencies and/or Caltrans (**Mitigation Measure 4C**); and
- Construction activities shall be scheduled to direct traffic flow to off-peak hours as much as practicable. (**Mitigation Measure 4D**).

Furthermore, all development projects under the jurisdiction of the NSAQMD are required to prepare a Dust Control Plan pursuant to Rule 226 (Dust Control)(**Mitigation Measure 4E**). The proposed project's required implementation of the Dust Control Plan will help to further minimize construction-related emissions of fugitive dust, which is a component of PM<sub>10</sub>, from the levels presented in Table 3. With implementation of the Dust Control Plan as a mitigation measure, the actual emissions of PM<sub>10</sub> would be lower than the levels presented in Table 3.

As discussed above, pursuant to the NSAQMD guidelines, projects are determined to have a less-than-significant impact if all ROG, NO<sub>x</sub>, and PM<sub>10</sub> are within Level A or if emissions for only one pollutant are within Level B. Given that the proposed project would result in emissions of ROG and PM<sub>10</sub> within Level A, and emissions of NO<sub>x</sub> within Level B, and would be required to implement all applicable NSAQMD-recommended measures, the proposed project would result in a less-than-significant level during construction. While the NSAQMD-recommended measures are not CEQA mitigation, the Air District requires such measures.

#### Operational Emissions

According to the CalEEMod results, the proposed project would result in maximum unmitigated operational criteria air pollutant emissions as shown in Table 4. As shown in

the table, the proposed project’s operational emissions would all be within threshold Level A.

<b>Table 4 Maximum Unmitigated Operational Emissions (lbs/day)</b>		
<b>Pollutant</b>	<b>Proposed Project Emissions</b>	<b>Threshold Level</b>
ROG	7.82	Level A
NO <sub>x</sub>	7.25	Level A
PM <sub>10</sub>	6.24	Level A
<i>Source: CalEEMod, December 2024 (see Appendix A).</i>		

According to the NSAQMD, emissions within the Level A threshold are considered to be less-than-significant, and additional mitigation beyond the basic measures recommended by NSAQMD is not required. NSAQMD-recommended measures for projects Level A or greater that are applicable to the proposed project include the following:

- Streets shall be designed to maximize pedestrian access to transit stops.

Given the project’s Level A emissions and required compliance with the applicable NSAQMD-recommended measures, the proposed project would result in a less-than-significant impact during operations.

Cumulative Emissions

Due to the dispersive nature and regional sourcing of air pollutants, air pollution is already largely a cumulative impact. The nonattainment status of regional pollutants, including ozone and PM, is a result of past and present development, and, thus, cumulative impacts related to these pollutants could be considered cumulatively significant.

To improve air quality and attain the health-based standards, reductions in emissions are necessary within nonattainment areas. Adopted NSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. As future attainment of AAQS is a function of successful implementation of NSAQMD’s planning efforts, by exceeding NSAQMD’s Level C thresholds or Level B thresholds for two or more pollutants for construction or operational emissions, a project could contribute to the region’s nonattainment status for ozone and PM emissions and could be considered to conflict with or obstruct implementation of the NSAQMD’s air quality planning efforts.

As discussed above, the proposed project’s construction and operational emissions would be less than significant. Thus, the proposed project would not be considered to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment, and the project’s incremental contribution to cumulative emissions would be considered less than significant.

### Conclusion

With the above mitigation measures required, the proposed project would not be anticipated to result in emissions that would conflict with or obstruct implementation of the applicable regional air quality plans or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard. Thus, the proposed project would result in a **less than significant with mitigation** impact.

- 3c. Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Sensitive receptors are typically defined as facilities where sensitive receptor population groups (i.e., children, the elderly, the acutely ill, and the chronically ill) are likely to be located. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. The nearest sensitive receptors to the project site include the existing single-family residences located approximately 300 feet to the northeast and 410 feet to the southeast.

The major pollutant concentrations of concern are localized CO emissions, toxic air contaminant (TAC) emissions, and criteria pollutant emissions, which are addressed in further detail below.

### Localized CO Emissions

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. High levels of localized CO concentrations are only expected where background levels are high, and traffic volumes and congestion levels are high. Emissions of CO are of potential concern, as the pollutant is a toxic gas that results from the incomplete combustion of carbon-containing fuels such as gasoline or wood.

Although NSAQMD does not have an established threshold for CO emissions, the maximum unmitigated daily construction and operational emissions of CO associated with the proposed project are presented in Table 5 below for informational purposes.

<b>Project Phase</b>	<b>CO Emissions</b>
Construction	31.1
Operations	43.4

*Source: CalEEMod, December 2024 (see Appendix A).*

Although NSAQMD does not have an established threshold for CO, the nearby air district, Placer County Air Pollution Control District (PCAPCD), who has authority over a portion of the MCAB, has a screening level for localized CO impacts. According to the PCAPCD

screening levels, a project could result in a significant impact if the project would result in CO emissions from vehicle operations in excess of 550 lbs./day. As shown in Table 5, CO emissions associated with the proposed project would be well below the PCAPCD's 550 lbs./day screening level. Therefore, based on the nearby PCAPCD's screening levels for localized CO impacts, the proposed project would not be considered to expose sensitive receptors to substantial concentrations of localized CO.

### TAC Emissions

Another category of environmental concern is toxic air contaminant (TAC) emissions. The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommended setback distances for sensitive land uses from major sources of TACs, including, but not limited to, freeways and high traffic roads, gas stations, chrome plating operations, distribution centers, and rail yards. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk.

The proposed project would not involve any land uses or operations that would be considered major sources of TACs, including DPM. It should be noted that the proposed project would require the use of delivery trucks during operation. However, the number of trucks associated with on-site deliveries are anticipated to be relatively minor, such that the proposed project would not exceed CARB's 100 truck per day criteria to be considered a major source of TACs. In addition, the proposed project would involve the use of refrigerants. Some refrigerants are known to include cancer causing chemicals. However, as discussed above the operation of the proposed project would involve the use of R448A refrigerants which do not contain any known or anticipated carcinogens according to Occupational Safety and Health Administration (OSHA) or the International Agency for Research on Cancer. Therefore, the use of refrigerants would not be considered a major source of TACs.

Construction-related activities have the potential to generate TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. Health risks are typically associated with exposure to high concentrations of TACs over extended periods of time (e.g., 30 years or greater), whereas the construction period associated with the proposed project is estimated to be approximately one year. Additionally, DPM is known to be highly dispersive, and only portions of the site would be disturbed at a time throughout the construction period. Operation of construction equipment would occur intermittently throughout the course of a day, rather than continuously at any one location on the project site. Operation of construction equipment within portions of the overall development area would allow for the

dispersal of emissions and would ensure that construction activity is not continuously occurring in the portions of the project site closest to existing receptors.

In addition, all construction equipment and operation thereof would be regulated per the CARB's In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation includes emissions reducing requirements such as limitations on vehicle idling, disclosure, reporting, and labeling requirements for existing vehicles, as well as standards relating to fleet average emissions and the use of Best Available Control Technologies. Thus, on-site emissions of PM would be reduced, which would result in a proportional reduction in DPM emissions and exposure of nearby residences to DPM. Project construction would also be required to comply with all applicable NSAQMD rules and regulations, including Rule 501 related to General Permit Requirements.

Considering the intermittent nature of construction equipment operating within an influential distance to the nearest sensitive receptors, the limited duration of construction activities, and compliance with regulations, the likelihood that any one nearby sensitive receptor would be exposed to high concentrations of DPM for any extended period of time would be low. Thus, the proposed project would not expose nearby sensitive receptors to substantial concentrations of TACs associated with construction emissions.

#### Naturally Occurring Asbestos

Another concern related to TAC emissions is naturally occurring asbestos (NOA). Asbestos is a term used for several types of naturally occurring fibrous minerals found in many parts of California. The most common type of asbestos is chrysotile, but other types are also found in California. When rock containing asbestos is broken or crushed, asbestos fibers may be released and become airborne. Exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest and abdominal cavity), and asbestosis (a non-cancerous lung disease which causes scarring of the lungs). Because asbestos is a known carcinogen, NOA is considered a TAC. Sources of asbestos emissions include: unpaved roads or driveways surfaced with ultramafic rock; construction activities in ultramafic rock deposits; or rock quarrying activities where ultramafic rock is present. Properties with naturally occurring asbestos are subject to NSAQMD Rule 904, which requires preparation of an Asbestos Dust Mitigation Plan. In addition, the proposed project would be required to comply with all applicable NSAQMD rules and regulations regarding a Dust Control Plan pursuant to District Rule 226.

NOA is typically associated with fault zones, and areas containing ultramafic rock or contacts between ultramafic rock and other types of rocks. According to the Geologic Map of California prepared by the Department of Conservation, the project site is located within an area unlikely to contain NOA, as faults and ultramafic rock deposits are not known to exist in or around the project area.

#### Criteria Pollutants

The NSAQMD thresholds of significance were established with consideration given to the health-based air quality standards established by the Federal and State AAQS and are designed to aid the NSAQMD in achieving attainment of such AAQS. Although the

NSAQMD's thresholds of significance are intended to aid achievement of the AAQS for which the MCAB is in nonattainment, the thresholds of significance do not represent a level above which individual project-level emissions would directly result in public health impacts. Nevertheless, a project's compliance with the NSAQMD's thresholds of significance provides an indication that criteria pollutants released as a result of project implementation would not inhibit attainment of the health based AAQS. Because project-related emissions would not exceed the NSAQMD thresholds for criteria pollutant emissions and, thus, would not inhibit attainment of the federal and State AAQS, the criteria pollutants emitted during project implementation would not be anticipated to result in measurable health impacts to sensitive receptors. Accordingly, the proposed project would not expose sensitive receptors to excess concentrations of criteria pollutants.

### Conclusion

Based on the above analysis, the proposed project would not be anticipated to result in the production of substantial concentrations of localized CO, TACs, or criteria pollutants. Consequently, the proposed project would result in a **less than significant** impact related to the exposure of sensitive receptors to substantial pollutant concentrations.

- 3d. Emissions of principal concern include emissions leading to odors, emissions that have the potential to cause dust, or emissions considered to constitute air pollutants. Air pollutants have been discussed in sections "a" through "c" above. Therefore, the following discussion focuses on emissions of odors and dust.

### Odors

Emissions such as those leading to odors have the potential to adversely affect people. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative analysis to determine the presence of a significant odor impact is difficult. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The proposed project would not introduce any such land uses.

Construction activities often include diesel-fueled equipment and heavy-duty trucks, which could create odors associated with diesel fumes that may be considered objectionable. However, construction is temporary, and construction equipment would operate intermittently throughout the course of a day and would likely only occur over portions of the site at a time. In addition, all construction equipment and operation thereof would be regulated per the In-Use Off-Road Diesel Vehicle Regulation. Project construction would also be required to comply with all applicable NSAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize air pollutant emissions, as well as any associated odors related to operation of construction equipment. Considering the short-term nature of construction activities, as well as the regulated and intermittent nature of the operation of construction equipment, the proposed project would not be expected to create objectionable odors affecting a substantial number of people.

Furthermore, the NSAQMD regulates objectionable odors through Rule 205 (Nuisance), which prohibits any person or source from emitting air contaminants or other material that result in any of the following: cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; endanger the comfort, repose, health, or safety of any such persons or the public; or have a natural tendency to cause injury or damage to business or property. Rule 205 is enforced based on complaints. If complaints are received, the NSAQMD is required to investigate the complaint, as well as determine and ensure a solution for the source of the complaint, which could include operational modifications. Thus, although not anticipated, if odor complaints are made during construction or operation of the project, the NSAQMD would ensure that such odors are addressed, and any potential odor effects eliminated.

### Dust

With respect to dust, as noted previously, the proposed project would be required to comply with all applicable NSAQMD rules and regulations. Specifically, implementation of a Dust Control Plan pursuant to District Rule 226 would be sufficient to reduce potential emissions of dust during construction. Following project construction, vehicles operating within the project site would be limited to paved areas of the site, and non-paved areas would be landscaped. Thus, project operations would not include sources of dust that could adversely affect a substantial number of people.

### Conclusion

For the reasons described above, development of the proposed project would not result in emissions (such as those leading to odors) adversely affecting a substantial number of people, and a **less than significant** impact would result.

**Mitigation Measures:** To offset potential impacts to air quality, the following mitigation measures shall be required:

**Mitigation Measure 3A: Alternatives to open burning.** Alternatives to open burning of site-cleared vegetative material shall be used unless otherwise deemed infeasible by the Northern Sierra Air Quality Management District (NSAQMD). Among suitable alternatives are chipping, mulching, hauling to an approved disposal site, cutting for firewood, or conversion to biomass fuel. This shall be included as a note on all grading and improvement plans.

**Timing:** *During grading/construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department/NSAQMD*

**Mitigation Measure 3B: Use of grid power.** During construction, grid power shall be used (as opposed to diesel generators) for job site power needs where feasible.

**Timing:** *During construction*

**Reporting:** *Building plans*

**Responsible Agency:** *Planning Department/Building Department*

**Mitigation Measure 3C: Traffic control.** Temporary traffic control shall be provided during all phases of the construction to improve traffic flow.

**Timing:** *During construction*

**Reporting:** *Grading/Building/Improvement plans*

**Responsible Agency:** *Planning Department/Public Works Department*

**Mitigation Measure 3D: Traffic flow to off-peak hours.** Construction activities shall be scheduled to direct traffic flow to off-peak hours as much as practicable.

**Timing:** *During construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department/Public Works Department*

**Mitigation Measure 3E:** Prior to issuance of grading and improvement permits, a Dust Control Plan shall be submitted to the Northern Sierra Air Quality Management District pursuant to Rule 226 and approved. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

- i. Contact details must be provided for the person/s responsible for ensuring that all dust control measures are performed in a timely manner during all phases of project construction.
- j. 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 a violation of an ambient air standard.
- k. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.
- l. All inactive portions of the site shall be covered, seeded, or watered until a suitable cover is established.
- m. All material transported off-site shall be either sufficiently watered, or securely covered to prevent it being entrained in the air, and there must be a minimum freeboard of six inches maintained in the bed of the transport vehicle.
- n. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
- o. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
- p. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

**Timing:** *Prior to issuance of grading and improvement permits*

**Reporting:** *Grading/Improvement plans*

**Responsible Agency:** *Planning Department/NSAQMD*

## 4. Biological Resources

**Existing Setting:** The subject parcel is 5.5 acres in size and located in the foothill region of Nevada County, within the community of Penn Valley, and is bordered to the west by Pleasant Valley Road and to the north by Pine Shadows Lane. Surrounding properties to the west are mostly undeveloped and contain Live Oak Woodlands. Properties to the east are developed with scattered rural residences and contain some Live Oak Woodlands. The parcel to the north is developed with a self-storage facility, and the parcels to the south contain various commercial and light industrial businesses.

While there is an existing residence in the center portion of the project site with an associated driveway, landscaping and outbuildings, the parcel contains a significant number of trees and other natural vegetation. In order to address potential impacts to biological resources, a Biological Resources Assessment (May 2024) and Special-Status Plant Survey Report (August 2024) were prepared for the project by Madrone Ecological Consulting.

According to the Biological Resources Assessment, the subject parcel is largely comprised of Interior Live Oak Woodland with a shrubby understory, bordered by roadways to the north and west. The Interior Live Oak Woodland has a primarily closed canopy (greater than 33% closure) that is dominated by interior live oak (*Quercus wislizeni*). Other trees common in the canopy include blue oak (*Q. douglasii*), Incense cedar (*Calocedrus decurrens*), Ponderosa pine (*Pinus ponderosa*), grey pine (*P. sabiniana*), and madrone (*Arbutus menziesii*) also occur. The shrub layer is relatively dense and is dominated by poison-oak (*Toxicodendron diversilobum*), creeping snowberry (*Symphoricarpos mollis*), toyon (*Heteromeles arbutifolia*), and Hollyleaf redberry (*Rhamnus ilicifolia*). The understory is relatively sparse due to the dense canopy and shrub layers, but dominant species in openings in this community include bristly dogtail grass (*Cynosurus echinatus*), orchard grass (*Dactylis glomerata*), common buttercup (*Ranunculus californicus*), and common soap plant (*Chlorogalum pomeridianum*). Urban portions of the parcel are paved or regularly maintained landscaping on and adjacent to Pleasant Valley Road and Pine Shadows Lane. No aquatic resources were found within the Study Area (Madrone 2024). The terrain within the Study Area is gently rolling, and generally slopes from approximately 1420 feet in the center of the site to approximately 1,400 feet on the east and west sides of the Study Area.

Nevada County Code Section 12.04.215 contains provisions to protect both Landmark Trees and Landmark Groves when a development project is proposed. A Landmark Tree includes any oak tree that is thirty-six (36) or more inches in diameter measured at breast height (DBH = 4' 6"), and a Landmark Grove includes hardwood tree groves with a 33+% canopy closure. Projects that propose to remove or disturb Landmark Trees and/or Landmark Groves may only be approved with review and approval of a Management Plan. Based on the large number of trees on the subject property, the size and location of the proposed project, and potential for impacts to Landmark Trees and Groves, a tree inventory field survey along with a Management Plan were required to be submitted with the project.

A Tree Inventory and Arborist Report (April 2024) was prepared for the project by Greg Matuzak Environmental Consulting. The Tree Inventory was conducted by an ISA Certified Arborist and included an inventory of all native trees equal to or greater than 6" DBH. A total of one hundred fifty (150) trees with a DBH of 6" or greater were mapped within the project area. Of these, one hundred twenty-five (125) trees were identified as either Interior Live Oaks or Blue Oaks. A total of eight (8) native oak trees were identified to be Landmark Trees. The tree inventory was incorporated into the Biological Resources Assessment.

The subject parcel is not located within major deer migration corridors, critical deer winter or summer ranges, or critical fawning areas.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓			A,8-10
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓	A,8
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓	A,8
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓	A,8
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓			A,5,10
f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓	A

**Impact Discussion:**

4a. Madrone Ecological Consulting conducted a field survey of the Study Area on February 12, 2024 as part of the Biological Resources Assessment to assess the suitability of habitats on-site to support special-status species. Meandering pedestrian surveys were performed on foot throughout the Study Area. Vegetation communities were classified in accordance with *The Manual of California Vegetation, Second Edition* (Sawyer, Keeler-Wolf and Evens 2009), primarily accessed online (CNPS 2024), and plant taxonomy was based on the nomenclature in the Jepson eFlora (Jepson Flora Project 2024).

In addition, concurrent with the field survey the consultant conducted an aquatic resources delineation in accordance with the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008a), *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (USACE 2008b), and the Sacramento District's *Minimum Standards for Acceptance of Preliminary Wetlands Delineations* (USACE 2016).

As previously noted, a Tree Inventory was conducted on the project parcel by an ISA Certified Arborist (Greg Matuzak Environmental Consulting) and included an inventory of all native trees equal to or greater than 6" DBH. A total of one hundred fifty (150) trees with a DBH of 6" or greater were mapped within the project area. Of these, one hundred twenty-five (125) trees were identified as either Interior Live Oaks or Blue Oaks. A total of eight (8) native oak trees were identified to be Landmark Trees. The Interior Live Oak Woodland present on the project parcel also has greater than 33% canopy closure and is therefore considered a Landmark Grove by the Nevada County Code.

Most of the project site will be impacted by grading and clearing for the proposed project and related improvements. The eight Landmark Trees contain a total of 312 DBH inches that will be removed for the project in addition to the Landmark Grove over the entire parcel. To address this impact, the applicant will be required to mitigate through payment into the County's in-lieu mitigation fund administered by the Bear Yuba Land Trust (BYLT).

The Biological Resources Assessment includes a map showing the California Department of Fish and Wildlife, California Natural Diversity Data Base (CNNDB), indicating locations of special-status species in the area of the project site. This map shows occurrences of seven (7) special-status species within a five-mile radius of the project area. These species include: Chaparral Sedge, Scadden Flat Checkerbloom, Stebbin's Morning-Glory, Chinook Salmon (Central Valley Spring-run ESU), Steelhead (Central Valley DPS), Foothill yellow-legged Frog (North Sierra DPS), and California Black Rail.

A list of special-status species that were evaluated, including their listing status, habitat associations, and their potential to occur in the project Study Area was prepared for the Biological Resources Assessment. The following set of criteria was used to determine each species' potential for occurrence on the site:

- High: The site is within the known range of the species and suitable habitat exists.
- Moderate: The site is within the known range of the species and very limited suitable habitat exists.
- Low: The site is within the known range of the species and there is marginally suitable habitat.
- No Habitat Present: The site does not contain suitable habitat for the species, or the site is outside the known range of the species.

From the special-status species contained on the list, two plant species are listed as having a "High" potential for occurrence on site: Dubious pea and Oval-leaved viburnum. Five species of birds and mammals have a "High" potential for occurrence on site: Sharp-shinned hawk, California spotted owl, Pallid bat, Northern California ringtail, and Fringed myotis. Finally, two

species of mammals have a “Low” potential for occurrence on site: Townsend’s big-eared bat and Hoary bat.

Listings of all plant and wildlife species observed during the February 2024 reconnaissance-level survey are included in the Biological Resources Assessment. None of the previously mentioned plant or wildlife species were observed during the survey.

In addition to the Biological Resources Assessment prepared in May 2024, an additional Special-Status Plant Survey Report was prepared by the same biological consultant (Madrone Ecological Consulting) in August 2024. The same biologist who conducted the February 2024 survey conducted a special-status plant survey of the project area on May 14, 2024. The target plant species for this survey were: Dubious pea and Oval-leaved viburnum.

Meandering pedestrian surveys were conducted throughout the project area. The surveys were floristic in nature, which means that all plant species observed on-site were identified to the taxonomic level necessary to determine rarity. Thus, if a special-status plant was present but not on the target list, it would have been detected and documented. No special-status plant species, including Dubious pea and Oval-leaved viburnum were observed during the May 14, 2024 protocol-level special status plant survey of the project area.

The Biological Resources Assessment identified potential impacts to nesting raptors and other birds, roosting bats, Northern California ringtail, and landmark trees and groves. To address these potential impacts to biological resources, **Mitigation Measure 4A** is recommended requiring a pre-construction nesting bird survey, preparation of a survey report, and potential additional mitigation if active raptor nests are found. **Mitigation Measure 4B** requires pre-construction roosting bat surveys be conducted during the breeding season. **Mitigation Measure 4C** will require non-invasive pre-construction surveys for Northern California ringtail and ringtail nests. **Mitigation 4D** requires mitigation for impacts to landmark trees and groves. Finally, **Mitigation Measure 4E** requires a Worker Environmental Awareness Training (WEAT) be prepared and administered to the construction crews prior to any ground disturbing or vegetation removal activities.

Based on the above information, the project would have ***less than significant impact with mitigation*** on special-status species or sensitive natural habitat.

- 4b,c. The subject parcel does not contain state or federally protected wetlands. Madrone Ecological Consulting conducted a protocol-level aquatic resources delineation and no wetlands or watercourses were found within or adjacent to the project study area. Furthermore, no riparian areas occur within the study area. Therefore, the proposed project will not negatively impact watercourse, wetland, riparian areas, their habitats or other sensitive natural communities. The project would therefore have ***no impact*** on wetlands or related habitats.
- 4d. With no wetlands, watercourses, or riparian areas on the subject property, there are no native or migratory fish to be impacted. Regarding potential wildlife corridors, the project parcel is located within a “Resident Herd” deer area and does not contain any known major deer migration corridors, critical winter or summer ranges, or any known critical deer fawning area, as identified in the Biological Resources Assessment and the Nevada County General Plan. During the field survey conducted for the Assessment, there were no deer observed on the property. Therefore, there will be ***no impact***.

- 4e. Nevada County Code Section 12.04.215 contains provisions to protect both Landmark Trees and Landmark Groves when a development project is proposed. A Landmark Tree includes any oak tree that is thirty-six (36) or more inches in diameter measured at breast height (DBH = 4' 6"), and a Landmark Grove includes hardwood tree groves with a 33+% canopy closure. Projects that propose to remove or disturb Landmark Trees and/or Landmark Groves may only be approved with review and approval of a Management Plan. Based on the large number of trees on the subject property, the size and location of the proposed project, and potential for impacts to Landmark Trees and Groves, a Tree Inventory and Arborist Report along with a Management Plan were required to be submitted with the project.

A Tree Inventory and Arborist Report (April 2024) was prepared for the project by Greg Matuzak Environmental Consulting. The Tree Inventory was conducted by an ISA Certified Arborist and included an inventory of all native trees equal to or greater than 6" DBH. A total of one hundred fifty (150) trees with a DBH of 6" or greater were mapped within the project area. Of these, one hundred twenty-five (125) trees were identified as either Interior Live Oaks or Blue Oaks. A total of eight (8) native oak trees were identified to be Landmark Trees. In addition, the Interior Live Oak Woodland present on the project parcel also has greater than 33% canopy closure and is therefore considered a Landmark Grove by the Nevada County Code.

Most of the project site will be impacted by grading and clearing for the proposed project and related improvements. The eight Landmark Trees contain a total of 312 DBH inches that will be removed for the project in addition to the Landmark Grove over the entire parcel. To address this impact, the applicant will be required to mitigate through payment into the in-lieu mitigation fund administered by the Bear Yuba Land Trust (BYLT). At the time this mitigation measure was prepared, incorporating the required 2:1 mitigation ratio for the oak woodlands results in an in-lieu fee of \$13,530 per impacted acre (April 2024). In addition, a 2:1 mitigation is recommended for landmark trees which results in an in-lieu fee of \$190 per impacted DBH inch. Based on impacts to Landmark Groves on the entire project site and 312 DBH inches of Landmark Oak trees, the total in-lieu mitigation fees would be \$137,754 (BYLT, April 2024).

As previously discussed above, **Mitigation 4D** requires this mitigation for impacts to landmark trees and groves.

The proposed project will have **less than significant impact with mitigation** on local policies or ordinances protecting biological resources.

- 4f. The subject property is not included in any adopted Habitat Conservation Plan or other approved local, regional, or state habitat conservation plan . Therefore, the proposed project would have **no impact** on any of these plans.

**Mitigation Measures:** To offset potential impacts to biological resources, the following mitigation measures shall be required and shall be included in the improvement plans for the project:

**Mitigation Measure 4A: Avoid Impacts to Nesting Raptors and Other Birds.** The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically February 15 through September 1).

Pre-Construction Nest Survey

A pre-construction nesting bird survey shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than seven days prior to the initiation of construction. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

If active raptor nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the County after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). A qualified biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.

Survey Report

A report summarizing the survey(s) shall be provided to the County within 30 days of the completed survey and is valid for one construction season. If no nests are found, no further mitigation is required.

Changes to Buffers and Completion of Nesting

Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the County.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

**Timing:** *Prior to and during construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4B: Avoid Impacts to Roosting Bats.** Pre-construction roosting bat surveys shall be conducted by a qualified biologist within 14 days prior to any tree or building removal that will occur during the breeding season (April through August). If preconstruction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusion shall be conducted as recommended by the qualified biologist. Methods may include acoustic monitoring, evening emergence surveys, and the utilization of two-step tree removal supervised by the qualified biologist. Two-step tree removal involves removal of all branches that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Building exclusion methods may include such techniques as installation of passive one-way doors, or the installation of netting when the bats are not present to prevent their reoccupation. Once the bats have been excluded, tree or building removal may occur.

**Timing:** *Prior to and during construction*

**Reporting:** *Grading/Building plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4C: Avoid Impacts to Northern California Ringtail.** To mitigate for potential impacts to Northern California ringtail, the following measure is recommended:

- Within 14 days prior to the initiation of any construction activities, a qualified biologist shall conduct non-invasive preconstruction surveys for Northern California ringtail and ringtail nests in suitable habitats (riparian habitats, oak woodlands with shrubby understory, and/or trees 5 inches dbh or greater in riparian areas, particularly those with cavities) that will be disturbed by construction activity. Non-invasive methods may include camera traps and track plates as well as physical surveys of suitable habitat. If ringtail are found prior to the initiation of, and/or during construction activities, a qualified biologist shall consult with CDFW prior to relocation of any individual ringtail. The camera trap may be removed once construction begins.
- If a ringtail nest is observed within the proposed impact area during the preconstruction survey, the Project biologist shall establish a no-disturbance buffer and the nest shall be fenced off and avoided until the young have left the nest, and the nest is no longer active as determined by the Project biologist. A qualified biologist shall monitor to ensure that ringtails do not disperse into the construction area.
- If any ringtails are observed within the Project area, work will be suspended in a 100-foot radius of the animal until the animal leaves the Project site on its own volition. If necessary, the Project biologist will notify CDFW to determine the appropriate procedures related to relocation. Any worker who inadvertently injures or kills a ringtail or who finds one dead, injured, or entrapped must immediately report the incident to the Project biologist.

**Timing:** *Prior to and during construction*  
**Reporting:** *Grading/Building plans*  
**Responsible Agency:** *Planning Department*

**Mitigation Measure 4D: Impacts to Landmark Grove and Landmark Oak Trees.** Prior to removal of onsite Landmark Groves and Landmark Oak trees and issuance of a grading or building permit for the proposed project, payment of an in-lieu fee shall be made to the approved Bear Yuba Land Trust (BYLT) compensatory mitigation fund for protected oak resources. It shall be specified that the fee paid will be used to purchase mitigation landmark grove(s) within Nevada County. The compensatory mitigation ratio required by Nevada County is 2:1. An administration fee is included in the current rates charged by BYLT to cover their costs associated with this option.

At the time this mitigation measure was prepared, incorporating the 2:1 mitigation ratio for the oak woodlands results in an in-lieu fee of \$13,530 per impacted acre (April 2024). In addition, a 2:1 mitigation is recommended for landmark trees which results in an in-lieu fee of \$190 per impacted DBH inch. **Based on impacts to 4.64 acres of Landmark Groves on the entire project site and 200 DBH inches of Landmark Oak trees, the total in-lieu mitigation fees would be \$100,779.20** (BYLT, April 2024).

Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation. If any trees can ultimately be avoided, the Improvement Plans shall include a note and show placement of temporary construction fencing outside of the driplines of trees to be saved.

**Timing:** *Prior to removal of onsite Landmark Groves and Landmark Oak trees; Prior to issuance of grading and building permits*  
**Reporting:** *Grading/Improvement plans*  
**Responsible Agency:** *Planning Department*

**Mitigation Measure 4E: Worker Environmental Awareness Training.** Prior to any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction crews. The WEAT shall include the following: discussion of the state and federal Endangered Species Act, the Clean Water Act, the Project’s permits and CEQA documentation, and associated mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife, location of any avoided Waters of the U.S; hazardous substance spill prevention and containment measures; and the contact person in the event of the discovery of a special-status wildlife species. The WEAT will also discuss the different habitats used by the species' different life stages and the annual timing of these life stages. A handout summarizing the WEAT information shall be provided to workers to keep on-site for future reference. Upon completion of the WEAT training, workers shall sign a form stating that they attended the training, understand the information presented and will comply with the regulations discussed. Workers will be shown designated “avoidance areas” during the WEAT training; worker access should be restricted to outside of those areas to minimize the potential for inadvertent environmental impacts. Fencing and signage around the boundary of avoidance areas may be helpful.

**Timing:** Prior to any ground-disturbing or vegetation-removal activities  
**Reporting:** Form signed confirming attendance at training  
**Responsible Agency:** Planning Department

## 5. Cultural Resources

### Existing Setting:

The subject parcel is approximately 5.5-acres in size and located within the western portion of Nevada County in Penn Valley, situated along the east side of Pleasant Valley Road, approximately 0.25 mile north of State Route 20. The subject parcel contains an oak woodland environment with extensive tree cover, manzanita, blackberry bushes, and other vegetation and is developed with a two-story residence, a single-story guest house, and two accessory buildings. These existing buildings will be demolished and removed to make room for the proposed market building. The subject parcel has a slope of approximately 16%. Due to the possible cultural sensitivity of the project site, the applicant was required to submit a cultural resources assessment prepared by a qualified consultant. A Cultural and Paleontological Resources Assessment was prepared by Natural Investigations Company (Lori Harrington, M.A., R.P.A, and Dylan Stapleton, M.A., R.P.A.) and submitted with the project.

The cultural investigations comprised a records search conducted by the North Central Information Center at Sacramento State University (NCIC), received on December 11, 2023; a Sacred Lands File (SLF) search conducted by the Native American Heritage Commission (NAHC), received on December 15, 2023; a University of California Museum of Paleontology (UCMP) records search completed on January 16, 2024; geoarchaeological analyses; a pedestrian survey of the project area completed on January 11, 2024; and the preparation of a report documenting the investigation results for the Project in compliance with the California Environmental Quality Act (CEQA).

Cultural resources investigations for the project identified no previous surveys or previously recorded cultural resources in the project area. The SLF search for the project noted negative results of the presence of sensitive Native American resources in the area. A geoarchaeological analysis determined that the sensitivity of the project area for the presence of buried deposits of cultural resources is low. The

cultural and paleontology surface survey of the Project area did not identify any new resources or any indication of buried deposits of cultural resources.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?		✓			A,11
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓			A,11
c. Disturb any human remains, including those interred outside of formal cemeteries?		✓			A,11

**Impact Discussion:**

5a-c. As noted in the above section, the Cultural and Paleontological Resources Assessment prepared for this project determined the sensitivity of the project area for the presence of buried deposits of cultural resources is low. In addition, the cultural and paleontology surface survey of the project area did not identify any new resources or any indication of buried deposits of cultural resources.

While the sensitivity of the project area for the presence of buried deposits of cultural resources is low, a mitigation measure is being required to address any unanticipated discoveries of cultural or unique paleontological resources onsite. If there are any resources discovered during construction activities including ground disturbing activities, all work shall be stopped immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease within the immediate vicinity of the find, the County Planning Department shall be notified, and a cultural resources specialist, professional archaeologist, or other qualified consultant shall be contacted to evaluate the find. The cultural resources shall be properly treated based on the recommendations of the consultant.

The Assessment notes that indigenous archaeological sites have been identified within the ¼ mile record search radius of the project site. To ensure the protection of possible cultural resources, the Assessment recommends that a qualified archaeologist and a Native American tribal representative monitor the initial grading and ground disturbance on the project parcel as a mitigation measure. In addition, if human remains, historical or archaeological resources are discovered inadvertently during on-site grading or construction, a mitigation measure is recommended that requires work be halted and appropriate agencies contacted. Mitigation measures for monitoring of the initial grading and ground disturbance on the site and to address possible inadvertent or unanticipated discoveries are discussed in more detail and contained in Section 18, Tribal Cultural Resources (Mitigation Measures 18B and 18C). With these mitigations required, potential impacts are considered *less than significant with mitigation*.

**Mitigation Measures:** To offset potentially adverse cultural resource impacts associated with the project activities, the following **Mitigation Measure 5A** shall be required and shall be included in the improvement plans for the project. **See Mitigation Measures 18A – 18C** in Section 18, Tribal Cultural Resources, for other related measures.

**Mitigation Measure 5A. Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction.** All equipment operators and employees involved in any form of ground disturbance at any phase of project improvements shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately and the Nevada County Planning Department, United Auburn Indian Community of the Auburn Rancheria, and any other interested and affected tribe shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for each phase of this project.

**Timing:** Prior to the issuance of building/grading permits and during construction

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Planning Department

## 6. Energy

**Existing Setting:** On February 12, 2019, the Nevada County Board of Supervisors approved the Energy Action Plan (EAP) as the County’s unincorporated area’s roadmap for expanding energy-efficiency, water-efficiency, and renewable-energy, and the cost-savings that accompany these efforts. The EAP is focused on operations of structures, infrastructure that generates energy, and efficient use of water. The subject parcel is currently developed with an existing residence and accessory buildings, which will be removed to make room for the proposed 30,711 SF grocery store building. Pacific Gas & Electric (PG&E) will serve the proposed facility for electricity.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?			✓		A,12
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓		A,12

**Impact Discussion:**

6a,b. Construction techniques and equipment used to construct the project will be consistent with local and state regulations. Typical construction activities require the use of energy (e.g., electricity and fuel) for various purposes such as the operation of construction equipment and tools, as well as grading and construction travel. The size and scope of the project is not likely to require extraordinary, or non-typical construction equipment, or techniques resulting in a wasteful, or inefficient construction operation. The operation of the proposed grocery store and

Starbucks Coffee will utilize existing available power and energy sources and will be subject to meeting all federal, state and local codes in relation to this use. The local Energy Action Plan does not address energy use during the construction phase, so there is no conflict with the local plan. There is a **less than significant impact** related to excessive energy consumption or conflicts with renewable energy or energy efficiency plans.

**Mitigation Measures:** None required.

## 7. Geology and Soils

**Existing Setting:** The project 5.5-acre parcel is comprised of land that generally slopes to the west and south towards Pleasant Valley Road and Commercial Avenue, with the rear portion of the parcel sloping to the east. The parcel is located along the south side of Pine Shadows Lane and the west side of Pleasant Valley Road. Directly north of the project site is a mini-storage facility and directly south are parcels developed with commercial and light industrial uses. The subject parcel is developed with a residence and accessory buildings in the central portion of the site.

According to the Natural Resources Conservation Service (NRCS) Soil Survey Database (NRCS 2024), five soil mapping units occur within the project Study Area: (BoC) Boomer loam, 5-15% slopes; (SfB) Sierra sandy loam, deep, 2 to 9% slopes, LRU 18XI; (SfC) Sierra sandy loam, 9 to 15% slopes, LRU 18XI; (SfD) Sierra sandy loam, deep, 15 to 30% slopes, LRU 18XI; and (SoC) Sobrante loam, 2 to 15% slopes. The Sierra and Sobrante soils are material weathered from granite, while the Boomer soils weathered from metavolcanics as well as granite. All of the soil mapping units have the potential to have inclusions of gabbro, diorite, or volcanic soils, however, all of the rock outcrops observed within the Study Area were granite, and the plant species observed were not typical of those found in more nutrient limiting geologic units such as gabbro or volcanic soils.

According to the *Geologic Map of the Chico Quadrangle, California, 1:250,000* (Saucedo and Wagner, 1992) published by the California Division of Mines and Geology, the property is located in an area mapped as Mesozoic-age Volcanic and Gabbroic rock from the Smartsville Complex.

A Geotechnical Engineering Report was prepared by the NV5 Engineering consulting firm (dated April 2024) and submitted with this project application. According to the report, NV5 conducted a field investigation on February 22, 2024. During the investigation, the consultant observed the local topography and surface conditions. The consultant performed a subsurface investigation which included the excavation of 6 exploratory trenches across the project area. They excavated to depths ranging between 8 and 13 feet below the ground surface (bgs) using a CAT 315 excavator equipped with a 24-inch bucket. They obtained samples using a hand-actuated slide sampler and mattock. An engineer from the consulting firm logged the soil conditions revealed in the exploratory trenches and collected relatively undisturbed and bulk soil samples for laboratory testing.

During the field investigation, the consultant encountered groundwater seepage in two of six exploratory trenches (T-1 and T-6). The observations of groundwater conditions were made after a period of relatively wet weather. Although the consultant did not observe groundwater in all of the exploratory trenches, they note their experience has shown that seepage may be encountered in excavations which reveal the soil/weathered rock transition, particularly during or after the rainy season.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving: <ul style="list-style-type: none"> <li>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure including liquefaction?</li> <li>iv. Landslides?</li> </ul>				✓	A,13
b. Result in substantial soil erosion or the loss of topsoil?		✓			A,8,13
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?		✓			A,13
d. Be located on expansive soil creating substantial direct or indirect risks to life or property?		✓			A,13
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓	B
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓			A,11

**Impact Discussion:**

7a. The Alquist-Priolo Earthquake Fault Zoning Act was adopted in 1972 to prevent the construction of buildings used for human occupancy on the surface trace of active faults. Ground or fault rupture is generally defined as the displacement that occurs along the surface of a fault during an earthquake. Generally, western Nevada County is in a low intensity zone for earthquake severity.

Regional faulting is associated with the central area of the Foothill Fault System. The Foothill Fault System is a broad zone of northwest trending, east dipping normal faults formed along the margin of the Great Valley and the Sierra Nevada geologic provinces on the western flank of the Sierra Nevada and southern Cascade Mountain ranges.

The applicant’s geotechnical consultant, NV5, reviewed Special Publication 42 (California Geological Survey (CGS), 2018), which is intended to promote uniform and effective statewide

implementation of the evaluation and mitigation elements of the Alquist-Priolo Earthquake Fault Zoning Act. Pursuant to CGS (2018) guidance, NV5 used the online *California Earthquake Hazards Zone Application* (EQ Zapp; <https://www.conservation.ca.gov/cgs/fgeohazards/eq-zapp>) to determine whether the Site is located within an Earthquake Fault Zone (also known as Alquist-Priolo Zone, or A-P Zone). A-P Zones are regulatory zones that encompass traces of Holocene-active faults to address hazards associated with surface fault rupture. According to the California Earthquake Hazards Zone Application, the site location is not within an A-P Zone. There are no known faults that cross through the project site.

NV5 has concluded that based on their site observations, the geology of the region, and their experience in the area, the risk of seismically induced hazards such as slope instability, liquefaction, and surface rupture are remote at the project site. Therefore, there is **no impact** for impacts to rupture of known earthquake faults, seismic ground shaking, seismic-related ground failure including liquefaction and landslides.

7b,c,d. A Geotechnical Engineering Report prepared by NV5 Engineering (dated April 2024) was submitted along with the project application. According to the report, the consultant has found the site to be suitable for the proposed improvements, provided the geotechnical engineering recommendations and design criteria presented in the report are incorporated into the project plans. The recommendations of this report will ensure that potential impacts to geology and soils are less than significant. While no potential adverse impacts to geology and soil are anticipated because of this project, adherence to the recommendations of the Geotechnical Engineering Report as provided in **Appendix B** of this initial study is required.

NV5 did not express concerns for soil erosion or loss of topsoil. Potential soil erosion is to be mitigated through appropriate measures identified in the Geotechnical Engineering Report. These include the installation of fiber rolls down slope of the proposed area of disturbance to reduce migration of sediment from the site. Fiber rolls on slopes are intended to reduce sediment discharge from disturbed areas, reduce the velocity of water flow, and aid in the overall revegetation of slopes. In addition, erosion controls are to be installed on all cut and fill slopes to minimize erosion caused by surface water runoff. All soil exposed in permanent slope faces should be hydroseeded or hand seeded/strawed with an appropriate seed mixture compatible with the soil and climate conditions of the site.

As stated above, based on the conclusions of the consultant, the risk of seismically induced hazards such as slope instability, liquefaction, and surface rupture are remote at the project site.

The Geotechnical Engineering Report states that expansive soil, where encountered, should be over-excavated to a minimum depth of 3 feet below building pad subgrade and at least 2 feet below exterior hardscapes, slabs-on-grade and pavement sections. Over-excavations should extend a minimum 5 feet laterally from the edge of foundation elements and minimum 2 feet laterally from the edge of hardscapes. Over-excavations should be backfilled with approved non-expansive soil, placed and compacted in accordance with the following grading recommendations. Excavated expansive soil(s) should either be disposed of offsite, placed in non-structural areas, or placed within the lower portion of deep fills.

With **Mitigation Measure 7A** requiring the NV5 Engineering recommendations be incorporated into the project, there will be a **less than significant impact with mitigation** to geology and soils.

- 7e. The Nevada County Department of Environmental Health (NCDEH) has reviewed the project and commented their records indicate a permit for a septic system serving a 4-bedroom residence and detached guest house on the subject parcel was finalized in 1980. The applicant intends to remove this system and connect to public sewer (Nevada County Sanitation District Services). An abandonment permit is required to be obtained from the Environmental Health Department for the removal of this septic system and will be addressed as a condition of approval.

The project parcel is bordered to the south by properties that are served by municipal sewer (Nevada County Sanitation District). The project proposes to connect to the County Sanitation District for sewer services. The District has reviewed the project and provided a “Will Serve Letter” indicating it has sufficient capacity in the Penn Valley Zone to accommodate an annexation request for the parcel for the development of the grocery store. For the Sanitation District to provide future sewer service to the project parcel, it will be necessary for the parcel to annex into Nevada County Sanitation District No. 1, Penn Valley, Zone 6, and acquire sewer capacity. Annexation will require a separate review process through the Nevada County Local Agency Formation Commission (LAFCo) prior to the applicant submitting a sewer connection application.

The project requires the removal of the existing septic system on the property and connection to public sewer and does not propose any septic tanks or alternative wastewater disposal systems. Therefore, there is **no impact** related to soils needed to serve septic systems.

- 7f. There is no evidence of any unique paleontological resources or sites or unique geologic features in the project area. **Mitigation Measure 5A** described in Section 5 above, would require construction to be halted in the unlikely event that there is a discovery of cultural resources, including historic, prehistoric, tribal, and paleontological resources so they can be evaluated and protected. Therefore, impacts to paleontological resources and unique geological features is **less than significant with mitigation**.

**Mitigation Measures:** To mitigate potential impacts to geology and soils from project grading and construction, the following mitigation measure, in addition to **Mitigation Measure 5A**, shall be required:

**Mitigation Measure 7A: Implement the Recommendations of the NV5 Geotechnical Engineering Report:** The applicant shall include the recommendations of the NV5 Geotechnical Engineering Report (April 2024) incorporated herein by reference, provided in Appendix B of this initial study, and maintained on file with the Planning Department. These recommendations shall be incorporated in the project design and included in all improvement plans, demolition permit(s), and grading and construction permits. These recommendations are specific to: Clearing and Grubbing, Expansive Soil, Soil Preparation for Fill Placement, Engineered Fill, Fill Slope Grading, Cut Slope Grading, Differential Fill Depth, Temporary Excavations, Underground Utility Trenches, Erosion Controls, Wet Weather Grading, Surface Water Drainage, Infiltration Basins, Construction Dewatering, Soil Corrosion Potential, Grading Plan Review and Construction Monitoring, Seismic Design Criteria, Foundations, Retaining Wall Design Criteria, Surface Water and Near-Surface Groundwater, Perimeter Foundation Drains, and Slab Underdrains.

**Timing:** *Prior to issuance of grading or improvement permits/During Construction*

**Reporting:** *Approval of permits or plans/During Construction*

**Responsible Agency:** *Building Department*

## 8. Greenhouse Gas Emissions

**Existing Setting:** Global climate change refers to changes in average climatic conditions on the earth, including temperature, wind patterns, precipitation and storms. Global warming, a related concept, is the observed increase in the average temperature of the earth's surface and atmosphere. One identified cause of global warming is an increase of greenhouse gases (GHGs) in the atmosphere. Greenhouse gases (GHGs) are those gases that trap heat in the atmosphere. GHGs are emitted by natural and industrial processes, and the accumulation of GHGs in the atmosphere regulates the earth's temperature. Events and activities, such as the industrial revolution and the increased combustion of fossil fuels (e.g. gasoline, diesel, coal, etc.), are believed to have contributed to the increase in atmospheric levels of GHGs. GHGs that are regulated by the State and/or EPA are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>) and nitrous oxide (NO<sub>2</sub>). Emission inventories typically focus on GHG emissions due to human activities only, and compile data to estimate emissions from industrial, commercial, transportation, domestic, forestry, and agriculture activities. CO<sub>2</sub> emissions are largely from fossil fuel combustion and electricity generation. Agriculture is a major source of both methane and NO<sub>2</sub>, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agents, and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO<sub>2</sub>. Global warming adversely impacts air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and causes an increase in health-related problems.

In September 2006, AB 32, the California Climate Solutions Act of 2006, was enacted. Among other requirements, AB 32 required the CARB to identify statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020, and to develop and implement a Scoping Plan. On September 8, 2016, AB 197 and Senate Bill (SB) 32 were enacted with the goal of providing further control over GHG emissions in the State. SB 32 built on previous GHG reduction goals by requiring that the CARB ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030.

In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009. The Northern Sierra Air Quality Management District (NSAQMD) has prepared a guidance document, Guidelines for Assessing Air Quality Impacts of Land Use Projects, which includes mitigations for general air quality impacts that can be used to mitigate GHG emissions when necessary. Continuing to reduce greenhouse gas emissions is critical for the protection of all areas of the state, but especially for the state's most disadvantaged communities, as those communities are affected first, and, most frequently, by the adverse impacts of climate change, including an increased frequency of extreme weather events, such as drought, heat, and flooding.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓		A,7
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			✓		A,7

**Impact Discussion:**

8a,b. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. An individual project’s GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts. To address potential GHG impacts, an Air Quality and Greenhouse Gas Analysis was prepared for the project by Raney Planning and Management (February 2025).

Development of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO<sub>2</sub>) and, to a lesser extent, other GHG pollutants, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>e/yr).

The proposed project is located within the jurisdictional boundaries of the NSAQMD, which does not currently have any established thresholds for GHG emissions. While NSAQMD prefers that GHG emissions are generally quantified for decision-makers and the public to consider, the NSAQMD typically excludes regulation of mobile source emissions, as such emissions are regulated by CARB on a State-wide basis.

In addition, pursuant to the Governor’s Office of Land Use and Climate Innovation (LCI), certain projects are presumed to have a less-than-significant effect on Vehicle Miles Traveled (VMT) due to project size, project location, or project type. Specifically, according to LCI, local-serving uses may generally be presumed to have a less-than-significant VMT impact and can generally be screened from further VMT analysis. LCI based the presumption on substantial research demonstrating that adding local-serving uses typically improves destination accessibility to residents, often reducing trip distances because residents need to travel shorter distances than they previously did, as adding new local-serving uses typically shifts trips away from another use rather than adding entirely new trips to the region. A direct correlation exists between VMT and mobile source GHG emissions. Thus, according to the NSAQMD, a reasonable assumption can be made that if the proposed project is determined to meet the LCI’s screening criteria for local-

servicing retail uses, the proposed project’s mobile source GHG emissions can also be screened out of further analysis.

The LCI Technical Advisory notes that projects less than 50,000 sf can generally be considered local serving. The proposed project would consist of a 30,711-sf grocery store. Thus, the project would be below 50,000 sf, and, as a result, would be considered local serving. In addition, given the nature of the proposed project and the surrounding area, a reasonable assumption can be made that the majority of patrons visiting the proposed project would be travelling from the immediately surrounding area. For example, aside from the existing Holiday Market located north of the project site, which is being replaced by the proposed project, the nearest existing grocery store to the project site is located within the City of Grass Valley, approximately eight miles east of the project. Thus, the proposed project would provide a closer retail opportunity to the residents of Penn Valley and the surrounding area. As a result, because the proposed project’s VMT meets the local-servicing retail screening criteria established in the LCI’s Technical Advisory, further analysis of the proposed project’s mobile-source GHG emissions is not provided herein.

With regard to all other construction and operational GHG emissions generated by the project, because the NSAQMD has not adopted GHG thresholds, the thresholds of the nearby Placer County Air Pollution Control District (PCAPCD) were applied to the proposed project for the purposes of this analysis. The thresholds of significance were adopted by the PCAPCD to aid in compliance with the statewide goals established by AB 32 and SB 32, and the NSAQMD has determined that the thresholds are appropriate for the proposed project. Accordingly, the applicable thresholds of significance for this analysis are presented in Table 6.

GHG emissions resulting from construction and operations of the proposed project were modeled using the CalEEMod emissions model under the same assumptions as discussed in Section III, Air Quality, of this IS/MND. All modeling outputs are included in Appendix A of the Air Quality and Greenhouse Gas Analysis.

Construction

Construction of the proposed project would occur over the course of approximately one year. It should be noted that construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As discussed above, the NSAQMD has not adopted thresholds of significance for construction related GHG emissions. Therefore, the total emissions have been compared to the thresholds of significance used by the nearby air district of PCAPCD. The maximum unmitigated GHG emissions from construction of the proposed project are presented in Table 7 below.

Construction Emissions	Maximum Annual GHG Emissions
Project Emissions	297.00
PCAPCD Threshold	10,000.00
<b>Exceeds Thresholds?</b>	<b>NO</b>
<i>Source: CalEEMod, December 2024 (see Appendix A).</i>	

As shown above, construction of the proposed project would result in maximum annual GHG emissions far below the applicable threshold of significance.

Operations

As discussed above, because the proposed project’s VMT meets the local-serving retail screening criteria established in the LCI’s Technical Advisory, further analysis of the proposed project’s mobile-source GHG emissions is not provided herein. The estimated unmitigated operational GHG emissions generated by the proposed project for all other emission sources are presented in Table 8.

<b>Table 8</b>	
<b>Unmitigated Operational GHG Emissions (MTCO<sub>2</sub>e/yr)</b>	
<b>Operational Emissions</b>	<b>Maximum Annual GHG Emissions</b>
Area	0.45
Energy	205
Water	6.30
Waste	54.1
Refrigerants	609
Vegetation	4.90
<i>Total Emissions</i>	<i>879.75</i>
PCAPCD Threshold	1,100.00
<b>Exceeds Thresholds?</b>	<b>NO</b>
<i>Source: CalEEMod, December 2024 (see Appendix A).</i>	

As shown in Table 8, the proposed project’s maximum unmitigated operational GHG emissions would be below the PCAPCD’s 1,100 MTCO<sub>2</sub>e/yr threshold.

Conclusion

Based on the above, the proposed project would not be considered to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and a **less than significant** impact would occur.

**Mitigation Measures:** None required

## 9. Hazards and Hazardous Materials

**Existing Setting:** No existing or proposed schools are located within one-quarter mile of the project area. The project area is not within an airport land use plan or within two miles of a public airport or public use airport or in the vicinity of a private airstrip. The Department of Toxic Substances Control (DTSC) EnviroStor database was utilized to check for past hazardous information on the project property and no hazardous information resulted from this search. Similarly, the State Water Resources Control Board online GeoTracker database was utilized, with no hazardous information being identified for the subject

parcel. According to the California Environmental Reporting System (CERS), the project is not within or adjacent to any hazardous materials sites compiled, nor is it located on an abandoned solid waste disposal site known to the County. The subject parcel is located approximately one mile south of the Penn Valley Fire Station located at the entrance to the Lake Wildwood subdivision and 1.5 miles northwest of the Penn Valley Fire Station located on Spenceville Road and is within a designated High fire severity zone (Cal Fire, Fire Hazard Severity Zones, December 2022).

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓		A,B
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓		A,B
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓	A
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?				✓	A,14
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓	A
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓		A,E
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			✓		A,D

**Impact Discussion:**

9a,b. The proposed project would not result in the routine transport and use of hazardous materials to the site and would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Most trips to the site will involve customers coming and going to do grocery shopping or to go to the Starbucks Coffee shop, and employees arriving for work and leaving. Due to the construction phase of the project and based on the variety of products to be

sold at the grocery store, it is likely some of the items to be stored or sold are likely to be considered hazardous.

The Nevada County Environmental Health Department has reviewed the project and commented the applicant and/or facility operator shall adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code 25100 - 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). In addition, the applicant and/or facility operator must apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from the Nevada County Department of Environmental Health (NCDEH), the Certified Unified Program Agency (CUPA). The applicant and/or facility operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations.

Based on the above information, potential impacts of the proposed project would be a **less than significant** related to routine transport, use, or disposal of hazardous materials.

- 9c. There are no existing or proposed schools within one-quarter mile of the proposed project. The nearest schools (Vantage Point Charter and Ready Springs Elementary) are located approximately 1.3 miles southeast of the subject property. Therefore, there would be **no impact** related to hazardous emissions or substances near a school.
- 9d. No portion of the project area is included on the State of California Hazardous Waste and Substances Sites (Cortese) List of hazardous materials sites. The Environmental Health Department has reviewed the project and has no record of hazardous materials used or generated, or hazardous wastes disposed of, on this site. There are no known abandoned mine lands (AML) on this parcel known to this Department. Therefore, the project would not create significant hazard to the public or the environment, and **no impact** would occur.
- 9e. The proposed project is not located within an airport land use plan or within two miles of an airport. Therefore, there would be **no impact**.
- 9f. There is no currently adopted emergency response/evacuation plan for the immediate area. In case of an emergency, Highway 20 would serve as the primary route for traffic running east to west from Yuba County to Grass Valley/Nevada City. While the project would be utilized by vehicles and residents to the area that would need to evacuate, both during construction and operation, the project site is less than 1,000 feet away from Highway 20 and would not significantly hinder the flow of traffic during an evacuation. The project also proposes to provide two ingress/egress points for the project. The applicant will be required to comply with the requirements of the Penn Valley Fire Protection District as well as the Office of the County Fire Marshal's requirements. Based on this information and since the Penn Valley Fire Protection District fire station is 1.5 miles away, potential impacts are considered to be **less than significant**.
- 9g. Although the project is located within a High Fire Hazard Severity Zone, the project parcel is within an area being developed into commercial uses, with existing surrounding commercial development located to the north and south of the parcel. The project will be constructed to current California Building Code requirements, requiring fire sprinklers within the grocery store building and additional fire safety requirements. Therefore, the potential to expose people or

structures to wildland fire hazards would be decreased. As such, the proposed project would result in **less than significant impacts** related to this issue.

**Mitigation Measures:** None required.

## 10. Hydrology and Water Quality

**Existing Setting:** The project area is located in western unincorporated Nevada County, within the Penn Valley Community Region. There are no streams or rivers on the project property. In addition, there are no wetlands, drainages, or riparian habitat present on the project parcel. The project corridor is not located within or near a 100-year flood hazard zone according to the Federal Emergency Management Agency’s (FEMA) Flood Information Maps. Finally, the project site is not located within any groundwater basins or priority basins identified by the DWR Bulletin 118, or the Sustainable Groundwater Management Act (SGMA) Basin Prioritization Dashboard. The nearest DWR Bulletin 118 basins are the North and South Yuba Subbasins of the Sacramento Valley Basin (5-21.60 and 5-021.61, respectively) which are approximately eight (8) miles west of the proposed project site.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		✓			A
b. Substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓		A,13
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?		✓			A,15
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓	A

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		✓			A
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓	A
g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓	A

**Impact Discussion:**

10a.e. The project proposes a Development Permit (DVP 24-2) to allow a 30,711 square foot commercial grocery store building and related improvements that will be shared by Holiday Market and a Starbucks Coffee restaurant. A General Plan Amendment (GPA24-0003) is also proposed to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The change from industrial to commercial designated land will result in less intensive uses with similar or fewer potential impacts which are not considered significant. In addition, the specific development project being considered is a 30,711 square foot grocery store building.

In addition to the proposed building, other proposed improvements include 158 paved parking spaces and access ways both in front (west of) and behind (east of) the proposed building, landscaped areas, and retaining walls. The project contains storm water drains to properly manage water drainage. There are no present surface or ground water basins on the project parcel.

Since the project will disturb more than one acre, a Stormwater Pollution Prevention Plan (SWPP) will be required as a condition of approval for the project. No Groundwater Sustainability Agency, no Groundwater Sustainability Plan, and no sustainability criteria or goals have been established for the project parcel or surrounding area. Connection to existing hydrant and water line supply will be required. Watering trucks will be filled with municipal water, following granted permission. Potential impacts to adjacent drainage areas could include potential run-off of exposed soils from excavation and equipment related pollutants like oil and gas. To protect water quality, **Mitigation Measures 10A and 10B** requires best management practices for preventative erosion and sediment control measures in the project area, to include distribution of these practices to the contractor to ensure compliance. Erosion control measures will need to be included in the improvement plans that correspond to the development. Therefore, project related impacts to

water quality standards and waste discharge requirements would be **less than significant with mitigation**.

- 10b. As described above, the project is not located within an area regulated by the Department of Water Resources (DWR) and State Water Resources Control Board (SWRCB) via the Sustainable Groundwater Management Act (SGMA). This project proposal is not defined as a project under the California Clean Water Act §10912(a) and is therefore not required to complete a water supply assessment.

A geotechnical report was prepared and provided for the project by the consulting firm NV5 (April 2024). The consultant conducted a field investigation on the property in February 2024. No onsite springs or seeps were noted as being observed. A subsurface investigation included the excavation of 6 exploratory trenches across the subject property, excavated to depths ranging between 8 and 13 feet below the ground surface. Samples using a hand-actuated slide sampler and mattock were obtained. Ground water seepage was encountered in two of the six exploratory trenches. The consultant’s observations of groundwater conditions were made after a period of relatively wet weather.

There are no prioritized basins or sustainable groundwater management plans for this area, nor is ground water proposed to be used. The project does not propose to interfere or decrease ground water supplies or interfere with groundwater recharge to the extent that sustainability of groundwater management would be impeded. Water service will be provided by municipal water (Nevada Irrigation District), and a Will-Serve letter has been provided by the District. This area is not a part of a sustainable groundwater management plan. Therefore, the proposed project will not result in impacts to groundwater resources. Offsite run-off will be subject to NPDES permitting and Clean Water Act regulations to ensure downstream resource are not impacts by the project. Due to the regulations in place for this type of land use as well as it not being in an area subject to the Sustainable Groundwater Management Act (SGMA) this project’s impact would be **less than significant**.

- 10c. The proposed project will not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces. A Drainage Report, prepared by King Engineering, was prepared with the intent to analyze the property and demonstrate the project is designed to ensure post-development flows will not exceed pre-development flows for a 10-year and 100-year storm, per applicable Nevada County drainage requirements.

There are no streams, rivers, or other waterways either on the subject parcel or immediately adjacent to it. Proposed impervious surfaces on site include the area covered by the proposed 30,711 square foot grocery store building, driveways, sidewalks, and paved parking lot area. The total proposed impervious surface area is approximately 131,646 square feet, which results in a 55% coverage with impervious surface over the subject parcel. This is well below the maximum 85% of impervious surface coverage that is permitted in the C1 zone district and is not anticipated to create any substantial impacts to the amount of surface run off and associated impacts.

The Drainage Report submitted with the application demonstrates that the resultant drainage from this project will be captured onsite through stormwater control devices, to ensure project

post-development flows do not exceed pre-development flows (see Exhibit A, Table 4). As a condition of approval, the applicant will be required to submit grading and drainage plans with an accompanying analysis prepared by a registered civil engineer to demonstrate no net stormwater runoff from the proposed project. Substantial altering of existing drainage patterns will not be impeded nor will flood flows be re-directed because of the project. The area is not in a flood zone so the development will not impede or redirect flood flows. Potential for erosion and siltation on/off-site have been addressed through a project specific geotechnical report. With the implementation of standard Geotechnical recommendations as required by **Mitigation Measures 7A** and with the adherence to **Measures 10A and 10B**, which require erosion/sediment control measures and best management practices for stormwater quality in the project area, there will be a **less than significant with mitigation** in relation to alteration of existing drainage patterns.

- 10d. The proposed project site is not located within a 100-year flood hazard zone. The subject parcel is located within Zone “X”, which is defined as “areas determined to be outside the 0.2% annual chance floodplain” in the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA). With the project not being in a floodplain or an area prone to flood risk, there would be **no impact** associated with risks of releasing pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- 10f. No housing is proposed as part of this project, and the project is not within a 100-year flood hazard area. Therefore, there will be **no impacts** related to placing housing within a flood zone.
- 10g. The project is not within a 100-year flood hazard area, so there are **no impacts** related to structures impeding or redirecting flood flows.

**Mitigation Measures:** In addition to **Mitigation Measure 7A**, the following water quality mitigation measures/best management practices (BMPs) are also identified:

**Mitigation Measure 10A: Best Management Practices.** Implement the following BMPs to minimize construction related impacts to water quality. The following BMPs shall be incorporated into all Contract Documents and Construction Plans for the project and implemented by the contractor to protect water quality:

- j. Construction crews shall be instructed in preventing and minimizing water pollution on the job.
- k. Interim erosion control measures may be needed and shall be installed during construction to assure adequate erosion control facilities are in place at all times.
- l. Straw or rice mulch may be used if needed with a tackifier.
- m. All earth moving or excavation activities shall cease when winds exceed 20 mph.
- n. Haul trucks shall be always covered with tarpaulins or other effective covers.
- o. Use broom and shovels when possible, to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
- p. Designate a concrete washout area, as needed; to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
- q. Establish a vehicle storage, maintenance, and refueling area, as needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.

- r. Dust control measures shall conform to the requirements of the Dust Control Plan submitted to and approved by the Northern Sierra Air Quality Management District (NSAQMD).

**Timing:** Prior to grading/building permit issuance and during construction

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Planning Department

**Mitigation Measure 10B: Provide copies of BMPs.** Copies of the project's Mitigation Monitoring and Reporting Program and all BMPs shall be supplied to the Contractor(s) and their workers to assure compliance with mitigation measures during construction.

**Timing:** Prior to grading/building permit issuance and during construction

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Planning Department

## 11. Land Use and Planning

**Existing Setting:** The subject project property is in western Nevada County at the intersection of Pine Shadows Lane and Pleasant Valley Road, approximately 0.25 mile north of State Route 20, within the Penn Valley community region. The western one-third portion of the subject property is designated Neighborhood Commercial (NC) by the Nevada County General Plan, while the central and eastern two-thirds portion is designated Industrial (IND). The parcel has corresponding zoning classifications of Neighborhood Commercial with Site Performance Combining District (C1-SP) and Light Industrial with Site Performance and Planned Development Combining District (M1-PD-SP). The SP combining district requires adherence to policies and standards of the Penn Valley Area Plan.

Located directly north of the subject parcel is property that is also designated Neighborhood Commercial (NC), and property developed with a mini-storage facility that is designated Industrial (IND) by the General Plan. To the east are parcels designated Rural-5 (RUR-5) that are developed with scattered rural residences. To the south are parcels designated Neighborhood Commercial (NC) and Industrial (IND) developed with various commercial uses. To the west are parcels designated Planned Development, with an underlying mix of Neighborhood Commercial and Open Space, that are mostly undeveloped.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Physically divide an established community?				✓	A
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓		A

**Impact Discussion:**

- 11a. The proposed project is located within a commercial/light industrial corridor and not a residential community. The development of the Holiday Market grocery store will not divide an established

community. The project is located along Pleasant Valley Road and the subject parcel is located between previously developed parcels. The entrance to the Lake Wildwood residential community is located over one mile north of the subject parcel. All anticipated traffic due to the project will use existing roadways and no traffic closures are expected that could divide the nearby community temporarily during construction. Therefore, the proposed project would have **no impacts** related to division of an existing community.

- 11b. The proposed project will not result in a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The subject parcel currently has a General Plan designation of both Neighborhood Commercial (NC) and Industrial (IND) and corresponding zoning of Neighborhood Commercial, Site Performance Combining (C1-SP) District and Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. The General Plan Amendment proposes to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District.

There are no new General Plan or zoning designations proposed by the project. The project will result in an increase in Neighborhood Commercial and corresponding C1-SP zoning of approximately 2.4 acres (1.9 to 4.3 acres) which will result in a decrease in Industrial and corresponding M1-PD-SP zoning of approximately 2.4 acres (3.6 to 1.2 acres). Uses within commercial designated areas are generally considered to be less intensive than uses in industrial designated areas. In addition, the specific development project being considered is a 30,711 square foot grocery store building. As a result, the proposed General Plan and zoning changes are anticipated to have a less than significant impact on land use and planning.

The project is subject to the design standards of the Western Nevada County Design Guidelines and the standards of the Penn Valley Area Plan. In reviewing the project, special consideration was given to the design and aesthetics of the project. The project incorporates several design features to enhance the overall aesthetics of the project, including utilizing several different materials and colors on the front of the building, varying roof lines and heights, and various building articulations. As discussed in Aesthetics above, potential lighting impacts are mitigated to ensure compliance with County Standards. Overall, the project is consistent with the County design standards and comprehensive site development standards and subsequently, the project will have a **less than significant impact** due to any conflicts with land use plans, policies and regulations that have the purpose of mitigating impacts to environmental resources.

**Mitigation Measures:** None required.

## 12. Mineral Resources

**Existing Setting:** Mineral resources, particularly gold, have played a major role in the history of Nevada County. Since 1849, when gold was first discovered in the area, to the years preceding World War II, most

of the County's population was economically supported directly or indirectly by the local gold mining industry. Other metals produced in the County since 1880 include silver, copper, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, small amounts of limestone, asbestos, clay, and mineral paint. Also, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County. (Mineral Land Classification of Nevada County, State Division of Mines and Geology, 1990).

In order to promote the conservation of the state's mineral resources, and ensure adequate reclamation of mined lands, the Surface Mining and Reclamation Act of 1975 (SMARA) was enacted. SMARA requires that the State Geologist classify land in California for its mineral resource potential. Local governments are required to incorporate the mineral and classification reports and maps into their general plans and consider the information when making land use decisions. Areas subject to mineral land classification studies are divided into various Mineral Resource Zone (MRZ) categories that reflect varying degrees of mineral potential. There are no identified mines or mineral resources in the project vicinity and the project is not located within an MRZ designated area. The closest known mineral resource area (MRZ-2) is located approximately one mile southwest of the project area.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓	A
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓	A

**Impact Discussion:**

12a,b. The project includes a Development Permit (DVP24-2) for a proposed a 30,711 square foot grocery store building with parking lot and other related improvements. A General Plan Amendment (GPA24-0003) is also proposed to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District. Uses within commercial designated areas are generally considered to be less intensive than uses in industrial designated areas. In addition, the specific development project being considered is a 30,711 square foot grocery store building. As a result, the proposed General Plan and zoning changes are anticipated to have a less than significant impact.

The subject parcel was previously developed with a residence and accessory buildings that will be removed to accommodate the proposed grocery store and related improvements. The subject

parcel does not contain known or designated mineral resources. Therefore, there is **no impact** related to the loss of known mineral resources.

**Mitigation Measures:** None required.

### 13. Noise

**Existing Setting:** The proposed project site is located along the south side of Pine Shadows Lane and the east side of Pleasant Valley Road, approximately 0.25 mile north of the intersection of State Route 20 and Pleasant Valley Road. State Route 20 is a two-lane highway with additional left and right turn lanes at the intersection. Located north of the project site across Pine Shadows Lane is property developed with a mini-storage facility. To the south of the project site are various commercial uses. To the east are parcels developed with rural residences and to the west across Pleasant Valley Road are parcels that are mostly undeveloped with some scattered residences.

Noise-sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the primary intended use of the land. Places where people live, sleep, recreate, worship, and study are generally considered to be sensitive to noise because intrusive noise can be disruptive to these activities. The nearest neighboring noise-sensitive uses to the project site are residences located approximately 225 feet to the northeast and 410 feet to the southeast, respectively.

The proposed project has the potential to generate noise impacts from automobiles driven by grocery store customers and employees arriving and leaving the subject parcel (noise from parking lot areas). In addition, potential noise impacts could be generated by large heavy and medium duty trucks making deliveries to the site which may utilize the front doors or the loading dock at the rear of the building. Noise from normal operation of rooftop mechanical equipment (HVAC) could also impact neighboring properties. In order to evaluate and address these potential noise impacts, an Environmental Noise and Vibration Assessment was prepared by Bollard Acoustical Consultants (October 8, 2024) and submitted with this project.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess standards established in the local General Plan or noise ordinance, or applicable standards of other agencies?		✓			A,16
b. Generation of excessive ground borne vibration or ground borne noise levels?			✓		A,16

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓	A,16

**Impact Discussion:**

13a. During project construction, heavy equipment would be used for grading excavation, paving, and building construction, which would increase ambient noise levels when in use. Noise levels would vary depending on the type of equipment used, how it is operated, and how well it is maintained. Noise exposure at any single point outside the project work area would also vary depending upon the proximity of equipment activities to that point.

Noise sources of primary concern would involve pneumatic hammers and power cutting tools, heavy equipment with diesel motors and backing alarms, and dirt movers including graders, excavators, and compactors. This is typical noise generated during any construction site at this scale and should operate during daytime hours. While short-term increases in noise will occur that can be attributed to this project, construction activities are exempt from the County’s Noise Standards as they are temporary in nature and cease once construction is completed. Noise impacts from construction activities, however, are not exempt from CEQA-related impacts. Since existing residential uses are located to the east of the project site and commercial uses are located to the south of project site, some inconvenience and noise annoyance will occur during construction activities. To assist in reducing this impact, **Mitigation Measure 13A** is included which restricts construction activities to daytime hours (7 a.m. to 7 p.m.) Monday-Saturday.

The Environmental Noise and Vibration Assessment prepared for the project recommends additional measures be incorporated into project on-site construction operations to reduce the potential for annoyance at nearby existing noise-sensitive receptors (i.e., residences). These measures include the use of temporary construction noise control measures; ensuring project equipment and vehicles using internal-combustion engines are equipped with manufacturers-recommended mufflers; having all mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency comply with such regulations; encouraging the use of electrically powered equipment instead of pneumatic or internal-combustion- powered equipment where feasible; locating material stockpiles and mobile equipment staging, parking, and maintenance areas as far as practicable from noise-sensitive receptors; and establishing and enforcing project area and site access road speed limits during the construction period (**Mitigation Measures 13B – 13G**).

With incorporation of these mitigation measures, potential temporary noise impacts will be **less than significant with mitigation**.

Regarding potential permanent noise impacts that may be generated, the Noise and Vibration Assessment states that with development of the project, traffic volumes on the local roadway

network will increase. Those increases in daily traffic volumes will result in a corresponding increase in traffic noise levels at existing uses located along those roadways.

The FHWA Traffic Noise Model (FHWA-RD-77-108) was used to quantify increases in existing traffic noise levels at the existing sensitive land uses nearest to the project area roadway network. The FHWA Model predicts hourly  $L_{eq}$  values for free-flowing traffic conditions. Estimates of the hourly distribution of traffic for a typical 24-hour period were used to develop DNL values from  $L_{eq}$  values.

Traffic data in the form of peak hour intersection turning movements were obtained from the traffic impact analysis prepared by the project transportation consultant (GHD). Those data were converted to Average Daily Traffic (ADT) segment volumes by applying a factor of 5 to the sum of AM and PM peak hour conditions. Other inputs were obtained from the noise consultant's observations and noise measurement data. Traffic noise levels associated with those scenarios at the distances representing the nearest noise-sensitive land uses to the project area roadways are summarized in the Noise and Vibration Assessment.

Based on this analysis, project-generated traffic noise level increases would not result in significant noise impacts at existing noise-sensitive receptors located along the project area roadway network.

The project proposes operation of a grocery store with associated parking. Based on information provided to the noise consultant, the project proposes hours of operation from 6:00 a.m. to 11:00 p.m. The primary noise sources associated with on-site operations have been identified as parking area movements, delivery truck circulation (i.e., medium and heavy truck passbys), truck delivery activities (i.e., unloading of project at storefront and rear loading dock area), and rooftop mechanical equipment (HVAC). Noise generated by those operations were quantified through a combination of reference noise level data and application of accepted noise modeling techniques.

Noise level limits were applied at the property line of the closest noise-sensitive property to the project, identified as 18691 and 18694 Pine Shadows Lane (APN: 051-240-013) – a 5.03 acre property zoned General Agricultural (AG) that is developed with a residence and is located immediately northeast of the project parcel. Satisfaction of the County's noise level criteria at the property line of the closest noise-sensitive use (APN: 051-240-013) would ensure for compliance at noise-sensitive uses located farther away.

The proposed project will have two primary parking areas – a larger one on the west (front) side of the building and a smaller one on the east (rear) side of the building. As a means of determining potential noise exposure due to project parking area activities, the noise consultant utilized specific parking lot noise level measurements conducted by them. Specifically, a series of individual noise measurements were conducted of multiple vehicle types arriving and departing a parking area, including engines starting and stopping, car doors opening and closing, and persons conversing as they entered and exited the vehicles. The results of those measurements revealed that individual parking lot movements generated mean noise levels of approximately 70 dB SEL at a reference distance of 50 feet. The maximum noise level associated with parking lot activity typically did not exceed 65 dB  $L_{max}$  at the same reference distance.

Based on the analysis, predicted noise levels from worst-case project parking area movements would satisfy the applied Nevada County daytime, evening and nighttime hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) exterior noise level standards at the property line of APN: 051- 240-013 (the closest parcel containing an existing residence).

The project site will receive deliveries of products from both heavy and medium duty trucks. On-site circulation of heavy and medium duty trucks has the potential to generate noise impacts. According to delivery information provided by the project applicant, the grocery store would receive deliveries from all heavy trucks at a loading dock area located at the rear of the building. Deliveries from medium trucks will occur at both the rear loading dock and through the front doors of the store.

On-site truck passbys are expected to be relatively brief and will occur at low speeds. To predict noise levels generated by project on-site truck circulation, Bollard Acoustical Consultants utilized file data obtained from measurements conducted by them of heavy and medium duty truck passbys with provided store delivery information. According to the store delivery information provided, worst-case daily deliveries are estimated to occur on Fridays (7 medium trucks, 7 heavy trucks). Based on the proposed site design, and for the purpose of this analysis, it was conservatively assumed that the project could receive a total of 2 heavy trucks (loading dock) and 3 medium trucks (2 loading dock, 1 store front) during the same worst-case busy hour.

Data from the Noise Assessment indicates that predicted hourly average noise levels from project on-site truck circulation would satisfy the applied Nevada County daytime, evening and nighttime hourly average ( $L_{eq}$ ) exterior noise level standards at the property line of APN: 051-240-013 (the closest parcel containing an existing residence). However, project on-site truck circulation noise is predicted to exceed the applied Nevada County nighttime maximum ( $L_{max}$ ) exterior noise level standard at the property line of APN: 051-240-013.

Because project on-site truck circulation noise exposure is predicted to exceed the applied County nighttime exterior maximum ( $L_{max}$ ) noise level standard at the property line of APN: 051-240-013, this impact is identified as potentially significant. To avoid the potential for exceeding the applied County exterior nighttime maximum ( $L_{max}$ ) noise level standard at the property line of APN: 051-240-013, **Mitigation Measure 13H** is included which limits all project on-site truck circulation to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only).

Noise related to truck deliveries has the potential to generate noise impacts. According to delivery information provided by the project applicant, the grocery store would receive deliveries from all heavy trucks at a loading dock area located at the rear of the building. The provided delivery information also indicates that deliveries from medium trucks will primarily occur at the rear loading dock, with the potential for some to occur at the front of the store building.

Any medium truck delivery activities that could occur at the front of the store (located on the west side of building) would be substantially screened from view at the property line of APN: 051-241-013 (located on the east side of the building). Due to the significant noise level reduction that the proposed store building envelope would provide, an analysis of medium truck delivery

activity noise from the front of the store at the property line of APN: 051-241-013 was not included in this impact discussion. Rather, the following section includes an analysis of noise associated with the project loading dock area – which is the closer of the two delivery areas to APN: 051-241-013.

The primary noise sources associated with the loading dock area have been identified as heavy and medium-duty trucks stopping (air brakes), backing into the loading bays (back-up alarms), and pulling away from the dock area (revving engines). To quantify the noise generated by project loading dock operations, Bollard Acoustical Consultants utilized noise level data obtained from their field measurements of similar loading dock areas in recent years. According to their measurement data, loading dock hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) noise levels are approximately 60 dB  $L_{eq}$  and 75 dB  $L_{max}$  (respectively) at a reference distance of 50 feet from the docks. The noise level measurements included 3 heavy truck arrivals and departures (with unloading activities), and 4 medium-duty truck deliveries during the busy hour of measurements.

Based on the consultant's measurement data, project loading dock noise level exposure at the property line of the closest noise-sensitive parcel (General Agricultural zoned with a residence, APN: 051-240-013) was calculated and the results of those calculations were included in the Noise Assessment. Since project loading dock activity noise exposure is predicted to exceed the applied County nighttime exterior hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) noise level standards at the property line of APN: 051-240-013, this impact is identified as potentially significant. To avoid the potential for exceeding the applied County exterior nighttime hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) noise level standards at the property line of APN: 051-240-013, **Mitigation Measure 13I** is required which limits all project loading dock activities to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only).

Project rooftop mechanical equipment (HVAC) has the potential to generate noise impacts to surrounding properties. The rooftop mechanical plans for the proposed grocery store building provided to the noise consultant indicate that a combination of condensers, air-handling units, and an exhaust fan will be located on the building rooftop.

For this analysis, it was conservatively assumed that all identified noise-generating rooftop-mounted mechanical equipment would be in operation concurrently (believed to be worst-case noise exposure). Based on this operations assumption, the provided rooftop mechanical plans and rooftop mechanical plan schedule, and using the cited equipment manufacturer reference sound level data above with accepted sound propagation (-6 dB per doubling of distance), combined project rooftop-mounted mechanical equipment noise exposure at the property line of the closest noise-sensitive parcel (General Agricultural zoned with residence, APN: 051-240-013) was calculated and the results of those calculations are presented in the Noise Assessment. Because operation of the rooftop mechanical equipment is typically a steady state noise source, the equipment was assessed relative to the County's hourly average ( $L_{eq}$ ) noise level standard descriptors.

The data from this analysis indicates that predicted hourly average noise level exposure from combined project rooftop mechanical equipment would satisfy the applied Nevada County daytime, evening and nighttime hourly average ( $L_{eq}$ ) exterior noise level standards at the property line of APN: 051-240-013 (the closest parcel containing an existing residence). Based on the analysis, this impact is identified as being less than significant.

Finally, the calculated cumulative (combined) hourly average ( $L_{eq}$ ) and highest predicted maximum ( $L_{max}$ ) noise levels from analyzed project operations at the property line of the closest noise-sensitive parcel (General Agricultural zoned with residence, APN: 051-240-013) is presented in the Noise Assessment. According to this information, hourly average ( $L_{eq}$ ) and highest predicted maximum ( $L_{max}$ ) noise level exposure from cumulative (combined) on-site operations is calculated to exceed the applied Nevada County nighttime hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) exterior noise level standards at the property line of APN: 051-240-013 (the closest parcel containing an existing residence).

Since cumulative (combined) and highest predicted project on-site operations noise exposure is calculated to exceed the applied County nighttime exterior hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) noise level standards at the property line of APN: 051-240-013, this impact is identified as potentially significant. To avoid the potential for an exceedance of the applied County exterior nighttime hourly average ( $L_{eq}$ ) and maximum ( $L_{max}$ ) noise level standards at the property line of APN: 051-240-013, previously noted **Mitigation Measure 13H** and **Mitigation Measure 13I** will be implemented. With these measures implemented, cumulative noise impacts will be ***less than significant with mitigation***.

- 13b. During project construction, heavy equipment would be used for grading, excavation, paving, and building construction, which would generate localized vibration in the immediate vicinity of those activities. The nearest off-site existing structures have been identified as a storage unit building located on APN: 051-240-023 to the north, a commercial building on APN: 051-240-017 to the south, and a commercial building on APN: 051-290-059 to the southwest.

The Noise and Vibration Assessment contains a table that includes the range of vibration levels for equipment commonly used in general construction projects at a distance of 25 feet. The data also includes projected equipment vibration levels at the nearest off-site existing structures. According to the data, vibration levels generated from on-site construction activities are below the FTA threshold for damage to engineered structures (98 VdB) at a reference distance of 25 feet from those activities. In addition, the construction-related vibration levels shown in the Vibration Assessment are predicted to be below the strictest impact level criterion of 74 VdB for institutional land uses with primarily daytime uses presented in the Assessment. Finally, the construction-related vibration levels are predicted to be generally below the human threshold of perception (65 VdB) at the nearest identified structures. Based on this analysis, on-site construction within the project area is not expected to result in excessive ground borne vibration levels at nearby existing off-site buildings.

It is expected the project would not result in the exposure of persons to excessive ground borne vibration levels at proposed uses of the project. Because vibration levels due to the proposed project are expected to be satisfactory relative to the applicable FTA vibration impact criteria for damage to structures and annoyance, this impact is considered to be ***less than significant***.

- 13c. The project site is not located within the vicinity of a private airstrip, within an airport land use plan, or within two miles of a public airport and would therefore not expose people residing or

working in the project area to excessive noise levels. Therefore, there is **no impact** from the project.

**Mitigation Measures:** To reduce potential temporary and permanent noise impacts the following mitigation shall apply:

**Mitigation Measure 13A: Limit construction work hours to 7:00 a.m. to 7:00 p.m. Monday-Saturday.** During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday. Prior to issuance of grading and building permits, improvement plans shall include this restriction on the hours of construction.

**Timing:** *Prior to Issuance of Grading and Building Permits; During construction*

**Reporting:** *Planning Department approval of Grading and Building permits. Noted on improvement plans.*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 13B: Temporary construction noise control measures.** The project shall utilize temporary construction noise control measures including the use of temporary noise barriers, or other appropriate measures as mitigation for noise generated during construction of the project.

**Timing:** *During construction of the project. Noted on improvement plans.*

**Reporting:** *Planning Department approval of Grading and Building permits.*

**Responsible Agency:** *Planning Department.*

**Mitigation Measure 13C: Mufflers installed on project equipment and vehicles.** All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.

**Timing:** *Prior to and during construction.*

**Reporting:** *Planning Department approval of Grading and Building permits. Noted on improvement plans.*

**Responsible Agency:** *Planning Department.*

**Mitigation Measure 13D: Comply with applicable noise regulations.** All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.

**Timing:** *During construction.*

**Reporting:** *Planning Department approval of Grading and Building permits. Noted on improvement plans.*

**Responsible Agency:** *Planning Department.*

**Mitigation Measure 13E: Electrically powered equipment.** *Where feasible, electrically powered equipment shall be used instead of pneumatic or internal-combustion- powered equipment.*

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

**Mitigation Measure 13F: Material stockpiles and mobile equipment.** Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

**Mitigation Measure 13G: Project area speed limits.** Project area and site access road speed limits shall be established and enforced during the construction period.

**Timing:** During construction.

**Reporting:** Planning Department approval of Grading and Building permits. Noted on improvement plans.

**Responsible Agency:** Planning Department.

**Mitigation Measure 13H: On-site truck circulation hours.** All project on-site truck circulation related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). On-site truck circulation shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

**Timing:** During grocery store operations; Ongoing.

**Reporting:** Project approval.

**Responsible Agency:** Planning Department.

**Mitigation Measure 13I: Project loading dock activities.** All project loading dock activities related to grocery store operations shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (i.e., daytime and evening hours only). Loading dock activities shall be restricted during nighttime hours (10:00 p.m. to 7:00 a.m.).

**Timing:** During grocery store operations; Ongoing.

**Reporting:** Project approval.

**Responsible Agency:** Planning Department.

## 14. Population and Housing

**Existing Setting:** The subject 5.5-acre property is located in western Nevada County at the intersection of Pine Shadows Lane and Pleasant Valley Road, approximately 0.25 mile north of State Route 20, within the Penn Valley community region. The western one-third portion of the subject property is designated Neighborhood Commercial (NC) by the Nevada County General Plan, while the central and eastern two-thirds portion is designated Industrial (IND). The parcel has corresponding zoning classifications of Neighborhood Commercial with Site Performance

Combining District (C1-SP) and Light Industrial with Site Performance and Planned Development Combining District (M1-PD-SP). There are no abutting properties that are zoned for residential use. Properties to the east are zoned AG-5 (General Agricultural, 5-acre minimum) and are developed with scattered residences.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓	A,1
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓	A,1

**Impact Discussion:**

14a. The proposed project involves the construction of a 30,711 square foot building that will contain a grocery store (Holiday Market) and a Starbucks Coffee restaurant. The project will require expanding the C1 (Neighborhood Commercial) zoning on the property to accommodate the proposed businesses. The subject property has split zoning with the western one-third portion being zoned C1-SP and the eastern two-thirds portion being zoned M1-PD-SP. As a result of the rezoning, the C1-SP portion will increase from approximately 1.9 acres to 4.3 acres and the M1-PD-SP portion will decrease from approximately 3.6 acres to 1.2 acres.

Uses within commercial designated areas are generally considered to be less intensive than uses in industrial designated areas. In addition, the specific development project being considered is a 30,711 square foot grocery store building. As a result, the proposed General Plan and zoning changes are anticipated to have a less than significant impact to population and housing. The project does not involve any new or increases in existing residential zoning and therefore will not result in any substantial population growth.

The existing Holiday Market is located to the north of the subject property, directly across from the entrance to the Lake Wildwood subdivision, in a building that is substantially smaller in size. The proposed project will allow the market a larger space to accommodate its updated design and allow room for a Starbucks Coffee and will serve local residents and visitors to the area. Since the project primarily involves relocation of an existing business (Holiday Market) allowing it to expand its building size, it is not anticipated to induce substantial unplanned population growth in the area. The only road extension will be the minor extension of Commercial Avenue from the south to the subject property to provide a secondary access point. The project does not propose any new homes that could

otherwise induce an unplanned population growth in the area. Therefore, there is **no impact** on induction of unplanned population growth.

- 14b. The project is proposed on a vacant commercially and industrially zoned property. The project is located within an established commercial and industrial corridor of the Penn Valley Community Region and will result in an approximate 2.4 acre increase in C1-SP zoning and a corresponding 2.4 acre decrease in M1-PD-SP zoning. No changes to existing residential zoning is proposed by the project. No residents will be displaced as a result of this project and there is no existing housing that will be impacted that would necessitate the construction of replacement housing elsewhere. Therefore, the proposed project would have **no impact** related to the induction or displacement of housing and people.

**Mitigation Measures:** None required.

## 15. Public Services

**Existing Setting:** The following public services are provided to the project parcel:

- Fire: The Penn Valley Fire Protection District provides fire protection services to the project parcel.
- Police: The Nevada County Sheriff’s Department provides law enforcement services.
- Schools: The project site is within the Penn Valley Union School District and the Nevada Joint Union High School District.
- Parks: The project is within the Western Gateway Park and Recreation District.
- Water: The site is served by public water from Nevada Irrigation District.
- Sewer: The site is served by the Nevada County Sanitation District.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following the public services:					
i) Fire protection?			✓		A
ii) Police protection?			✓		A
iii) Schools?			✓		A
iv) Parks?			✓		A
v) Other public services or facilities?			✓		A

**Impact Discussion:**

15a. The proposed project will utilize a commercially/industrially zoned property and allow both an existing grocery store business to relocate and expand in size and allow a Starbucks Coffee within the grocery store building to serve both local residents and visitors of the area. The property site is currently developed with a residence and accessory buildings which will be removed to allow for the proposed 30,711 square foot market building. No impact is expected to be added to the local school district as the project will not increase population and does not propose any new residential housing. Local park use is not anticipated to be substantially increased. Service provisions from local governmental facilities including services from the local fire protection district and sheriff’s department is not anticipated to be significantly impacted by the proposed project. Increased service from applicable departments/districts are appropriately designed and applicable fees to compensate for service will be paid at time of building permit issuance and/or certificate of occupancy. Additionally, the project has been routed to all applicable service providers during the initial distribution review phase and no comments indicating that services cannot be provided have been received. Subsequently this project is anticipated to have a **less than significant impact** on public services.

**Mitigation Measures:** None required.

## 16. Recreation

**Existing Setting:** The project parcel is in the Penn Valley community region, within the Western Gateway Park and Recreation District, and is zoned for commercial and industrial use. There are no recreational areas in the immediate vicinity of the project site. The nearest recreational site is the Western Gateway Park located approximately 0.20-miles southeast of the project site. No recreational facilities exist on the project parcel.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓	A
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				✓	A
c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?				✓	A

**Impact Discussion:**

16a.-c. The proposed Holiday Market grocery store and Starbucks Coffee shop do not have the potential to increase the use of existing neighborhood or regional parks or other

recreational facilities. The project involves the relocation of an existing grocery store currently located to the north of the subject parcel, across from the entrance to the Lake Wildwood subdivision. The project will provide a larger and more modern facility for the grocery store along with the addition of Starbucks Coffee within the building, and by itself will not result in an increase in population that would result in the need for additional recreational facilities. The project will not conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails. Based on this information, the project would have **no impact** related to recreational facilities.

**Mitigation Measures:** None required.

## 17. Transportation

**Existing Setting:** The proposed project site is within the Penn Valley community region along the east side of Pleasant Valley Road at its intersection with Pine Shadows Lane. State Highway 20 intersects with Pleasant Valley Road approximately 0.25 mile to the south of the project parcel. Pleasant Valley Avenue is designated a Major Collector and State Route 20 is designated a Principle Arterial by the Circulation Element of the Nevada County General Plan.

The site will be accessed by Pine Shadows Lane which borders the property’s north side with the paved portion of the road ending in a cul-de-sac just east of the proposed entrance to the site. Commercial Avenue extends northeast from Pleasant Valley Road south of the subject property and currently ends just south of the project site. Commercial Avenue will be extended to access the project parcel’s south side.

Pedestrian and bicycle facilities in the project study area are minimal reflecting the rural nature of the study area. There are no pedestrian sidewalks or crosswalks between Penn Valley Road and Pine Shadows Lane along Pleasant Valley Road. At the State Route 20/Pleasant Valley Road signalized intersection, there are pedestrian activated push buttons for north-south and east-west crossings. However, there are no pedestrian crosswalks striped for these crossings. Painted shoulders exist along Pleasant Valley Road north of State Route 20 but are not currently designated as Class II bicycle facilities. Nevada County Transit Route 6 has a regular bus stop south of the project site at the gas station located at the Commercial Street/Pleasant Valley Road intersection.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle or pedestrian facilities?		✓			A,17,18; C
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓		A,17,18; C

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c. Substantially increase hazards due to a geometric design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)?			✓		A,C,E
d. Result in inadequate emergency access?				✓	A, D, 24
e. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic?			✓		A,C,E,F

**Impact Discussion:**

17a. The project proposal involves a Development Permit (DVP24-2) that would result in the construction of a 30,711 square foot commercial building to accommodate a grocery store (Holiday Market) and a Starbucks Coffee within the grocery store building. A General Plan Amendment (GPA24-0003) is also proposed to change the land use designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres. The project includes a corresponding Rezone (RZN24-0003) to amend Zoning District Map No. 16a for the approximate 4.3 acres to Neighborhood Commercial, Site Performance Combining District (C1-SP) and the approximate 1.2 acres to Light Industrial, Planned Development, Site Performance Combining (M1-PD-SP) District.

Uses within commercial designated areas are generally considered to be less intensive than uses in industrial designated areas. In addition, the specific development project being considered is a 30,711 square foot grocery store building. As a result, the proposed General Plan and zoning changes are anticipated to have a less than significant impact to transportation.

The project has the potential to generate additional traffic that could conflict with a program plan, ordinance, or policy addressing the circulation system. The applicant has submitted a Traffic Impact Analysis (TIA), or traffic study, prepared by GHD consultants to analyze potential transportation related impacts. This analysis has been consulted in the review of this project, is summarized in the discussion that follows, and is on file with the Planning Department.

Study Intersections and Roadway Segments

Five primary intersections adjacent to and providing access to the project site were selected for evaluation in coordination with the County of Nevada and Caltrans Highway Operations staff for the weekday AM and PM peak hour conditions. The study intersections for the project are listed below:

PLN24-0089; GPA24-0003; RZN24-0003;  
DVP24-2; MGT24-0001; EIS24-0007

1. Lake Wildwood Drive and Pleasant Valley Road
2. Pine Shadows Lane and Pleasant Valley Road
3. Commercial Avenue and Pleasant Valley Road
4. Highway 20 and Pleasant Valley Road
5. Penn Valley Drive and Pleasant Valley Road

In addition to key intersection analyses, the following roadway segments were evaluated for volume capacities adjacent to the proposed project site:

- Highway 20 south of Pleasant Valley Road
- Highway 20 north of Pleasant Valley Road
- Pleasant Valley Road east of Highway 20

The roadway network that provides primary vehicle circulation for the project study area includes Lake Wildwood Drive, Pleasant Valley Road, Pine Shadows Lane, Commercial Avenue, Highway 20, and Penn Valley Drive. Regional access is provided by Highway 20, south of the project site.

#### Data Collection and Analysis

For the purposes of proposed project analysis, new intersection turning movement counts for the five existing intersections were collected on Tuesday, August 30, 2022, during the AM peak and PM peak periods. The AM peak hour is defined as the one continuous hour of peak traffic flow counted between 7:00 AM and 9:00 AM, and the PM peak hour is defined as the one continuous hour of peak traffic flow counted between 4:00 PM and 6:00 PM under typical weekday conditions.

The amount of automobile delay required due to traffic conditions, traditionally measured as level of service (LOS), is no longer considered an environmental impact under CEQA. Instead, traffic impacts are determined by changes to vehicle miles traveled (VMT), discussed in the following section. Nevada County General Plan policies, however, include LOS requirements to ensure adequate traffic flow through intersections and roadway segments is maintained.

To maintain consistency with the County of Nevada's *General Plan* policies for transportation facilities, LOS methodologies for intersections will be used to determine if the project causes an increase in traffic that is substantial and adverse in relation to the traffic load and capacity of the existing street system. LOS is a qualitative measure of traffic operating conditions, whereby a letter grade "A" through "F" is assigned to an intersection, or roadway segment, representing progressively worsening traffic conditions. LOS "A" represents free-flow operating conditions and LOS "F" represents over-capacity conditions.

Since the project site is located within the Penn Valley Community Region, Circulation Element Policy LU-4.1.2 from the General Plan is applicable:

*"The minimum acceptable level of service (LOS) for areas identified as Community Regions*

*in the General Plan shall be LOS D, except where the existing LOS is less than D. In those situations, the LOS shall not be allowed to drop below the existing LOS. Level of service shall be based on the typical highest peak hour of weekday traffic."*

#### Existing Intersection Operations

The Traffic Impact Analysis indicates the five evaluated intersections have existing AM and PM peak hour LOS ranging from LOS A (Pleasant Valley Road/Pine Shadows Lane – AM peak hour) to LOS D (Pleasant Valley Road/Commercial Avenue – PM peak hour) and are operating at acceptable conditions (LOS D or better) during the AM and PM peak hour. Three roadway segments in the vicinity of the project site are also operating at acceptable conditions (LOS D or better) and have a PM peak hour LOS B (Pleasant Valley Road, north of Highway 20), PM peak hour LOS D (Highway 20, east of Pleasant Valley Road) and PM peak hour LOS D (Highway 20, west of Pleasant Valley Road).

The Pleasant Valley Road/Commercial Avenue intersection would meet the minimum volumes for signalization (Warrant #3, Peak Hour) under existing conditions.

#### Vehicle Queues

The 95<sup>th</sup> percentile queue lengths were also analyzed using microsimulation (through *Simtraffic* Software) for the study intersection. Based on the results of the traffic study, storage capacities are adequate to store the 95<sup>th</sup> percentile vehicle queues at the study intersections based on SimTraffic microsimulation with the exception of the Pleasant Valley Road/Lake Wildwood Drive and Pleasant Valley Road/Highway 20 intersections. At the all-way-stop-controlled intersection of Pleasant Valley Road/Lake Wildwood Drive, there would be minor vehicle queues (1-2 car lengths) for the westbound left and right-turn movements during the AM and PM peak hour from Wildwood Lake Drive onto Pleasant Valley Road.

The Pleasant Valley Road/Highway 20 intersection currently experiences vehicle queuing for the short (100-foot) northbound segment between Penn Valley Road and Highway 20 for the left, through, and right-turn movements. Vehicle queues occur primarily during the PM peak hour and typically do not exceed one-car length.

The traffic study notes that significant vehicle queuing was observed for the southbound left-turn movement from Pleasant Valley Road onto eastbound Highway 20 during the AM peak hour. The vehicle queue extended for approximately 800-1,000 feet back north on Pleasant Valley past Commercial Avenue and Pine Shadows Lane. The southbound vehicle queue dissipated after 15-30 minutes during the AM peak hour.

#### Project Trip Generation

Project site trip generation has been estimated for the proposed Holiday Market using square footage of the proposed market building. Daily and peak hour project trip generation was calculated by utilizing the Institute of Transportation Engineers (ITE) Publication *Trip*

*Generation Manual (11<sup>th</sup> Edition)* trip rates for Supermarket (ITE Code 850). The number of trips were estimated for daily and AM and PM peak hours of adjacent street traffic.

Since this type of project would serve traffic already using local roadways (Pleasant Valley Road), a pass-by reduction of trips can be considered. The pass by reduction is calculated based on ITE Publication *Trip Generation Handbook (3<sup>rd</sup> Edition, September 2017)*. A brief description of pass-by trips from the *ITE Trip Generation Handbook* is as follows:

*A pass-by trip is made as an intermediate trip on the way from an origin to a primary trip destination without route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offer direct access to the generator. Pass-by trips are not diverted from another roadway not adjacent to the site.*

According to average pass-by trip percentages from ITE Trip Generation Handbook (3<sup>rd</sup> Edition), supermarket uses would see a reduction of 36% during the AM peak hour and 36% during the PM peak hour. This coincides with the typical need or ability to get grocery items from the supermarket on the way to/from your destination (pass-by trips rather than new trips).

Since the proposed project would replace the existing Holiday Market use currently located north of the project site at the Wildwood Center, there would be an overall increase in net new vehicle trips. The Holiday Market at the Wildwood Center totals 12,870 square feet of supermarket uses. Since the existing Holiday Market at the Wildwood Center is currently generating vehicle trips, the net new increase in vehicle trips was calculated.

After accounting for existing Holiday Market uses at the Wildwood Center, the proposed project is expected to generate a net increase of 1,632 daily trips with 50 AM peak hour trips and 156 PM peak hour trips. Applying pass-by trip ratios, the proposed project would be expected to generate 1,071 net new daily trips with 33 net new AM peak hour trips and 102 net new PM peak hour trips. However, since the proposed project is essentially being moved and enlarged from the Wildwood Center to its current proposed site, all calculated peak hour vehicle trips associated with a 30,711 square-foot supermarket would be travelling through the access roadways/driveways at Pine Shadows Lane and Commercial Drive. Pass-by trips are not discounted at proposed project driveways from Pleasant Valley Road. Therefore, these vehicle trips would equate to 87 AM peak trips and 271 PM peak hour trip at proposed project driveways.

#### Project Trip Distribution and Assignment

Project trip distribution patterns were estimated based on the current Nevada County Travel Demand Model, geographical location of the development site, existing traffic flow adjacent to the site, and previous development studies. Trip distribution percentages reflect the primary flow of traffic past the project site, existing adjacent commercial-use traffic patterns, and engineering judgement.

Existing Plus Project Conditions were simulated by superimposing traffic generated by the proposed project onto existing intersection traffic volumes. Existing Plus Project scenario refers to the analysis scenario in which traffic impacts associated with the proposed project are investigated in comparison to the Existing Conditions scenario. Within this scenario, the project generated peak hour traffic volumes have been added to the Existing Conditions volumes to obtain the Existing Plus Project volumes.

#### Existing Plus Project Intersection Operations

The Traffic Impact Analysis includes a summary of the intersection operations for the weekday AM and PM peak hour scenarios for the Existing Plus Project Conditions. According to the summary, four out of the five study intersections would be operating at acceptable conditions (LOS D or better) during the AM and PM peak hour under Existing Plus Project Conditions. However, the intersection of Pleasant Valley Road and Commercial Avenue would be operating at LOS E (46.5 seconds of delay) during the PM Peak Hour.

The Pleasant Valley Road/Commercial Drive intersection would continue to meet the minimum volumes for signalization under Existing plus Project Conditions.

#### Existing Plus Project Vehicle Queuing

With Existing plus Project volumes, the 95<sup>th</sup> percentile queue lengths were analyzed using microsimulation (through *Simtraffic* Software) for the study intersections. Storage capacities are adequate to store the 95<sup>th</sup> percentile vehicle queues at the study intersections based on SimTraffic microsimulation with the exception of the Pleasant Valley Road/Lake Wildwood Drive and Pleasant Valley Rad/Highway 20 intersections. At the all-way-stop-controlled intersection of Pleasant Valley Road/Lake Wildwood Drive, there would minor vehicle queues (1-2 car lengths) for the westbound left and right-turn movements during the AM and PM peak hour from Wildwood Lake Drive onto Pleasant Valley Road.

The Pleasant Valley Road/Highway 20 intersection currently experiences vehicle queuing for the short (100-foot) northbound segment between Penn Valley Road and Highway 20 for the left, through, and right-turn movements. Vehicle queues occur primarily during the PM peak hour and typically do not exceed one-car length.

With Existing plus Project traffic, vehicle queuing would continue for the southbound left-turn movement from Pleasant Valley Road onto northbound Highway 20 during the AM peak hour. Although not reflected in the SimTraffic queue estimates, the vehicle queue extends for approximately 800-1,000 feet back north on Pleasant Valley past Commercial Avenue and Pine Shadows Lane. This southbound vehicle queue would dissipate after 15-30 minutes during the AM peak hour based on observations.

According to the traffic study, all three study roadway study segments are operating at acceptable (LOS D or better) conditions with Existing plus Project traffic during the AM and PM peak hours.

### Internal Circulation

Customers will access the project site from Pleasant Valley Road via Pine Shadows Lane along the north side of the property and/or via a northerly extension of Commercial Avenue from the south. The northerly extension of Commercial Drive would form the north-south internal drive aisle between the Holiday Market building (proper) and associated main parking field west of the building. Once on-site, patrons would access the parking field and circulate around an internal drive aisle providing access to perpendicular parking spaces located along the north, west, and south perimeters of the parking field. Within the parking field, east-west drive aisles would provide access to diagonal parking spaces (3 rows).

With the northerly extension of Commercial Drive to Pine Shadows Lane, vehicle traffic from existing businesses south of the proposed project site could be attracted to the route. Since the Commercial Drive north extension would divide the Holiday Market's main parking field from the supermarket building, there would be increased chances for pedestrian/vehicle conflicts and safety issues where patrons cross the internal drive aisle. As a result, four mitigation measures are recommended to calm vehicle traffic and improve overall safety. These measures are discussed below under the Summary and Recommended Mitigation Measures heading.

### Pedestrian and Bicycle Access

Pedestrian and bicycle access to the proposed project is currently limited to existing pedestrian crossings at the Pleasant Valley Road/Highway 20 intersection and a limited pedestrian sidewalk along the east side of Commercial Avenue (extending for approximately 350-feet from cul-de-sac north to proposed project frontage). A Class I multi-use pedestrian-bike path exists south of the proposed project site, south of State Highway 20 and extending along Penn Valley Road east to Spenceville Road.

With the proposed project development, pedestrian sidewalks should be installed along key project frontages (west, north, and south sides of building) and along the south side of Pine Shadows Lane. Pedestrian connections should be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. As noted above, bicycle racks will be required to be provided along the main building frontage for bicycle parking in accordance with Nevada County Code requirements.

### Collision Analysis

There were no fatal or severe injury collisions recorded for the study locations in the past five years. In addition, the calculated collision rates for the study locations were compared to the average collision rates for similar facilities statewide, as indicated in the *2019 Collision Data on California State Highways* (Caltrans). Four of the five study intersections are experiencing collision rates below the State average for similar facilities. However, the

intersection of Pleasant Valley Road and Penn Valley Drive is experiencing a collision rate higher than the California Average in 2019.

#### Existing Parking along Commercial Avenue

In addition to the roads, intersections, and traffic evaluated in the Traffic Impact Analysis, staff has noted along Commercial Avenue and east of the existing cul-de-sac, there are existing striped 90-degree parking spaces extending from the curb out into Commercial Avenue. These parking spaces provide additional parking for the existing businesses located directly east of Commercial Avenue.

As a condition of project approval, Commercial Avenue will be required to be improved and extended from the end of the existing street through the project site to connect with Pine Shadow Lane and meet County Local Class 2 road standards. According to the Department of Public Works, the existing 90-degree parking spaces along Commercial Avenue will be required to be removed and this portion of Commercial Avenue will be required to be re-striped to provide a centerline yellow stripe and white fog lines that delineate two, 11-foot wide traffic lanes. In their place, parallel parking will be permitted along this portion of Commercial Avenue.

Staff reviewed previous land use approvals for the adjacent parcels to the east and confirmed the 90-degree parking spaces extending out into Commercial Avenue were approved as “interim” parking area and provide parking above and beyond the required on-site parking for these parcels. Therefore, the removal of these parking spaces for the improvement of Commercial Avenue will not have a negative impact on parking for these parcels.

#### Summary and Recommended Mitigation Measures

The Traffic Impact Analysis (TIA) was routed to Caltrans, the Nevada County Transportation Commission (NCTC), and the Nevada County Department of Public Works for review and comments. Upon initial review, Caltrans provided a comment letter requesting more information and citing potential project traffic impacts. The applicant’s traffic consultant (GHD Consultants) prepared and provided a written response to Caltrans’ comment letter. After reviewing the response, Caltrans indicated they had no comments at this time.

The Nevada County Transportation Commission (NCTC) provided no comments regarding the project. The Nevada County Public Works Department has reviewed the project and the Traffic Impact Analysis and agrees with the consultant’s recommended mitigation measures. In addition, the Public Works Department will require the following as conditions of approval to address transportation related issues:

- Obtain an Encroachment Permit from the County which includes a Traffic Control Plan;
- New driveways shall conform to the County’s Commercial Approach standards;
- A truck turning analysis shall be completed for ingress and egress to the project

- site along with internal circulation areas;
- Provide a sight distance exhibit and analysis for the encroachments of Pine Shadow Lane and Commercial Avenue onto the public right of way of Pleasant Valley Road;
- Create and/or join an established Road Maintenance Agreement for the maintenance of Commercial Avenue and Pine Shadow Lane roadways and other infrastructure, including storm water facilities.

The traffic operations analysis prepared for the TIA has found that under Existing Plus Project conditions, the Pleasant Valley Road/Commercial Avenue intersection would be operating at unacceptable conditions (LOS E – 46.5 seconds of delay) during PM peak hour. In addition, Pleasant Valley Road experiences significant southbound vehicle queuing during the AM peak hour of 800-1,000 feet based on field observations and northbound vehicle queuing during both peak hours in its short segment between Penn Valley Road and Highway 20.

The Public Works Department has recommended **Mitigation Measure 17A** to ensure Commercial Avenue is properly improved and extended to connect with Pine Shadow Lane in accordance with County standards. Along with this extension, **Mitigation Measure 17B** requires removal of the existing 90° parking along Commercial Avenue east of the existing cul-de-sac and re-stripe this portion of Commercial Avenue to provide a centerline yellow stripe and white fog lines delineating two, 11-foot wide traffic lanes.

Consistent with the Nevada County Regional Transportation Plan (NCRTP) 2015-2035 (*Nevada County, January 2018*), recommended **Mitigation Measure 17C** will require re-striping of the westbound Commercial Avenue approach to the Pleasant Valley Road/Commercial Avenue intersection to include a shared left-through lane and separate right-turn lane. **Mitigation Measure 17D** requires the payment of the County's Local Transportation Mitigation Fee (LTMF) towards future widening and/or re-striping at the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20.

In addition, the following **Mitigation Measures 17E** through **17H** are being required to improve pedestrian and bicycle safety and reduce pedestrian/vehicle conflicts along Commercial Drive and Pine Shadows Lane in and around the proposed project site.

- Install all-way-stop-control at the Commercial Drive/Project Rear Access Driveway intersection located south of the primary supermarket building.
- Install raised speed table/crosswalk(s) on the Commercial Drive northern extension between the Holiday Market building and main parking field.
- Install stop-sign control for northbound turning movements at the Commercial Drive extension (site access driveway)/Pine Shadows Lane intersection.

- With proposed project development, pedestrian sidewalks shall be installed along key project frontages (west, north, and south sides of building) and along the south side of Pine Shadows Lane. Pedestrian connections shall be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. Bicycle racks shall be provided along the main building frontage for bicycle parking in accordance with Nevada County Code requirements.

With these mitigation measures required, potential project transportation impacts are **less than significant with mitigation**.

- 17b. CEQA Guidelines Section 15064.3(a) states that “Generally, vehicle miles traveled is the most appropriate measure of transportation impacts.” Vehicle miles traveled (VMT) refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Regarding land use projects, CEQA Guidelines Section 15064.3(b)(1) states that vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.

Caltrans recently published an update for their Transportation Impact Study Guidelines (TISG, May 20, 2020). The Caltrans’ TISG is intended for use in preparing a transportation impact analysis of land use projects and replaces the prior 2002 Guidelines. The TISG heavily references the California Governor’s Office of Land Use and Climate Innovation’s (LCI) Technical Advisory as a basis for its guidance.

Understanding Caltrans requirements for VMT, the applicant’s traffic consultant evaluated the proposed project considering the TISG guidelines and its likely VMT impact. Based on TISG guidelines, it was determined a Vehicle Miles Traveled (VMT) analysis will not be required for this proposed project due to its size, land use, and overall characteristics. Based on the LCI guidance, the proposed project is a locally serving commercial-retail development and falls under the 50,000 square foot threshold for such VMT analyses.

The LCI Technical Advisory also addresses various types of commercial-retail projects as follows:

“Because new retail development typically redistributes shopping trips rather than creating new trips, estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project’s transportation impacts. By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Regional-serving retail development, on the other hand, which can lead to substitution of longer trips for shorter ones, may tend to have a significant impact. Where such development decreases VMT, lead agencies should consider the impact to be less-than-significant. Many cities and counties define local-serving and regional-serving retail in their zoning codes. Lead agencies may refer to those local definitions when available, but should also consider any project-specific information,

such as market studies or economic impacts analyses that might bear on customers' travel behavior. Because lead agencies will best understand their own communities and the likely travel behaviors of future project users, they are likely in the best position to decide when a project will likely be local serving. Generally, however, retail development including stores larger than 50,000 square feet might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT."

The proposed project is a purely local-serving commercial-retail development and does not exceed 50,000 square feet. However, based on CEQA guidance, one of two other criteria options must be met to compliment the finding of locally serving and retail less than 50,000 square feet that include the following:

**Regional Location.** A commercial project with no single-building floor-plate greater than 50,000 square feet is eligible if it locates in a "low vehicle travel area."

**Proximity to Households.** A project with no single-building floor-plate greater than 50,000 square feet located within one-half mile of 1800 households is eligible.

Based on the above information and criteria, the proposed project is within a "low vehicle travel area" and satisfies all requirements to be screened out and not require VMT analysis. The project's impacts associated with VMT increases are considered **less than significant**.

- 17c.e. The project has been reviewed by the Nevada County Department of Public Works, Caltrans, the Nevada County Transportation Commission, the Penn Valley Fire Protection District and the Nevada County Fire Prevention Planner/CalFire. The TIA prepared for the project also analyzed the project, including addressing potential safety and project queuing impacts. The design of the project provides two entrances and exits to the project site with access from the north at Pine Shadows Lane and access from the south through the extension of Commercial Avenue. Neither of these access points propose any sharp curves or geometric design features that would result in a potential hazard to vehicles accessing the subject parcel.

As a condition of project approval, the County Department of Public Works will require the applicant to provide a site distance exhibit and analysis for the encroachments of Pine Shadow Lane and Commercial Avenue onto the public right of way of Pleasant Valley Road complying with County standards. In addition, proposed landscaping and other improvements shall be designed, installed, and maintained to ensure that driver sight distance is sufficient. The project will be required to obtain an encroachment permit for any work within the Pleasant Valley Road Right of Way which includes a Traffic Control Plan showing all public roadways where work is to be performed. With the implementation of these conditions of approval, this project's impacts will be **less than significant** related to potential safety and traffic hazards.

- 17d. The existing roads that will serve the project site including Pleasant Valley Road, Pine Shadows Lane, and Commercial Avenue are currently used by the Penn Valley Fire Protection District for emergency access to properties in the vicinity. Besides a minor extension of Commercial Avenue to serve the project parcel from the south, no new

roadways are proposed with this project. Emergency access will be adequately provided through the project access driveways from Pine Shadows Lane and the northerly extension of Commercial Avenue.

The Penn Valley Fire Protection District, the Nevada County Department of Public Works, Caltrans and the Nevada County Fire Prevention Planner/CalFire have reviewed the proposed project and have not identified any significant impacts to emergency access. The proposed project would add a 30-foot wide entrance/exit to the site along Pine Shadows Lane and a 40-foot wide entrance/exit at Commercial Avenue along the south side of the property. These access points are designed to meet Nevada County design standards and no adverse impacts have been identified resulting in impacts to emergency access. Therefore, the proposed project will have **no impact** to emergency access.

**Mitigation Measures:** To reduce potential transportation impacts and improve overall intersection operations and vehicle progression along Pleasant Valley Road at Commercial Avenue and Highway 20, the following mitigation measures are recommended:

**Mitigation Measure 17A: Improvement of Commercial Avenue.** Commercial Avenue shall be improved and extended through the project site and connect with Pine Shadow Lane in accordance with County standards.

**Timing:** *Prior to issuance of certificate of occupancy*

**Reporting:** *Shown on improvement plans and approved by CDA*

**Responsible Agency:** *Planning and Public Works Departments*

**Mitigation Measure 17B: Change to parking along Commercial Avenue.** Remove existing 90° parking along Commercial Avenue east of the existing cul-de-sac and re-stripe this portion of Commercial Avenue to provide a centerline yellow stripe and white fog lines delineating two, 11-foot wide traffic lanes. Allow for parallel parking along this portion of Commercial Avenue.

**Timing:** *Prior to issuance of certificate of occupancy*

**Reporting:** *Shown on improvement plans and approved by CDA*

**Responsible Agency:** *Planning and Public Works Departments*

**Mitigation Measure 17C: Pleasant Valley Road/Commercial Avenue:** The project applicant shall re-stripe the westbound Commercial Avenue approach to include a shared left-through lane and separate right-turn lane. With proposed project improvements for westbound Commercial Avenue, the Nevada County Connects transit stop would be moved east to the north side of the existing Commercial Avenue cul-de-sac where the transit bus already turns around for convenience purposes. Transit stop improvements will be coordinated with Nevada County Connects. With proposed improvements, the Pleasant Valley Road/Commercial Avenue intersection overall LOS would improve from LOS E (46.5 seconds of delay) to LOS D (33.5 seconds of delay) during the PM. The Pleasant Valley Road/Commercial Avenue intersection would continue to qualify for the peak hour signal warrant during the PM peak hour with Existing plus Project traffic.

**Timing:** Plans approved, and striping completed prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

**Mitigation Measure 17D: Pleasant Valley Road/Highway 20:** The project applicant shall contribute to the County's Local Transportation Mitigation Fee (LTMF) based on the most recent Fee Schedule. The Nevada County Regional Transportation Plan (NC RTP) identifies a future project to widen and/or re-stripe the Pleasant Valley Road/Highway 20 intersection to add an additional southbound left-turn lane on Pleasant Valley Road and associated eastbound receiving/merge lane on eastbound Highway 20. Based on the NC RTP 2025-2045 (July 2025 Draft), the total costs for these improvements are estimated at \$804,000 with funding sources from the County's Local Transportation Mitigation Fee (LTMF). The project applicant shall contribute their fair share toward this estimated cost based on the County's fee schedule. With planned Nevada County roadway improvements at the Pleasant Valley Road/Highway 20 intersection, overall vehicle delay would improve slightly during the AM peak hour to aide in vehicle progression and queuing.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** According to County requirements

**Responsible Agency:** Planning and Public Works Departments

**Mitigation Measure 17E: Commercial Drive/Rear Access Driveway:** Install all-way-stop-control at the Commercial Drive/Project Rear Access Driveway intersection located south of the primary supermarket building.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

**Mitigation Measure 17F: Raised speed table/crosswalk(s):** Install raised speed table/crosswalk(s) on the Commercial Drive northern extension between the Holiday Market building and main parking field.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

**Mitigation Measure 17G: Commercial Drive/Pine Shadows Lane:** Install stop-sign control for northbound turning movements at Commercial Drive extension (site access driveway)/Pine Shadows Lane intersection.

**Timing:** Prior to issuance of certificate of occupancy

**Reporting:** Noted on improvement plans and approved by CDA

**Responsible Agency:** Planning and Public Works Departments

**Mitigation Measure 17H: Sidewalks/Bicycle Racks:** With proposed project development, pedestrian sidewalks shall be installed along key project frontages (west, north, and south

PLN24-0089; GPA24-0003; RZN24-0003;  
DVP24-2; MGT24-0001; EIS24-0007

sides of building) and along the south side of Pine Shadows Lane. Pedestrian connections shall be provided between the parking field and main building connecting to the recommended raised speed table/pedestrian crosswalks. Bicycle racks shall be provided along the main building frontage for bicycle parking.

**Timing:** *Prior to issuance of certificate of occupancy*

**Reporting:** *Noted on improvement plans and approved by CDA*

**Responsible Agency:** *Planning and Public Works Departments*

## 18. Tribal Cultural Resources

**Existing Setting:** California State Assembly Bill (AB) 52 required an update to CEQA Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to Tribal Cultural Resources (TCRs). Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. The most common types of Tribal Cultural Resources include stone tools (projectile points, flaked stone, and milling stones), shell beads, and a cultural soil called "midden" that have cultural or sacred value to California Native American Tribes. TCRs can also be native plants, trees, and cultural landscapes. Types of artifacts and sites from the historic era include bottles, cans, ceramics, building foundations, and bricks. The proposed project was circulated to traditionally and culturally affiliated Native American tribes having historical lands within Nevada County. See Section 5 (Cultural Resources) for additional information regarding tribal resources.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: <ul style="list-style-type: none"> <li>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</li> <li>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</li> </ul>		✓			A, I

**Impact Discussion:**

18a. In accordance with AB 52, the project application was distributed to respective tribal agencies for tribal cultural resource review and comment. The United Auburn Indian Community (UAIC) requested consultation with the Nevada County Planning Department regarding the proposed project.

UAIC conducted a background search for the identification of Tribal Cultural Resources for the project, which included a review of pertinent literature, historic maps, and a records search using UAIC’s Tribal Historic Information System (THRIS). UAIC’s THRIS database is composed of UAIC’s areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the California Historic Resources Information System Center (CHRIS) as well as historic resources and survey data. The background research identified a previously recorded TCR in close proximity to the project area, and no known TCRs in the project area.

On August 29, 2024, René Guerrero, UAIC Tribal Monitoring Program Lead, conducted a survey for the identification of TCRs. The entire planned development area was surveyed

with ground visibility approximately 5%. The landscape includes oak, pine, coyote brush, manzanita, and poison oak. Mugwort (*Mún mún* – an important tribal plant) was observed in the southeast portion of project area, which appears to be an ephemeral drain/waterway.

Based on the tribe's review and the survey results, and due to the proximity (within ¼ to 1/3 mile) of significant cultural sites and limited ground visibility, the Tribal Historic Preservation Officer (THPO Fore) requests paid tribal monitoring for initial ground disturbing activities including clearing, grubbing, disking, stripping, and stump removals. THPO Fore recommendations also include a mitigation measure to address unanticipated discoveries to reduce significant impacts to any TCRs that may be discovered during project construction. The UAIC has also provided a Cultural Awareness Brochure to be shared with the applicant, relevant project personnel, and construction workers along with requiring Cultural Awareness Training as a mitigation measure for the project.

**Mitigation Measures 18A, 18B, and 18C** specifically address these potential impacts to tribal cultural resources (TCRs). With the described mitigation measures in place, impacts to these Tribal Cultural Resources will be ***less than significant with mitigation***.

**Mitigation Measures:** To address potentially adverse cultural or historical resources impacts associated with project construction activities, the following mitigation measures shall be required and shall be included as notes on all future site plans.

**Mitigation Measure 18A: Cultural Awareness Training.** The applicant/contractor shall be required to provide a tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers, at their own expense. The WEAP training shall be conducted by either a qualified archaeologist for cultural resources or a tribal representative for tribal cultural resources (TCRs). The WEAP shall be developed in coordination with interested Native American Tribes.

The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values. The training may be done in coordination with the project archaeologist.

All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training.

**Timing:** *Prior to any project-related grading or construction*

**Reporting:** *Noted on improvement plans; Project proponent/contractor to notify Planning Department when training is scheduled/completed*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 18B: Tribal Monitoring at Initial Ground Disturbance.** The project proponent shall contact the United Auburn Indian Community (UAIC) Tribal Historic Preservation Officer (thpo@auburnrancheria.com) at least 2 to 3 weeks prior to project ground-disturbing activities to retain the services of a UAIC Certified Tribal Monitor(s). The duration of the construction schedule and Tribal Monitoring shall be determined at this time.

A contracted UAIC Certified Tribal Monitor(s) shall monitor the initial ground disturbance in the project area. The project proponent shall pay the costs for the time spent by the Tribal Monitor. If there are cultural finds, the UAIC Tribal Historic Preservation Officer (THPO) may require additional Tribal Monitoring.

Tribal Monitors or Tribal Representatives shall have the authority to direct that work be temporarily paused, diverted, or slowed within 100 feet of the immediate impact area if sites, cultural soils, or objects of potential significance are identified. The temporary pause/diversion shall be of an adequate duration for the Tribal Representative to examine the resource.

Appropriate treatment of Tribal Cultural Resources (TCRs) or other cultural finds may include but is not limited to:

- d. Recordation of the resource(s)
- e. Avoidance and preservation of the resource(s)
- f. Recovery and reburial of the resource(s) onsite or in a feasible off-site location in a designated area subject to no future disturbance. The location of the reburial shall be acceptable to the UAIC.

To track the implementation of this measure, the Tribal Monitor(s) shall document field-monitoring activities on a Tribal Monitor log. The Tribal Monitor(s) shall wear the appropriate safety equipment while on the construction site.

In consultation with the UAIC THPO, the Tribal Monitor and the project proponent shall determine a mutual end or reduction to the on-site monitoring if/when construction activities have a low potential for impacting Tribal Cultural Resources.

In the event the Tribal Monitor does not report to the job site at the scheduled time after receiving 24-hour business day notice, construction activities may proceed without tribal monitoring. At no time, regardless of the presence or absence of a Tribal Monitor, shall suspected TCRs be mishandled or disrespected.

The Nevada County Planning Department shall assist with resolution of disagreements between the project proponent/contractor and the Tribe if such occurs on the project.

**Timing:** *Prior to and during initial ground disturbance of the site*

**Reporting:** *Noted on improvement plans; Project proponent/contractor to notify Planning Department of contracted Certified Tribal Monitor(s); Notify Planning Department if TCRs discovered and construction work stopped*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 18C: Unanticipated Discoveries of Tribal Cultural Resources.**

If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the Nevada County Planning Department shall be immediately notified, and the Tribal Representative in coordination with the Planning Department shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

The culturally affiliated Tribe shall consult with the Nevada County Planning Department to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and the Nevada County Planning Department shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Any discoveries shall be documented on a Department of Parks and Recreation (DPR) 523 form within 2 weeks of the discovery and submitted to the appropriate CHRIS center in a timely manner.

Work at the TCR discovery location shall not resume until authorization is granted by the Nevada County Planning Department in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the [City/County] Coroner and the culturally affiliated Tribe shall be contacted immediately. Upon determination by the [City/County] Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendent who will work with the project proponent to define appropriate treatment and disposition of the burials.

**Timing:** During project-related grading or construction

**Reporting:** Noted on improvement plans; Notify Planning Department if TCRs discovered and construction work stopped

**Responsible Agency:** Planning Department

## 19. Utilities and Service Systems

**Existing Setting:** The subject property is in the western portion of unincorporated Nevada County, within the Penn Valley community region, approximately 0.25 mile north of the intersection of Pleasant Valley Road and State Route 20. The site is served by Pacific Gas & Electric (PG&E) for electricity needs. Solid waste services are provided by Waste Management. Nevada Irrigation District (NID) serves the parcel with potable water and Nevada County Sanitation District No. 1 (Penn Valley Zone 6) services the site for wastewater disposal. Pursuant to plan information submitted by the applicant, there are both PG&E and NID easements located near the west property line of the subject parcel.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			✓		A,I
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓		A,C,H
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓		A,C

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste goals?			✓		A
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓		A

**Impact Discussion:**

19a. The project parcel is located within the boundaries of the Nevada Irrigation District (NID). The District provided a comment letter dated October 21, 2024. The letter states that according to District records, the parcel has a standby account (#36351) and treated water service is available to the parcel from the Lake Wildwood Treatment Plant upon proper application to NID and payment of applicable connection fees.

Regarding wastewater treatment, the project parcel is currently located outside the boundaries of the Nevada County Sanitation District. The District boundary currently runs along the south side of the project parcel and there are several parcels to the south that are currently served by the District. The Nevada County Sanitation District provided a “will serve” letter dated June 20, 2024, which states it has sufficient capacity in the Penn Valley Zone to accommodate an annexation request for the project parcel for the development of the proposed grocery store. For the District to provide future sewer service, it will be necessary for the parcel to annex into Nevada County Sanitation District No. 1, Penn Valley, Zone 6, and acquire sewer capacity. The property owner will be required to complete the annexation process through the Local Agency Formation Commission (LAFCo) prior to submitting a sewer connection application.

After the annexation process is completed, the property owner will be required to acquire all necessary permits and permissions and to install the infrastructure to facilitate capture and conveyance of sewerage from the proposed building to the mainline connection point at the District’s force main.

A Preliminary Drainage Report was submitted with the application. The Report contains calculations which demonstrate post-development drainage peak flow from the project parcel will not exceed pre-development peak flow. The applicant will be required to submit a final Drainage Plan and hydrologic and hydraulic calculations in accordance with County improvement standards and storm drainage criteria. Storm drainage improvements shall meet County standards.

The project will not result in the relocation or expansion of other utilities that would result in significant impacts. Based on this information, a **less than significant** impact related to utilities and service systems and their environmental effects is anticipated.

- 19b. The subject parcel is located within the boundaries of the Nevada Irrigation District (NID). The District has reviewed the project and commented that pursuant to their records, the subject parcel has a standby account (#36351), and treated water service is available to this parcel from the Lake Wildwood Treatment Plant. NID also initially commented that due to the proposed use of the property, a Water Demand Analysis is required to determine the appropriate meter size, related capacity fees, and appropriate backflow prevention.

The applicant submitted a Water Demand Analysis to NID with resubmittal of the application to the County. The results of the Analysis are a recommendation for a 1" water meter size for the proposed project. The District has reviewed the Water Demand Analysis and commented it's acceptable for domestic use and the 1" water meter size is approved. The District indicated, however, the estimated values for irrigation are preliminary and will need to review the final landscape plan when it's submitted to determine final values.

The subject property is located within the Penn Valley Area Plan. Regarding landscaping of the site, the Design Guidelines of the Plan state that "Drought tolerant and fire-resistant plants are encouraged" (LD3). The applicant has submitted a preliminary landscape plan showing that all proposed trees and shrubs, with the exception of one tree species, are low water users. The preliminary landscape plan does not contain information demonstrating the plan is compliant with the State of California's Model Water Efficiency Landscape Ordinance (MWELo). As a condition of approval, the final landscape and irrigation plan will be required to demonstrate compliance with MWELo requirements. Water fixtures in the proposed building shall be required to be low-flow and in compliance with California Building Code requirements for efficient use. Since the project will comply with all state and local regulations related to water conservation, the impacts related to sufficient water supplies are anticipated to be **less than significant**.

- 19c. The proposed project will be served by Nevada County Sanitation District No. 1 for public sewer/wastewater services. The District has reviewed the project and commented it does have sufficient capacity in the Penn Valley Zone to accommodate an annexation request for the subject property for the development of a grocery store. For the District to provide future sewer service to the subject property, the parcel will be required to annex into Nevada County Sanitation District No. 1, Penn Valley, Zone 6, and acquire sewer capacity. Annexation will require completion of the annexation process through the Local Agency Formation Commission (LAFCo) prior to submitting a Sewer Connection Application.

The District initially commented that for the proposed project, the subject parcel (APN 051-240-014) will need to acquire a minimum of 14 Equivalent Dwelling Units (EDUs) at the time of connection. One EDU equates to roughly 190 gallons of wastewater generated per day. Based on information subsequently provided in the Preliminary Sewer Analysis (November 2024), the District has indicated the EDU count required for this project would be reduced from 14 EDUs to 8 EDUs at the time of connection.

Proposed sewer plans for the property will be required to be reviewed and approved by the Sanitation District prior to construction/installation. The property owner will be responsible for maintaining the infrastructure on the parcels to ensure that they are free from ground and rainwater intrusion.

Final sewer system design will require approval from the Sanitation District and sewer connect fees will apply. Standard conditions of approval will ensure that these requirements are adhered too. Based on the review of submitted materials by the Nevada County Sanitation District, potential impacts to the wastewater treatment provider are **less than significant**.

19d,e. The development and operation of the proposed grocery store and Starbucks Coffee uses are not anticipated to result in significant amounts of solid waste; however, any waste generated would be required to comply with federal, state and local statutes and regulations related to solid waste. The applicant is proposing to install a trash compactor near the loading dock at the rear of the building, along with a recycling area where's it's anticipated materials such as glass, plastics, and cardboard would be recycled. Based on this information, there should be a **less than significant** impact.

**Mitigation Measures:** None required

## 20. Wildfire

**Existing Setting:** The project parcel is within the Penn Valley Fire Protection District and is designated within a High Fire Hazard Severity Zone by the CalFire Fire Hazard Severity Zone maps. The project site is adjacent to various commercial uses to the south and a light industrial use (mini-storage buildings) to the north. The subject parcel currently has a significant number of trees and vegetation cover. With construction of the project, however, only existing trees near the southwest corner, west property line, and behind the proposed building and parking area within the far eastern portion of the property will be retained. Landscaping including trees and shrubs will be planted along the north, west, and south property lines and within the proposed parking lot areas.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			✓		A,E,J,33
b. Due to slope, prevailing winds, or other factor, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?			✓		A,C,E,J

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓	A,E
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓	A,E

**Impact Discussion:**

20a. The proposed project would result in construction of a 30,711 square foot building that will house both a Holiday Market grocery store and a Starbucks Coffee restaurant. The project will involve the relocation of the existing Holiday Market, which is currently located to the north at the Pleasant Valley Road/Lake Wildwood Drive intersection and opposite the entrance to the Lake Wildwood Subdivision, into a larger building that will allow the grocery store to provide more products and services than their current location.

The design of the project includes two ingress and egress points, one along the north side of the property to Pine Shadows Lane, and one along the south side of the property with the extension of Commercial Avenue. These access points along with internal circulation areas are designed to meet Nevada County commercial standards. The project has been reviewed by the Penn Valley Fire Protection District, the Nevada County Department of Public Works, and the Nevada County Fire Prevention Planner and no adverse impacts from the project resulting in the impairment of an emergency or evacuation plan were raised through this review. The site is located approximately one mile south of the Penn Valley Fire Protection District station located at the Gate 1 entrance to the Lake Wildwood subdivision and 1.5 miles northwest of the District’s station on Spenceville Road. The proximity of these two stations that will serve the site will result in relatively short response times. Therefore, the impact of this project related to the impairment of an adopted emergency response plan or emergency evacuation plan is considered **less than significant**.

20b. Based on topographical information provided, the highest point on the subject property is 1435 feet located near the south property line in the eastern portion of the property. The project site topography generally slopes from this point to both the western property line near Pleasant Valley Road and the eastern property line. While the property does contain sloping topography, a large portion of the site will be cleared of vegetation and graded to provide area for the grocery store building, parking, and circulation areas. Rockery retaining walls will be utilized along the west side frontage of the project, the northwest corner of the site, and along the southern property line in the eastern portion of the property. The proposed building will be designed to meet applicable California Building Code

requirements and will be equipped with overhead sprinklers, multiple doors for emergency access, and other fire safety measures. Wildland Urban Interface (WUI) standards and appropriate defensible space/vegetative clearance will be required. With State and local fire standards required, there is a **less than significant impact** related to exposing project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire.

- 20c. The project does not propose the installation or maintenance of new infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk. Commercial Avenue will be extended north to tie into the subject parcel but that is a minor extension. Therefore, there is **no impact** on exacerbating fire risk or temporary or ongoing impacts to the environment related to installation or maintenance of associated infrastructure.
- 20d. The project does not pose significant risks based on the project site being downstream from a potential flood source or an area with potential for landslides due to run off. Similarly, there is no post-fire slope instability due to proper grading and use of retaining walls. Additionally, a large portion of the central and western portions of the site will be mostly cleared of natural vegetation that could result in potential wildfire impacts. There are also no significant changes of drainage instability with a proposed water drainage system. There are no watercourses in the vicinity of the project site that could receive runoff or sediment from the project. Standard requirements for erosion control and regulatory permitting are in place to ensure slope instability, and potential drainage changes because of the project do not impact downstream resources. Subsequently, this project will have **no impact** to this criterion.

**Mitigation:** None required.

## 21. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California's history or prehistory?		✓			A
b. Does the project have environmental effects that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of the project are considered when viewed in connection with the effects of past, current, and probable future projects.)			✓		A
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		✓			A

**Impact Discussion:**

- 21a. This Initial Study and proposed Mitigated Negative Declaration evaluates the potential impact the proposed project could have on the environment. Compliance with existing federal, state, and local regulations and mitigation measures identified in this Initial Study will reduce all potential impacts of the proposed project to a less than significant level. As discussed in the Biological Resources section, the project will have a less than significant impacts with mitigation on the habitat and populations of protected plant and animal species. The Cultural Resources, Geology and Soils, and Tribal Cultural Resources sections find that impacts to important examples of major periods of California's history or prehistory will also be less than significant with mitigation. With the proposed mitigation measures, this project will have a **less than significant impact with mitigation** to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California's history or prehistory.
- 21b. The proposed project is to establish a commercial use (grocery store with coffee shop) in an existing commercial/industrial corridor on a commercial and industrial zoned property. This project proposes a General Plan Amendment and a rezone which will result in an adjustment in the sizes of the commercial and industrial designated portions of the property. The commercial portion will increase from approximately 1.9 acres to 4.3 acres and the industrial portion will decrease from approximately 3.6 acres to 1.2 acres. While

there will be an increase of approximately 2.4 acres of the commercial portion to accommodate the grocery store building, parking and circulation areas, and related improvements, there will also be a decrease in the amount of the industrial portion of 2.4 acres that will be available for future industrial uses. Uses within commercial designated areas are generally considered to be less intensive than uses in industrial designated areas. In addition, the specific development project being considered is a 30,711 square foot grocery store building.

The resulting change in the commercial and industrial acreages is not anticipated to significantly increase allowed density, change allowed uses, or create potential impacts that are individually limited but cumulatively considerable. The proposed grocery store and coffee shop are subject to all applicable local, state, and federal regulations and permitting, and any future change in use will require environmental review pursuant to CEQA. Therefore, the project's cumulatively considerable impacts are ***less than significant***.

- 21c. The proposed project would not result in any substantial adverse effects to human beings, directly or indirectly, since each potentially significant impact can be reduced to a less than significant level with adherence to the mitigation measures outlined in this initial study and compliance with existing federal, state, and local regulations. This includes potential impacts to aesthetics, geology and soils, hydrology and water quality, noise, and transportation. Therefore, there would be no substantial adverse effects to human beings because of the project, resulting in impacts that would be ***less than significant with mitigation***.

**Mitigation Measures:** To offset potentially adverse impacts to aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, transportation, and tribal cultural resources, see the listing of **Recommended Mitigation Measures** beginning on page 9 of this initial study.

# Recommendation of the Project Planner

Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or a "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by:

Steve Geiger  
Steve Geiger, Senior Planner

Date: October 17, 2025

## Appendix A – Reference Sources

- A. Nevada County Department of Planning
  - B. Nevada County Department of Environmental Health
  - C. Nevada County Department of Public Works
  - D. Nevada County Building Department
  - E. Penn Valley Fire Protection District
  - F. California Department of Transportation (Caltrans)
  - G. Northern Sierra Air Quality Management District
  - H. Nevada Irrigation District
  - I. United Auburn Indian Community (UAIC)
- 
1. Nevada County. *Nevada County General Plan Land Use Maps, Sheet A (1995)*. Retrieved from: <https://www.nevadacountyca.gov/DocumentCenter/View/12123/General-Plan---Sheet-A-PDF>
  2. Nevada County. *Nevada County, Penn Valley Area Plan (2020)*. Retrieved from: <https://www.nevadacountyca.gov/DocumentCenter/View/14843/Penn-Valley-Area-Plan-PDF>
  3. Caltrans. *California State Scenic Highways*. Retrieved from: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>
  4. Nevada County. *General Plan, Chapter 18: Aesthetics (1995)*. Retrieved from: <https://www.nevadacountyca.gov/DocumentCenter/View/12590/Chapter-18-Aesthetics-1995-PDF>
  5. Nevada County. *Nevada County, California County Code*. Retrieved from: [https://library.municode.com/ca/nevada\\_county/codes/code\\_of\\_ordinances?nodeId=CO\\_OR\\_TIT12ZORE](https://library.municode.com/ca/nevada_county/codes/code_of_ordinances?nodeId=CO_OR_TIT12ZORE)
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  11. Harrington, Lori and Stapleton, Dylan, Natural Investigations Company. *Cultural and Paleontological Resources Assessment, January 2024*.
  12. Nevada County. *Nevada County Energy Action Plan, 2019*. Retrieved from: <https://www.nevadacountyca.gov/DocumentCenter/View/35183/Nevada-County-Energy-Action-Plan>
  13. NV5 Engineering. *Geotechnical Engineering Report (April 2024)*.
  14. State of California. Department of Toxic Substances Control. Hazardous Waste and Substances Site List (Cortese List). Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/>
  15. King Engineering. *Drainage Report, May 2024*.

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DVP24-2; MGT24-0001; EIS24-0007

16. Bollard Acoustical Consultants. *Environmental Noise & Vibration Assessment* (October 2024).
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18. Nevada County Regional Transportation Plan (NCRTP) 2015-2035 (Nevada County, January 2018). Retrieved from: <https://www.nctc.ca.gov/Reports/Regional-Transportation-Plan/index.html>
19. United States Department of Agriculture Soil Conservation Service and Forest Service in cooperation with University of California Agricultural Experiment Station. (1993). Soil Survey of Nevada County Area, California. Retrieved from <https://websoilsurvey.sc.egov.usda.gov/app/>
20. California Department of Conservation. (2021). EQ Zapp: California Earthquake Hazards Zone Application. Retrieved from <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

**Appendix B: NV5, Geotechnical Engineering Report (April 2024)  
Holiday Market – Penn Valley: Recommendations**

**GRADING**

The following sections present NV5 grading recommendations. The grading recommendations address clearing and grubbing, soil preparation, fill placement, fill slope grading, erosion control, surface water drainage, construction dewatering, underground utility trenches, soil corrosion potential, plan review, and construction monitoring.

**Clearing and Grubbing.** Areas proposed for fill placement, road and driveway construction, and building areas should be cleared and grubbed to remove vegetation, weak and porous soils, and other deleterious materials as described below.

1. Strip and remove debris from clearing operations and the weak and porous soil containing shallow vegetation, roots and other deleterious materials. Trees and shrubs that will not be part of the proposed development should be removed and their primary root systems grubbed. We anticipate that the depth of grubbing and clearing would be in the upper 6 inches, but the actual depth of stripping will vary across the Site and may be greater in wooded areas. Actual stripping depth should be determined by a representative of the geotechnical engineer in the field at the time of stripping. The organic topsoil can be stockpiled onsite and used in landscape areas but is not suitable for use as engineered fill.
2. The project geotechnical engineer should approve any proposed use of the spoil generated from stripping prior to placement on the Site.
3. Over excavate any relatively loose debris and soil that is encountered in our exploratory trenches or any other onsite excavations to underlying, competent material. Possible excavations include exploratory trenches excavated by others, mantles or soil test pits, holes resulting from tree stump or boulder removal, and mining relics.
4. If loose, untested fill is encountered during site development, over excavate to competent native soil or weathered rock and replace with engineered fill in accordance with Section 5.1.4, "Engineered Fill," of this report. Relatively loose fill shall be removed to within and a minimum of 5 feet beyond proposed structure footprints.
5. Over excavate any encountered existing underground utilities, such as leach lines, abandoned sewer, water, and fuel lines, stumps and oversize rocks. Excavate the remaining cavities or holes to a sufficient width so that an approved backfill soil can be placed and compacted in the cavities or holes. Enough backfill soil should be placed and compacted in order to match the surrounding elevations and grades. The project engineer or their representative should

observe and approve the preparation of the cavities and holes prior to placing and compacting engineered fill soil in the cavities and holes as recommended herein.

6. All rocks greater than 8 inches in greatest dimension (oversized rock) should be removed from the top 12 inches of native soil, if encountered, by scarifying to a depth of 12 inches below finish grade in areas to support pavement, slabs-on-grade or other flatwork. Oversized rock may be used in landscape areas, rock landscape walls, rock faced slopes, or removed from the Site. Oversized rock can be stockpiled onsite and used to construct fills but must be placed at or near the bottom of deep fills and must be placed in windrows to avoid nesting. No oversized rock should be placed in the upper 3 feet of any structural fill. Unless used as rip-rap, oversized rock placed in fill should not be located within 5 feet horizontally of the finished fill slope face. The project geotechnical engineer should approve the use of oversized rock prior to constructing fill.
7. If fine grained, potentially expansive soil, as determined by NV5, is encountered during grading, it should be mixed with granular soil, or over excavated and stockpiled for removal from the project site or for later use in landscape areas.
8. Vegetation, deleterious materials, structural debris, and oversized rocks not used in landscape areas, drainage channels, or other non-structural uses should be removed from the Site.

**Expansive Soil.** Expansive soil, where encountered, should be over-excavated to a minimum depth of 3 feet below building pad subgrade and at least 2 feet below exterior hardscapes, slabs-on-grade and pavement sections. Over-excavations should extend a minimum 5 feet laterally from the edge of foundation elements and minimum 2 feet laterally from the edge of hardscapes. Over-excavations should be backfilled with approved non-expansive soil, placed and compacted in accordance with the following grading recommendations. Excavated expansive soil(s) should either be disposed of offsite, placed in non-structural areas, or placed within the lower portion of deep fills.

It may be possible to mix potentially expansive soil with granular soil in order to reuse the material as structural fill. The actual mix ratio should be evaluated by NV5 at the time of construction, but a typical mix ratio for this type of application is about 4 parts granular soil to 1-part expansive soil. We recommend that an NV5 representative be present during site grading and earthwork to evaluate the implementation of our recommendations and provide additional or revised recommendations, if needed.

**Soil Preparation for Fill Placement.** After completing site clearing and applicable mitigation activities, the exposed soil surface should be prepared for placement and compaction of engineered fills, as described below.

1. The exposed surface soil should be scarified to a minimum depth of 12 inches below the existing ground surface, or to resistant rock, whichever is shallower. Following scarification, the soil should be uniformly moisture conditioned to within approximately 3 percentage points of the ASTM D1557 optimum moisture content. In expansive soil conditions, the exposed surface should be moisture conditioned to within approximately 2 to 5 percentage points above the ASTM D1557 optimum moisture content and sufficient to completely close all shrinkage cracks for their full depth. If grading is performed during the dry season, the shrinkage cracks may extend to a few feet below the surface. Therefore, it may be necessary

to excavate a portion of the cracked soils to obtain the proper moisture condition and degree of compaction.

2. The scarified and moisture conditioned soil should then be compacted to achieve a minimum relative compaction of 90 percent, or between 88 and 92 percent in expansive soil conditions, based on ASTM D1557 maximum dry density. The moisture content, density and relative percent compaction should be tested by an NV5 field representative to evaluate whether the compacted soil meets or exceeds the minimum percent compaction and moisture content requirements. The earthwork contractor shall assist the project engineer or their field representative by excavating test pads with the onsite earth moving equipment. Native soil preparation beneath concrete slab-on-grade structures (i.e., floors, sidewalks, patios, etc.) should be prepared as specified in Section 5.2, "Structural Improvement Design Criteria."
3. The prepared native soil surface should be proof-rolled with a fully loaded, 4,000-gallon capacity water truck with the rear of the truck supported on a double-axle, tandem-wheel undercarriage or approved equivalent. The proof-rolled surface should be visually observed by the project engineer or their field representative to be firm, competent and relatively unyielding. The project engineer or their field representative may also evaluate the surface material by hand probing with a ¼-inch-diameter steel probe, however, this evaluation method should not be performed in place of proof rolling as described above.
4. Construction Quality Assurance (CQA) tests should be performed using the minimum testing frequencies presented in Table 5.1.3-1 or as modified by the project engineer to better suit the site conditions and change in soil or construction methods.

**Table 5.1.3-1, Minimum Testing Frequencies**

ASTM No.	Test Description	Minimum Test Frequency <sup>(1)</sup>
D1557	Modified Proctor Compaction Curve	1 per 1,500 CY or Material Change <sup>(2)</sup>
D6938	Nuclear Density and Moisture Content	1 per 250 CY
<p><u>Notes:</u></p> <p>(1) These are minimum testing frequencies that may be increased or decreased at the project engineer's discretion on the basis of the construction method and/or site conditions encountered during grading.</p> <p>(2) Whichever criteria provide the greatest number of tests.</p> <p>ASTM = ASTM International</p> <p>CY = cubic yards</p> <p>No. = number</p>		

5. The native soil surface should be graded to minimize ponding of water and to drain surface water away from the building foundations and associated structures. Where possible, surface water should be collected, conveyed and discharged into natural drainage courses, storm sewer inlet structures, permanent engineered stormwater runoff percolation/evaporation basins or engineered infiltration subdrain systems.

**Engineered Fill.** All fill placed beneath structural improvements (e.g., foundation elements, pavements, slabs-on-grade and utility lines) and as part of a fill slope or retaining structures should be considered structural engineered fill. Material used for structural fill should consist of uncontaminated, predominantly granular, non-expansive native soil or approved import soil.

**Import Fill Soil.** Import fill soil should meet the geotechnical engineering material properties described in the following Section 5.1.4.2, “Engineered Fill Construction with Testable Earth Materials.” Import soil should be predominantly granular, non-expansive and free of deleterious material. Prior to importation to the Site, the source generator should document that the import fill meets the guidelines set forth by the California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC) in their 2001 “Information Advisory, Clean Imported Fill Material.” This advisory represents the best practice for characterization of soil prior to import for use as engineered fill. Import material that is proposed for use onsite should be submitted to NV5 for approval and possible laboratory testing at least 72 hours prior to transport to the Site.

**Engineered Fill Construction with Testable Earth Materials.** Testable earth materials are generally considered to be soils with gravel and larger particle sizes retained on the No. 4 mesh sieve that make up less than 30 percent by dry weight of the total mass. The relative percent compaction of testable earth materials can readily be determined by the following ASTM test procedures: laboratory compaction curve (D1557), field moisture and density (D6938). Construction of engineered fills with testable earth materials is described below.

1. Testable Soil used for fill should consist of uncontaminated, predominantly granular, nonexpansive native soil or approved import soil. If encountered, rock used in fill should be broken into pieces no larger than 8 inches in diameter. Rocks larger than 8 inches are considered oversized material and should be stockpiled for offhaul or use in landscape areas and drainage channels. If approved by the project geotechnical engineer, oversized rock may be placed at or near the bottom of deep fills. Oversized rock must be placed in windrows to avoid nesting and to facilitate the placement of compacted fill. No oversized rock should be placed in the upper 3 feet of any structural fill. The project geotechnical engineer should approve the use of oversized rock prior to constructing fill.
2. Cohesive, predominantly fine-grained, or potentially expansive soil encountered during grading should be stockpiled for removal, mixed as directed by NV5, or used in landscape areas. As an option, cohesive fine-grained or potentially expansive soil can often be placed in the deeper portions of proposed fill (e.g., depths greater than 3 feet below subgrade in building footprints). However, this option would have to be evaluated on a case-by-case basis with consideration of the fill depth and proposed loading.
3. Soil used to construct engineered fill should be uniformly moisture conditioned to within approximately 3 percentage points of the ASTM D1557 optimum moisture content. If site grading is performed during or following periods of wet weather, near-surface site soils may be significantly above its optimum moisture content. These conditions could hamper equipment maneuverability and efforts to compact fill materials to the recommended compaction criteria. Fill material may require drying to facilitate placement and compaction, particularly during or following the wet season. Suitable compaction results may be difficult to obtain without processing the soil (e.g., disking during favorable weather, covering stockpiles during periods of precipitation, etc.).
4. Fill should be constructed by placing uniformly moisture conditioned soil in maximum 12-inch thick loose, horizontal lifts (layers) prior to compacting.

5. The earthwork contractor should compact each loose soil lift with a tamping foot compactor such as a Caterpillar (CAT) 815 Compactor or equivalent as approved by NV5’s project engineer or their field representative. A smooth steel drum roller compactor should not be used to compact loose soil lifts for construction of engineered fills.
6. All fill should be compacted to a minimum relative compaction of 90 percent of the ASTM D1557 maximum dry density. The upper 12 inches of fill in paved areas, beneath proposed slabs-on-grade, and within the proposed building footprint should be compacted to a minimum of 95 percent relative compaction.
7. The moisture content, density and relative percent compaction of all engineered fills should be tested by a representative of NV5 during construction to evaluate whether the compacted soil meets or exceeds the minimum compaction and moisture content requirements. The field and laboratory CQA tests should be performed consistent with the testing frequencies presented in Table 5.1.4.2-1 or as modified by the project engineer to better suit the site conditions. The earthwork contractor shall assist the project engineer’s field representative by excavating test pads with the onsite earth-moving equipment.

**Table 5.1.4.2-1, Minimum Testing Frequencies for Engineered Fill**

ASTM No.	Test Description	Minimum Test Frequency <sup>(1)</sup>
D1557	Modified Proctor Compaction Curve	1 per 1,500 CY or Material Change <sup>(2)</sup>
D6983	Nuclear Moisture and Density	1 per 250 CY
<p><u>Notes:</u></p> <p>(1) These are minimum testing frequencies that may be increased or decreased at the project engineer’s discretion on the basis of the site conditions encountered during grading.</p> <p>(2) Whichever criteria provide the greatest number of tests.</p> <p>ASTM = ASTM International                      CY = cubic yards                      No. = number</p>		

8. The prepared finished grade or finished subgrade soil surface should be proof-rolled with a fully loaded, 4,000-gallon-capacity water truck with the rear of the truck supported on a double-axle, tandem-wheel undercarriage or approved equivalent. The proof-rolled surface should be visually observed by the project engineer or their field representative to be firm, competent and relatively unyielding.

**Rock Fill Placement.** Based on NV5’s observation of the rocky nature of the subsurface conditions revealed in some of our exploratory trenches, they anticipate that fill material generated from the Site may contain significant rock fragments, and that compaction testing with conventional methods may be difficult or inappropriate. Typically, fill that consists primarily of soil can be tested for relative compaction by using a nuclear density gauge. Structural fill material with more than 30 percent rock larger than ¾-inch cannot be reliably tested using conventional compaction testing equipment.

They recommend that quality assurance during rock fill placement be based on a procedural

approach, or method specification, rather than a specified relative compaction. The procedural requirements will depend on the equipment used, as well as the nature of the fill material, and will need to be determined by the geotechnical engineering firm onsite. Typically, procedural recommendations are based on the measured relative compaction of a test fill constructed onsite.

Based on NV5's experience in the area, we anticipate that the procedural specification will require a minimum of six passes (back and forth equaling one pass) with a Cat 563 or similar, self-propelled, vibratory compactor to compact a maximum 12-inch thick, loose lift. Processing or screening of the fill material will be needed to remove rocks larger than approximately 12 inches in maximum dimension. Continuous or nearly continuous observation by a representative of NV5 would be required during fill placement to confirm that procedural specifications have been met.

**Fill Slope Grading.** Based on NV5's understanding of the project, they anticipate that fill slopes will be created as part of the proposed development. In general, permanent fill slopes should be no steeper than 2:1 (H:V). NV5 should review fill slope configurations greater than approximately 10 feet in height, if proposed, prior to fill placement. Compaction and fill slope grading must be confirmed by NV5 in the field. Steeper fill slopes may be constructed and should be reviewed approved by the geotechnical engineer of record.

1. Where fill placement is proposed on native slopes steeper than approximately 5:1 (H:V) a base keyway and routine benches that expose undisturbed bedrock must be provided. Unless otherwise recommended by the project geotechnical engineer, the base key should be at least 8 feet wide and excavated at the toe of the fill a minimum of 2 feet into competent stratum, as determined by a 1:1 (H:V) plane extending down from the toe of the fill. The bottom of the base key should be sloped slightly into the hillside at an approximate gradient of 5 percent or greater. The keyway excavation and limits should be observed and approved by a representative of NV5 prior to fill placement.
2. A subdrain should be installed at the rear of the keyway and where evidence of seepage is observed. The subdrain should consist of a 4-inch diameter (minimum) perforated plastic pipe embedded in drain rock material wrapped in woven geotextile filter fabric. The drain rock material should be at least 12 inches thick and extend at least 48 inches above the bottom of the keyway and/or 12 inches above and below the seepage zone. The depth and extent of subdrains should be determined by a representative of NV5 in the field during construction. In addition, subdrains should be installed at a minimum slope of 1 percent and should have cleanouts located at their ends and at turning points. Outlet and riser pipe fittings should not be perforated. A licensed land surveyor or civil engineer should provide "record drawings" depicting the locations of subdrains and cleanouts.
3. The fill must be benched into existing side slopes as fill placement progresses. Benching must extend through loose surface soil into firm material, and at intervals such that no loose surface soil is beneath the fill. As a minimum, a horizontal bench should be excavated every 5 vertical feet or as determined by a representative of NV5.
4. Fill should be placed in horizontal lifts to the lines and grades shown on the project plans. Fill slopes should not be constructed or extended horizontally by placing soil on an existing slope face and/or compacted by track walking.
5. Slopes should be constructed by overbuilding the slope face and then cutting it back to the

design slope gradient and grade.

6. Where placement of oversized rock in deep fill is proposed, the oversized rock should be placed a minimum of 5 feet horizontally from the finished fill slope face.
7. Steeper fill slopes and reinforced soil slopes may be feasible with the use of geotextile reinforcement, RSP, and/or rock facing. NV5 can provide reinforced or buttressed fill slope design for the project, if requested.
8. Fill slopes should be constructed with surface benches at least every 25 feet (vertically); the benches should be a minimum of 8 feet wide, and should be sloped to drain to the rear and protected from erosion. The benches should be sloped longitudinally at a gradient of at least 1 percent. The discharge point of concentrated runoff should be either collected in a closed pipe that discharges onto erosion resistant natural drainages or other areas that are provided with energy dissipators.

**Cut Slope Grading.** Based on NV5's understanding of the project at this time, they anticipate that permanent cut slopes will be created during grading of the proposed improvements. It may be very difficult to excavate below depths of approximately 6 feet and ripping or blasting may be required. In general, permanent cut slopes should not be steeper than 2:1 (H:V). Cut slopes may be 1½:1 (H:V) in areas of shallow resistant bedrock, as approved by the geotechnical engineer. Steeper cut slopes may be feasible, depending on the soil/rock conditions encountered, and should be reviewed on a case-by-case basis and approved by the project geotechnical engineer. The upper two feet of all cut slopes should be graded to an approximate 2:1 (H:V) slope to reduce sloughing and erosion of looser surface soil. The upper two to five feet of cut slopes should be rounded into the existing terrain above the slope to remove loose material and produce a contoured transition from cut face to natural ground. Scaling to remove unstable cobbles and boulders may be necessary. Permanent cut slopes should be observed in the field by the geotechnical engineer to verify that the exposed soil (bedrock) conditions are as anticipated. The geotechnical engineer is not responsible for measuring the angles of these slopes.

To reduce the potential for erosion, slopes surfaces steeper than 2:1 (H:V) shall be protected with a slope surface reinforcement/armoring system depending on the exposed near surface soil/rock. Appropriate slope surface reinforcement/armoring systems may include rock slope protection (RSP), shotcrete or geo-synthetic liners with/without anchors. Proposed slope armoring systems shall be approved by the project geotechnical engineer prior to application.

Temporary cut slopes may be constructed to facilitate retaining wall construction. We anticipate that subsurface conditions will be favorable for construction of temporary cut slopes no steeper than ½:1 (H:V) for a maximum height of approximately 6 feet. Cuts into existing fill may need to be flatter to remain stable. To reduce the likelihood of sloughing or failure, temporary cut slopes should not remain over the winter or heavy storm events.

An NV5 representative must observe temporary cut slopes steeper than 1½:1 (H:V) during grading to confirm the soil conditions encountered. We recommend that personnel not be allowed between the cut slope and the proposed retaining structure, form work, grading equipment, or parked vehicles during construction, unless the stability of the slope has been reviewed by NV5 or the slope has been confirmed to meet OSHA excavation standards.

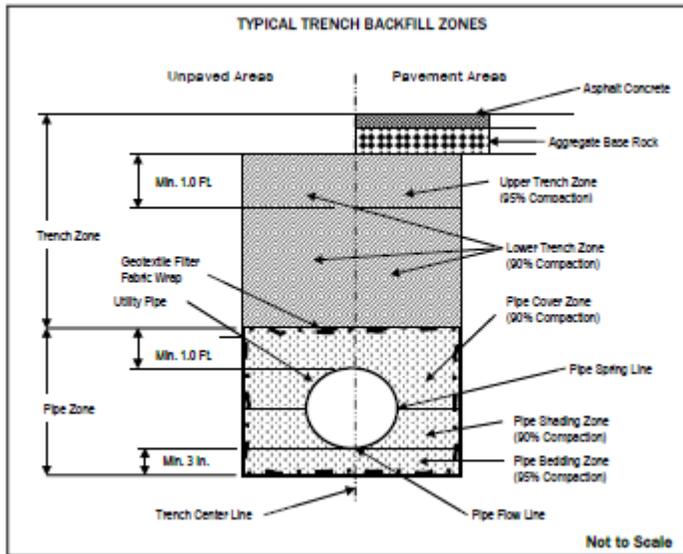
**Differential Fill Depth.** The recommendations presented in this section are intended to reduce the magnitude of differential settlement-induced structural distress associated with variable fill depth beneath structures.

1. Site grading should be performed so that cut-fill transition lines do not occur directly beneath any structures. The cut portion of the cut-fill building pads, if proposed, should be scarified to a minimum depth of 12 inches, and recompact to 95 percent relative compaction.
2. Differential fill depths beneath structures should not exceed 5 feet. For example, if the maximum fill depth is 8 feet across a building pad, the minimum fill depth beneath that pad should not be less than 3 feet. If a cut-fill building pad is used in this example, the cut portion would need to be over excavated 3 feet and rebuilt with compacted fill.

**Temporary Excavations.** All temporary excavations must comply with applicable local, state and federal safety regulations, including the current Occupational Safety and Hazards Administration (OSHA) excavation and trench safety standards. Construction site safety is the responsibility of the contractor, who is solely responsible for the means, methods and sequencing of construction operations. Under no circumstances should the findings, conclusions and recommendations presented herein be inferred to mean that NV5 is assuming any responsibility for temporary excavations, or for the design, installation, maintenance and performance of any temporary shoring, bracing, underpinning or other similar systems. NV5 could provide temporary cut slope gradients, if required.

**Underground Utility Trenches.** Underground utility trenches should be excavated and backfilled as described below for each trench zone shown in the figure below.

1. Trench Excavation Equipment: NV5 anticipates that the contractor will be able to excavate all underground utility trenches to depths of five feet, or in areas of cuts greater than 3 feet bgs, with a Case 580 Backhoe or equivalent. Underground utility trenches greater than 5 feet bgs, or in areas of cuts greater than 3 feet, may require blasting or ripper teeth on an excavator to facilitate removal of the bedrock.
2. Trench Shoring: All utility trenches that are excavated deeper than 4 feet bgs are required by California OSHA to be shored with bracing equipment or sloped back to an appropriate slope gradient prior to being entered by any individuals.
3. Trench Dewatering: If the utility trenches are excavated during the winter rainy season, shallow or perched groundwater seepage will likely be encountered. The earthwork contractor may need to employ dewatering methods as discussed in Section 5.1.14, "Construction Dewatering" in order to excavate, place and compact the trench backfill materials.
4. Pipe Zone Backfill Type and Compaction Requirements: The backfill material type and compaction requirements for the pipe zone, which includes the bedding zone, the shading zone and the cover zone are described in the detail below.



- Pipe Zone Backfill Material Type: Trench backfill used within the pipe zone, which includes the bedding zone, the shading zone, and the cover zone, should consist of ¾-inch-minus, washed, crushed rock. The crushed rock particle size gradation should meet the following requirements (percentages are expressed as dry weights using ASTM D422 test method): 100 percent passing the ¾-inch sieve, 80 to 100 percent passing the ½-inch sieve, 60 to 100 percent passing the 3/8-inch sieve, 0 to 30 percent passing the No. 4 sieve, 0 to 10 percent passing the No. 8 sieve, and 0 to 3 percent passing the No. 200 sieve. If groundwater is encountered within the trench during construction, or if groundwater is expected to rise during the rainy season to an elevation that will infiltrate the pipe zone within the trench, then the pipe zone material should be wrapped with a minimum 6 ounce per square yard, non-woven geotextile filter fabric such as TenCate® Mirifi N140 or an approved equivalent. The geotextile seam should be located along the trench centerline and have a minimum 1-foot overlap. If the utility pipes are coated with a corrosion protection material, then the pipes should be wrapped with a minimum 6 ounce per square yard, non-woven, geotextile cushion fabric such as TenCate® Mirifi N140 or an approved equivalent. The geotextile cushion fabric should have a minimum 6-inch seam overlap. The geotextile cushion fabric will protect the pipe from being scratched by the crushed rock backfill material.
- Pipe Bedding Zone Compaction: Trench backfill soil placed in the pipe bedding zone (beneath the utilities) should be a minimum of 3 inches thick, moisture conditioned to within ± 3 percentage points of the ASTM D1557 optimum moisture content and compacted to achieve a minimum relative compaction of 95 percent of the ASTM D1557 maximum dry density. Crushed rock should be mechanically consolidated under the observation of NV5.
- Pipe Shading Zone Compaction: Trench backfill soil placed within the pipe shading zone (above the bedding zone and to a height of one pipe radius above the pipe spring line) should be moisture conditioned to within ± 3 percentage points of the ASTM D1557 optimum moisture content and compacted to achieve a minimum relative compaction of 90 percent of the ASTM D1557 maximum dry density. Crushed rock should be mechanically consolidated under the observation of NV5. The pipe shading zone backfill material should be shovel-sliced to remove voids and to promote compaction.
- Pipe Cover Zone Compaction: Trench backfill soil placed within the pipe cover zone (above

- the pipe shading zone to 1 foot over the pipe top surface) should be moisture conditioned to within  $\pm 3$  percentage points of the ASTM D1557 optimum moisture content and compacted to achieve a minimum relative compaction of 90 percent of the ASTM D1557 maximum dry density. Crushed rock should be mechanically consolidated under the observation of NV5.
- Groundwater Migration through Utility Trenches: Trench backfill for utilities exceeding 3 percent slope should incorporate Clay or CLSM check dams every 400 feet within any trenches excavated into competent bedrock to prevent sediment transportation along the trench alignment as a result of perched groundwater. Clay or CLSM check dams should be placed where utility trenches enter into a building footprint.
5. Trench Zone Backfill and Compaction Requirements: The trench zone backfill materials consist of both lower and upper zones, as discussed below.
- Trench Zone Backfill Material Type: Soil used as trench backfill within the lower and upper intermediate zones, as shown on the preceding figure, should consist of non-expansive soil with a PI of less than or equal to 15 (based on ASTM D4318) and should not contain rocks greater than 3 inches in greatest dimension.
  - Lower Trench Zone Compaction: Soil used to construct the lower trench zone backfills should be uniformly moisture conditioned to within 0 and 4 percentage points of the ASTM D1557 optimum moisture content, placed in maximum 12-inch-thick loose lifts prior to compacting and compacted to achieve a minimum relative compaction of 90 percent of the ASTM D1557 maximum dry density.
  - Upper Trench Zone Compaction (Road and Parking Lot Areas): Soil used to construct the upper trench zone backfills should be uniformly moisture conditioned to within 0 and 4 percentage points greater than the ASTM D1557 optimum moisture content, placed in maximum 8-inch-thick loose lifts (layers) prior to compacting and compacted to achieve a minimum relative compaction of 95 percent of the ASTM D1557 maximum dry density.
  - Upper Trench Zone Compaction (Non-Road and Non-Parking Lot Areas): Soil used to construct the upper trench zone backfills should be uniformly moisture conditioned to within 0 and 2 percentage points greater than the ASTM D1557 optimum moisture content, placed in maximum 6-inch-thick loose lifts (layers) prior to compacting and compacted to achieve a minimum relative compaction of 90 percent of the ASTM D1557 maximum dry density.
6. CQA Testing and Observation Engineering Services: The moisture content, dry density and relative percent compaction of all engineered utility trench backfills should be tested by the project engineer's field representative during construction to evaluate whether the compacted trench backfill materials meet or exceed the minimum compaction and moisture content requirements presented in this report. The earthwork contractor shall assist the project engineer's field representative by excavating test pads with the onsite earth moving equipment.
- Compaction Testing Frequencies: The field and laboratory CQA tests should be performed consistent with the testing frequencies presented in Table 5.1.9-1 or as modified by the project engineer to better suit the site conditions.

**Table 5.1.9-1, Minimum Testing Frequencies for Utility Trench Backfill**

ASTM No.	Test Description	Minimum Test Frequency <sup>(1)</sup>
D1557	Modified Proctor Compaction Curve	1 per 500 CY <sup>(2)</sup> Or Material Change
D6983	Nuclear Moisture and Density	1 per 100 LF per 24-Inch-Thick Compacted Backfill Layer <sup>(2)</sup> The maximum loose lift thickness shall not exceed 12-inches prior to compacting.
Notes: (1) These are minimum testing frequencies that may be increased or decreased at the project engineer's discretion on the basis of the site conditions encountered during grading. (2) Whichever criteria provide the greatest number of tests. ASTM No. = ASTM International Number CY = cubic yards		

- Final Proof Rolling: The prepared finished grade AB rock surface and/or finished subgrade soil surface of utility trench backfills should be proof rolled, as mentioned above in Section 5.1.4, "Engineered Fill."

**Erosion Controls.** Graded portions of the Site should be seeded as soon as possible to allow vegetation to become established prior to and during the rainy season. In addition, grading that results in greater than one acre of soil disturbance or in sensitive areas may require the preparation of a site-specific stormwater pollution prevention plan. As a minimum, the following controls should be installed prior to and during grading to reduce erosion.

1. Prior to commencement of site work, fiber rolls should be installed down slope of the proposed area of disturbance to reduce migration of sediment from the Site. Fiber rolls on slopes are intended to reduce sediment discharge from disturbed areas, reduce the velocity of water flow, and aid in the overall revegetation of slopes. The fiber rolls should remain in place until construction activity is complete and vegetation becomes established.
2. Erosion controls should be installed on all cut and fill slopes to minimize erosion caused by surface water runoff.
3. All soil exposed in permanent slope faces should be hydroseeded or hand seeded/strawed with an appropriate seed mixture compatible with the soil and climate conditions of the Site as recommended by the local Resource Conservation District. Alternatively, an appropriate manufactured erosion control mat may be applied.
4. If grading is performed during wet weather, exposed soil may be susceptible to excessive disturbance. This could create a situation where previously completed earthwork needs to be repaired, possibly leading to project delays. Sediment and erosion control efforts, particularly stormwater mitigation, should be implemented in accordance with local accepted industry standards and best management practices.

**Wet Weather Grading.** Generally, grading is performed more economically during the summer months when onsite soils are usually dry of optimum moisture content. Delays should be anticipated in site grading performed during the rainy season or early spring due to excessive moisture in onsite soils. Special and relatively expensive construction procedures, including dewatering of excavations and importing granular soils, should be anticipated if grading must be completed during the winter and early spring or if localized areas of soft saturated soils are found during grading in the summer and fall.

Open excavations also tend to be more unstable during wet weather as groundwater seeps towards the exposed cut or fill slopes. Severe sloughing and occasional slope failures should be anticipated. The occurrence of these events will require extensive clean up and the installation of slope protection measures, thus delaying projects. The general contractor is responsible for the performance, maintenance, and repair of temporary cut slopes.

**Surface Water Drainage.** Proper surface water drainage is important to the successful development of the project. NV5 recommends the following measures to help mitigate surface water drainage problems:

- a. Slope final grades in structural areas so that surface water drains away from building pad finish subgrade at a minimum 2 percent slope for a minimum distance of 10-feet. For structures utilizing slab-on-grade interior floor systems they recommend increasing the slope to 4 percent.
- b. To reduce surface water infiltration, compact and slope all soil placed adjacent to building foundations such that water is not allowed to pond. Backfill should be free of deleterious materials.
- c. Direct all building downspouts to solid pipe collectors which discharge to natural drainage courses, storm sewers, catchment basins, infiltration subdrains or other drainage facilities.
- d. Construct V-ditches at the top of cut and fill slopes where necessary to reduce concentrated surface water flow over slope faces. Typically, V-ditches should be 3 feet wide and at least 6 inches deep. Surface water collected in V-ditches should be directed away and downslope from proposed building pads and driveways into a drainage channel.

**Infiltration Basins.** It is NV5's opinion that the soils evaluated at the Site can be suitable for use of an onsite infiltration basin for water quality purposes for minor rainfall events, provided the soil infiltration parameters presented herein are incorporated into the basin design and designed by a qualified individual. Based on the soil conditions observed at the Site, the soil will infiltrate to the transition point between weathered rock and native soil and follow this transition to the adjacent drainage channel downhill from the basin. We recommend utilizing 0.12 inches per hour for basin design with the following recommendations implemented:

1. Minimize compaction for the bottom of the basin to promote infiltration and establish vegetation prior to rain events to increase infiltration. The basin must separate from the toe of any slopes over 4 to 1 with a keyway to avoid compromising the integrity of the keyway.
2. Provide an overflow pathway for drainage resulting from rainfall events that exceed the maximum rainfall to be treated and avoid damage through erosion.
3. Ensure the lowest excavated elevation for the basin does not extend into competent rock. If bottom elevation of basin is below competent rock, infiltration rate will be significantly reduced and groundwater will collect within the portion embedded within the rock and reduce the efficiency of the basin. Underdrain systems may be warranted to ensure this collection point has a route to gravity drain to a drainage pathway. Avoid obstructions along the sides of the infiltration basin, such as impermeable liners, that would inhibit lateral seepage at the transition between the weathered rock and surface soils. Consult with a landscape architect or qualified individual to determine proper depth of highly permeable planting media and drain rock layer, if a subdrain is warranted to ensure proper vegetation growth and runoff treatment.

**Construction Dewatering.** Seepage may be encountered during grading, particularly in deeper excavations made during site preparation. The earthwork contractor should be prepared to dewater excavations if seepage is encountered during grading. Seepage may be encountered if grading is performed during or immediately after the rainy season. In addition, perched groundwater may be encountered on low permeability soil or weathered rock layers even during the summer months. If subsurface seepage or groundwater conditions are encountered which prevent or restrict fill placement or construction of the proposed improvements, subdrains may be necessary. If groundwater or saturated soil conditions are encountered during grading, we should be retained to observe the conditions and provide site specific subsurface drainage recommendations. The following typical measures can be employed to mitigate the presence of seepage in excavations.

1. NV5 anticipates that dewatering of utility trenches can be performed by constructing sumps to depths below the trench bottom and removing the water with sump pumps.
2. Additional sump excavations and pumps should be added as necessary to keep the excavation bottom free of standing water and relatively dry when placing and compacting the trench backfill material.
3. If groundwater enters the trench faster than it can be removed by the dewatering system, the underlying compacted soil may become unstable while compacting successive soil lifts. If this occurs, the unstable soil may need to be removed and replaced with free draining open graded drain rock. If drain rock is used, it should meet or exceed the following gradation specifications: 100 percent passing the  $\frac{3}{4}$ - inch sieve, 95 to 100 percent passing the  $\frac{1}{2}$ -inch sieve, 70 to 100 percent passing the  $\frac{3}{8}$ -inch sieve, 0 to 55 percent passing the No. 4 sieve, 0 to 10 percent passing the No. 8 sieve, and 0 to 3 percent passing the No. 200 sieve. Other approved backfill materials can again be used after placing the drain rock to an elevation that is higher than the groundwater.
4. NV5 recommends that the utility trench excavations be performed as late in the summer months as possible to allow the groundwater table to reach its lowest seasonal elevation.

**Soil Corrosion Potential.** NV5 reviewed the Online Soil Survey prepared by the USDA Soil Conservation Service (<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>). Based on review of soil survey information the native soil conditions onsite possess a low to moderate corrosion potential for concrete and uncoated steel. To reduce the likelihood of corrosion problems, materials used for underground utilities, permanent subsurface drainage improvements, and foundation systems should be selected based on local experience and practice. If alternative or new construction methods or materials are being proposed, it may be appropriate to have the selected materials evaluated by a corrosion engineer for compatibility with the onsite soil and groundwater conditions.

**Grading Plan Review and Construction Monitoring.** Coordination between the design team and the geotechnical engineer is recommended to assure that the design is compatible with the soil, geologic and groundwater conditions encountered during our study. NV5's experience, and that of the engineering profession, clearly indicates that during the construction phase of a project the risks of costly design, construction and maintenance problems can be significantly reduced by retaining a design geotechnical engineering firm to review the project plans and specifications and to provide geotechnical engineering consultation, observation and CQA testing services during construction. Construction quality assurance includes review of plans and specifications and performing construction monitoring as described below.

1. NV5 should be allowed to review the final earthwork grading improvement plans prior to commencement of construction to determine whether the recommendations have been implemented and, if necessary, to provide additional and/or modified recommendations.
2. Prior to commencing a new phase of construction, a meeting should be held at the Site that includes, but is not limited to, the owner or owner's representative, the general contractor, the grading contractor, the foundation contractor, the underground contractor, any specialty contractors, the project civil engineer, other members of the project design team and NV5. This meeting should serve as a time to discuss and answer questions regarding the recommendations presented herein and to establish the coordination procedure between the contractors and NV5.
3. Prior to commencement of a new phases of development on the Site, NV5 should be retained to observe the soil/rock conditions within and surrounding the proposed improvements to confirm or modify our recommendations. A preconstruction meeting with the contractor and subcontractors involved should be held to discuss and review the applicable recommendations of this report as they apply to the proposed construction.
4. NV5 should be retained to perform construction quality assurance (CQA) monitoring of all earthwork grading performed by the contractor to determine whether our recommendations have been implemented, and if necessary, provide additional and/or modified recommendations. Upon your request we will prepare a CQA geotechnical engineering services proposal that will present a work scope, a tentative schedule and a fee estimate for your consideration and authorization. If NV5 is not retained to provide geotechnical engineering CQA services during the construction phase of the project, then NV5 will not be responsible for geotechnical engineering CQA services provided by others nor any aspect of the project that fails to meet your or a third party's expectations in the future.

### **STRUCTURAL IMPROVEMENT DESIGN CRITERIA**

The following sections present NV5's structural improvement design criteria and recommendations. The recommendations address foundations, seismic parameters, and concrete slabs-on-grade design.

**Seismic Design Criteria.** NV5 developed the code-based seismic design parameters in accordance with Section 1613 of the 2022 CBC and the Structural Engineers Association of California (SEAOC) and California Office of Statewide Health Planning and Development (OSHPD) "Seismic Design Maps" web application, formerly facilitated by the USGS. The internet-based application (<https://seismicmaps.org/>) is used for determining seismic design values from the 2016 ASCE-7 Standard, and the 2021 International Building Code (2021 IBC) in accordance with the 2022 CBC. The spectral acceleration, site class, site coefficients and adjusted maximum considered earthquake spectral response acceleration, and design spectral acceleration parameters are presented in Table 5.2.1-1. The Seismic Design Parameter detailed report from the SEAOC/OSHPD analysis is provided in Appendix C. Our classification of onsite soil conditions is based on field observations and laboratory tests. The onsite soil consists of fine-grained soil and weathered rock. Based on the presence of stiff fine grained and dense granular soil at relatively shallow depths, we classified the onsite soil as "very dense soil and soft rock" (Site Class "C") for design purposes.



the top of the footing and one near the bottom. Concrete coverage over steel reinforcements should be a minimum of 3 inches as recommended by the American Concrete Institute (ACI).

4. The concrete should have a minimum 2,500 pounds per square inch compressive break strength after 28 days of curing, have a water-to-cement ratio from 0.40 to 0.50, and should be placed with minimum and maximum slumps of 4 and 6 inches, respectively. Since water is often added to uncured concrete to increase workability, it is important that strict quality control measures be employed during placement of the foundation concrete to ensure that the water-to-cement ratio is not altered prior to or during placement.
5. Footing excavations should be saturated prior to placing concrete to reduce the risk of problems caused by wicking of moisture from curing concrete. However, concrete should not be placed through standing water in the footing excavations.
6. Bearing Capacity: In an effort to reduce the likelihood of settlement-induced distress to the proposed structures, we recommend that strip and isolated footings with a minimum embedment depth of 12 inches in competent soil or compacted fill be sized for an allowable bearing capacity of 2,500 psf for dead plus live loads. This value can be increased by 300 psf for each additional foot of embedment up to a limiting value of 3,100 psf. Allowable bearing may be increased by 33 percent for additional transient loading, such as wind or seismic loads.
7. Lateral Resistance: A triangularly distributed lateral resistance (passive soil resistance) of  $300d$  psf, where  $d$  is footing depth, may be used for footings. This value may be increased by 33 percent for wind and seismic. As an alternate to the passive soil resistance described above, a coefficient of friction for resistance to sliding of 0.35 may be used. Both values can be combined for short-term transient loading.
8. Total settlement of individual foundations will vary depending on the plan dimensions of the foundation and actual structural loading. Based on anticipated foundation dimensions and loads, we estimate that total post-construction settlement of footings designed and constructed in accordance with our recommendations will be on the order of  $\frac{1}{2}$ -inch. Differential settlement between similarly loaded, adjacent footings is expected to be less than  $\frac{1}{4}$ -inch, provided footings are founded on similar materials (e.g., all on structural fill, native soil, or rock). Differential settlement between adjacent footings founded on dissimilar materials (e.g., one footing on soil and an adjacent footing on rock) may approach the maximum anticipated total settlement. Settlement of foundations is expected to occur rapidly and should be essentially complete shortly after initial application of loads.
9. Prior to placing concrete in any foundation excavation, the project geotechnical engineer or their field representative should observe the excavations to document that the following requirements have been achieved: minimum foundation dimensions, minimum reinforcement steel placement and dimensions, removal of all loose soil, rock, wood debris or other deleterious materials, and that firm and competent native or engineered fill soil is exposed along the entire foundation excavation bottom and no expansive soil is observed. Strict adherence to these requirements is paramount to the satisfactory behavior of a building foundation. Minor deviations from these requirements can cause the foundations to undergo minor to severe amounts of settlement which can result in cracks developing in the foundation and adjacent structural members, such as concrete slab-on-grade floors.

### **Concrete Slab-On-Grade Interior, Sidewalk and Patio**

NV5's opinion is that interior concrete slab-on-grade building floors, patios, sidewalks and driveways may be used in conjunction with perimeter concrete foundations for the proposed improvements. The applicable project structural or civil engineer should design slabs-on-grade with regard to the anticipated loading. This section presents typical slab sections and reinforcement schedules used for residential construction in the region and construction recommendations. NV5 recommends using the guideline procedures, methods and material properties that are presented in the following ASTM and ACI documents for construction of concrete slab-on-grade floors:

- ACI 302.1R-04, Guide for Concrete Floor and Slab Construction, reported by ACI Committee 302.
- ASTM E1643-98 (Reapproved 2005), Standard Practice for Installation of Water Vapor Retarders Used in Contact with Earth or Granular Fill Under Concrete Slabs.
- ASTM E1745-97 (Reapproved 2004), Standard Specifications for Plastic Water Vapor Retarders Used in Contact with Soil or Granular Fill under Concrete Slabs.
- ASTM F710-5, Standard Practice for Preparing Concrete Floors to Receive Resilient Flooring.

The concrete slab-on-grade components are described below from top to bottom. If static or intermittent live floor loads greater than 250 pounds per square foot (psf) are anticipated, then a California-licensed structural engineer should design the necessary concrete slab-on-grade floor thickness and steel reinforcements.

1. Minimum 4-Inch-Thick Concrete Slab: The concrete slab should be installed with a minimum 2,500 pounds per square inch (psi) compressive strength after 28 days of curing. NV5 recommends that the concrete design have a water/cement ratio no greater than 0.45 and should be placed with minimum and maximum slumps of 3 and 5 inches, respectively. Pozzolans or other additives may be added to increase workability. The concrete mix design is the responsibility of the concrete supplier. The slab-on-grade should be a minimum of 4 inches thick.
2. Steel Reinforcement: Reinforcement should be used to improve the load-carrying capacity, to reduce cracking caused by shrinkage during curing and from both differential and repeated loadings. It should be understood that it is nearly impossible to prevent all cracks from development in concrete slabs; in other words, it should be expected that some cracking will occur in all concrete slabs no matter how well they are reinforced. Concrete slabs that will be subjected to heavy loads should be designed with steel reinforcements by a California licensed structural engineer.
3. Rebar: As a minimum, use No. 3 rebar (ASTM A615/A 615M-04 Grade 60), tied and placed with minimum 18-inch centers in both directions (perpendicular) and supported on concrete "dobies" to position the rebar in the center of the slab during concrete pouring. "Hooking and pulling" of steel during concrete placement is not recommended. NV5 does not recommend that the steel reinforcements of the concrete slab-on-grade floor be tied into the perimeter or interior continuous strip foundations or interior isolated column foundations. In other words,

we recommend that the concrete slab-on-grade floors be constructed as independent structural members so that they can move (float) independently from the foundation structures.

4. Under slab Vapor-Moisture Retarder Membrane: In slab-on-grade areas where moisture sensitive floor coverings are proposed, an under slab retarder membrane should be placed over the base course or gravel subdrain to reduce both liquid water and water vapor transmission through the concrete slab-on-grade floor. NV5 recommends using at a minimum a Class A (ASTM E1745-97 [Reapproved 2004]), minimum 15-mil-thick, plastic, vapor-moisture, retarder membrane material such as Stego Wrap® under slab vapor retarder membranes or equivalents. Additionally, the following materials are recommended: Stego® Tape and Stego® Mastic or equivalents to seal membrane joints and any utility penetrations. The vapor barrier should be installed in accordance with the selected manufacturer's instructions. Concrete should be placed directly on the vapor barrier.
5. Regardless of the type of moisture-vapor retarder membrane used, moisture can wick up through a concrete slab-on-grade floor. Excessive moisture transmission through a concrete slab floor can cause adhesion loss, warping and peeling of resilient floor coverings, deterioration of adhesive, seam separation, formation of air pockets, mineral deposition beneath flooring, odor and both fungi and mold growth. Slabs can be tested for water transmissivity in areas that are moisture sensitive. Commercial sealants, polymer additives to the concrete at the batch plant, entrained air, flyash, and a reduced water-to-content ratio can be incorporated into the concrete slab-on-grade floor mix design to reduce its permeability and water-vapor transmissivity properties. A waterproofing consultant should be contacted to provide detailed recommendations if moisture sensitive flooring materials will be installed on the concrete slab-on-grade floors.
6. Minimum 4-Inch-Thick Crushed Rock or Class II Aggregate Base Rock Layer: Interior floors should be underlain by clean crushed rock, while exterior floors should use either crushed rock or Class II AB rock. Crushed rock should be mechanically consolidated under the observation of NV5. AB rock layers should be placed and compacted to a minimum of 95 percent of the ASTM D1557 dry density with a moisture content of  $\pm 3$  percentage points of the ASTM D1557 optimum moisture content. The crushed rock should be washed to produce a particle size distribution of 100 percent (by dry weight) passing the  $\frac{3}{4}$  inch sieve and 5 percent passing the No. 4 sieve and 0 to 3 percent passing the No. 200 sieve. An alternative rock material for external slab-on-grade concrete surfaces would include AB rock meeting the specification of Caltrans Class II AB. Just prior to pouring the concrete slab, the rock layer should be moistened to a saturated surface dry (SSD) condition. This measure will reduce the potential for water to be withdrawn from the bottom of the concrete slab while it is curing and will help minimize the development of shrinkage cracks. Where traffic loads are possible, we recommend a minimum concrete thickness of six inches.
7. Concrete slabs impart a relatively small load on the subgrade (approximately 50 psf). Therefore, some vertical movement should be anticipated from possible expansion, freeze-thaw cycles, or differential loading. If the current property owner elects to eliminate the crushed rock or AB rock layer beneath the interior and exterior concrete slabs-on-grade for economic reasons, then there will be an inherent greater risk assumed by the developer for the development of both shrinkage and bearing-related cracks in the associated slabs.

8. Subgrade Soil Preparation: The subgrade soil should be prepared and compacted consistent with the recommendations of Section 5.1, "Grading." The top 12 inches of the non-expansive soil should be compacted to a minimum of 95 percent of the ASTM D1557 dry density with relatively uniform moisture content within  $\pm 3$  percentage points of the ASTM D1557 optimum moisture content. Prior to placing slab rock, subgrade soil must be moisture conditioned to between 75 and 90 percent saturation to a depth of 24 inches. Moisture conditioning should be performed for a minimum of 24 hours prior to concrete placement. Clayey soil may take up to 72 hours to reach this required degree of saturation. If the soil is not moisture conditioned prior to placing concrete, moisture will be wicked out of the concrete, possibly contributing to shrinkage cracks. Additionally, our opinion is that moisture conditioning the soil prior to placing concrete will reduce the likelihood of soil swell or heave following construction at locations where fine grained, potentially expansive soil is encountered. To facilitate slab-on-grade construction, we recommend that the slab subgrade soil be moisture conditioned following rock placement. Following moisture conditioning, the vapor retarder should be placed.
9. Crack Control Grooves: Crack control grooves should be installed during placement or saw cuts should be made in accordance with the ACI and Portland Cement Association (PCA) specifications. Generally, NV5 recommends that expansion joints be provided between the slab and perimeter footings, and that crack control grooves or saw cuts are installed on 10-foot-centers in both directions (perpendicular).
10. Field Observations: Field observations of all concrete slab-on-grade surfaces and installed steel reinforcements should be made by an NV5 construction monitor prior to pouring concrete.
11. To reduce the potential for groundwater intrusion, a drain may be constructed beneath concrete slabs-on-grade in areas where groundwater and/or saturated soil may be present during wet periods. Subdrains should consist of a minimum of four inches of clean crushed gravel placed over native subgrade leveled or sloped at two percent towards a 4-inch diameter perforated drain pipe. The drain pipe should be placed with perforations faced down in a minimum 12-inch wide gravel-filled trench. The depth of the trench may vary depending on cover requirements for the drain pipe and the slope required to drain water from beneath the slab to a properly constructed infiltration facility. A minimum of one pipe should be installed in each area of the slab surrounded by continuous perimeter foundation elements.
12. In general, NV5 recommends that subgrade elevations on which the concrete slab-on-grade floors are constructed be a minimum of 6 inches above the elevation of the surrounding parking lots, driveways and landscaped areas. Elevating the building will reduce the potential for subsurface water to enter beneath the concrete slab-on-grade floors and exterior surfaces and underground utility trenches. The subgrade soil around the slabs-on-grade should be sloped away from the proposed slab subgrade a minimum of 4 percent for a distance of 10 feet as discussed in the "Surface Water Drainage" section of this report. A representative from NV5 should observe pad and subgrade elevations prior to forming the slab footings.
13. Concrete slabs should be moisture cured for at least seven days after placement. Excessive curling of the slab may occur if moisture conditioning is not performed. This is especially critical for slabs that are cast during the warm summer months.

**Retaining Wall Design Criteria.** The following active and passive pressures are for retaining walls in cut native soil or backfilled with granular onsite soil. If import soil is used, a representative from NV5 should be retained to observe and test the soil to determine its strength properties. The pressures exerted against retaining walls may be assumed to be equal to a fluid of equivalent unit weight.

Table 5.2.3-1 presents equivalent fluid unit weights for cut native soil and onsite fill compacted per the grading recommendations presented in this report. For approximately horizontal backfill we assume that the retained fill surface will be no steeper than 10 percent for a minimum distance of the wall height from the back of the retaining wall. The passive pressures below assume footings are founded in competent native soil or engineered fill.

**Table 5.2.3-1, Equivalent Fluid Unit Weights <sup>(1)</sup>**

Loading Condition	Retained Cut or Compacted Fill (approximately horizontal backfill)	Retained Cut or Compacted Fill (retained slope up to 2:1, H:V)
Active Pressure (pcf)	30	45
Passive Pressure (pcf)	300	300
At-Rest Pressure (pcf)	45	55
Coefficient of Friction	0.35	0.35
<b>Note:</b> (1) The equivalent fluid unit weights presented are ultimate values and do not include a factor of safety. The passive pressures provided assume footings are founded in competent native soil or engineered fill.		

Please note that the use of the tabulated active pressure unit weight requires that the wall design accommodate sufficient deflection for mobilization of the retained soil to occur. Typically, a wall yield of less than 1 percent of the wall height is sufficient to mobilize active conditions in granular soil. However, if the walls are rigid or restrained to prevent rotation, at-rest conditions should be used for design.

Recommendations for design and construction of retaining walls are listed below:

1. Compaction equipment should not be used directly adjacent to retaining walls unless the wall is designed or braced to resist the additional lateral pressures.
2. If any surface loads are closer to the top of the retaining wall than its height, NV5 should review the loads and loading configuration. NV5 should review and provide specific backfill criteria for all retaining walls over 10 feet in height. Utilities that run through retaining wall backfill should allow for vertical movement where they pass through the wall.
3. Retaining wall backfill should consist of granular material, nearly free of organic debris, with a liquid limit less than 40, a plasticity index less than 15, 100 percent passing the 8-inch sieve, and less than 30 percent passing the No. 200 sieve. Expansive soils should not be used for wall backfill. Where expansive soils are present in the excavation made to install the retaining wall, the excavation should be sloped back 1:1 from the back of the footing or grade beam.
4. Backfill should be uniformly moisture conditioned to within two percent of the optimum moisture content and compacted with appropriate compaction equipment to at least 90

percent of the maximum dry density. If the retaining wall backfill will support foundations or rigid pavements, the backfill should be compacted to at least 95 percent of the maximum dry density.

5. Additional lateral loading on retaining structures due to seismic accelerations may be considered at the designer's option, especially for walls greater than 6 feet in height. For an earthquake producing a design horizontal acceleration of 0.2g, we recommend that the resulting additional lateral force applied to unrestrained (cantilevered) retaining structures with drained level backfill onsite be estimated as  $P_{ae}=4H^2$  pounds, where H is the height of the wall in feet a  $P_{ae}$  value of  $10H^2$  should be used for restrained walls. The additional seismic force may be assumed to be applied at a height of 0.3H above the base of the wall. This seismic loading is for a drained, level backfill condition only; NV5 should be consulted for values of seismic loading due to non-level or non-drained backfill conditions. The use of reduced factors of safety is often appropriate when reviewing overturning and sliding resistance during seismic events.

Retaining walls should be supported on spread footings or drilled piers, as applicable, designed in accordance with the recommendations presented in this report. Retaining wall foundations should be designed by the project civil or structural engineer to resist the lateral forces set forth in this section.

### ***Retaining Wall Backdrains***

1. Retaining wall design criteria presented in Table 5.2.3-1 assume that retaining walls are well drained to reduce hydrostatic pressures. Walls should be designed with a back-drain system, such as a gravel drain or geosynthetic blanket, to reduce additional lateral forces and minimize saturation of the backfill soil. Retaining walls designed to resist full hydrostatic pressure do not need to be backdrained.
2. Rock drains should consist of a minimum 12-inch wide, Caltrans Class II, permeable drainage blanket, placed directly behind the wall; or crushed washed rock enveloped in a non-woven geotextile filter fabric such as Amoco 4546™ or equivalent. The drain material should extend to within 1½ feet of the surface. The upper 1½ feet should be backfilled with compacted soil to exclude surface water. Drains should have a minimum 4-inch diameter, perforated, schedule 40, PVC pipe placed at the base of the wall, inside the drain rock, with the perforations placed down. The PVC pipe should be sloped so that water is directed away from the wall by gravity. A geosynthetic drainage blanket such as Enkadrain™ or equivalent may be substituted for the rock drain, provided the collected water is channeled away from the wall. If a geosynthetic blanket is used, backfill must be compacted carefully so that equipment or soil does not tear or crush the drainage blanket.
3. Adequate drainage and waterproofing for retaining walls associated with finished interior spaces are essential to reduce the likelihood of seepage and vapor transmission into the living space. We recommend that an appropriate waterproofing sealant be applied to the exterior surface of such retaining walls. Moisture retarding material should consist of sheet membrane rubberized asphalt, polymer-modified asphalt, butyl rubber, or other approved material capable of bridging nonstructural cracks, applied in accordance with the manufacturer's recommendations. A manufactured water-stop and/or key should be placed

at all cold joints. The project architect or contractor may wish to consult with a waterproofing expert regarding additional options for reducing moisture migration into living areas.

## **GEOTECHNICAL DRAINAGE**

This section of the report presents NV5's recommendations to reduce the possibility of surface water and near-surface groundwater entering below grade areas. For the discussion of subsurface drainage related to grading, refer to Section 5.1.14, "Construction Dewatering."

Based on NV5's observations and past experience with geotechnical investigations in the project vicinity, there is a likely potential for seasonal saturation of near-surface soil and groundwater seepage into foundation areas. Depending on final site grades, rainfall, irrigation practices, and other factors beyond the scope of this study, perched groundwater will likely seasonally develop above onsite rock and/or fine-grained soil. Near-surface groundwater may enter under-floor crawlspaces, migrate through concrete floor slabs, degrade asphalt concrete pavements, increase frost heave, and contribute to other adverse conditions.

**Surface.** Final site grading should be planned so that surface water is directed away from all slopes foundations and hardscapes including pavements. Ponding of surface water should not be allowed near pavements or structures. Grades should be sloped away from structures a minimum of 2 percent in paved areas and 4 percent for unpaved areas, and drainage gradients should be maintained to carry all surface water to a properly designed infiltration facility. Where a gradient flatter than 2 percent for paved areas and 4 percent for unpaved areas is required to satisfy design constraints, area drains should be installed within the rear and side yard swales with a spacing no greater than about 20 feet. The surface drainage system should generally be kept separate from the any subsurface drainage system. Surface water should not be infiltrated at elevations above the lowest foundation elements.

Water seepage or the spread of extensive root systems into the soil subgrade of footings, slabs or pavements could cause differential movements and consequent distress in these structural elements. Landscaping should be planned with consideration for these potential problems. Backfill soil placed adjacent to building foundations should be placed and compacted such that water is not allowed to pond or infiltrate. Backfill should be free of deleterious material and placed and compacted in accordance with the recommendations presented in Section 5.1, "Grading."

Roofs should be provided with gutters and the downspouts should empty onto splash blocks that discharge directly onto paved areas or be connected to a closed collector pipe that discharges flow to positive drainage well away from foundations, onto paved areas (or) erosion resistant natural drainages or into the Site's surface drainage system. Roof downspouts and surface drains must be maintained entirely separate from the slab underdrains recommended hereinafter.

Where lots abut natural slopes and excavations are retained by wooden bulkheads, persistent seepage of groundwater into rear yards should be anticipated. In order to mitigate this condition, both surface and subsurface drains should be installed in the rear yard. The subdrains should be

PLN24-0089; GPA24-0003; RZN24-0003;  
DVP24-2; MGT24-0001; EIS24-0007

installed at the base of the bulkhead and should be constructed as the perimeter foundation drains, subsequently discussed.

**Perimeter Foundation Drains.** Where interior crawl spaces are lower than adjacent exterior grade, exterior subdrains should be installed adjacent to perimeter foundations, except on the downhill side, to prevent surface runoff from entering the crawl space. Foundation drains should consist of trenches that are at least 12 inches below the crawl space surface and are sloped to drain by gravity. Four-inch diameter perforated pipe sloped to drain to outlets by gravity should be placed in the bottom of the trenches. The top of subdrain pipes should be at least 12 inches lower than the adjacent crawl space grade. The perimeter subdrain trenches should be backfilled to within 6 inches of the surface with Class 2 permeable material or  $\frac{3}{4}$ -inch drain rock wrapped in filter fabric. The upper 6 inches should be backfilled with compacted soil to exclude surface water. Where perimeter foundation drains are not used, water ponding in the crawl space should be anticipated. Where retaining walls are used for perimeter foundations, retaining wall backdrains may be used in lieu of foundation drains.

**Slab Underdrains.** Where living area (interior) slab subgrades are less than 6 inches above adjacent exterior grade and where migration of moisture through the slab would be detrimental, slab underdrains or blanket drains should be considered in slab-on-grade floor areas to reduce moisture transmission through the floor and help maintain subgrade support. Slab underdrains should consist of 6-inch wide trenches that extend at least 6 inches below the bottom of the slab rock and slope to drain by gravity. The slab underdrain trenches should be spaced no further than 20 feet apart, both ways. Additional drain trenches should be installed, as necessary, to drain all isolated under slab areas. Four-inch diameter perforated pipe (SDR 35 or better) sloped to drain to outlets by gravity should be placed in the bottom of the trenches. Slab underdrain trenches should be backfilled to subgrade level with clean, free draining slab rock. If slab underdrains are not used, it should be anticipated that water will enter the slab rock, permeate through the concrete slab and ruin floor coverings.

**DRAWING INDEX**

- 01 ARCHITECTURAL SITE PLAN
- 02 LANDSCAPE DESIGN PLAN
- 03 FLOOR PLAN
- 04 EXTERIOR ELEVATIONS
- 05 BUILDING RENDER
- 06 BUILDING RENDER
- 07 SITE VIEWS
- 08 SITE LIGHTING PLAN
- 09 LIGHT FIXTURES
- 10 LIGHT FIXTURES
- 11 SITE PLAN SIGNS LOCATIONS
- 12 WALL SIGNS
- 13 MONUMENT SIGN

**DESIGN TEAM**

<b>OWNER:</b> NORTH STATE GROCERY, INC. 20803 FRONT STREET P.O BOX 439 COTTONWOOD, CA 96022 PHONE: 530.949.7846 CONTACT: BRAD ASKELAND EMAIL: baskeland@nsgrocery.com	<b>ARCHITECT:</b> CSHOA 701 UNIVERSITY AVE, STE 210 SACRAMENTO, CA 95825 OWNER: 916.527.6970 CONTACT: STEVE WAKEMAN EMAIL: steve.wakeman@CSHOA.com	<b>CIVIL:</b> KING ENGINEERING 200 AUBURN FOLSOM RD, STE 210 AUBURN, CA 95603 PHONE: 530.272.8328 CONTACT: RUSSELL KING EMAIL: Russell.King@King-Engineering-Inc.com	<b>LANDSCAPE:</b> WATKINS PLANNING & LANDSCAPE ARCHITECTURE PHONE: 707.628.5326 CONTACT: ERIK WATKINS EMAIL: watkins.erik@gmail.com	<b>ELECTRICAL:</b> CSHOA 701 UNIVERSITY AVE, STE 210 SACRAMENTO, CA 95825 PHONE: 916.527.6970 CONTACT: AMY DOCKTER EMAIL: amy.dockter@cshqa.com
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**DEVELOPMENT CONTACTS**

<b>WATER:</b> NEVADA IRRIGATION DISTRICT (NID) 1036 WEST MAIN STREET, GRASS VALLEY CA 95945 PHONE: (530) 271-6840 CONTACT: SHANNON WOOD	<b>SEWAGE:</b> NEVADA COUNTY PUBLIC WORKS DEPARTMENT 950 MAIDU AVE, STE 170 NEVADA CITY, CA 95959 PHONE: (530) 265-1411 DISTRICT: NCSD-1 ZONE 6 TREATMENT PLANT: LWW WWTP	<b>FIRE:</b> PENN VALLEY FIRE PROTECTION DISTRICT 10513 SPENCEVILLE RD. PENN VALLEY, CA 95946 PHONE: 530.432.2630 CONTACT: JOHN WAGNER	<b>PUBLIC UTILITIES:</b> NEVADA COUNTY PUBLIC WORKS DEPARTMENT 950 MAIDU AVE, STE 170 NEVADA CITY, CA 95959 PHONE: (530) 265-1411
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**LOT DATA**

<b>PROPOSED USE:</b>	GROCERY MARKET
<b>APN NUMBER:</b>	051-240-014
<b>PARCEL SIZE:</b>	5.50 ACRES (238,535 SQ. FT.)
<b>EXISTING ZONE:</b>	C1-SP (COMMERCIAL NEIGHBORHOOD - SITE PERFORMANCE) M1-SP (LIGHT INDUSTRIAL - SITE PERFORMANCE)
<b>PROPOSED ZONE:</b>	SAME ZONING AS EXISTING WITH ZONING LINE ADJUSTMENT
<b>PROPERTY OWNER/ APPLICANT NAME:</b>	NORTH STATE GROCERY, INC.
<b>APPLICANT REPRESENTATIVE:</b>	RUSSELL KING ENGINEERING

**LOT COVERAGE**

<b>REQUIRED:</b>		
LANDSCAPED AREA (SEC. L-II 4.2.7):		
INTERIOR PARKING (45 SQ. FT. X 158 STALLS)	=	7,110 S.F.
RESIDENTIAL BUFFER	=	N/A
STREET BUFFERS (10FT X (360+200+135))	=	6,950 S.F.
TOTAL REQUIRED LANDSCAPING AREA	=	14,070 S.F.
<b>PERMANENT OPEN SPACE (TABLE L-II 4.2.10.C.1)</b> (MINUS REQUIRED LANDSCAPING AREA) REQUIRED (20% MIN.)	=	47,707 S.F.
<b>IMPERVIOUS SURFACE (TABLE L-II 2.4.E)</b> (ROOF, ROAD, SIDEWALK, OR PAVED PARKING LOT) ALLOWED (85% MAX.)	=	202,754 S.F.
<b>PROVIDED:</b>		
REQUIRED LANDSCAPING AREA	=	14,070 S.F. (5.9%)
PERMANENT OPEN SPACE AREA (MINUS REQUIRED LANDSCAPING AREA)	=	92,819 S.F. (38.9%)
IMPERVIOUS SURFACE AREA	=	131,646 S.F. (55.2%)
TOTAL SITE AREA	=	238,535 S.F. (100.0%)

**PARKING REQUIREMENT**

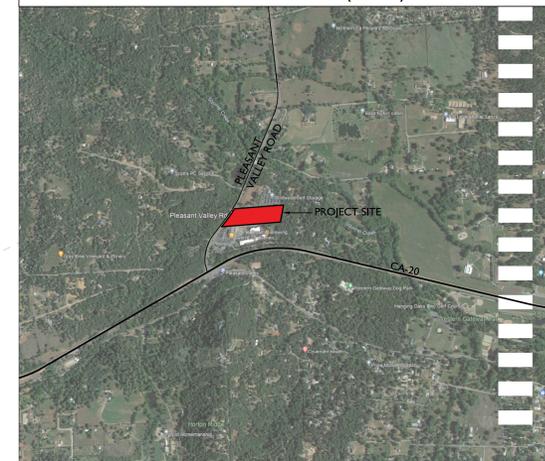
<b>VEHICLE PARKING:</b> (SEC. L-II 4.2.9 PARKING) GROSS BUILDING AREA: 30,711 SQ. FT.	
<b>REQUIRED:</b>	
RETAIL STORES (1 PER 200 S.F.)	
TOTAL PARKING SPACES REQUIRED	= 154
<b>PROVIDED:</b>	
STANDARD PARKING SPACES (9'x20')	= 94 SPACES
COMPACT PARKING SPACES (6'x14')	= 23 SPACES
(TABLE L-II TABLE 4.2.9.E)	
STANDARD ACCESSIBLE STALLS	= 5 SPACES
VAN ACCESSIBLE STALLS	= 1 SPACE
(2022 CALGreen sec. 5.106.5.3)	
EV STANDARD ACCESSIBLE STALL WITH EVSE	= 1 SPACE
EV VAN ACCESSIBLE STALL WITH EVSE	= 1 SPACE
EV CAPABLE SPACES WITH EVSE	= 7 SPACES
EV CAPABLE SPACES	= 26 SPACES
TOTAL PARKING SPACES PROVIDED:	= 158 SPACES
<b>BICYCLE:</b> (SEC. L-II 4.2.9.C.6)	
BICYCLE RACKS REQUIRED: (A MIN. OF 4 BICYCLE SPACES IN EA. RACK)	= 9 RACKS
TOTAL BICYCLE RACKS PROVIDED:	= 9 RACKS/36 BICYCLES



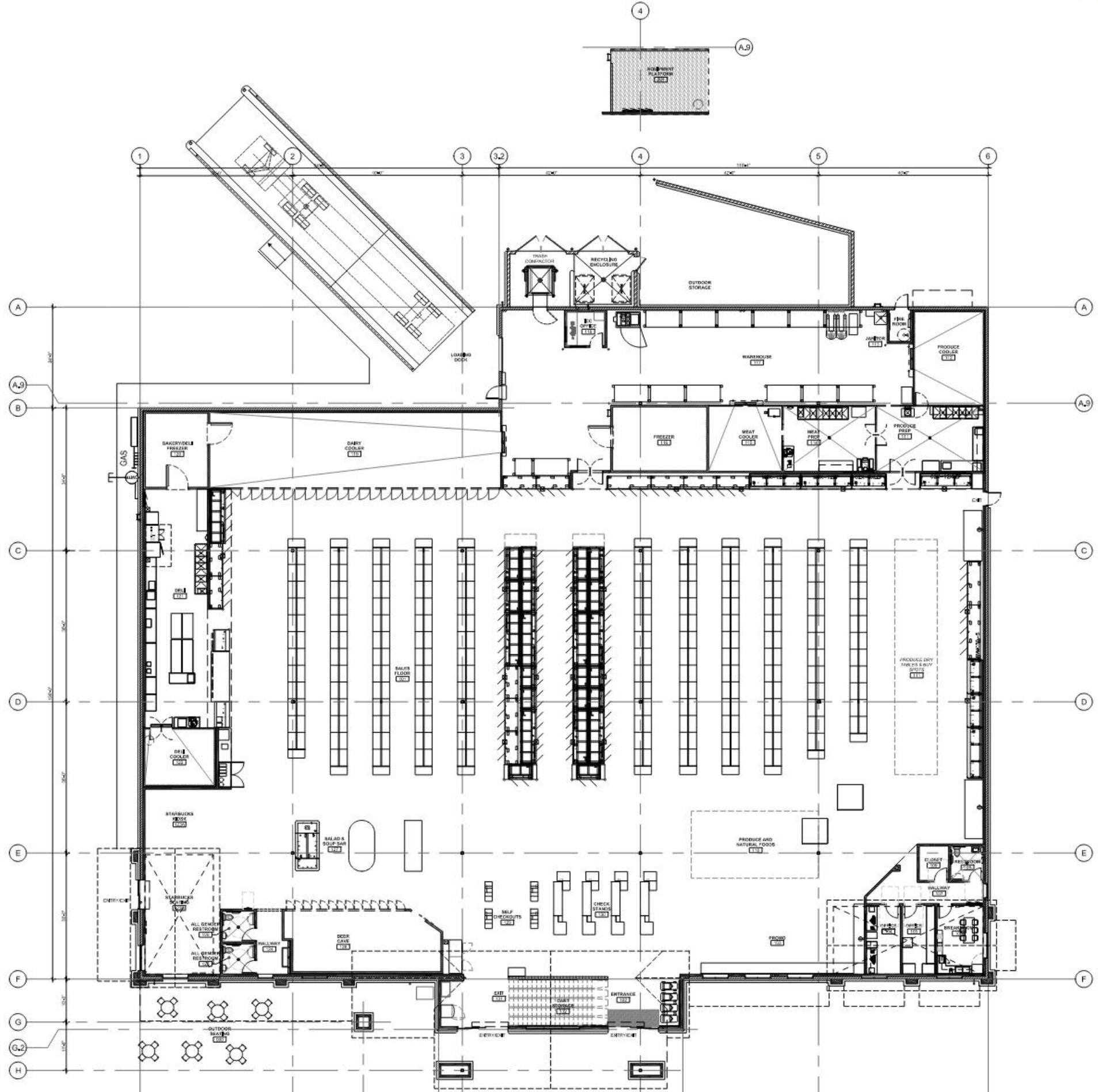
**LEGEND**

- ACCESSIBLE ROUTE
- ☐ FREESTANDING SITE LIGHTING
- SCREENED LINES INDICATE EXISTING ELEMENTS TO REMAIN
- ☐ BLDG (E) EXISTING STRUCTURE TO BE REMOVED
- ▨ LANDSCAPED AREA, RE: LANDSCAPE

**VICINITY MAP (NTS)**



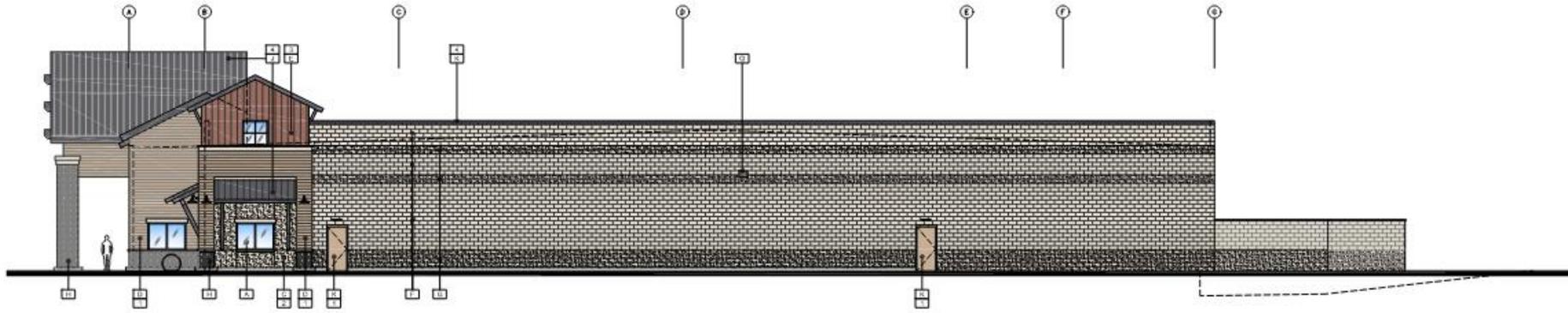
**ARCHITECTURAL SITE PLAN**  
SCALE 1" = 30'-0"



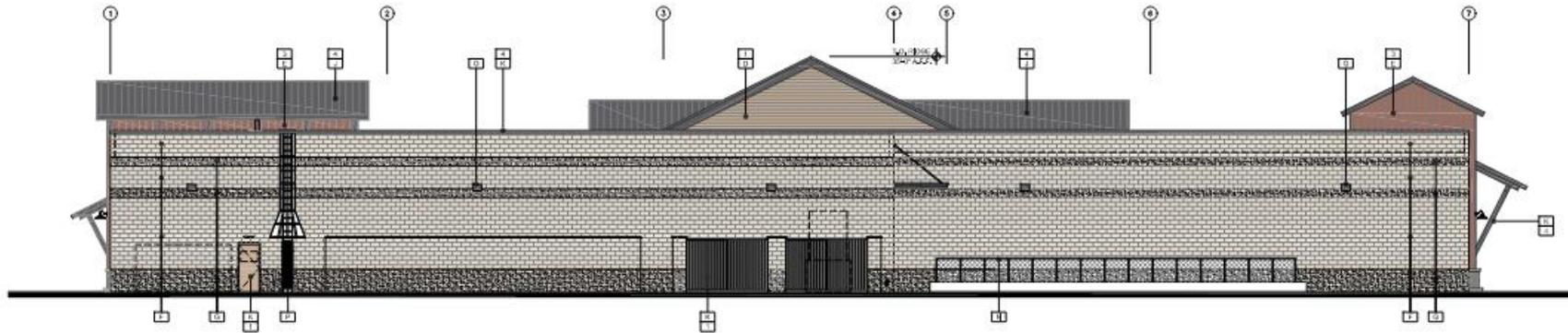
1 FLOOR PLAN  
SCALE 1/8" = 1'-0"



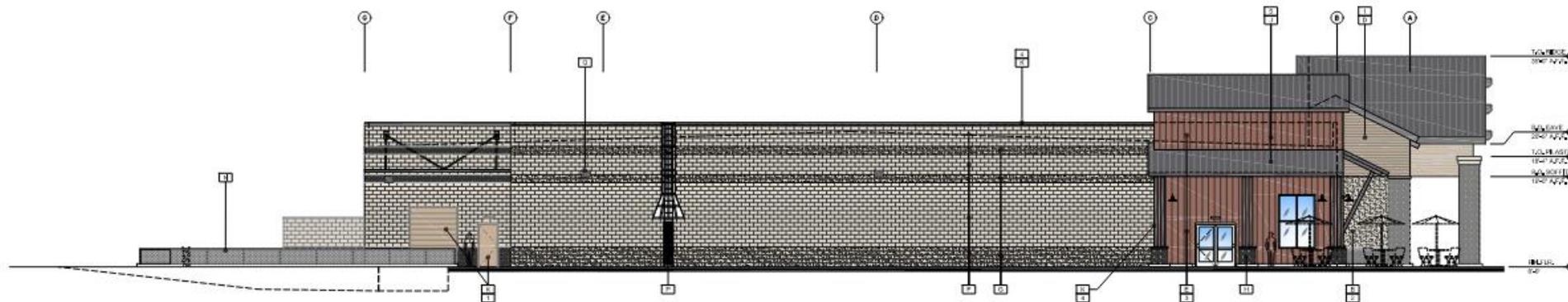
1 WEST ELEVATION  
SCALE 1/8" = 1'-0"



2 SOUTH ELEVATION  
SCALE 1/8" = 1'-0"



3 EAST ELEVATION  
SCALE 1/8" = 1'-0"



4 NORTH ELEVATION  
SCALE 1/8" = 1'-0"

MATERIAL LEGEND	
1A	ALUMINUM STOREFRONT W/ LOW-E INSULATED GLASS, WITH DARK BRONZE ANODIZED ALUMINUM STOREFRONT.
1B	EXTERIOR CEMENT PLASTER SYSTEM
1C	EIFS SINGLE COAT SYSTEM
1D	CEMENT FIBER SIDING, PAINTED
1E	METAL WALL PANEL, PAINTED
1F	SMOOTH FACED CMU, PAINTED
1G	BASALITE: STANDARD COLOR "113" - PRECISION
1H	SPLIT FACE CMU, PAINTED
1I	BASALITE: STANDARD COLOR "125" - SPLIT FACE
1J	RIVER STONE
1K	METAL ROOFING
1L	METAL - PARAPET CAP/PAINTED STEEL GATES/DOORS
1M	ADDRESS NUMBER
1N	SIGN BY OTHERS
1O	GUARDRAIL
1P	ROOF ACCESS LADDER
1Q	WALL LIGHT FIXTURE
1R	SHERWIN WILLIAMS - SW # 6107 "NOMADIC DESERT"
1S	SHERWIN WILLIAMS - SW # 6147 "PANDA WHITE"
1T	SHERWIN WILLIAMS - SW # 6053 "REDDENED EARTH"
1U	SHERWIN WILLIAMS - SW # 6278 "CLOAK GRAY"



**D-Series Size 2 LED Area Luminaire**

**Information**  
The modern styling of the D-Series luminaire is a perfect blend of form and function. The luminaire is designed to provide a high-quality lighting solution for a wide range of applications. The luminaire is designed to provide a high-quality lighting solution for a wide range of applications. The luminaire is designed to provide a high-quality lighting solution for a wide range of applications.

**Specifications**  
The luminaire is designed to provide a high-quality lighting solution for a wide range of applications. The luminaire is designed to provide a high-quality lighting solution for a wide range of applications. The luminaire is designed to provide a high-quality lighting solution for a wide range of applications.

Model	Length	Width	Height	Weight	Material	Finish	Color	Beam Angle	Light Output (lm)	Power (W)	Efficiency (lm/W)	Life Span (hrs)
D-2000	20"	10"	4"	1.5 lbs	Aluminum	White	30°	1000	10	100	10000	
D-3000	30"	15"	4"	2.5 lbs	Aluminum	White	30°	1500	15	150	10000	
D-4000	40"	20"	4"	3.5 lbs	Aluminum	White	30°	2000	20	200	10000	
D-5000	50"	25"	4"	4.5 lbs	Aluminum	White	30°	2500	25	250	10000	
D-6000	60"	30"	4"	5.5 lbs	Aluminum	White	30°	3000	30	300	10000	
D-7000	70"	35"	4"	6.5 lbs	Aluminum	White	30°	3500	35	350	10000	
D-8000	80"	40"	4"	7.5 lbs	Aluminum	White	30°	4000	40	400	10000	
D-9000	90"	45"	4"	8.5 lbs	Aluminum	White	30°	4500	45	450	10000	
D-10000	100"	50"	4"	9.5 lbs	Aluminum	White	30°	5000	50	500	10000	

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D-3000	30"	15"	4"	2.5 lbs	Aluminum	White	30°	1500	15	150	10000	
D-4000	40"	20"	4"	3.5 lbs	Aluminum	White	30°	2000	20	200	10000	
D-5000	50"	25"	4"	4.5 lbs	Aluminum	White	30°	2500	25	250	10000	
D-6000	60"	30"	4"	5.5 lbs	Aluminum	White	30°	3000	30	300	10000	
D-7000	70"	35"	4"	6.5 lbs	Aluminum	White	30°	3500	35	350	10000	
D-8000	80"	40"	4"	7.5 lbs	Aluminum	White	30°	4000	40	400	10000	
D-9000	90"	45"	4"	8.5 lbs	Aluminum	White	30°	4500	45	450	10000	
D-10000	100"	50"	4"	9.5 lbs	Aluminum	White	30°	5000	50	500	10000	

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D-3000	30"	15"	4"	2.5 lbs	Aluminum	White	30°	1500	15	150	10000	
D-4000	40"	20"	4"	3.5 lbs	Aluminum	White	30°	2000	20	200	10000	
D-5000	50"	25"	4"	4.5 lbs	Aluminum	White	30°	2500	25	250	10000	
D-6000	60"	30"	4"	5.5 lbs	Aluminum	White	30°	3000	30	300	10000	
D-7000	70"	35"	4"	6.5 lbs	Aluminum	White	30°	3500	35	350	10000	
D-8000	80"	40"	4"	7.5 lbs	Aluminum	White	30°	4000	40	400	10000	
D-9000	90"	45"	4"	8.5 lbs	Aluminum	White	30°	4500	45	450	10000	
D-10000	100"	50"	4"	9.5 lbs	Aluminum	White	30°	5000	50	500	10000	

**D-Series Size 2 LED Area Luminaires**

**TYPE PLJ**

**Information**  
The modern styling of the D-Series luminaire is a high-recessed, surface-mount luminaire. The D-Series luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

**Dimensions**  
Length: 18 1/2"  
Width: 18 1/2"  
Height: 4 1/2"  
Depth: 4 1/2"

**Design Notes**  
See notes on page 1 for details on installation and wiring. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

Model	Length	Width	Height	Depth	Weight	Material	Finish
PLJ-1818-4.5-4.5	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White
PLJ-1818-4.5-4.5-2	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White

**D-Series Size 2 LED Area Luminaires**

**TYPE PLK**

**Information**  
The modern styling of the D-Series luminaire is a high-recessed, surface-mount luminaire. The D-Series luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

**Dimensions**  
Length: 18 1/2"  
Width: 18 1/2"  
Height: 4 1/2"  
Depth: 4 1/2"

**Design Notes**  
See notes on page 1 for details on installation and wiring. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

Model	Length	Width	Height	Depth	Weight	Material	Finish
PLK-1818-4.5-4.5	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White
PLK-1818-4.5-4.5-2	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White

**D-Series Size 2 LED Area Luminaires**

**TYPE PLI**

**Information**  
The modern styling of the D-Series luminaire is a high-recessed, surface-mount luminaire. The D-Series luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

**Dimensions**  
Length: 18 1/2"  
Width: 18 1/2"  
Height: 4 1/2"  
Depth: 4 1/2"

**Design Notes**  
See notes on page 1 for details on installation and wiring. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

Model	Length	Width	Height	Depth	Weight	Material	Finish
PLI-1818-4.5-4.5	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White
PLI-1818-4.5-4.5-2	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White

**D-Series Size 2 LED Area Luminaires**

**TYPE PLM**

**Information**  
The modern styling of the D-Series luminaire is a high-recessed, surface-mount luminaire. The D-Series luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

**Dimensions**  
Length: 18 1/2"  
Width: 18 1/2"  
Height: 4 1/2"  
Depth: 4 1/2"

**Design Notes**  
See notes on page 1 for details on installation and wiring. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

Model	Length	Width	Height	Depth	Weight	Material	Finish
PLM-1818-4.5-4.5	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White
PLM-1818-4.5-4.5-2	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White

**D-Series Size 2 LED Area Luminaires**

**TYPE PLN**

**Information**  
The modern styling of the D-Series luminaire is a high-recessed, surface-mount luminaire. The D-Series luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

**Dimensions**  
Length: 18 1/2"  
Width: 18 1/2"  
Height: 4 1/2"  
Depth: 4 1/2"

**Design Notes**  
See notes on page 1 for details on installation and wiring. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

Model	Length	Width	Height	Depth	Weight	Material	Finish
PLN-1818-4.5-4.5	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White
PLN-1818-4.5-4.5-2	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White

**LITONIA LUMINAIRES**

**TYPE SSS**

**Information**  
The modern styling of the S-Series luminaire is a high-recessed, surface-mount luminaire. The S-Series luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

**Dimensions**  
Length: 18 1/2"  
Width: 18 1/2"  
Height: 4 1/2"  
Depth: 4 1/2"

**Design Notes**  
See notes on page 1 for details on installation and wiring. The luminaire is designed to be recessed into a ceiling or wall. The luminaire is designed to be recessed into a ceiling or wall.

Model	Length	Width	Height	Depth	Weight	Material	Finish
SSS-1818-4.5-4.5	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White
SSS-1818-4.5-4.5-2	18 1/2"	18 1/2"	4 1/2"	4 1/2"	1.5 lbs	Aluminum	White

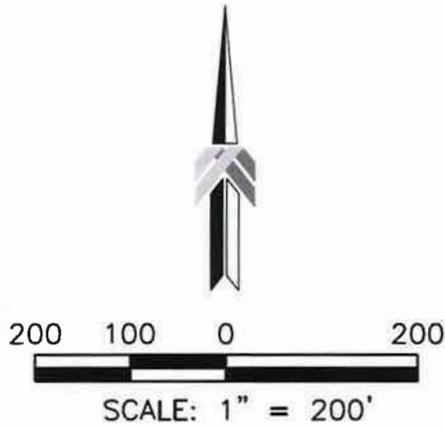


# HOLIDAY MARKET - PENN VALLEY

## EXISTING AND PROPOSED GENERAL PLAN EXHIBIT

PENN VALLEY, NEVADA COUNTY

STATE OF CALIFORNIA



APN: 051-240-014  
MAY 10, 2024

18  
SEC-COR

PD:NC (14 Ac)  
OS (16 Ac)  
051-290-011

NC  
051-240-022

IND  
051-240-023

RUR-5  
051-240-013

PD:NC (14 Ac)  
OS (16 Ac)  
051-290-016

PLEASANT VALLEY ROAD

PINE SHADOWS LN

IND  
EXISTING = 3.6 AC  
PROPOSED = 1.2 AC  
051-240-014

NC  
EXISTING = 1.9 AC  
PROPOSED = 4.3 AC  
051-240-016

GENERAL PLAN  
LINE TO MOVE

FROM

TO

RUR-5

051-240-018

NC  
051-240-016

IND  
051-240-017

IND

NC  
051-290-059

COMMERCIAL AVE

IND  
051-240-015

GENERAL PLAN:	EXISTING	PROPOSED
NEIGHBORHOOD COMMERCIAL	1.9 AC	4.3 AC
INDUSTRIAL	3.6 AC	1.2 AC
<b>TOTAL:</b>	<b>5.5 AC</b>	<b>5.5 AC</b>

PREPARED BY:



APPLICANT:  
NORTH STATE  
GROCERY, INC.



200 Auburn Folsom Road, Ste 201  
Auburn, California 95603  
T: (530) 272-8328  
E: info@King-Engineering-Inc.com

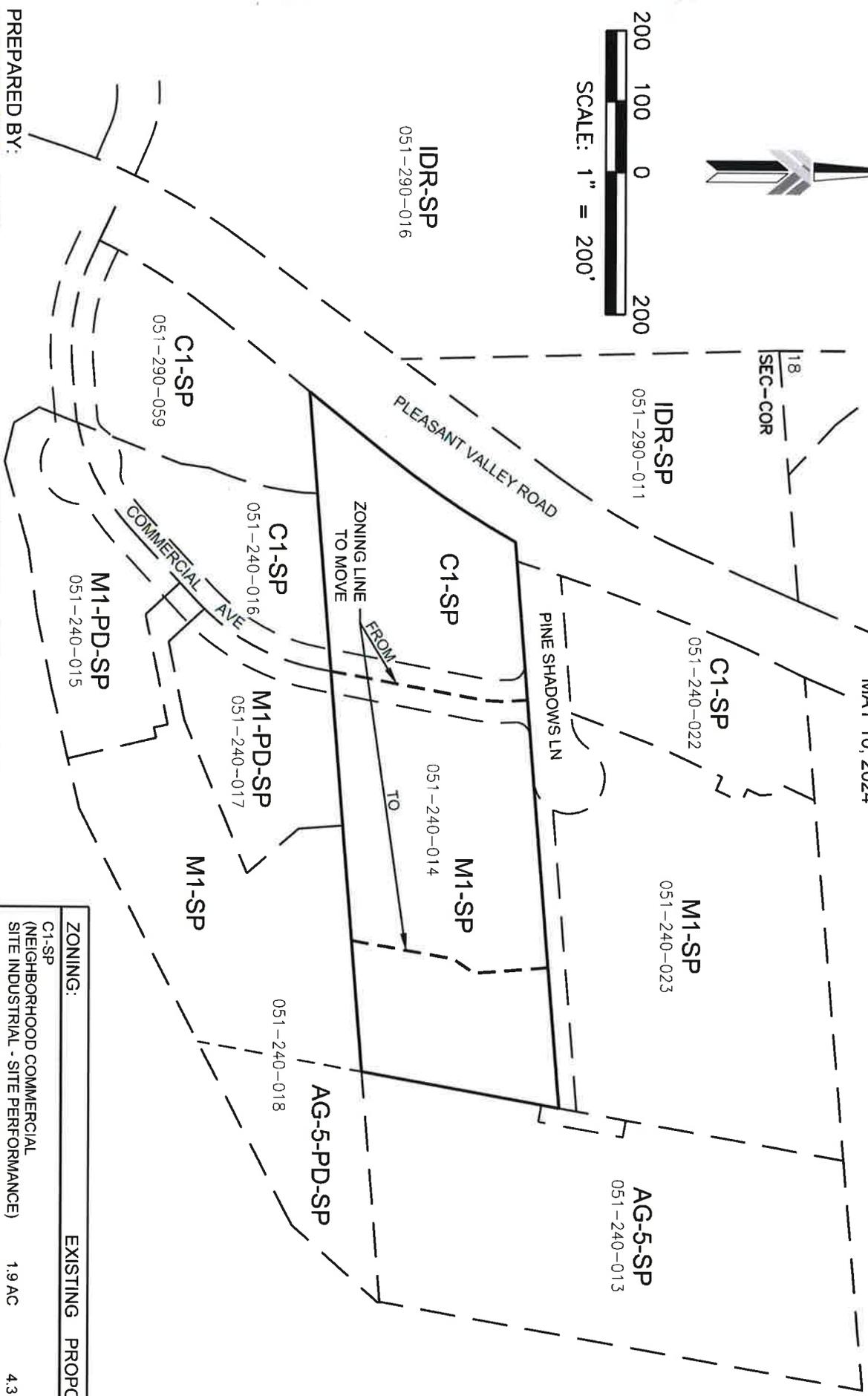
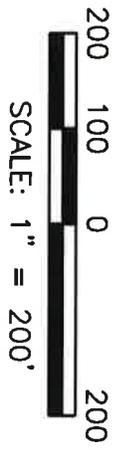
SHEET 1 OF 2

# HOLIDAY MARKET - PENN VALLEY EXISTING AND PROPOSED ZONING EXHIBIT

PENN VALLEY, NEVADA COUNTY

STATE OF CALIFORNIA

APN: 051-240-014  
MAY 10, 2024



PREPARED BY:



APPLICANT:  
NORTH STATE  
GROCERY, INC.



ZONING:	EXISTING	PROPOSED
C1-SP (NEIGHBORHOOD COMMERCIAL SITE INDUSTRIAL - SITE PERFORMANCE)	1.9 AC	4.3 AC
M1-SP (LIGHT INDUSTRIAL - SITE PERFORMANCE)	3.6 AC	1.2 AC
TOTAL:	5.5 AC	5.5 AC

## Existing Traffic Counts (2025 vs. 2022)

Penn Valley Holiday Market Project

AM Peak Hour																		
#	Date	Peak Hour Change	Intersection	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Total (2022)	Total (2025)	Difference
1	2025 - 2022	15min Later	Pleasant Valley Road & Lake Wildwood Dr.	-28	-100	-14	-60	2	-19	-11	-20	-4	-11	-5	-10	1049	769	-280
2	2025 - 2022	15min Later	Pleasant Valley Road & Pine Shadows Lane	0	-125	0	0	0	1	0	-58	-1	0	0	0	878	695	-183
3	2025 - 2022	15min Later	Pleasant Valley Road & Commercial Ave.	-20	-120	-1	-1	1	4	-3	-65	9	0	0	-7	1001	798	-203
4	2025 - 2022	15min Earlier	Pleasant Valley Road & Highway 20 (SR 20)	-18	-85	0	-3	32	-7	-5	-47	-10	-15	8	-21	1547	1376	-171
5	2025 - 2022	15min Later	Pleasant Valley Road & Penn Valley Dr.	-85	0	-18	0	-6	-45	0	0	0	2	-4	0	393	237	-156

PM Peak Hour																		
#	Date	Peak Hour Change	Intersection	SBL	SBT	SBR	WBL	WBT	WBR	NBL	NBT	NBR	EBL	EBT	EBR	Total (2022)	Total (2025)	Difference
1	2025 - 2022	15min Earlier	Pleasant Valley Road & Lake Wildwood Dr.	4	13	11	-19	10	-4	4	5	-48	12	9	0	1162	1159	-3
2	2025 - 2022	No Change	Pleasant Valley Road & Pine Shadows Lane	0	-7	0	-1	0	-1	0	-17	1	0	0	0	978	953	-25
3	2025 - 2022	No Change	Pleasant Valley Road & Commercial Ave.	-6	3	-3	-5	1	4	1	-30	5	-2	-1	-4	1119	1082	-37
4	2025 - 2022	No Change	Pleasant Valley Road & Highway 20 (SR 20)	11	-25	22	-15	125	-7	-3	-8	3	-6	26	-1	1778	1900	122
5	2025 - 2022	15min Earlier	Pleasant Valley Road & Penn Valley Dr.	-28	0	3	0	-11	-18	0	0	0	1	-5	0	409	351	-58

### Legend

- Increase in traffic volumes between 2022 and 2025
- Decrease in traffic volumes between 2022 and 2026

**From:** [SR Jones](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Brad Torres](#); [Deborah Gilcrest](#)  
**Subject:** FW: Notice of Availability for Public Review and Notice of Intent to Adopt a Proposed Mitigated Negative Declaration: PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007 (Penn Valley Holiday Market) - District 4  
**Date:** Friday, October 17, 2025 1:27:05 PM  
**Attachments:** [image001.png](#)  
[PLN24-0089 \(Penn Valley Holiday Market\) NOA-NOI.pdf](#)

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Greetings, Mr. Geiger

I took a look at the IS and have only one small comment.

Since the project will need to be annexed to the County Sanitation District (as acknowledged in the IS), the project description should probably make note that LAFCo will need to process the annexation.

As you probably know, LAFCo will be a Responsible Agency for this project and will use the County's environmental review.

Please give me a call if you have any questions.

SR

**From:** Jodeana Patterson <[Jodeana.Patterson@nevadacountyca.gov](mailto:Jodeana.Patterson@nevadacountyca.gov)>  
**Sent:** Friday, October 17, 2025 8:59 AM  
**Cc:** Steve Geiger <[Steve.Geiger@nevadacountyca.gov](mailto:Steve.Geiger@nevadacountyca.gov)>  
**Subject:** Notice of Availability for Public Review and Notice of Intent to Adopt a Proposed Mitigated Negative Declaration: PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007 (Penn Valley Holiday Market) - District 4

Good morning,

Please see the attached Notice of Availability for Public Review and Notice of Intent to Adopt a Proposed Mitigated Negative Declaration for an application to the Planning Commission for a General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery store located at 18805 and 18807 Pine Shadows Lane, Penn Valley, CA, for your review and comment.

The full draft initial study is available here:

<https://www.nevadacountyca.gov/DocumentCenter/View/59984/Penn-Valley-Holiday-Market-Notice-of-Availability-CEQA-Draft-Study-PLN24-0089-GPA24-0003-RZN24-0003-DVP24-2-MGT24-0011-EIS24-0007-PDF>.

For comments and questions, please contact Senior Planner Steve Geiger at (530) 265-1236 or [steve.geiger@nevadacountyca.gov](mailto:steve.geiger@nevadacountyca.gov).

Respectfully,

**From:** [Cathy Murnighan](#)  
**To:** [Steve Geiger](#)  
**Subject:** Fwd: Penn Valley Holiday Market  
**Date:** Monday, November 3, 2025 1:35:31 PM

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I am writing to share a concern about the building of the new Holiday Market in Penn Valley. I went to the public meeting at Lake Wildwood a few weeks ago. I (and I think most of the people in the room) were shocked to hear that there wasn't really going to be any road safety mitigations for the entrance/exit of the new market onto Pleasant Valley Road to/from Pine Shadows Lane.

Traffic study statistics aside, I have great safety concerns - really based in common sense thinking.

1. We were told that LWW will represent 2/3 of the customers at the new store.
2. We know that the demographic of LWW skews towards an aging population.
3. The entrance/exit from Pine Shadows Lane is in an area of Pleasant Valley road where traffic is most likely driving at the speed limit of 45mph.
4. The only way to currently turn from LWW to Pine Shadows road is using a "suicide lane", which seems like an unrealistic option for that much left hand turn traffic to turn safely. .
5. The people coming from Pine Shadows and turning on to Pleasant Valley to go back to LWW, will be trying to enter traffic that will be going up to 45 mph. This will also be very unsafe.

While we are excited at the prospect of having a 30,000 s/f new store, the ingress/egress from the road is extremely concerning.

**To me, a simple fix seems to be a stop sign intersection where those roads intersect. This would allow everyone to go in and out of Pine Shadows Rd in a safe and organized manner.**

I hope the county takes these issues into consideration, and doesn't just rely on the statistics of a traffic study.

Thank you for your time.

Cathy Murnighan, CMP  
MW Management Group  
Event Management and Promotional Product Supplier  
[cathy@mwmanagementgroup.com](mailto:cathy@mwmanagementgroup.com)  
916.202.5105

**From:** [Kidd Immel](#)  
**To:** [Steve Geiger](#)  
**Subject:** FW: Lake Wildwood Traffic Report  
**Date:** Tuesday, November 4, 2025 4:33:18 PM

---

**From:** Alicia Chaturvedula <[Alicia.Chaturvedula@nevadacountyca.gov](mailto:Alicia.Chaturvedula@nevadacountyca.gov)>  
**Sent:** Tuesday, November 4, 2025 3:53 PM  
**To:** Public Works <[Public.Works@nevadacountyca.gov](mailto:Public.Works@nevadacountyca.gov)>  
**Cc:** Vera De Ferrari <[Vera.DeFerrari@nevadacountyca.gov](mailto:Vera.DeFerrari@nevadacountyca.gov)>  
**Subject:** FW: Lake Wildwood Traffic Report

Here you go.

**From:** Tandi Marks <[tandimatt@yahoo.com](mailto:tandimatt@yahoo.com)>  
**Sent:** Tuesday, November 4, 2025 3:02 PM  
**To:** CommunityDevelopment <[ComDevAgency@nevadacountyca.gov](mailto:ComDevAgency@nevadacountyca.gov)>; [board@lwwa.org](mailto:board@lwwa.org)  
**Subject:** Lake Wildwood Traffic Report

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**Subject:** Request for Updated Traffic Study – Lake Wildwood Area  
To Whom it Concerns,

I attended the meeting in October regarding the Lake Wildwood traffic survey report. After reviewing the data myself using [Placer.ai](#), I found that traffic in the area has increased by approximately **14%**. Given this significant rise, I strongly believe a new traffic study should be conducted — one that reflects current conditions rather than relying on data collected over a single day or during a period immediately following the pandemic, when travel patterns were still far from normal.

Please take the time to truly consider the experiences of those of us who live in this community. It's important that any decisions moving forward are based on accurate, up-to-date information that captures the real impact of growth and traffic on our area. Thank you for your attention and for taking our community's concerns seriously.

Tandi & Matt Marks

**From:** John Favetti  
**To:** Steve Geiger  
**Subject:** Holiday Market  
**Date:** Thursday, November 6, 2025 4:20:21 PM

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Mr. Geiger, I am a homeowner in Lake Wildwood. I am also a homeowner owner on property outside of Lake Wildwood. I also completely disagree with Lake Wildwood's position on the Holiday Market. I also shop at the Holiday Market. However, their prices are not the best nor do they have the selection a shopper always wants. The Holiday is like a quick stop. Someplace you go because you forgot milk and do not want to run into town. How many people in LWW do not agree with LWW stance on the new Holiday? I am sure there are many people who do drive into town for groceries. I actually go to Linda because the prices and selections are better.

I fully believe that you and the county know better as far as vehicular traffic and pedestrian traffic goes. If LWW does not think Pleasant Valley Road can handle the traffic let LWW pay for a bike path/blacktopped walkway/ concrete sidewalk that golf carts can use going to the new market.

Please do not let LWW dictate to the county on how to run the county. LWW needs to mind their own business. If they want a close market then let free trade take over and create a market in LWW. I doubt that would work though.

Please do what we, the taxpayers of Nevada County, pay for,; whatever is necessary.

Please feel free to contact me.  
530.913.1072

JOHN

**From:** [victor simon](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Thursday, November 6, 2025 4:38:24 PM

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Hi Steve

As a 17 year resident of Lake Wildwood,I believe the planned relocation of Holiday Market is flawed for numerous reasons.

Including ingress and egress,residence of Lake Wildwood(elderly)will not be able to use there golf carts, the traffic patterns will be conducive to gridlock!

The reason most people ,including myself,left the Bay Area and moved to rural Penn Valley, was to get out of the rat race!

The owners of Holiday Market,should make an offer to the owner of the Thai restaurant next door,and pay for his relocation or pay him off to close up(he is not doing much business and is not a likeable guy)It would be a LOT cheaper!

That way there will be room for expansion,using the location of the beauty salon,that they are already using for storage!

It would be a good PR move on the the part of the Owners of Holiday Market!

Cheers!  
Victor

**From:** [gregory hock](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Lori Fox](#); [Cheryl Hock](#)  
**Subject:** Holiday Market Relocation  
**Date:** Thursday, November 6, 2025 4:44:13 PM

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Dear Mr. Geiger,

I have several concerns about the relocation of the Holiday Market in Penn Valley. My parents (and now my family) have been in Lake Wildwood for 50 years. In that time the traffic has continually increased at the intersection of Highway 20 and Pleasant Valley Road. During the evening rush hour it can back up for a mile toward the west on Highway 20. And it is common for the traffic on Pleasant Valley Road to back up PAST the turn into the shopping center where the grocery store is relocating.

As you may be aware, there is an exception that currently allows golf carts that are not "street legal" to cross from Lake Wildwood to the shopping area where the Holiday Market is currently located. This takes a large load off the traffic and parking. With the new location, every one of those trips (which are a significant number) will be additional vehicles on the road.

The County is trying to pass a "shortened" Environmental document without the necessary due diligence a project such as this rightly deserves.

My concerns include the following:

Traffic mitigation at Rte. 20 and Pleasant Valley Road will need installation of additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed. The County must furnish proof that conditions and the scope of the project have not changed since August of 2022. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.

The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

In addition, your Environmental Document, in its current form, is unacceptable and cannot be used to support this project.

I look forward to hearing from you regarding the county's plans to move forward.

Best,

Greg Hock  
13575 forest park cir  
penn valley, ca 95946

**From:** [Shirlyn Vogel](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market relocation  
**Date:** Thursday, November 6, 2025 4:49:52 PM

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Dear Mr. Geiger,  
I feel it would be a huge traffic problem with the proposed relocation of Holiday Market. Hwy 20 is so close to the two ways proposed to enter that area. Traffic is moving quickly and it is hard to see on coming traffic when exiting Commercial St. It would require two traffic lights which will back up traffic horribly at both lights. Often the traffic is backed up past the turning lane to wait to turn left onto HWY 20. Please this is a huge mistake.

Shirlyn

**From:** [Chris and Jill Maxwell](#)  
**To:** [Steve Geiger](#)  
**Subject:** RE: New Holiday Market  
**Date:** Thursday, November 6, 2025 4:56:45 PM

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Hi Steve,

I was sent an email from the LWW Board " Encouraging" community members to basically demand further traffic studies!

I don't support doing any further studies and I believe the "majority" living here, don't care one way or another. We are just excited that Holiday Market will be building such a beautiful market like they have in LOP, for our city. The existing market size is substandard and the parking lot no longer accommodates the traffic flow and its layout is becoming dangerous for our elderly population to safely navigate.

I've been a Penn Valley resident for the past 30 years living outside of LWW until moving into the community four years ago. As a retired builder, I know first hand how difficult and costly it is to bring these projects to fruition. Over the last few years it seems our county has been a lot more proactive getting these projects approved, I commend you on that!

If Holiday Market wants to invest in our community, my family supports them 100%. Please don't let a few comments derail a terrific project that benefits the majority. LWW loses \$500K/\$800K annually managing a restaurant that only "a small minority" use, don't let that happen with Holiday Market.

Sincerely,  
Chris Maxwell



**From:** Tom/Wendy Jacobs  
**To:** Steve Geiger  
**Subject:** Proposed new location of Holiday Market in Penn Valley  
**Date:** Thursday, November 6, 2025 5:19:59 PM

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Hello Steve,

As a resident of Lake Wildwood, I am very concerned about the proposed new location of Holiday Market. The entrance into the businesses at the intersection of Pleasant Valley Rd. and Hwy. 20 is already a disaster waiting to happen. There are cars coming around corners, cars coming out of neighborhoods and cars trying to get in and out of the businesses there, not to mention the storage facility just a few feet down the road. Even with turn lanes, it will still be a disaster, as traffic backs up quite often with people trying to make a left-hand turn from Pleasant Valley Rd. on to Hwy 20 east. There is absolutely no space between Hwy 20 and this intersection and putting a very popular and busy grocery store there will certainly lead to accidents and possibly fatalities.

Putting the grocery store will make an already horrible intersection into a disaster. I urge you to reconsider and, at the very minimum, do quite a bit more due diligence before you give the green light to a project that will spell nothing but trouble. Surely there is a better place in Penn Valley to move the grocery store, and, if a bigger store is the goal, perhaps there are options right where they are for expansion.

Thank you for your time and consideration of this critical decision for the residents of Penn Valley,

Sincerely,

Wendy and Tom Jacobs  
18581 Jayhawk Dr  
Penn Valley

**From:** [tonirob1](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday market  
**Date:** Thursday, November 6, 2025 5:25:08 PM  
**Importance:** High

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Please consider the items below before full approval of the new Holiday Market plan off of Pleasant Valley Road.

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed.
2. That the County furnishes proof that conditions with the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.
4. The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

The new Market cannot be built without full traffic mitigation (new traffic control lights, additional lanes, the creation of workable traffic patterns). Additionally, the County and the Developer must be shown that their Environmental Document, in its current form, is unacceptable and cannot be used to support their project.

Regards,

Toni Johnson

17450 Incense Court

Penn Valley

**From:** [Stacy Hereford](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market relocation  
**Date:** Thursday, November 6, 2025 5:35:15 PM

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Mr Geiger: You must feel how deeply this community has concerns about this project with out a full traffic mitigation plan,it is so important to get this right the first time, i feel Holiday Market has the right to relocate anytime they wish, but please consider all the problems that this current project will have on our traffic congestion in its current form, please make sure your decision is the proper one for all the people who will be effective.

**From:** [Mark Greenberg](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market needs full EIR!!!  
**Date:** Thursday, November 6, 2025 5:36:55 PM

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We live in Wildwood and would be directly affected by an expanded Holiday Market in a negative way. Given especially the fire dangers, we cannot see why you and the county would approve a project that will create greater crowding!!

Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed.

That the County furnishes proof that conditions with the scope of the project have not changed since August of 2022.

The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.

The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

The new Market cannot be built without full traffic mitigation (new traffic control lights, additional lanes, the creation of workable traffic patterns). Additionally, the County and the Developer must show that their Environmental Document, in its current form, is unacceptable and cannot be used to support their project.

Mark Greenberg  
Jayhawk Drive

Sent from my brain.

**From:** WILLIAM FLOYD  
**To:** Steve Geiger  
**Subject:** PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007 (Proposed New Holiday Market)  
**Date:** Thursday, November 6, 2025 5:47:21 PM

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Dear Mr. Geiger:

This is in regards to the subject referenced above. As long time Lake Wildwood residents, we are leaning towards endorsing the building of the new Holiday Market off of Pleasant Valley Dr., with or without further traffic mitigation measures. In our view, the benefits of this proposed project likely outweigh any potential consequences. But, before we commit our support on the record, we would like to know if the plan, as currently proposed, has been reviewed by the Penn Valley Fire District, the Nevada County Sheriff's Office, and the County's Emergency Services Dept? If so, what position have they taken?

Please advise.

Thank you.

Bill and Diane Floyd

Lake Wildwood

**From:** [Meg Porter](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Thursday, November 6, 2025 6:46:42 PM

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Dear Steve Geiger, Senior Planner, Nevada County,

I am writing to you with deep concerns regarding the new Holiday Market location. The current plans do not include full traffic mitigation, such as new traffic control lights, additional lanes, and the creation of workable traffic patterns. Additionally, the Environmental Document, in its current form, is incomplete and unacceptable and cannot be used to support the project.

The county needs:

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed.
2. The County furnishes proof that conditions within the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.
4. The County should provide backup for their claim that Lake Wildwoods Emergency Evacuation plans will not be impacted by their plans.

Thank you, and we appreciate all of your hard work, dedication, and attention to this very important matter.

Jody and Megan Porter, Lake Wildwood Residents

**From:** [Sandra Patterson](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Stephanie Burr](#)  
**Subject:** Move of Holiday Market - needs much more review please  
**Date:** Thursday, November 6, 2025 7:22:55 PM

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Dear Mr. Geiger:

Please do not approve the move proposed of Holiday Market in Penn Valley without further assessments!

The new Market cannot be built without full traffic mitigation (new traffic control lights, additional lanes, the creation of workable traffic patterns). Additionally, the County and the Developer must be shown that their Environmental Document, in its current form, is unacceptable and cannot be used to support their project.

Thank you for listening.

Regards,

Sandra Patterson

Owner of home in Lake Wildwood

**From:** [Lisa Cruz](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Thursday, November 6, 2025 8:05:21 PM

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Dear Steve,

Traffic lights are a necessity on Pleasant Valley Rd at the intersection of this new location for Holiday Market.

Traffic would be a nightmare without them and also causing a backup at Hwy 20 and Pleasant Valley Rd.

We are truly concerned about our community.

Sincerely,

Nick & Lisa Cruz

17548 Foxtail Dr

Penn Valley, Ca

**From:** [Ruth Jacobsen](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market  
**Date:** Thursday, November 6, 2025 8:13:12 PM

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Steve Geiger, Senior Planner, Nevada County Planning Department

I am a Lake Wildwood resident and I attended the recent town hall hosted at our club on the subject of the new Holiday Market plans for Penn Valley.

I am writing to endorse the plan and express my trust that that the owners of Holiday Market have worked to make this investment successful in all respects. I am confident that traffic concerns will prove to be manageable.

I am a very frequent shopper at the existing Holiday Market, and I anxiously await the new expanded market. I am very familiar with the Auburn store, and look for the time when we have that same awesome store here in Lake Wildwood.

Ruth Jacobsen  
13480 Lake Wildwood Dr  
Penn Valley, CA 95946

**From:** [cleve.wallace](#)  
**To:** [Steve Geiger](#)  
**Subject:** No Holiday market without solid traffic mitigation plans, full environmental report and guaranteed evacuation planning.  
**Date:** Thursday, November 6, 2025 11:02:23 PM

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I watched the video of the Lake Wildwood meeting concerning the relocation of the Holiday Market and although I would love to have a shiny new Holiday Market in the area, I cannot say that the information presented won me over. I believe that the traffic mitigation plan proposed was woefully inadequate for the very busy Hwy 20/ Pleasant Valley road intersection, the entrance by the filling station and the Pleasant Valley entrance to the Market by the storage facility. I heard no assurances that the mitigation would be in place before construction was to begin and further, no real assurances that this whole project as explained, would not interfere with a large-scale evacuation from Lake Wildwood should we have a major fire event. I also didn't hear that a full environmental impact study was completed. If this project is to go forward, the County and the developer MUST do the work to get it right before being given the go-ahead. Thank you for your time and I hope you do the right thing.

Sincerely,

Cleveland H. Wallace  
19562 Explorer Drive  
Penn Valley, Ca 95946

**From:** [Ray MacIntyre](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market  
**Date:** Friday, November 7, 2025 7:35:57 AM

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Hello Mr. Geiger, I am a Lake Wildwood full time resident and really have only one concern with the proposed access to the new Holiday Market site. I have not seen any proposed mapped roadway changes, but believe there MUST be a left turn provided on Pleasant Valley Road on the southbound lane into the access road to the new location. That left turn should be able to accommodate a minimum of four vehicles in order to keep the "non-market" southbound traffic flowing. If this has not been addressed, then in my humble opinion you are missing a very important modification of the current roadway. Thankyou for your conasideration, Sincerely,  
Ray Mac Intyre  
13480 Lake Wildwood Drive  
Penn Valley, Calif. 95946  
650-766-5676

Sent from my iPad

**From:** Cathy Herzig  
**To:** Steve Geiger  
**Subject:** Holiday market relocation concerns.  
**Date:** Friday, November 7, 2025 8:19:44 AM

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As a resident of Lake Wildwood, I would like to express the following concerns: The County is trying to pass a "shortened" Environmental document without the necessary due diligence a project such as this rightly deserves. Areas for concern are:

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed.
2. That the County furnishes proof that conditions with the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.
4. The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

The new Market cannot be built without full traffic mitigation (new traffic control lights, additional lanes, the creation of workable traffic patterns). Additionally, the County and the Developer must be shown that their Environmental Document, in its current form, is unacceptable and cannot be used to support their project.

Respectfully,

Cathy Herzig

**From:** [Larry Cook](#)  
**To:** [Steve Geiger](#)  
**Subject:** Highway 20/ Pleasant Valley rd project  
**Date:** Friday, November 7, 2025 9:10:22 AM

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Dear Sir:

Please consider the objections and recommendations made by the LWW Association when you plan for the relocation of Holiday Market. Dr and Mrs Larry M. Cook. 18599 Wildflower Dr

**From:** [Jim Scaduto](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Friday, November 7, 2025 10:10:40 AM  
**Attachments:** [image.png](#)  
[image.png](#)  
[image.png](#)

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Steve, I am very concerned about the lack of information about the traffic mitigation for the relocation of the Holiday Market to the proposed new location on Commercial Avenue in Penn Valley.

I live in Lake Wildwood and I am in favor of building a larger Holiday Market at the new location; however I don't believe that the County has studied the traffic flow on Pleasant Valley Road well enough.

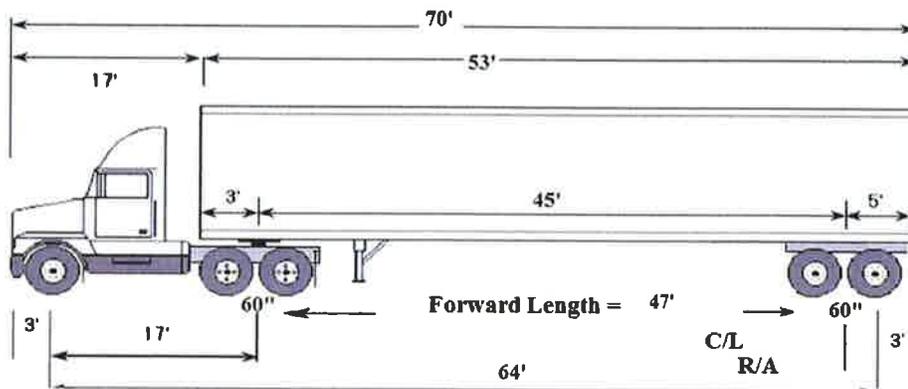
I just drove by the intersection of Pleasant Valley and Commercial yesterday 11/6 at approximately 8am. There was a large Pepsi truck and trailer on Commercial trying to take a left turn to go up Pleasant Valley Rd to Highway 20. The truck had to wait more than 5 minutes to find an opening to turn left due to traffic coming off Hwy 20 onto Pleasant Valley Rd. In addition, once an opening was available, he had a difficult time making the turn as there wasn't enough room for his trailer to turn left without cutting into the southbound lanes on Pleasant Valley. Also, the traffic on the southbound lanes on Pleasant Valley Rd. was backed up (as it does all day long) from the traffic light on Hwy 20 making it even more difficult for the truck to find an opening large enough and enough room to clear his tractor from running over the side of the road on the other side of Pleasant Valley Rd.

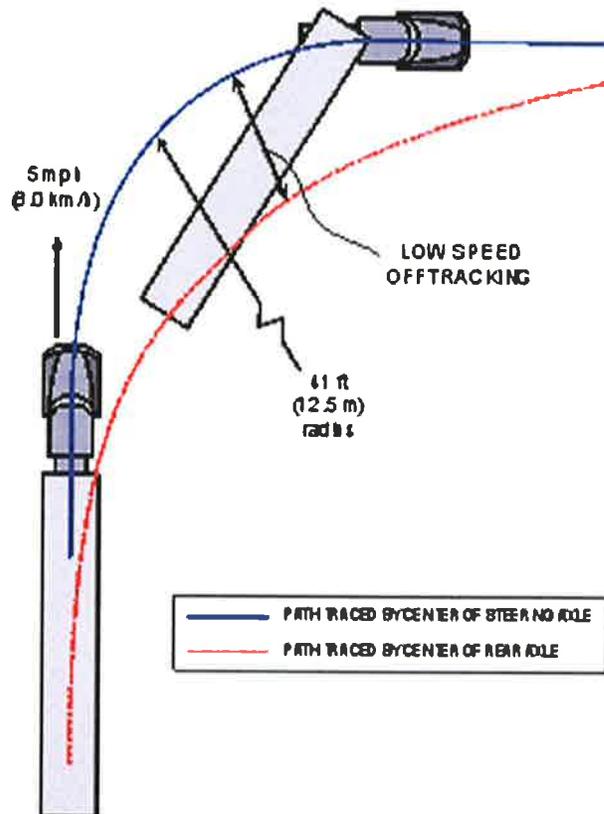
See my estimates below of the current turning situation of a big rig at the intersection of Commercial Ave and Pleasant Valley Road.

There is only approximately 90 feet from Commercial Ave for any vehicle to turn onto Pleasant Valley Road - using Google Maps



A semi with a 53-foot trailer is approximately 70 to 80 feet long in total length, with the tractor unit making up about 20-25 feet and the 53-foot trailer extending the rest of the length.





Bottom line this intersection is difficult to manage today for any car let alone a big rig. With the added car traffic for the new proposed market and a huge increase of big rigs trying to turn at this intersection, I feel we are creating a very dangerous intersection for everyone.

My main concerns are:

- higher traffic in and out of Commercial Ave. will back up onto Pleasant Valley Rd
- more backed up traffic on Pleasant Valley Rd waiting for the traffic light on Hwy 20 intersection - Blocking the Commercial to Pleasant Valley Rd intersection
- dangerous blind turn off westbound Hwy 20 on to Pleasant Valley Road - more visibility is needed
- Many more big rigs trying to turn left out of Commercial on Pleasant Valley Rd will block the intersection making for a dangerous condition
- The chances for cars to have big rig collisions will increase dramatically.

**Please consider developing a more up to date vehicle flow study to determine the safer driving environment for everyone.**

thank you for your consideration  
Jim Scaduto

**From:** [koral ilgun](#)  
**To:** [Steve Geiger](#)  
**Subject:** Comments on Penn Valley Holiday Market Project (PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007)  
**Date:** Friday, November 7, 2025 10:27:06 AM

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**To:**  
Steve Geiger, Senior Planner  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959  
Email: [steve.geiger@nevadacountyca.gov](mailto:steve.geiger@nevadacountyca.gov)

**Dear Mr. Geiger,**

As a resident and homeowner in Lake Wildwood, I am writing to express my concerns regarding the proposed relocation of the Holiday Market to 18805 and 18807 Pine Shadows Lane in Penn Valley.

While I appreciate the value a modern grocery store brings to our community, I am deeply concerned that the current Mitigated Negative Declaration does not adequately address the significant **traffic and safety impacts** this project may create at the already congested Pleasant Valley Road and Highway 20 intersection. The increased traffic volumes from a 30,000+ square foot supermarket, combined with delivery trucks and daily commuter flows, warrant a **comprehensive traffic impact study** and clear **timelines for implementing mitigation measures** such as signal upgrades, dedicated turn lanes, and pedestrian improvements.

In addition, the County should demonstrate that **conditions have not materially changed** since the original traffic analysis conducted in 2022. Current traffic volumes and evacuation demands in our area have increased, particularly given wildfire preparedness concerns. The Environmental Document should therefore include an updated **vehicle and pedestrian flow study**, and the County should provide clear evidence that **emergency evacuation routes and response times** will not be compromised.

Given these factors, I respectfully urge the County to **require a full Environmental Impact Report (EIR)** or, at minimum, to **expand the traffic and evacuation analysis** before approving the project.

Thank you for the opportunity to comment and for your consideration of community safety in the review of this important proposal.

Sincerely,  
Koral ILGUN  
18910 Chickadee Ct  
Penn Valley, CA 95946

**From:** [Mimi Davis](#)  
**To:** [Steve Gelger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Friday, November 7, 2025 10:56:02 AM

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Steve,

My husband and I have lived in LWW for 40 years. We have been very grateful and happy here. We have seen many changes and this Holiday Market Relocation without any traffic mitigation is NOT acceptable to me. The county and developer need to provide a FULL traffic mitigation and an environmental document that addresses 2025 timeframe and forward, not 2022.

Traffic can get backed up at the current traffic light on Pleasant Valley Road and Highway 20. Adding a new light will make it even more difficult unless added lanes and other items can be resolved. Perhaps a different location for the light would be better.

Please think this through and come up with a better solution.

Mimi Davis

**From:** [Larry Dews](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Lake Wildwood Admin](#); [info@bonc.org](mailto:info@bonc.org); [info@sierraexpress.org](mailto:info@sierraexpress.org)  
**Subject:** Holiday Market Draft Initial Study/ Public Response by Nov 17  
**Date:** Friday, November 7, 2025 1:42:08 PM

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As a resident of Lake Wildwood (LWW) for 25 years I would like to bring a couple of issues to the County's attention concerning the proposed new Holiday Market and traffic mitigation located in Nevada County near the interchange of Hwy 20 and Pleasant Valley Road:

The Board of Directors of LWW have recently, Nov 6, 2025, brought the following items to your attention and I am showing my support for these issues by listing them here:

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed.
2. That the County furnishes proof that conditions with the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.
4. The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

I have one further concern that was overlooked in LWW Board's presentation. As an avid bicyclist for the last 65 years, I find that the roadway on Pleasant Valley Road to be lacking an adequate bicycle path or adequate delineation for a designated bicycle route.

The Architectural Plan presented in the Environmental Documents show nine stations which allows 4 bicycles per station for a total of 36 bicycles to be parked at the new Holiday Market location. That certainly sounds adequate for bicycle parking; but, how do you intend to get those bicycles safely to the new Holiday Market? There does not seem to be a plan to provide bicycles an adequate or safe access from LWW or downtown Penn Valley. Traffic Mitigation and the County should include bicycle access or an adequate Class II bicycle path to and from LWW (north and main) gates along with access from the Penn Valley bicycle path to the new Holiday Market. I support the new market although the bicycle traffic mitigation is my concern.

Thanks, Lawrence Dews

**From:** [randb1959@icloud.com](mailto:randb1959@icloud.com)  
**To:** Steve Geiger  
**Subject:** New Holiday Market in Penn Valley  
**Date:** Friday, November 7, 2025 2:41:25 PM

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I live in Lakewildwood and am concerned about the traffic problems it presents. Please make sure there will not be any traffic problems.

Thankyou for giving this your attention..

Rich Ellingsoni

**From:** [Tgalustian](#)  
**To:** [Steve Geiger](#)  
**Subject:** Relocation of Holiday Market in Penn Valley Concern  
**Date:** Saturday, November 8, 2025 6:36:44 AM

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I live in Lake Wildwood, Penn Valley CA, and am very concerned over additional traffic and lack of light signal and traffic study data. Traffic is already backed up frequently at the light at Pleasant Valley and Hwy 20. In addition what impact will this make environmentally to the surrounding area? Thank you for addressing the concerns of this large community that will be impacted by the Holiday Market move.

Ted Galustian  
14621 Bristle Ct  
Penn Valley, Ca

Sent from my iPad

**From:** [Clark Mehr](#)  
**To:** [Steve Gelger](#)  
**Subject:** Holiday Market  
**Date:** Saturday, November 8, 2025 7:38:13 AM

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Please work at a safe traffic plan for the new Holiday Market. The local roads cannot handle additional traffic. Arline Mehr

**From:** [Terry Bichlmeier](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Joseph Metzler](#)  
**Subject:** Holiday Market Relocation  
**Date:** Saturday, November 8, 2025 10:45:49 AM

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Mr. Geiger,

Please know that Holiday Market relocation without complete and proper traffic mitigation is not acceptable to us.

We are concerned about traffic backups and delays in and out of our beloved Lake Wildwood community.

Please assure all available measures are taken including but not limited to traffic signals, stop signs and additional lanes are implemented to avoid traffic backups and delays in the area of Highway 20 and Pleasant Valley.

Respectfully,

**Terry & Annette Bichlmeier**  
Residents Penn Valley, CA

**From:** [Paul Oppenheim](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market new site Lake Wildwood  
**Date:** Monday, November 10, 2025 6:15:00 AM

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Please let it be known that I disapprove of any plans without specific details of the needed traffic access and controls for that proposed new site, as that location can not handle the additional increased traffic. I also do not approve of Holiday Market moving to the proposed location planned without the needed traffic changes that are required to avoid greatly increased conditions & safety/accidents that are sure to happen.

Paul Oppenheim  
Lake Wildwood resident

**From:** [Margee Lopez](#)  
**To:** [Steve Geiger](#)  
**Subject:** Relocation of Holiday Market  
**Date:** Tuesday, November 11, 2025 11:30:32 AM

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Dear Steve,

My purpose for writing is to voice my concerns regarding the traffic mitigation plans for the proposed location of Holiday Market. The current proposal is unacceptable and seriously under researched in my opinion and is needing to be reevaluated before any decisions are made. The area already suffers from poor lane access and dangerous view points when exiting from the gas station and increased traffic will only lead to further congestion and traffic issues. What does your committee plan to do to address and improve this situation? The current plan lacks diligence and adequate steps to ensure that we are not in heightened danger as we enter and exit the area. Thank you for your attention to this important issue.

Sincerely,  
Margaret Lopez  
Homeowner in Lake Wildwood

Sent from Gmail Mobile

**From:** [John Worthing](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Jim Scaduto](#)  
**Subject:** Holiday Market  
**Date:** Wednesday, November 12, 2025 8:20:36 AM

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Dear Mr. Geiger: I am a part time resident and owner of property in Lake Wildwood. My daughter's family lives in the LWW community as shares my feelings on this matter. I am opposed to the relocation of Holiday Market for two reasons which I believe are undeniable.

First: The intersection of Commercial Ave and Pleasant Valley Road is dangerous. The market will add a tremendous amount of traffic to this intersection with many turning left out of Commercial Ave which is very dangerous. Why? People coming from Hwy 20 build up more speed because they are going downhill. That downhill momentum makes braking more challenging at the Commercial Ave intersection. Secondly, due the the curve in the road, the multiple trees and the speed it is hard enough to go right out of the existing center, let alone a left. The new market will be closer to Penn Valley residents who will be forced to take a left out of the center. This intersection needs to be rebuilt, with a traffic circle or something to accommodate the enormous increase in traffic that intersection will experience if the market relocation is approved.

Second: I think you should poll the customers at the current Holiday Market to see what percentage of the store's business is from the Lake Wildwood community. I am guessing it is at least 40%. Many, like me, drive clean air golf carts to the market. Others will now have 2.8 miles round trip for every journey. Environmentally the shortened trips for Penn Valley residents will not offset the increase pollution created by the Lake Wildwood residents who are forced to drive this extra 2.8 miles.

My first objection can be solved, number 2 is a fact. In a world and area where we need less pollution this relocation is only creating more. I urge you to deny this request to relocate the market.

John L Worthing  
Worthing Capital LLC  
845 Oak Grove Ave. Suite 105  
Menlo Park, CA 94025  
(650) 333-1735

**From:** [Silvercatmcd](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation - Comments  
**Date:** Wednesday, November 12, 2025 11:34:04 AM

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Hi – I am writing to you to express my dissatisfaction with the County with respect to it's planned move to not fully evaluate the traffic impacts from the Holiday Market's new proposed location. We need traffic mitigation as it will create a bottleneck of traffic at the Rte 20 and Pleasant Valley Road intersection.

For example:

Traffic mitigation at Rte. 20 and Pleasant Valley Road is needed. Need additional turn and transit lanes implemented when the market move is implemented, not later.

Need a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted and mitigated.

Need an evaluation of how the proposed move will impact the local Emergency Evacuation plan. Need mitigation measures implemented.

Thank you for your time and consideration.

Cathy Mcdade, P.E.  
Lake Wildwood Resident

Show trimmed content

**From:** [Smith Jr, Frank C@DOT](mailto:Smith Jr, Frank C@DOT)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Thursday, November 13, 2025 8:18:46 AM

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Good Morning

I would like to start of by saying no one likes to change and that is what is going on here. The Holiday Market has been in its current location for many years. Everyone from LWW has grown a custom to it being handy to just cross Pleasant Valley Road to shop. With the current proposal it requires change to now drive two miles down the road to shop.

The current building is falling apart and needing a lot of repairs. It is small and cannot hold what the customers request Holiday to stock on their existing shelves. Holiday tried to take the Thai restaurant space, but the current tenant would not forgo his lease to let Holiday use the whole side to improve their store. I have friends that work at Holiday and the constantly talked about all the problems that they deal with daily to keep the store operating.

With the new store it is going to have more room to stock all the items everyone wants and many other options. I am hearing a deli, Starbucks, etc., will be in the store and it will be like the Holiday in LOP.

All being said it will come with some traffic heartache that everyone will get used to once it is completed and everyone will enjoy a brand-new Holiday and all the features of a new store.

I for one am looking forward to the new store and accept the change to have to drive a little farther to shop. I look at this way I don't have to drive to Grass Valley to shop for groceries.

Count me in for the new Holiday Market being built in the proposed site.

Thank you for your time.

**From:** Colin Jaques  
**To:** Steve Geiger  
**Subject:** Holiday Market relocation  
**Date:** Thursday, November 13, 2025 4:03:19 PM

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Steve,

I want to let you know that there are some of us in Lake Wildwood that feel the traffic issue has been blown out of proportion. I don't see the need for another traffic review. The increase in traffic due to a larger store foot print can be handled with the existing infrastructure in my opinion. I love the way some people can spend other people's money on mitigation and then complain about the high cost of food at Holiday Market. Stores and developers want a return on money spent building a project so it has to come from somewhere. Good luck to Holiday Market and look forward to shopping in their new location.

I will miss not having golf cart access but am sure that is an expense no one wants to incur.

Cheers,  
Colin Jaques  
13955 Strawberry Circle  
Penn Valley, CA 95946  
Sent from my iPad

**From:** [Fred Huberty](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Project  
**Date:** Thursday, November 13, 2025 4:23:08 PM

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Dear Mr. Geiger,

I attended the town hall presentation regarding the new Holiday Market project and was very disappointed with the proposed traffic plan. I believe the traffic going to and from the market will be a significant problem particularly as they leave the market and try to go south on Pleasant Valley Rd. Another concern is the impact on evacuation routes. What is the rationale used to say that the anticipated lane striping will not confuse people during evacuation? We must count on residents to use the center lane for that second lane of escape. If left turn lanes are established, there will be added confusion during times of stress. Request the study be revisited and validated.

The study and presentation did not provide dates when any improvements/mitigation work would be completed. Please provide more information regarding when the work will be done, the cost, and impact on our property taxes/fees.

During the presentation, I understood the speakers to say that there will not be a problem. I am not convinced.

Fred Huberty  
13286 Lake Wildwood Dr.

**From:** [Barbara Tagg](#)  
**To:** [Steve Geiger](#)  
**Subject:** Travel to the new Holiday  
**Date:** Thursday, November 13, 2025 5:13:23 PM

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Any chance golf carts can get there?????t

**From:** [Denise Didario](#)  
**To:** [Steve Geiger](#)  
**Subject:** North State Grocery, Inc. - Holiday Market GeigerPLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007  
**Date:** Thursday, November 13, 2025 5:41:58 PM

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Mr. Geiger,

As a resident of Lake Wildwood my husband and I travel on Pleasant Valley Rd, Hwy 20 and the dangerous intersection at Commercial Ave and Pleasant Valley Rd. There have been many, MANY traffic accidents including fatalities. My niece's friend was killed in the accident on Hwy 20 between Pleasant Valley Rd and Rough and Ready Hwy this past summer.

Although I understand Holiday Market desire for a new larger location BUT the roads, intersections, entries and exits to businesses in this area are already underdeveloped and without addressing them only exacerbates an already tenuous situation. It is irresponsible to build/add a business which will undoubtedly increase the traffic without addressing how to manage the traffic. I've only lived in this area for 6 years and in that short time have seen the traffic exponentially increase without the investment and attention paid to the infrastructure to the point we are seriously considering moving out of the area. I believe the following items need to be addressed:

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. More entry and exit points need to be added so the stress is not on the existing roads. The County should provide time frames for when these mitigations will be installed.
2. The County furnish proof that conditions with the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.

4. The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

The new Market CANNOT be built without full traffic mitigation (new traffic control lights, additional lanes, the creation of workable traffic patterns). Additionally, the County and the Developer must show their Environmental Document, in its current form, is unacceptable and cannot be used to support their project.

We appreciate your sincere consideration of our concerns.  
Denise and Christopher Didario

**From:** [Donald Boeding](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Board@lwwa.org](mailto:Board@lwwa.org)  
**Subject:** Lake Wildwood - Holiday Market Relocation  
**Date:** Friday, November 14, 2025 7:03:36 AM

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Hi Steve,

I am a resident of Lake Wildwood and I am concerned about the proposed relocation of Holiday Market to a new location.

I am emailing to add my voice to the concerns presented by the LWW Board of Directors regarding preparation of an acceptable traffic mitigation plan to support the move of the Holiday Market.

I encourage the County to work closely with the Lake Wildwood Board and community to ensure that a traffic mitigation plan will support the disruption that a Holiday Market relocation will cause to our already congested areas.

Regards,

Donald Boeding  
19984 Chaparral Circle  
Penn Valley, CA 95946

**From:** [Carolyn Anderson](#)  
**To:** [Steve Geiger](#)  
**Subject:** New location for the Holiday Market in Penn Valley  
**Date:** Friday, November 14, 2025 11:30:47 AM

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Dear Mr. Geiger,

As a resident of Lake Wildwood who evacuated this community due to fire threat in 2017, I'm aware of the danger of disbursing thousands of autos in an emergency.

**I strongly request that the new Holiday Market NOT be built without full traffic mitigation** (new traffic control lights, additional lanes, the creation of workable traffic patterns).

Thousands of lives are at risk if proper measures are not taken before this Market is relocated.

Thank you,  
Carolyn Anderson

**From:** [Bruce Newland](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Friday, November 14, 2025 11:34:48 AM

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Good morning Mr. Geiger,

I want to take a moment and ask you to avoid a probable serious traffic problem by ignoring the need for a proper study of traffic congestion with the proposed Holiday Market location. Once the project is approved, if we have to deal with the inconvenience and safety problems, it will be to late.

Thank you for your attention to this matter.

Bruce Newland  
Lake Wildwood

**From:** Drew  
**To:** Steve Geiger  
**Subject:** I support Holiday Market  
**Date:** Saturday, November 15, 2025 12:37:33 PM

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Dear Sir,

My name is Drew Prakash and I live just on the other side of the Lake Wildwood fence on Black Forest road. My family and I have lived in Penn Valley for over 10 years and we love Holiday Market. We also fully support them making a sound business decision and making an improvement to our community. As far as I can tell the only people who would have a problem with them upgrading are the golf cart drivers from LWW, who probably shouldn't be driving golf carts across Pleasant Valley to begin with as well as letting their underage children drive the golf carts to the store.

Thank you for your time.

If there is to be a public meeting on this matter I plan to attend.

Drew

**From:** [John B. Field](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market/PV  
**Date:** Saturday, November 15, 2025 1:43:28 PM

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We are residents of Lake Wildwood and stand in full support of having the new Holiday Market in Penn Valley move ahead-Not backwards!

*Regards,*  
John Field

iPad

**From:** [Linda Ennis](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market at Pine Shadow Way and Pleasant Valley Road  
**Date:** Saturday, November 15, 2025 2:26:56 PM

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To: Steve Geiger

From: Linda Ennis, 11210 Marten Court, Penn Valley, CA 95946

I feel we need more due diligence to this new planned project of the Holiday Market on Pine Shadow Way and Pleasant Valley Road. As a homeowner and resident in Lake Wildwood since 2008 and my parents homeowners since 1985 I speak with a knowledge about Lake Wildwood and the surrounding area. This project is so close to the intersection of Highway 20 and Pleasant Valley Road that the traffic could cause numerous accidents. And during any evacuations this could cause deaths like the Camp Fire in Paradise. Pleasant Valley Road is 2 lanes with a middle lane for turning left or right. There is not much leeway to the sides of the lanes for moving over or stopping. During the last evacuation from LWW a few years ago it took me 45 minutes to go 1/2 mile to the first gate and another 15 minutes on Pleasant Valley Road to Hwy.20. My sister lives about 1 mile inside LWW on Kingbird Court off Hummingbird and it took her 1 1/2 hrs. to exit at the first gate. If that fire had reached inside LWW we'd all be dead. There is a lot of traffic on Pleasant Valley Road to and from Hwy.20 in the mornings and afternoons when people are going to work or school and then again coming home. Many new homes have sprung up in this area. I really feel if you plan on approving this project, Pleasant Valley Road needs to somehow be changed to 4 lanes (2 going south and 2 going north) from Hwy 20 to the first gate at LWW. Since no light can be placed at the intersection at Pine Shadow Way and Pleasant Valley Road turn lanes will have to be installed. Also that area is on a blind curve as you pass the Plaza shopping and gas area. Leaving Pine Shadow Way and turning left on Pleasant Valley will be very tricky and could cause a lot of back up problems. It would be nice to have a larger market but I'm not quite sure this is the best spot. I was told that parking was a problem where the market is now but I have never had a problem parking in all these years. Much of the building the market's in is empty except for the Thai food place. It seems if the Thai place moved to another location within the area the market could be enlarged to add what ever Holiday wants. I'm just not sure this move will be without big problems. So needless to say I am against this project as it stands today. Sincerely, Linda Ennis

**From:** [Chip Whitehouse](#)  
**To:** [Steve Geiger](#)  
**Subject:** Strong Support for the new Holiday Market Project in Penn Valley  
**Date:** Saturday, November 15, 2025 3:52:04 PM

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Dear Mr. Geiger,

My name is Chip Whitehouse, and I am a resident of Lake Wildwood in Penn Valley. I am writing to express my strongest possible support for the new, larger Holiday Market project.

For my household, this new store isn't just a "nice to have"—it's a genuine "need."

Currently, the existing Holiday Market is too small and does not have the selection we need for a full week of groceries. This forces us to drive 15-20 minutes each way to Raley's in Grass Valley, often multiple times a week.

The proposed new store, which would be only 3-5 minutes from my home, would be a life-changer. Having a full-service grocery store with the selection this new building promises would save my family an incredible amount of time, gas, and frustration. It would finally allow us to do all of our shopping right here in our own community.

I am also excited to support a 100% employee-owned local company. Please know that many of us in the community truly want and need this project to be approved.

Thank you for your time and for considering the positive impact this will have on residents like me.

Sincerely,

Chip Whitehouse

18566 Lake Forest Dr, Penn Valley, CA 95946

**From:** Ed Keegan's  
**To:** Steve Geiger; JoeM@lwwa.org; Chris Boyd  
**Subject:** Holiday Market project at Hwy 20 & Pleasant Valley Road  
**Date:** Saturday, November 15, 2025 6:51:10 PM

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Dear Mr. Geiger-

Let me begin by saying I am very supportive of Holiday Market's plans for a new and more comprehensive Market to serve our community. I would very much like to see this store come into reality.

That said, I have very serious concerns about some of the information provided to our Lake Wildwood Community at a recent Town Hall.( I was not able to attend but watched the entire recording of the project proposal).

1) The additional congestion of automobiles in proximity to the PV Road/Hwy 20 interchange. While there was a discussion of ameliorating this issue by revising striping at the current interchange to add a second left turn lane ( and a lane on Hwy 20E to receive this traffic??), There was no graphic I saw that laid out this plan- which I think could work. The issue is timing. No commitment was made or deemed possible to coordinate the essential work at this interchange with the opening of the new Facility. As a former Construction Manager for significant retail and food service projects, I can assure you and the Holiday team that the highest traffic impacts will be in the first 30-60 days as everyone comes to check out the new place- and the failure of any traffic modifications to be complete will adversely affect the facility and our community. This is ESSENTIAL- Hwy 20 revisions must be done before opening. No excuses, and I understand working with CalTrans...

2) Using Commercial St for trucks exiting the facility left to Hwy 20 is extremely problematic. Cars heading north on PV Road accelerate quickly after the light, and visibility on Commercial is extremely limited- even for a car. The time for a truck to navigate that left turn is extremely dangerous to oncoming traffic from the left, never mind the constant flow coming up the hill from the north. This is an accident waiting to happen. And even worse to all during both AM and Evening commute hours when significant backups and bad driving is evident. First request is that a provision to Project approval Strictly PROHIBIT Truck delivery and exiting from Commercial Street during the 3+ hours of morning and evening commute. Second, and a better option is that modifying the site plan to provide for exiting onto Pine Shadow. If the vast majority of deliveries are night/early AM hours, this would allow for a safer interchange for left turn south on PV road- and given what they work with at the current facility with one small driveway, should work better. I cannot support the existing idea of semi-trucks making that left turn out of Commercial as people stream home, or workers come into our community in the morning.

3) Restriping discussed did not include providing a long dedicated left turn lane into Pine Shadow from PV road heading south. Yes there is currently a "turning lane" running the length of PVR, but there is one dedicated left at Commercial, and a longer one will be needed here.

4) No discussion was made of how this interchange( from Hwy 20 down to Pine Shadow) will impact Emergency Evacuation plans. We are adding significant congestion at critical clogging point for evacuation, and this issue should be identified and addressed. People exiting this facility onto PV Road during an Evac will be a nightmare. We have Over 2800 homes in LWWA, and a couple thousand more that will be coming up PV road south in the event of a fire in the river canyon- there needs to be a plan that includes this project that is open for discussion

5) Reduce the speed on PV road north to 30 MPH until past Pine Shadow. Consideration of a Roundabout where there is a 4 way intersection at Commercial may be worth consideration. Cal Trans clearly loves them on Hwy 49. Slowing traffic and creating turn opportunities without stopping traffic could work here.

6) Lastly, the limited breadth of the Traffic study is concerning; one day, for a few hours, in the midst of a significant working at home time in our community- that has been replaced by higher traffic levels both in and out of LWW deserves to be addressed. Doesn't take much to do another study and create the data and counts, and compare results. If different, it should be addressed. It was unsettling the relatively poor presentation on traffic in this presentation.

I appreciate your time in reading my comments. I look forward to seeing how these issues are handled. I look forward to addressing both the Planning Commission and Board at the public hearings with my thoughts on how well these topics have been addressed. And I look forward to having them resolved adequately, and a Bakery being near me...!

Sincerely,

Ed Keegan  
17756 Chaparral Dr.  
Penn Valley CA 95946  
925-787-6563 ( Cell)

**From:** [Jeff Heyser](#)  
**To:** [Steve Geiger](#); [Jeff Heyser](#)  
**Subject:** Holiday Market Proposal  
**Date:** Sunday, November 16, 2025 10:17:56 AM

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Steve Geiger, Senior Planner  
Nevada County Planning Department  
[Steve.Geiger@nevadacountyca.gov](mailto:Steve.Geiger@nevadacountyca.gov)

These are my comments regarding:

File Numbers: PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007

Applicant: North State Grocery, Inc. - Holiday Market

Project Location: 18805 and 18807 Pine Shadows Lane, Penn Valley, CA 95946. Project parcel is located along the south side of Pine Shadows Lane and the east side of Pleasant Valley Road, approximately 0.25 mile north of the Pleasant Valley Road/State Highway 20 intersection.

Project Description: PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007: The proposed project is an application request for a General Plan Amendment and Zoning District Map Amendment (Rezone), Development Permit, and Management Plan to allow for the development and operation of a 30,711-square-foot grocery

Having a new large grocery store in Penn Valley will definitely benefit the community. Given the number of square feet in the large number of employees anticipated this store will create significant additional traffic.

The Document Has a Critical Gaps: potential traffic concern that the Traffic Impact Analysis does not thoroughly address.

**Additional traffic turning onto Commercial Avenue will impact traffic flow on Highway 20.**

- Turn lanes on Highway 20 to access Pleasant Valley Road need to be widened and lengthened.
- During peak traffic hours current turn lanes are often full. The slow-down from traffic turning onto Commercial Avenue will cause traffic to back up on Highway 20 as people are unable to enter the current turn lanes.
- This will cause unsafe driving conditions during peak traffic hours as cars stop unexpectedly on highway 20.

#### **Pine Shadows Lane/Pleasant Valley Road**

Additional study needs to be completed to determine the impact of dramatically increased traffic turning right and left onto Pleasant Valley Road.

Potential Problems:

1. Queuing Issues

- Left-turning vehicles would need to wait for gaps in northbound Pleasant Valley Road traffic
- During PM peak, there is heavy traffic turning off Highway 20 onto Pleasant Valley Road and returning to Lake Wildwood and beyond.
- Speed limit on Pleasant Valley Road is 45 miles per hour, but traffic is typically accelerating to 50-55 miles per hour

## 2. Sight Distance Concerns

- Document should have "sight distance exhibit and analysis"

## 3. Compounding Existing Problems on Pleasant Valley Road

- Pleasant Valley Road already experiences 800-1,000 foot southbound queuing during AM peak at Highway 20
- Adding significant left-turn movements from Pine Shadows Lane could extend queuing northward.
- Traffic traveling north on Pleasant Valley Road will be accelerating to at least the 45 mile an hour speed limit and many times the traffic on this road is at 50 mph or higher.
- Will there be sufficient visibility for drivers to make a safe entrance? Is it practical to turn left at that intersection?

**All road construction to address traffic mitigation issues need to be completed before a “certificate of Occupancy” is issued.**

**From:** [Marla Odegard](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Sunday, November 16, 2025 11:20:18 AM

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Dear Mr Geiger,

As a resident of Lake Wildwood, I am writing to you in support of the proposed new Holiday Market in Penn Valley. This market would be a huge benefit to the community so that we would not have to drive into Grass Valley for a full-service grocery store. I want the experience of going to the grocery store without having to make another trip into GV later for items that I was unable to purchase. Also, I personally am looking forward to the deli, full-service bakery & freshly made sushi right here in Penn Valley.

I believe the traffic studies and conclusions made were done by professionals who know what they are doing. This store could elevate our living standards that we value so much in LWW.

Please accept this email in support of the proposed new store.

Sincerely,  
Marla Odegard

**From:** [teresarose06@icloud.com](mailto:teresarose06@icloud.com)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market Store  
**Date:** Sunday, November 16, 2025 2:37:21 PM

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Dear Steve, I am writing in support of the new plan.

Sincerely,

Teresa Scott

Penn Valley homeowner

Sent from my iPhone

**From:** Kari  
**To:** Steve Geiger  
**Subject:** Holiday Market Penn Valley  
**Date:** Sunday, November 16, 2025 4:49:12 PM

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Hello Mr. Geiger,

I live in Lake Wildwood in Penn Valley and though I am sad that we will lose the market right outside the gate having a larger store with more offerings will be a treat! I am in favor of the new Holiday Market moving to its new location. I know that there are concerns about traffic etc. but overall I feel this is good for us.

I am in favor of Holiday Market moving to a new bigger location.

Thank you for your time,  
Kari Taketa  
11585 Sandpiper Way, Penn Valley CA.

**From:** Comcast  
**To:** Steve Geiger  
**Subject:** Holiday Market move  
**Date:** Sunday, November 16, 2025 5:43:40 PM

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I live in Lake Wildwood and I support their move to a new location. Is there anything else I can do to help the Holiday Market in this endeavor?

Regards  
Jim Sartori  
510-604-1628

**From:** PAULB  
**To:** Steve Geiger  
**Subject:** Re: Proposed Holiday Market Development and Zoning Change  
**Date:** Sunday, November 16, 2025 5:55:24 PM

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Sorry about that Steve, I accidentally hit the send button before I was finished. I will complete the rest of item number five, continue, and then resend all of my comments.

Thank you  
Paul Barbaria

Sent from AT&T Yahoo Mail for iPhone

On Sunday, November 16, 2025, 5:48 PM, PAULB <apb51@sbcglobal.net> wrote:

To: Steve Geiger, Senior Planner, Nevada County Planning Department

From: Paul Barbaria  
13791 Country Heights Dr  
Penn Valley

Resident of Penn Valley since 1979

I have several comments regarding this project that I will list below. My comments reflect the need for road improvements, traffic signals, evacuation needs and a comprehensive traffic study before any new development should be approved on the north side of Highway 20 and Pleasant Valley Road.

1. No major road improvements have been done to Pleasant Valley Road since the 1990s. Since then the population has probably doubled.
2. The traffic study presented for the project was done in 2022 during Covid. According to your own standards, this is an obsolete regardless of the fact that it was done during the pandemic, which we all know travel at that time was very minimal.
3. Nevada County performed a major evacuation study in 2024. In the lake Wildwood area, the study found that a timely evacuation was impossible with the current road situation. Their suggestion was widen Mooney Flat Road, widen certain parts of Pleasant Valley Road, improve the traffic signals at Highway 20 and Pleasant Valley Road. If the current standards remain the same a bottleneck at

Pleasant Valley Road and Highway 20 would prevent timely evacuation. In order for safely evacuating this area, these improvements should be done prior to any new commercial development. At the very least Mooney Flat should be developed into a 3 lane road necessary evacuation. This should be done now. Safety and loss of life should be the major concerns here. During the Lobo fire, the study showed that it took over 2 1/2 hours for residence to exit Lake Wildwood.

4. The developer is asking for a zoning change from light industrial to commercial. this will create much more traffic in this area. You don't have to be a traffic engineer to figure that out, no matter what their numbers show. The developer is planning on putting a Starbucks in their store. That by itself will create a large number of vehicles, heading to work by way of Pleasant Valley Road, stopping to grab a cup of coffee and then more than likely getting fuel and then trying to exit off a Commercial Avenue either going east or west on Highway 20. The turn lanes just aren't there right now. This improvement needs to be done prior to occupancy of a new holiday market store not down the road when monies become available which, by the way cannot be determined at this time.

5. The site plan for the new market is not what the planners in 1995 intended for that particular parcel. When the Gateway Industrial Park was developed one of the conditions of approval was to put in commercial Avenue to the end of the property line and the developers of the market parcel were supposed to continue that road through to shadow Court and create a unobstructed road for entrance and exiting all of those projects that were developed.

Sent from AT&T Yahoo Mail for iPhone

**From:** [Sarah Barbara](#)  
**To:** [Steve Geiger](#)  
**Subject:** Proposed Holiday Market Development and Zoning Change  
**Date:** Sunday, November 16, 2025 7:48:12 PM

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Hello Steve,

I have several comments regarding this project that I will list below. My comments reflect the need for road improvements, traffic signals, evacuation needs and a comprehensive traffic study before any new development should be approved on the north side of Highway 20 and Pleasant Valley Road.

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to install additional turn and transit lanes for the intersection. The County should provide time frames for when these mitigations will be installed.
2. That the County furnishes proof that conditions with the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.
4. The County should provide back-up for their claim that our Emergency Evacuation plans will not be impacted by their plans.

I hope the county can take the time to address the above concerns to help keep our community safe.

Thank you for your time,

Sarah Barbara (not a golf cart owner, member of the community since 1987)  
12893 Golden Trout Way  
Penn Valley, CA 95946

**From:** [Sue Reynolds](#)  
**To:** [Steve Geiger](#)  
**Subject:** Penn Valley Holiday Market  
**Date:** Monday, November 17, 2025 8:05:47 AM

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Mr. Geiger,

This email is in regards to the Penn Valley Holiday Market move to Pleasant Valley Rd. and Hwy 20. After reading the Proposed Mitigated Negative Declaration from your office, the entrance/exit to Holiday Market will be on Pleasant Valley Road. This is a very congested area with the commerce already in place and the daily traffic for those traveling to Hwy 20. To add a 30,711 store with the same entrance/exit will simply add to the congestion. The Declaration does not include what the County plans to do at this intersection.

Questions we have:

Are additional turn and transit lanes being installed?

Are the plans from August 2022 the same plans today?

How will the traffic affect County Emergency Evacuation plans? We must reiterate the congestion on Pleasant Valley Rd.

Thank you very much for considering our concerns.

Best Regards,

Jack and Sue Reynolds

**From:** [Julie Jasper](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday market  
**Date:** Monday, November 17, 2025 8:26:47 AM

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Dear Mr Geiger,

I am very excited about the new Holiday market going in off of pleasant Valley road in Penn Valley. I worked for Holiday market for 19 years in the meat department and I have always enjoyed shopping there ever since I retired. I am still in contact with Brad Askland, and numerous people that I worked with for so long. I'm very happy that we will have a large market with bakery deli and I believe that the local people will really like it after it is built. I know some of the residence at lake Wildwood are being fussy, that's been the way it has been for so long. It just makes me laugh. Anyway, I just thought I'd write you and give my support. Thank you so much!

Julie Jasper

Yahoo Mail: Search, Organize, Conquer

**From:** [Sandra Turner](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Monday, November 17, 2025 10:07:57 AM

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To: Steve Geiger, Senior Planner  
Nevada County Planning Department

Have you seen the backup line of cars on HI 20 around 4 -6 p.m. turning onto Pleasant Valley Road every day? Also, the line of cars on Pleasant Valley Road at the HI 20 light at all hours of the day? What a traffic hazardous condition it will be with the current Environmental Document you have for this relocated Holiday Market project. Please do not allow the new Market to be built without a full traffic mitigation done by the Nevada County Planning Department.

Thank you for your support in this important and troubling issue before it becomes a horrible traffic situation.

Penn Valley Citizens,  
Ken and Sandy Turner

**From:** [Vince Stella](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market Penn Valley  
**Date:** Monday, November 17, 2025 11:02:41 AM

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Dear Mr. Geiger,

I am a Lake Wildwood resident. I would like to show my support for the new Holiday Market store near Highway 20 and Pleasant Valley Road in Penn Valley. I believe it would be a great idea to have a full service market here in Penn Valley so as not to have to drive all the way to Grass Valley to go shopping. Thank you, Vincent Stella  
Sent from my iPhone

**From:** [Marc Friedland](#)  
**To:** [Steve Geiger](#)  
**Cc:** [marc Friedland](#)  
**Subject:** In favor of Holiday Market development  
**Date:** Monday, November 17, 2025 12:08:02 PM

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Hi Steve,

I am a resident of Lake Wildwood (LWW) and I am very much in support of the development of a new Holiday Market in Penn Valley.

I know that the LWW Board of Directors has concerns about traffic mitigation, and has published a claim that "the County is trying to pass a shortened Environmental document without the necessary due diligence a project such as this rightly deserves."

Can you please let me know if there is any validity to this claim, and the more specific concerns that the LWW Board holds?

I also know that Holiday Market (according to a flyer they are distributing) is offering to contribute over \$300,000 towards the future road improvements the County has planned on Pleasant Valley Road and Highway 20.

It seems to me that improvements to mitigate traffic concerns can be (or, are being, or have been) addressed, and that there is no reason that the project cannot proceed. Also, in the spirit of community, the new Holiday Market will be an asset to all Penn Valley residents, not just LWW residents. Therefore, I am totally in support of this development!

Thank you,

MARC FRIEDLAND

**From:** Patrick Gavigan  
**To:** Steve Geiger; [customerservice@nsgrocery.com](mailto:customerservice@nsgrocery.com)  
**Subject:** Holiday Market Project  
**Date:** Monday, November 17, 2025 3:54:27 PM

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Mr. Geiger,

My wife and I are in favor of the project.

In 1960 my wife's great-grandaunt and uncle Lena and Percy Matheron owned much of the land which now comprises the businesses on Commercial Avenue and Highway 20 itself. My wife's mother Vernal Moran McBain inherited the land from them and my wife and I have lived in Penn Valley since 1992. We and especially my wife has seen the area develop and change the rural nature of Penn Valley in ways that are both good and bad in our eyes. What should have been preserved as rural residential land has been allowed to develop into commercial and higher density residential uses such as Lake Wildwood. Now, there is no going back. Progress is inevitable and projects such as the proposed Holiday Market will be a positive addition to what began decades ago whether we liked it then or not.

Residents of Lake Wildwood may not like to hear it but their community was as much responsible for the degradation of our rural lifestyle as anything proposed by Holiday Market. What we find ironic is that the residents of Wildwood must have enjoyed some financial success in order to afford a home there only to have the Lake Wildwood Association encourage the people they represent to deny that success to others. The ability to drive to the market directly from the golf course is not a good reason to stand in the way of progress. Have the residents of Wildwood given any thought to what might happen to the existing Holiday if the company cannot remain competitive? Residents of Penn Valley who do not live in Wildwood also shop at Holiday.

The proposed Holiday Market will provide a better shopping experience while addressing some of the traffic issues which Wildwood residents contribute a great deal to and which should have been addressed when the Commercial Avenue property was originally rezoned. Having a second entrance to the businesses which is further from Highway 20 will help alleviate what is now a very dangerous intersection.

Patrick and Susan Gavigan

P.O. Box 1235  
Penn Valley, CA 95946  
(916) 747-7188  
thegav@live.com

**From:** [Katy Davis](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Relocation  
**Date:** Monday, November 17, 2025 4:40:32 PM  
**Attachments:** [image001.png](#)

You don't often get email from [katy.davis@c21cornerstone.com](mailto:katy.davis@c21cornerstone.com). [Learn why this is important](#)

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Mr Geiger,

I wanted to email my support and note that although the intersection at Pleasant Valley Road and Commercial Ave is tough, I enthusiastically support the move. I think having access to Pine Shadows lane will make the whole area safer.

That makes it safer for my Century 21 Office and for my husbands place at Thirsty Barrel Brewing.

I also wanted to note that I don't understand the need for a new traffic study that LWW is pushing for. I don't know of anything that would have changed the traffic in the area recently. I do live in LWW and do not share the board's opinion to stop this for more traffic studies.

Thank you. Katy



*Katy Davis*  
REALTOR® | DRE #02143467

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**From:** [Randy Nahas](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market Project  
**Date:** Monday, November 17, 2025 9:34:25 PM

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Mr Geiger,

I am a new resident in the Wildwood development and attended the meeting that was held in the community room in Wildwood. I have now had a chance to review the handouts that were provided.

As a commercial developer for the last 50 years I am very aware of and sympathize with the motivation of Holiday Market to seek a more prominent location to appeal to a broader customer base. As a developer I have reviewed, approved and rejected many traffic studies provided by the consultants for large commercial tenants. I also am aware of the motivation that tenants have to try to minimize their impacts to the surrounding area where they are planning their new facility.

This is a very expensive site to grade, service and build the quality facility they are planning. The markets Wildwood customers are the vast majority of their current customer base, and this will probably continue even though the Market will no longer be available for golf cart access.

Reviewing the "Penn Valley Holiday Market Peak Hour Trip Distribution" leaves me to wonder why they would want to move to this location if this is all they expect to gain in customer base. This of course is not the case, what the traffic engineers are doing is trying to minimize the added use to the very dangerous left hand turn out of Commercial Ave.

If the customers of the other commercial businesses in this shopping area realize that there is a much safer exit, using Pine Shadow Ln they will use it. This is not just the Wildwood shoppers but those from elsewhere in Penn Valley who have always had to make a dangerous left hand turn out of Commercial Ave. You can now add to the 95% and 90% Pine Shadow Ln. generated by the market, a very large number of customers from the other businesses in the shopping area. If Commercial Ave. were far enough from the intersection of Pleasant Valley and Highway 20 I would propose a traffic light at Commercial Ave. Since there would not be enough space between traffic lights without having to meter their use, then the next obvious location is at Pine Shadow Ln.

You are asking the Market to pay \$800,000 into a traffic fund for the County to mainly use elsewhere. That money would be better spent on a signal where it will relieve traffic problems and provide a safer entrance and exit from the entire shopping area.

If the traffic light is not installed with the market project, it will surely be needed when the existing vacant land in the shopping area is put into commercial production.

I would be very surprised if the owners of the vacant land would not use the new Pine Shadow Ln access as an incentive to lure more commercial tenants.

The County must make the call. To go with the current plan that I believe will not produce the type of increased volume that the market is hoping for, or require a modification that will

make the entire shopping area more safe and viable.  
Thank you for your consideration.  
Randy nahas

RECEIVED

NOV 17 2025

NEVADA COUNTY  
PLANNING DEPARTMENT

November 10, 2025

Nevada County Planning Department  
950 Maidu Ave Suite 170  
Nevada City, Ca. 95959

Attn: Steve Geiger  
Senior Planner

Dear Mr. Geiger:

In regard to the proposed relocation plans of the Holiday Market, I have concerns about traffic flow. The intersection has seen an increase in traffic over the past 10 years. Introduction of a new and larger commercial facility will significantly impact traffic flow.

I recommend that the Nevada Planning Department consider the following when reviewing the Holiday Market application:

1. Traffic mitigation at Rte. 20 and Pleasant Valley Road to include but not limited to installation of turn and transit lanes, and transit stops at or near the Market driveway. Consideration to be given to not impact side road access along Pleasant Valley Road. The County should provide time frames for when these mitigations will be installed.
2. That the County to furnish proof that conditions with the scope of the project have not changed since August of 2022.
3. The County should prepare a pedestrian and vehicle flow study for the project area during full operation and construction, detailing how present traffic patterns might be disrupted.
4. The County should verify that Emergency Evacuation plans will not be impacted by the plans.

I believe that the new Market cannot be built without full traffic mitigation (new traffic control lights, additional lanes, the creation of workable traffic patterns). Further the environmental document MUST take into consideration Emergency Evacuation plans.

Thank You for your consideration

  
Ray Favetti  
13123 Chances R Road  
Penn Valley, Ca.  
95946



REMY | MOOSE | MANLEY  
LLP

Christopher L. Stiles  
cstiles@rmmenvirolaw.com

November 17, 2025

By Email

Steve Geiger, Senior Planner  
Nevada County Planning Department  
950 Maidu Ave., Suite 170  
Nevada City, CA 95959  
[Steve.geiger@nevadacounty.gov](mailto:Steve.geiger@nevadacounty.gov)

Re: North State Grocery, Inc. – Holiday Market (Penn Valley) Project Draft Initial Study / Negative Declaration

On behalf of the Lake Wildwood Association, we submit the following comments on the Initial Study / Mitigated Negative Declaration (MND) for the “North State Grocery, Inc. – Holiday Market (Penn Valley) Project” (the Project). As explained below, the MND is inadequate in numerous areas. Because there is substantial evidence supporting a fair argument that the Project may result in significant environmental impacts, the County must prepare a full Environmental Impact Report (EIR).

We are also providing comments on the Penn Valley Holiday Market Traffic Impact Analysis Memorandum (Traffic Memo), dated November 6, 2024. The Traffic Memo is fatally defective for numerous reasons and does not meet the requirements of the County’s Traffic Impact Analysis Guidelines (TIAG). Even with its shortcomings, the Traffic Memo and the MND acknowledge the Project will increase traffic congestion and cause other transportation-related impacts, which will adversely impact both residents and visitors alike. But the County has not identified sufficient mitigation to address these impacts, which as explained below, will likely be even worse than disclosed in the reports.

The Lake Wildwood Association does not oppose a new Holiday Market in Penn Valley, but the County must ensure that the public and the decisionmakers are fully informed, and that all the Project’s impacts are adequately analyzed, disclosed, and mitigated to the fullest extent feasible. The County has not fulfilled this obligation.

1. The “fair argument” standard purposely sets a low threshold for requiring an EIR.

A lead agency may rely on a negative declaration only where “[t]here is *no* substantial evidence, in light of the whole record before the lead agency, that the project *may* have a significant effect on the environment.” (Pub. Resources Code, § 21080, subd. (c)(1), italics added; see also *id.* § 21082.2, subd. (a).) Where a negative declaration is not possible, a mitigated negative declaration (MND) is sometimes an option, but only where mitigation measures integrated into the project will “avoid the effects or mitigate the effects to a point where *clearly* no significant effect on the environment would occur” and still “there is no substantial evidence, in light of the whole record before the lead agency, that the project, as revised, may have a significant effect on the environment.” (Pub. Resources Code, § 21080, subd. (c)(2), italics added.)

The flip side of these legal standards is that an EIR is *required* “[i]f there is [any] substantial evidence, in light of the whole record before the lead agency, that the project *may* have a significant effect on the environment.” (*Id.*, subd. (d), italics added; see also *id.* § 21082.2, subd. (d).) Stated another way, an EIR is required whenever any substantial evidence in the record supports a “*fair argument*” that significant impacts *may* occur. Even if other substantial evidence supports the opposite conclusion, the agency nevertheless must prepare an EIR. (CEQA Guidelines, § 15064, subd. (f)(1); see, e.g., *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75 (*No Oil I*); *Friends of “B” Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000–1003; see also *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319; *Save the Plastic Bag Coalition v. City of Manhattan Beach* (2011) 52 Cal.4th 155, 171-172.)

“In the CEQA context, substantial evidence ‘means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.’” (*Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, 730, quoting CEQA Guidelines, § 15384, subd. (a).) As the courts have recognized, even non-expert lay testimony or evidence can be enough to trigger an EIR. (See, e.g., *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928 (*Pocket Protectors*); *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 173; *Keep Our Mountains Quiet, supra*, 236 Cal.App.4th 714.)

The “fair argument” standard purposely creates a “low threshold” for requiring preparation of an EIR “in order to maximize environmental protections and thereby fulfill the purposes inherent in CEQA.” (*Georgetown Preservation Society v. County of El Dorado* (2018)

30 Cal.App.5th 358, 370; see also *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 310 (*Sundstrom*); *Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754; *Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1331; *Save the Agoura Cornell Knoll v. City of Agoura Hills* (2020) 46 Cal.App.5th 665, 676.) The fair argument standard is founded upon the principle that, because adopting a negative declaration has a “terminal effect on the environmental review process” (*Citizens of Lake Murray Area Assn. v. City Council* (1982) 129 Cal.App.3d 436, 440), an EIR is necessary to “substitute some degree of factual certainty for tentative opinion and speculation” and to resolve “uncertainty created by conflicting assertions” (*No Oil I, supra*, 13 Cal. 3d at p. 85).

As one court put it, “[t]hese legal standards reflect a preference for requiring an EIR to be prepared.” (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 332.) EIRs must be prepared in “doubtful case[s],” so that agencies do not make decisions “without the relevant data or a detailed study of it.” (*No Oil I, supra*, 13 Cal. 3d at p. 84.) “It is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project.” (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 935.)

As the California Supreme Court explained long ago, a project need not have an “momentous effect of semi-permanent duration” to require an EIR. (*No Oil I, supra*, 13 Cal.3d at p. 87.) Rather, an agency must prepare an EIR “whenever it perceives some substantial evidence that [a] project may have a significant effect environmentally.” (*Id.* at p. 85.) An EIR is required even if substantial evidence in the record supports a conclusion that significant impacts will not occur, if a “fair argument” supports the opposite conclusion. (*Id.* at p. 75.)

When there is conflicting evidence on the extent of the environmental effects of a project, the lead agency must conclude that the effects may be significant and prepare an EIR. (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 935; *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1317-18; CEQA Guidelines, § 15064, subd. (g).) In the context of reviewing an MND, “neither the lead agency nor a court may ‘weigh’ conflicting substantial evidence to determine whether an EIR must be prepared in the first instance.” (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 935.) Where such substantial evidence is presented, “evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a negative declaration, because it could be ‘fairly argued’ that the project might have a significant environmental impact.” (*Sundstrom, supra*, 202 Cal.App.3d at p. 310.)

“While a fair argument of environmental impact must be based on substantial evidence, mechanical application of this rule would defeat the purpose of CEQA where the local agency

has failed to undertake an adequate initial study. The agency should not be allowed to hide behind its own failure to gather relevant data.” (*Id.* at p. 311.) “CEQA places the burden of environmental investigation on government rather than the public. If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.” (*Ibid.*)

As explained below, there is at least a fair argument that the Holiday Market Project may have a significant environmental impact in numerous resource areas. Therefore, the County must require an EIR for the Project.

## 2. Aesthetics

As noted above, lay testimony regarding non-technical subjects like aesthetics is sufficient to require an EIR.

While the MND acknowledges the Project will result in a change in the appearance of the site, it concludes that aesthetic impacts will be less than significant or non-existent, apparently because the Project will incorporate contemporary design standards and landscaping in accordance with County requirements. But this conclusion is not supported and there is ample substantial evidence supporting a fair argument that the Project may result in significant aesthetics impacts.

First, the lack of any photographs or visual simulations of existing or future conditions makes it virtually impossible for the public or the decision makers to understand the magnitude of the Project’s aesthetic impacts. In any event, it is readily apparent that the Project may have significant impact. The large site—which spans approximately 5.5-acres—is predominantly located along one of the County’s main thoroughfares and is therefore a significant public viewpoint for residents and visitors. The site is currently occupied well over a hundred mature trees and other vegetation, including Landmark Groves and Landmark Oak trees, with a small residence and a few small accessory buildings that are mostly shielded from public view. This will all be removed and replaced with a 30,711 square-foot building and a surface parking lot. Replacing a mostly natural wooded landscape with a giant block-shaped building and an asphalt parking lot will drastically degrade the visual character of the site and the quality of public views of the site and its surroundings. The fact that the Project will meet the County’s design and landscaping requirements does not change this fact. (See *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358.)

The County's prior analysis for a proposed Dollar General Store provides a useful comparison. There, the County prepared an EIR for three proposed Dollar General Stores, each comprising barely one acre, and each having only 9,100 square feet of building area (compared to 5.5 acres and 30,711 square feet of building area for the proposed Holiday Market Project).<sup>1</sup> Like the proposed site at issue here, the proposed Alta Sierra site was located on a main throughfare, resulting in high visibility. The surrounding area was characterized by commercial developments (including storage units), single-family homes, and areas of vacant undeveloped land. The EIR noted that the site was surrounded by asphalt or pavement on all four sides, with existing commercial development to the north and south and roads to the east and west. Although that project included landscaping and design consistent with County requirements, and mitigation to improve aesthetics, the EIR concluded that "[e]ven with these measures [] development of the Alta Sierra site as proposed would substantially change the existing visual character of the site," and therefore, the impact was significant and unavoidable. The conditions here are very similar, except the aesthetic and visual quality impacts would be substantially worse given the much larger size of the proposed Project.

The County's Dollar General EIR also concluded that aesthetic impacts would be significant and unavoidable for the proposed Rough and Ready location under similar circumstances. The change in views and visual quality would be even more drastic here.

The MND does not provide enough information to be able to assess whether signage would result in potential aesthetics impacts, including light and glare. The MND indicates that size and design details of the proposed project signage are currently being worked on and a comprehensive sign program that is consistent with Nevada County Code requirements will be required to be submitted to the Planning Department for review and approval. The County cannot defer this analysis. More importantly, without this information, there is a fair argument that the Project may have a significant impact.

### 3. Air Quality and Greenhouse Gas (GHG) Emissions

The air quality modeling includes a number of assumptions that are not explained or supported and there are numerous analytical gaps and inconsistencies. For example, the MND states that 2,306 sq. ft. of building materials and 21,945 cubic yards of soil would be exported from the site during construction. But the MND does not identify where these materials would go or how many truck trips would be required. Standard dump trucks carry 10-16 cubic yards,

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<sup>1</sup> See excerpts from the Dollar General EIR included as Attachment 1.

which means there would be at least 1,372 truck trips just to remove soil from the site. How far would those trips be? Would it go to a landfill or other type of facility? This information is necessary to analyze and understand the Project's air quality and GHG impacts. This information is also necessary to analyze other impacts related to the disposal of waste, including whether there is capacity in the local system. The Utilities and Services Systems section of the MND does not mention construction waste.

The discussion of construction and operational emissions include almost no analysis or explanation whatsoever, making it virtually impossible for the public or decisionmakers to understand the Project's impacts. Presenting raw numbers and bare conclusions without sufficient explanation does not foster public participation or informed decision-making and does not meet the requirements of CEQA.

Although the MND notes that there is a State Implementation Plan (SIP) for western Nevada County, it does not explain whether the Project is consistent with the SIP. According to the NSAQMD Guidelines, an SIP takes precedence over the thresholds of significance identified in the Guidelines.

The MND states that the air quality modeling included adjustments consistent with project-specific trip rate data provided by GHS for the proposed project but does not identify what those adjustments were (there is a footnote "1" indicated on page 31, but there is no footnote). Assuming the data is based on the Traffic Memo, the data is fundamentally flawed and severely undercounts trips and other relevant data points as explained below in the Transportation section. It is also unclear whether the air quality analysis includes the increased emissions caused by the degraded level of service that will occur at several intersections and roadways. This analysis must be redone with realistic trip counts and traffic assumptions to be able to assess the Project's air quality impacts.

The analysis also assumes that there would be no cumulative significant impacts because the Project-specific impacts would be less than significant. That is not how CEQA works. In fact, CEQA requires cumulative impacts analyses specifically for this purpose, so it can be determined whether a project in combination with other projects would result in a significant impact even though the impacts of the individual project may be less than significant.

Finally, the analysis of GHG impacts is severely flawed. Although the MND expressly acknowledges that "the primary source of GHG emissions for the project would be mobile

source emissions,” the analysis does not quantify those emissions and excludes them entirely from the impact assessment. As explained below in the Transportation section, the assumption that the Project will result in a reduction in VMT is unsupported and erroneous. The analysis must also consider delivery trucks and other mobile source emissions in addition to passenger vehicles. According to the MND, the project would require seven medium and seven heavy trucks on Fridays alone, not including deliveries on other days of the week. Adding what the MND itself describes as the Project’s “primary source” of GHG emissions to the other sources of emissions identified in the MND will very likely cause the Project to exceed the threshold of significance. The County should also explain why the identified threshold of significance is appropriate for this Project.

#### 4. Transportation

Both the transportation analysis in the MND and the Traffic Memo upon which it is based suffer numerous defects and the conclusions are either not adequately supported or are contrary to fact, or both.

First, the data used for the traffic analysis is outdated and does not meet the requirements of the County’s TIAG or CEQA. The Traffic Memo identifies Year 2022 as “existing conditions,” and uses 2022 conditions as the point of comparison to identify Project impacts. In CEQA terms, this is called the “baseline.” Under CEQA, when an agency prepares an MND, the baseline must reflect conditions that exist at the time the MND is prepared. Since the County is required to prepare an EIR, for all the reasons explained in this letter, the baseline must reflect conditions that exist when the County issues the Notice of Preparation (NOP), which has not yet occurred. Thus, using 2022 as the baseline would not meet CEQA’s requirements in any scenario. The other points of comparison (i.e., Year 2024 as future “near term” conditions and Cumulative Year 2042 conditions) are similarly off base and unhelpful for analyzing the Project’s impacts under CEQA or the TIAG.

In addition, according to the TIAG, traffic counts cannot be more than two years old. Here, the traffic counts are much older than two years. Even if the County claims the TIAG only requires traffic data to be collected within two years of the traffic study completion and not the CEQA analysis, which is illogical, the TIAG also requires updated analysis if the existing analysis is more than two years old and conditions have changed and/or the proposed project has changed. Here, traffic in the study area has increased substantially since 2022 as the County continues to recover from the Covid pandemic when traffic levels were depressed. Moreover,

traffic is normally heavier on Fridays and Weekends when the owners of second homes and relatives of full-time residents come to visit. By the Holiday Market's own admission, car traffic is heavier on weekends. There has also been a significant difference in the type of school traffic travelling on Pleasant Valley Road compared to 2022. Further, it does not appear that the Traffic Memo contemplated a Starbucks, which alone will fundamentally change the analysis, including more trips and more VMT as just two examples, and will affect both the traffic and air quality/GHG analysis.

It also appears that the Traffic Memo used outdated methodology and modeling tools. For example, the Traffic Memo cites the Highway Capacity Manual (HCM) 6th Edition (2016), but it should have followed the methodology in the most recent version of the HCM (a 7th Edition), which was released in 2022. The Traffic Memo also calculates daily and peak hour project trip generation using the Institute of Transportation Engineers (ITE) Publication Trip Generation Manual (11th Edition), while a new edition (12th Edition) was published in August 2025. The analysis must be redone using up-to-date methodology.

The Traffic Memo and MND also rely on insufficient data. For example, the Traffic Memo relies on data (e.g., traffic counts) collected on a single Tuesday in August 2022 during the AM peak and PM peak periods. According to the County's TIAG: "In general, the peak hour trip generation shall be that of a typical weekday and shall coincide with the peak hour of the roadway system (not the peak hour of the generator); however, there may be instances where a unique project use requires an analysis during different time frames." The TIAG further specifies that Peak Hour traffic counts shall be conducted between 7:00am to 9:00 am and 4:00 pm to 6:00 pm on a Tuesday, Wednesday or Thursday during the normal public-school period (i.e. September to May). Although Tuesday is one of the days identified in the TIAG, the chosen date was not within the permissible September-to-May window. Even more important, however, is that the TIAG acknowledges that a single-day traffic count, even on the specified days, is not always appropriate particularly if traffic that day does not reflect typical conditions. As already noted, the traffic counts do not reflect typical conditions and, as a result, the analysis underestimates traffic impacts. For this type of project in this area, the analysis must also consider weekend traffic. And the County should also require a worst-case analysis so that the decision-makers and the public can understand the real severity of the traffic impacts that will result from the Project.

Although the discussion of traffic modeling is far from transparent, there are some obvious flaws regarding the modeling inputs and trip generation assumptions. For example, the

modeling does not accurately reflect the fact that many trips to the current location are via golf cart or other non-auto modes that will turn into vehicle trips for the new location. The Traffic Memo appears to subtract trips from the existing store from the trip generation calculations for the new location, but that appears to be based on square footage (e.g., subtracting the trips generated by 12,870 square feet of supermarket use [current location] from the trips generated by 30,268 square feet of supermarket use [new location]). The methodology fails to reflect the unique facts that exist for this Project and must be redone to account for the project-specific circumstances.

According to the County's TIAG, traffic studies must include a discussion of any unusual circumstances anticipated during construction. Proposed transportation facility closures, construction signage, haul routes, impacts to public facilities, safety features, and detours must also be included in the analysis. Here, the Traffic Memo and the MND fail to adequately address construction-related impacts.

The Traffic Memo's discussion of site access and on-site circulation does not address all of the specific items identified in the County's TIAG. Specifically, the TIAG requires that the discussion of on-site circulation include "descriptions of the proposed access points, turn prohibitions, number of lanes proposed, on-site transit stop locations, driveway throat depth, parking supply/demand/parking aisle circulation, on-site pedestrian circulation, bicycle parking, on/off-site delivery truck circulation and any other applicable circulation issues." While the Traffic Memo discusses some of these topics, it is very general. Notably, the Traffic Memo does not specifically discuss delivery truck circulation.

Under the County's TIAG, traffic studies must also include a discussion of potential safety impacts. The TIAG specifies that the discussion should include fire safety and emergency access, and compliance with the Americans with Disabilities Act (ADA), and "may also include an analysis of residential neighborhoods impacts, discussion on potential noise and air quality impacts, etc." Here, the discussion of safety impacts in the Traffic Study is cursory and not well supported. For example, Section 13 (Summary, Mitigation, and Recommendations) states the identified mitigation will improve safety, but the discussion is conclusory.

As another example, Section 13.4 (On-Site Circulation) identifies only one potential safety impact that would be caused by the northerly extension of Commercial Drive to Pine Shadows Lane, which would divide the Holiday Market's main parking field from the supermarket building. Although Section 13.1 identifies mitigation for this impact, the Traffic

Memo does not explain why the mitigation would be effective or why other safety impacts would not occur.

The discussion of emergency access is a single sentence: "Emergency access is adequately provided through the project access driveways from Pine Shadows Lane and the northerly extension of Commercial Avenue." The Traffic Memo does not explain why the access is "adequate" or how emergency access issues would be handled on-site.

The Traffic Memo also does not discuss the project's impact on fire safety, evacuation routes/plans, compliance with the ADA, residential neighborhood impacts, or potential noise and air quality impacts that could result from increased traffic, including construction equipment and delivery trucks.

According to the County's TIAG, "if the project traffic causes an intersection or roadway segment to worsen from an acceptable LOS to an unacceptable LOS or is distributed to an intersection or roadway segment currently operating at an unacceptable LOS, the project impacts must be mitigated to an acceptable LOS to remain consistent with Nevada County General Plan Circulation Element Policies LU-4.1.1 and 4.1.2." Since the Project will cause or at least contribute to worsening LOS to an unacceptable level at certain intersections and roadways segments under certain scenarios, and will not be mitigated to an acceptable LOS, the Project is not consistent with the County's Circulation Element.

As noted in the MND and the Traffic Memo, CEQA is focused primarily, although not exclusively, on VMT-related impacts. The MND and the Traffic Memo, however, improperly omit any discussion of the Project's VMT impacts. The Traffic Memo concludes that, based on technical guidance from the Office of Planning and Research (OPR), now the Governor's Office of Land Use and Climate Innovation (LCI), "the project would likely be screened out," meaning further VMT analysis would not be required. The cited guidance indicates that "local serving" retail development, as opposed to "regional serving" retail development, tends to shorten trips and reduce VMT by adding opportunities into the urban fabric and improving retail destination proximity, and therefore, lead agencies generally may presume such development creates a less-than-significant transportation impact. The County's analysis stops there. But the guidance also states that lead agencies should also consider "any project-specific information, such as market studies or economic impacts analyses that might bear on customers' travel behavior." And the County's own TIAG acknowledges that projects that meet the screening criteria still might not be screened out if there are unique project factors that may create VMT.

Here, the County improperly relies on screening criteria to ignore the Project's VMT impacts. For example, the County is not adding a new retail opportunity for local residents but instead is moving an existing retail opportunity to a different location, resulting in new trips and further travel distances for customers. Notably, the courts have recently been critical of agencies for relying on OPR's guidance without accounting for project- or location-specific information. (See *Cleveland National Forest Foundation v. County of San Diego* (2025) 110 Cal.App.5th 948 [rejecting use of OPR's recommended VMT thresholds without considering local conditions].) The analysis also ignores VMT related to the proposed Starbucks, which will generate additional trips and VMT unique from shoppers at the grocery store. The Project's VMT impacts must be properly quantified and adequately analyzed in an EIR.

The MND also fails to address how the increased traffic will affect emergency response times and evacuation routes.

Finally, it is unclear whether the impacts resulting from the mitigation measures have been included in the analysis. This comment applies for all resource categories in the MND.

#### 5. Utilities and Service Systems

The MND improperly defers the analysis of impacts caused by sewer connections and related infrastructure. The County cannot defer this analysis. Since these are required elements of the Project, they cannot be segmented and analyzed separately (See *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209 ["CEQA forbids 'piecemeal' review of the significant environmental impacts of a project."].)

#### 6. Additional impacts that are not analyzed

The MND also fails to consider other potential impacts that could result from the Project. Most notably, the MND fails to analyze the impacts caused by vacating the existing Holiday Market site. For example, it is reasonably foreseeable that the property could sit vacant and cause blight.

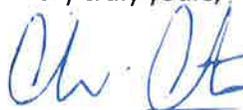
\* \* \*

Thank you for the opportunity to review and comment on the Draft MND. For all the reasons explained above, the County must require an EIR for the Project and require an updated

Steve Geiger, Senior Planner  
Nevada County Planning Department  
November 17, 2025  
Page 12

traffic analysis. This is the only way the public and the decision-makers can be fully informed, consistent with both the letter and spirit of CEQA. To reiterate, the Lake Wildwood Association does not oppose a new Holiday Market in Penn Valley. The problem is that the Project's impacts have not been adequately analyzed, disclosed, and mitigated. This includes the Project's transportation and traffic impacts, which have been given short shrift, and for which the County has not identified an adequate solution.

Very truly yours,



Chris Stiles

cc: Christopher Boyd ([Chrisb@lwwa.org](mailto:Chrisb@lwwa.org))

Attachments:

Attachment 1 – Excerpts from Nevada County Dollar General EIR

# Attachment 1

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## **4.0 AESTHETICS**

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This section addresses the existing visual resources at each of the project sites and vicinity, and discusses the potential impacts of the proposed project on aesthetics and light/glare.

### 4.0 GENERAL ENVIRONMENTAL CONDITIONS AND REGULATIONS

#### 4.0.1 ENVIRONMENTAL SETTING

##### Regional Scenic Resources

Visual resources that characterize Nevada County include the rolling vistas of foothills, valleys, mountains, meadows, forests, wetlands, and habitats unique to the Sierras. Scenic views within the county include mountain peaks such as Castle Peak, vistas of Donner Lake, and the gorge of the South Fork of the Yuba River. The county is predominantly rural in character, with development concentrated in Nevada City, Grass Valley, and Truckee. The scenic values and aggregate appearance of all the cities, towns, and suburban areas define the aesthetic quality of Nevada County. Outside of these communities, residences are scattered throughout the county. In addition, land use patterns and areas preserved as open space contribute significantly to the county's aesthetic quality. The ownership and operation of forests by the US Forest Service in the Tahoe National Forest and the open lands under the control of the Bureau of Land Management also preserve a significant portion of the county for permanent scenic quality (Nevada County 1996a, p. 18-1).

##### Scenic Highways

According to the General Plan, scenic routes in the county include Interstate 80 (I-80) and State Routes (SR) 49, 89, 174, and 267 for the entire length of the county; SR 20 from SR 49 to I-80; and Donner Pass Road from the I-80 intersection at Soda Springs to Donner State Memorial Park (Nevada County 1996b, p. 163).

According to the California Department of Transportation (Caltrans) Scenic Highway Mapping System, while I-80, SR 20, SR 49, SR 89, and SR 174 are eligible state scenic highways, the only officially designated state scenic highway in Nevada County is SR 20 from Skillman Flat Campground to a half mile east of Lowell Hill Road (Caltrans 2015).

In addition, the County has adopted a scenic corridor ordinance that applies a Scenic Corridor (SC) combining district to applicable properties along the SR 49 and SR 20 corridors. None of the project sites are identified as being within the SC combining district.

##### Light and Glare

There are two typical types of light intrusion. First, light emanates from the interior of structures and passes through windows. Second, light projects from exterior sources, such as street lighting, security lighting, and landscape lighting. "Light spill" is typically defined as the presence of unwanted and/or misdirected light on properties adjacent to the property being illuminated. Light introduction can be a nuisance to adjacent residential areas and diminish the view of the clear night sky. In addition, if the light is uncontrolled, it can disturb wildlife in natural habitat areas.

Perceived glare is the unwanted and potentially objectionable sensation as observed by a person when looking directly into the light source of a luminaire. Glare also results from sunlight reflection off flat building surfaces, with glass typically contributing the highest degree of reflectivity.

## 4.0 AESTHETICS

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### 4.0.2 REGULATORY FRAMEWORK

#### State

##### California Scenic Highway Program

The California Scenic Highway Program intends to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to scenic highways. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. Cities and counties can nominate eligible scenic highways for official designation by identifying and defining the scenic corridor of the highway. The municipality must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes.

SR 49, which is located 0.1 mile west of the Alta Sierra project site, and SR 20, located 0.3 mile north of the Penn Valley site, are eligible for designation as state scenic highways (Caltrans 2015).

#### Local

##### Nevada County General Plan

The Nevada County General Plan includes policies intended to protect the visual character of the county and promote visually attractive development through appropriate site and architectural design. The Aesthetics Element includes policies that are designed to protect scenic resources and reduce light and glare impacts. General Plan Aesthetics Element project-related policies include the following:

- Policy 18.6 Discretionary development in Rural Regions and in Community Regions near the Community Boundary shall, wherever possible, preserve natural landmarks and avoid ridge-line placement of structures.
- Policy 18.7 Encourage protection of scenic corridors wherever feasible.
- Policy 18.11 New Commercial, Industrial and Multiple Family development shall utilize fixtures and light sources that minimize nighttime light pollution.

##### Nevada County Land Use and Development Code

###### Section L-II 2.7.7 – Scenic Corridor Combining District (SC)

The Nevada County Land Use and Development Code, Chapter II, Article 2.0, Section L-II 2.7.7, includes regulations applicable in the Scenic Corridor combining district. The purpose is to protect and preserve the scenic resources of areas adjacent to highways and roads that have been identified as having high scenic quality and requiring protection for the benefit of residents and visitors.

###### Chapter II, Article 4.0 – Comprehensive Site Development Standards

Chapter II, Article 4.0 provides regulations to guide the design, location, and development of new land uses and the alteration of existing uses in the unincorporated county. The standards assist in furthering numerous Nevada County General Plan goals, objectives, and policies that provide for the preservation and enhancement of Nevada County's rural quality and small-town character.

They also assist in promoting General Plan provisions for maintaining the county's high quality natural landscape and scenic resources, as well as protecting existing historic resources.

#### *Division L-II 4.2 – Community Design Standards*

The County's community design standards are intended as a framework to assist in understanding the County's goals and objectives for high quality development. They provide design interpretations for commercial, industrial, and residential development. The community design standards address building height, building setbacks, height limits for fencing and hedges located within yard setbacks, landscaping requirements, parking lot design standards, requirements for permanent open space and maximum impervious surfaces, equipment screening, and signage standards.

#### *Section L-II 4.2.8 – Lighting*

Chapter II, Article 4.0, Section L-II 4.2.8 establishes standards to provide for efficient, safe, and attractive outdoor lighting while minimizing nighttime light pollution and energy waste. This section of the code requires all discretionary projects that propose to install outdoor lighting to submit a lighting plan. The code section also requires all outdoor light fixtures to be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways and requires the use of fixtures with high efficiency lamps. Light poles in the rural zoning districts, including the proposed project sites, are restricted to a maximum height of 15 feet.

#### *Section L-II 4.2.10 – Permanent Open Space/Maximum Impervious Surface*

Chapter II, Article 4.0, Section L-II 4.2.10 was established to conserve and maintain the natural and historic beauty of Nevada County, to promote soil conservation, surface water quality and groundwater recharge, to enhance residential and commercial areas, and to ensure permanent open space and maximum impervious surfaces for all development. Permanent open space is required in all commercial, industrial, multiple-family, public, and recreational zoning districts. For projects that are one acre or more in size and located at less than 4,000 feet elevation, the requirement is a minimum of 15 percent of the total site acreage.

#### *Section L-II 4.3.17 – Watercourses, Wetlands and Riparian Areas*

Chapter II, Article 4.0, Section L-II 4.3.17 was established to preserve the integrity and minimize the disruption of watersheds and watercourses. The section establishes minimum non-disturbance buffers along various types of waterbodies in which development may not occur unless a Management Plan is prepared by a qualified biologist or botanist that avoids or minimizes impacts to the resource.

#### *Section L-II 5.3 – Design Review*

Chapter II, Article 5.0, Section 5.3 outlines a procedure by which new development is reviewed for compatibility with surrounding development, natural resources, and/or historic features within the project area. Design review ensures that a proposed development project reflects and retains the rural and historic, small-town character of the county; ensures each community's unique character, identity, and distinctiveness; encourages visual relief through varied forms, patterns, and styles unified through landscaping, screening, and selected architectural features; and retains natural landforms and native landscaping, protects sensitive environmental resources, and encourages open space. Design review is required for all development permits and use permits for commercial, industrial, and multi-family projects, for structural changes to the exterior of

## 4.0 AESTHETICS

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commercial or industrial buildings, and for exterior visual changes to a project approved by a previous land use permit, unless specifically exempted in a specific section or article of Chapter II of the Land Use and Development Code.

### Western Nevada County Design Guidelines

The Western Nevada County Design Guidelines include a menu of design concepts and techniques to assist project developers in enhancing the character of Nevada County by encouraging the highest level of design quality while at the same time providing the flexibility necessary to promote economic viability. The guidelines promote new development that encourages a sense of place and that adds to community identity by inviting pedestrian activity, i.e., placing buildings closer to roads, limiting building size to a human scale, clustering buildings, placing parking behind buildings, breaking up parking lots with trees and walkways, and creating clearly visible entries and public places (Nevada County 2002).

### 4.0.3 IMPACT METHODOLOGY

#### **Standards of Significance**

The impact analyses below are based on the following State CEQA Guidelines Appendix G thresholds of significance, which state that a project would have a significant aesthetic impact if it would:

- 1) Have a substantial adverse effect on a scenic vista.
- 2) Substantially damage or fail to protect and preserve scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- 3) Substantially degrade the existing visual character or quality of the site and its surroundings, including failing to promote and provide for aesthetic design in new development which reflects existing character.
- 4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

#### **Methodology**

The following analyses are based on field observations, aerial photography, and review of the topographic conditions from GIS maps and Google Earth for the project sites and surrounding areas. For the purposes of this analysis, proposed site plans, building elevations, and photosimulations were used to determine how the projects would alter the existing conditions on the sites. The County's General Plan, site development standards, and applicable design guidelines were reviewed to determine what visual elements have been deemed valuable by the community. The analysis focuses on the manner in which development could alter the visual elements or features that exist in or near the project site, within the visual range or view corridor of each project.

The analysis further considers whether the anticipated alterations to the visual character of the sites would constitute a substantial adverse effect on existing views and scenic resources, which would result in a significant environmental impact. The determination of which changes to the visual environment cross a threshold of "substantial adverse effect" or degradation is based on

the criteria described in the following methodology summary. Following professionally accepted practice in visual analysis, visual impacts are defined as a consequence of three primary factors:

- The existing scenic quality of an area;
- The level of viewer exposure and concern with visual change; and
- The level of actual visual change caused by the project.

The overall visual sensitivity of each location is first established based on existing visual quality, viewer exposure, and viewer concern. These factors are then considered together with the level of expected visual change or contrast, and significance. Visual change is an overall measure of contrast in basic visual attributes such as form, line, color, and texture as a result of the proposed project. Thus, a substantial adverse effect can occur when viewers with high levels of overall visual sensitivity (i.e., high viewer concern and visual exposure, in settings of high existing visual quality) encounter high levels of visual change (contrast) or scenic view obstruction as a result of the proposed project.

#### Thresholds Not Evaluated

There are no state-designated scenic highways in any of the project areas and none of the sites can be seen from a county-designated scenic highway. The sites are not located in the SC combining district. Therefore, the proposed projects would have no effect on scenic resources within a state scenic highway. There would be no impact relative to Standard of Significance 2, and this impact is not further evaluated for any of the project sites.

### **4.1 ALTA SIERRA SITE**

#### **4.1.1 PROJECT-SPECIFIC SETTING**

##### **Visual Character of the Site**

The Alta Sierra project site is located in the western Sierra Nevada foothills between Alta Sierra Drive and Little Valley Road and consists of three parcels. The 1-acre parcel on which the store would be constructed is vacant, is covered entirely with hardwood and conifer trees, and is situated on a hillside that generally slopes to the south. The septic system tight line and leach field would be constructed on two parcels immediately north of the store site which are developed with commercial uses. Elevations on the store parcel range from approximately 1,994 feet in the north to 1,964 feet near the southeastern and southwestern property corners. The site can be seen from Alta Sierra Drive and Little Valley Road, as well as from surrounding properties.

A Management Plan for Oak Resources was prepared for the project site (Costella 2015). According to this plan, the canopy cover within the proposed store site includes approximately 74 oak trees, of which 71 are black oaks and 3 are small valley oaks (Costella 2015, p. 4). The County does not identify the site as being within a scenic corridor or a scenic viewshed, nor is the site located along a state scenic highway.

Photographs of the Alta Sierra project site from a series of key viewpoints in the vicinity, as well as a map showing the location of these viewpoints, are provided in **Figures 4.0-1** through **4.0-5**.

## 4.0 AESTHETICS

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### Visual Character of Surrounding Uses

The area surrounding the Alta Sierra site is characterized by commercial developments, a scattering of single-family homes, and areas of vacant undeveloped land. The store site is surrounded by asphalt or pavement on all four sides, with existing commercial development to the north and south of the site and Alta Sierra Drive and Little Valley Road to the west and east, respectively. West of Alta Sierra Drive are two undeveloped parcels. Other uses to the west include single-story commercial development, with a personal storage facility, a real estate office, and the Oak View Center. Directly east of Little Valley Road is a developed residential parcel. The next closest residential dwelling is approximately 100 feet from the northeastern property boundary and approximately 400 feet from the proposed building. Rural residential uses dominate the landscape east of Little Valley Road, including the Alta Sierra residential subdivision. To the south of the project site is the Alta Sierra Market. To the north of the project site is another developed property with three commercial buildings. Farther north/northwest along Alta Sierra Drive are other commercially developed properties consisting of a variety of uses, including but not limited to a gas station, a bike shop, a pizza parlor, and a specialty wine shop.

### Light and Glare

Given the rural character of the Alta Sierra site and the surrounding area, it is expected that only minimal nighttime lighting is visible on or near the site associated with existing residences and vehicles traveling on area roadways. Similarly, there is minimal daytime glare visible in the area associated with glass and other reflective building materials and vehicle windows.

#### 4.1.2 REGULATORY FRAMEWORK

There are no additional regulations, policies, or standards that pertain to the Alta Sierra site other than those described in Subsection 4.0.2, above.

#### 4.1.3 IMPACTS AND MITIGATION MEASURES

### Adversely Affect a Scenic Vista and/or Substantially Degrade the Visual Character of the Site (Standards of Significance 1 and 3)

**Impact 4.1.1(AS)** Development of the Alta Sierra project site as proposed would convert vacant land to commercial development. Such a conversion would fundamentally alter the visual character of the site. **(Significant and Unavoidable)**

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. While the General Plan does not establish specific scenic vistas in the county, it does identify visual resources that characterize Nevada County. These include the rolling vistas of foothills, valleys, mountains, meadows, forests, wetlands, and habitats unique to the Sierras. Additionally, scenic views within the county are identified as mountain peaks such as Castle Peak, vistas of Donner Lake, and the gorge of the South Fork of the Yuba River (Nevada County 1996a, p. 18-1).

Implementation of the proposed project would convert the approximately 1-acre store site from a wooded, undeveloped state to a commercial development. New uses would include a 9,100-square-foot, 27-foot-high commercial building; 20,260 square feet of surfaced area with 34

parking spaces;<sup>1</sup> two concrete block screening/retaining walls along the eastern and southern sides of proposed building and parking lot that would vary in height with the natural topography from 6 to 12 feet high; and 7,481 square feet of landscaped area. Proposed building elevations are shown in **Figure 2.0-11**. Further, development of the project would impact 85 oak trees, including four landmark oak trees on the site and the site of the proposed off-site sewer improvements on two adjacent parcels. The specifics on the oak tree impact and mitigation are discussed in Section 6.0, Biological Resources. All of these activities would affect the visual character of the site and adjacent parcels.

As shown on **Figure 2.0-5**, the project site is located between Alta Sierra Drive and Little Valley Road, with Alta Sierra Drive a main thoroughfare, resulting in high visibility from both approaches. The project site is set within a cluster of small-scale commercial retail operations surrounded by rural, wooded properties. Immediately north of site is a single-story, multi-tenant commercial center. These structures are set back from Alta Sierra Drive and appear as low-rise, single-story buildings set among trees. From Little Valley Road, views of these buildings are largely blocked by existing trees and vegetation. Farther north are heavily wooded rural residential properties. Immediately east of the site is Little Valley Road and a developed residential property located at the bottom of a small hill below the grade of the project site on the east side of the roadway. Rural residential uses dominate the landscape east of Little Valley Road, including the Alta Sierra residential subdivision. Immediately south of the project site is the Alta Sierra Market, with scattered rural residential properties located farther south. Alta Sierra Market is readily visible from the Alta Sierra Drive/Little Valley Road intersection. However, the building is single-story with a low roof and is not visually prominent. Immediately west of the project site is Alta Sierra Drive and an undeveloped, wooded parcel. Farther north/northwest along Alta Sierra Drive are other commercially developed properties consisting of a variety of uses. The project site is located within an established commercial center, and its development with a commercial use would be a logical expansion of the center and would be visually compatible with existing uses as viewed from Alta Sierra Drive. However, the project would be visually inconsistent with the scale and style of the existing structures and the nearby residential uses as viewed from Little Valley Road.

**Figure 4.0-1** shows the location of a series of key viewpoints of the project site from the surrounding area. Photographs of the site in its existing condition, along with a visual simulation of the proposed development at each of these viewpoints, are provided in **Figures 4.0-2** through **4.0-5**. As shown, the proposed development would be clearly visible from viewpoints A and B but would be visually compatible with the adjacent commercial development and would not result in a substantial change in views. Viewpoint C represents views from the existing residential property located immediately east of the site as well as for motorists traveling northbound on Little Valley Road, which provides access to residential properties to the north and east. As shown in the figure, views at this viewpoint would change dramatically due to the scale of the proposed building and screening/retaining walls and the site's elevation above the roadway. This viewpoint shows an 18.5-foot building façade atop a retaining wall that is up to 12 feet in height, representing up to 30 feet of solid wall that would be visible along Little Valley Road. From viewpoint D, the proposed development would be almost entirely obscured by the existing trees and vegetation on the northeastern corner of the site and the adjacent parcel.

Per Section L-II 5.3, Design Review, of the Nevada County Zoning Regulations, the proposed project must be reviewed for consistency with applicable, adopted design standards, including the Western Nevada County Design Guidelines (WNCDG), prior to issuance of development permits. The WNCDG encourages environmentally sensitive site design that is consistent with the

<sup>1</sup> Surfaced area includes parking lot and driveway paved areas, hardscape surrounding building, sidewalks, ramps, and curbs.

## 4.0 AESTHETICS

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overall architectural character of the project and community. Consistent with the WNCDG, the Alta Sierra project includes building materials and colors that would blend with the surrounding environment and landscape and help to screen the urban nature of the proposed building. The project features some architectural details along the side and rear exterior walls and screening/retaining wall including low stone veneer columns and an awning. However, the project does not incorporate sufficient architectural features such as windows, structural bays, roof overhangs, and other details to visually break up the appearance of the proposed exterior walls on some of the façades, particularly the walls of the proposed building facing Little Valley Road. The project also fails to comply with the WNCDG by proposing a building with a flat roofline, failing to use a height and scale that is compatible with that of surrounding development, and by failing to design the building as a group of simple forms to reduce its overall bulk.

**MM AS-4.1.1a** requires the addition of architectural features on the eastern and southern exterior walls and along the roofline to further break up the mass of the 30-foot-high structure. To provide further screening of the project site from the adjacent uses, particularly the residential uses to the east, the project proponent would be required to provide a 10-foot-wide landscape buffer in accordance with the Nevada County Code. The proposed landscaping plan shows the retention of eight oak trees and two pine trees along the east edge of the site and extensive landscaping along its entire perimeter with the exception of the access point on Alta Sierra Drive. **MM AS-4.1.1b** would require the project contractor to protect these and other trees on the site to ensure they are successfully retained after construction. In addition, as described previously, the project applicant has proposed two screening/retaining walls just inside of the landscape buffer. However, as proposed, a 30-foot-wide gap would occur between the two walls, which would not provide adequate screening of the site from the residential uses east of Little Valley Road. To further screen the project, mitigation measure **MM AS-4.1.1c** requires the addition of a third wall or extension of the currently proposed walls to close the gap.

The project would also include open space per County requirements and landscaping throughout the site that would serve as an additional buffer for adjacent uses. Implementation of mitigation measures **MM AS-4.1.1a** through **AS-4.1.1d** would reduce the project's anticipated visual impacts by requiring the addition of architectural features to further break up exterior walls and screening/retaining walls, requiring existing mature trees to be preserved, requiring a continuous wall to better screen the site from the adjacent roadway and residential uses, and requiring more aesthetically-pleasing signage.

Even with these measures, however, development of the Alta Sierra site as proposed would substantially change the existing visual character of the site particularly when viewed from the residential area to the east. As shown in the visual simulations in **Figures 4.0-2** through **4.0-5**, the combined retaining wall and rear façade of the building would still result in a substantial degradation of public views from Little Valley Road. The site is considered to be visually sensitive, as neighbors and community members consider the existing wooded character of the site to be of high visual quality, numerous public comments have been received on the project expressing concern with the change in visual character, and there is a substantial level of visual change caused by the project from a wooded, undeveloped condition to a developed state. Given the substantial degradation and change of public views of a visually sensitive site, this would be a significant impact. A reduced-size project would likely be able to reduce the severity of this impact. However, the design of such a change to the project would be subject to design and fiscal constraints that are beyond the scope of this Draft EIR. Therefore, a reduced project alternative is addressed in Chapter 16.0, Alternatives of this Draft EIR, for consideration by the Planning Commission. Given the area available for landscaping and size of the façades, additional landscaping would likely not reduce the perceived scale of the building from Little

Valley Road. No other mitigation measures are available to eliminate or substantially reduce this impact; therefore, this impact would be **significant and unavoidable**.

Mitigation Measures

**MM AS-4.1.1a** The proposed building design shall be modified to better comply with the Western Nevada County Design Guidelines to create greater visual interest and to break up the mass of building and the roofline. Design modifications could include the incorporation of structural bays, roof overhangs, awnings, and other details along the buildings eastern and southern exterior walls as well as varying the roofline so that it transitions from the height of adjacent buildings to the maximum height of the proposed building and articulating the flat roofline with cornices. No windows shall be added to the buildings eastern or southern exterior walls.

*Timing/Implementation: Prior to approval of improvement plans*

*Enforcement/Monitoring: Nevada County Planning Department*

**MM AS-4.1.1b** The 17 existing mature trees on the project site and off-site improvement area that will be retained after construction shall be identified on all grading and improvement plans as "trees to be retained." Prior to grading permit issuance, the Planning Department shall verify that this requirement has been met. Additionally, the developer shall flag the trees in the field that will be retained following construction and shall provide and maintain adequate protection measures for the trees for the duration of all site construction activities. These measures shall include providing highly visible protective barriers around the trees such plastic construction fencing and prohibiting vehicle access and storage of materials, equipment or waste within the protective barriers. The Building Department shall verify that the trees to be retained have been properly marked in the field and protected during the first grading inspection. Construction personnel shall be made aware of these protected trees and the significance of the field markings and protection measures by the general contractor prior to commencing construction activities to minimize potential direct and indirect impacts.

*Timing/Implementation: Prior to grading permit issuance and throughout construction*

*Enforcement/Monitoring: Nevada County Building Department and Planning Department*

**MM AS-4.1.1c** To minimize potential conflicts between the commercial use of this site and existing residential uses east of Little Valley Road, the developer shall revise project plans to either (1) add a third six foot tall split block face wall designed consistently with other existing walls in the area that will fill the gap shown on the preliminary plans or (2) connect the two proposed screen walls to completely screen the parking lot area. Prior to issuance of final occupancy, the Planning Department shall verify in the field that the wall has been constructed consistent with the approved plans.

## 4.0 AESTHETICS

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*Timing/Implementation:* Prior to grading permit issuance and throughout construction

*Enforcement/Monitoring:* Nevada County Building Department and Planning Department

**MM AS-4.1.1d** The developer shall revise project plans and elevations to include the use of channel letter signage. Cabinet-style signage shall be prohibited. Prior to issuance of final occupancy, the Planning Department shall verify in the field that project signage is consistent with the approved plans.

*Timing/Implementation:* Prior to approval of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

### Create New Sources of Light and Glare (Standard of Significance 4)

**Impact 4.1.2(AS)** Development of the Alta Sierra project site as proposed would introduce new sources of light and glare. **(Less than Significant with Mitigation Incorporated)**

The Alta Sierra project would introduce a variety of building materials to the site. Glass, roofing, and car windshields, among others, have the potential to reflect light and create glare visible for some distance from the site. However, as discussed under Impact 4.1.1 (AS) above, the proposed project would be reviewed for consistency with the Western Nevada County Design Guidelines prior to issuance of a development permit. The guidelines require that new projects avoid bare metal, highly reflective surfaces (glass, metallic paint, etc.), illuminated roofing, and high contrast or brightly colored glazed tile. Compliance with the design guidelines would substantially reduce the potential for glare from the proposed project. Impacts from glare would be **less than significant**.

The Alta Sierra project would also introduce new sources of light that currently do not exist on the project site. The nearest residential uses sensitive to light and glare in the project area are located on lots to the east and southeast. The closest home is located approximately 100 feet from the subject property line to the east. Other homes are within 180 to 600 feet of the project site. The plans for the proposed project identify multiple downward-facing wall light fixtures mounted along the parapets of the building, as well as two pole-mounted lights in the parking lot. The proposed signage would be externally illuminated. The Nevada County Zoning Ordinance's standards for exterior lighting require such lighting to be shielded and directed downward to prevent the light source or lens from being visible from adjacent properties and roadways. The project developer has submitted a site lighting plan (**Figure 4.0-6**). This plan includes a photometric detail showing the amount of light spill from each individual light. Based on a review of this plan, the majority of the lighting from the project site will be kept within the property boundaries, but there are three areas where light is shown to spill off-site. Therefore, this impact would be **potentially significant**.

The County's Land Use and Development Code Section L-II 4.2.8(D)(2) states that "all outdoor lighting fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways..." According to the site lighting plan submitted by the applicant, all light fixtures are designed to meet International Dark Sky requirements, including being fully shielded. With shielded lighting, the Alta Sierra project would be consistent with the County Lighting Ordinance and would not be anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. However, implementation of mitigation measures **MM AS-4.1.2a** and **MM AS-4.1.2b** would be necessary to ensure that project lighting would not expose adjacent properties and roadways to substantial

light or glare, consistent with the Nevada County Land Use and Development Code. With mitigation, this impact would be **less than significant**.

Mitigation Measures

**MM AS-4.1.2a** Prior to building permit issuance, the developer shall submit a final Site Lighting Plan/Photometric Detail that demonstrates that all light spill will be retained on the project site. Potential methods for reducing light trespass onto neighboring roads and properties include replacing the two 400-watt light fixtures located on the southwest and southeast corners of the building with light fixtures of lesser wattage and/or providing additional screening of those features. Additionally, for the northern parking lot lighting, similar or alternative methods, such as reducing the wattage of the lighting fixture or moving the pole farther into the interior of the site, shall be utilized to ensure all new lighting and glare is kept on site. The developer shall install and maintain all lighting consistent with the approved Final Site Lighting Plan. Prior to issuance of final occupancy, the Planning Department shall perform a site visit, during the dark hours, to verify that the installed lighting does not trespass onto neighboring roads or properties.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

**MM AS-4.1.2b** All lighting for advertising must meet the County Lighting and Signage Ordinance requirements. Internally illuminated signage shall be prohibited. All lighting for exterior signage or advertising shall be top mounted light fixtures which shine light downward directly onto the sign. Said lighting shall be fully shielded consistent with International Dark Sky standards. Prior to building permit issuance, the applicant shall submit a final signage plan that eliminates any reference to internally lighted signage and provides details for establishing top mounted lighting for both the monument and wall signs. Additionally, any proposed sign lighting shall be shown and taken into account in the photometric detail in the revised project site lighting plan as required by mitigation measure MM AS-4.1.2a. Prior to issuance of final occupancy, the Planning Department shall perform a site inspection to ensure that the sign lighting is installed consistent with this mitigation measure and the County Zoning Code standards.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

## 4.0 AESTHETICS

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### 4.2 PENN VALLEY SITE

#### 4.2.1 PROJECT-SPECIFIC SETTING

##### **Visual Character of the Site**

The Penn Valley site is in the Sierra Nevada foothills approximately 6 miles west of Grass Valley on a 1.2-acre portion of a 5.95-acre parcel. The general topography of the property is characterized by slightly rolling and flat terrain. Average elevation in the project area is approximately 1,400 feet above mean sea level. The change in grade over the project site is approximately 7 feet.

Vegetation on the site is dominated by annual grassland and a scattering of trees, including valley oak, Oregon ash, white alder, and arroyo willow along the perimeter of the site. In addition, Squirrel Creek is located on the 5.95-acre parcel, but not within the proposed 1.2-acre project area. The area between the stream and proposed development includes flat terrain that is vegetated primarily with non-native grass species. An unnamed drainage on the northern border of the project site flows into Squirrel Creek.

The Penn Valley site is located in an area with commercial development, some small-lot single-family homes, and areas of vacant land. The County does not identify the site as being within a scenic corridor or a scenic viewshed, nor is the site located along a state scenic highway.

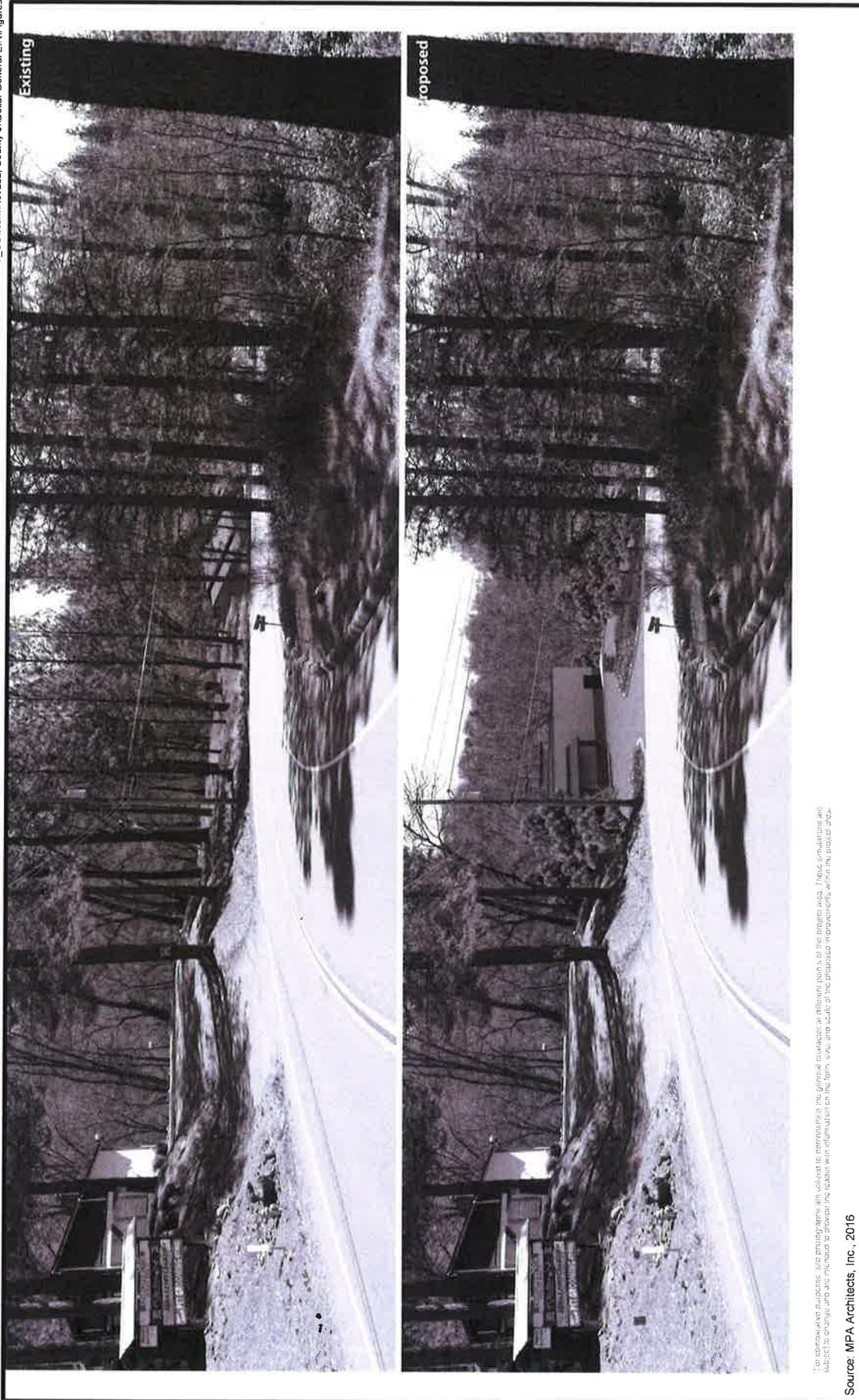
Photographs of the Penn Valley site from two key viewpoints in the vicinity, as well as a map showing the location of these viewpoints, are provided in **Figures 4.0-7** through **4.0-9**.



**FIGURE 4.0-1**  
Alta Sierra Site Key Viewpoints Location Map

Not To Scale

**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-2**  
Alta Sierra Site Viewpoint A

**Michael Baker**  
INTERNATIONAL



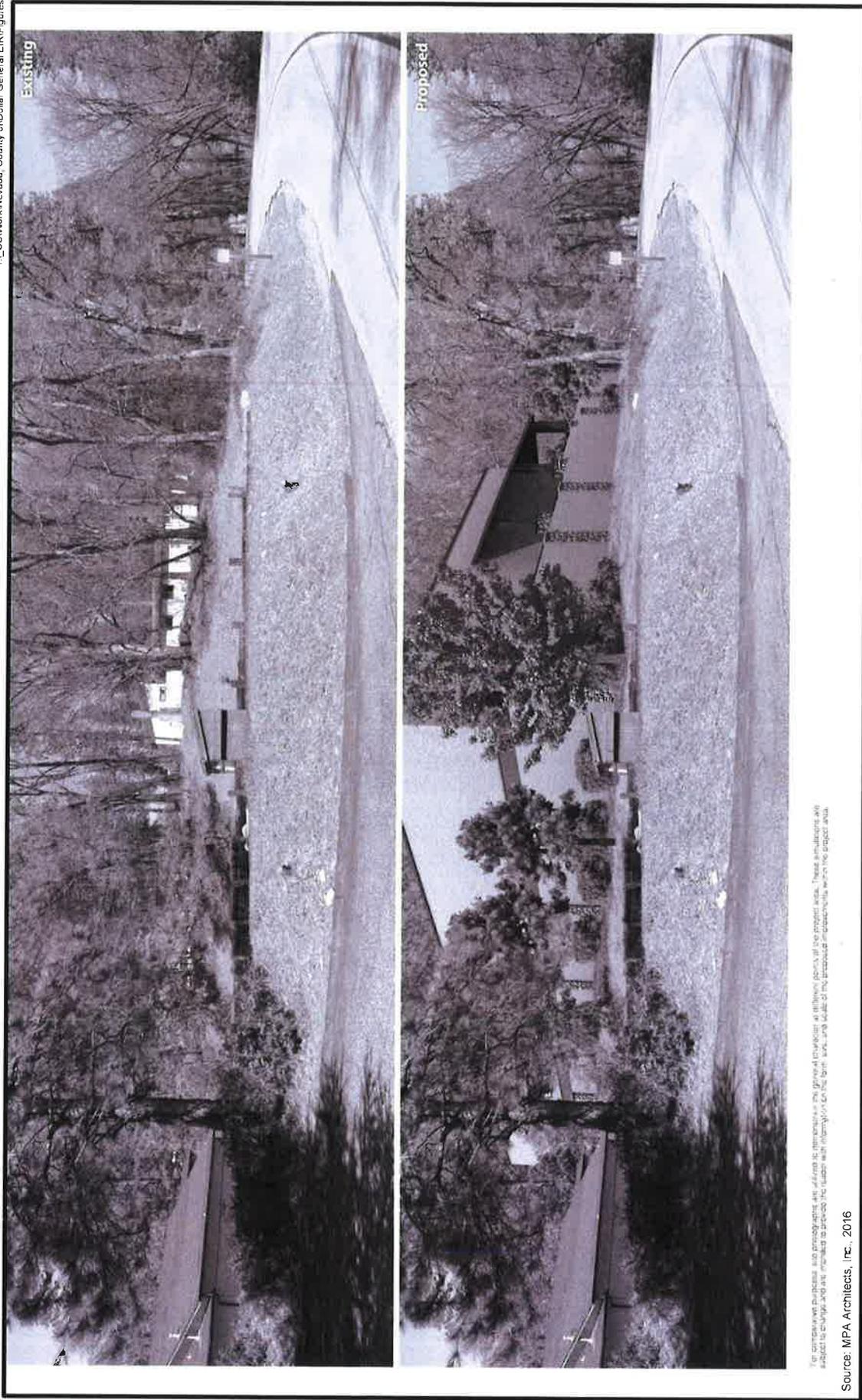
For comparative purposes, site photographs were utilized as compared to the proposed structure as defined herein as all site project areas. These simulations are subject to change and are intended to provide the reader with information on the form, scale, and color of the proposed improvements within the project area.

Source: MPA Architects, Inc., 2016

**FIGURE 4.0-3**

Alta Sierra Site Viewpoint B

**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-4**

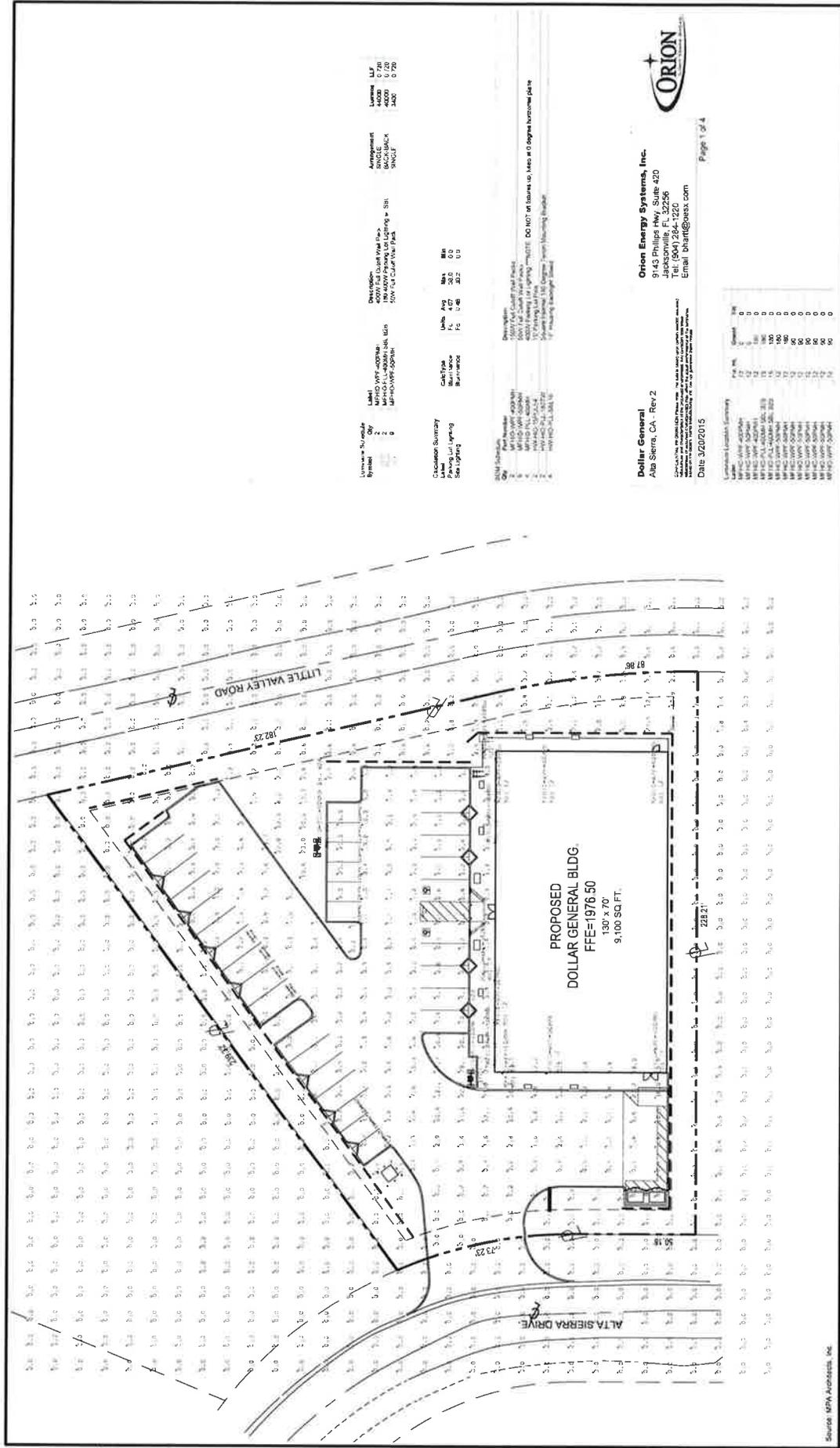
Alta Sierra Site Viewpoint C

**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-5**  
Alta Sierra Site Viewpoint D

**Michael Baker**  
INTERNATIONAL



1:CS/MS/WH/MS/CL/NG/AN/DR/GE/NT/EN/RT/IG/RS

Source: 10/14/2015, 10/14/2015, 10/14/2015

License Number: 0  
 City: 0  
 Label: 0  
 Description: 0  
 Arrangement: 0  
 LF: 0  
 LF: 0  
 LF: 0  
 LF: 0

Category: 0  
 Sub-category: 0  
 Units: 0  
 Price: 0  
 Qty: 0  
 Total: 0

Manufacturer: 0  
 Part Number: 0  
 Description: 0  
 Price: 0  
 Qty: 0  
 Total: 0

Notes: 0  
 Description: 0  
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 Description: 0  
 Price: 0  
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 Total: 0

Manufacturer: 0  
 Part Number: 0  
 Description: 0  
 Price: 0  
 Qty: 0  
 Total: 0



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**Dollar General**  
 Alta Sierra, CA - Rev2  
 Date: 3/20/2015

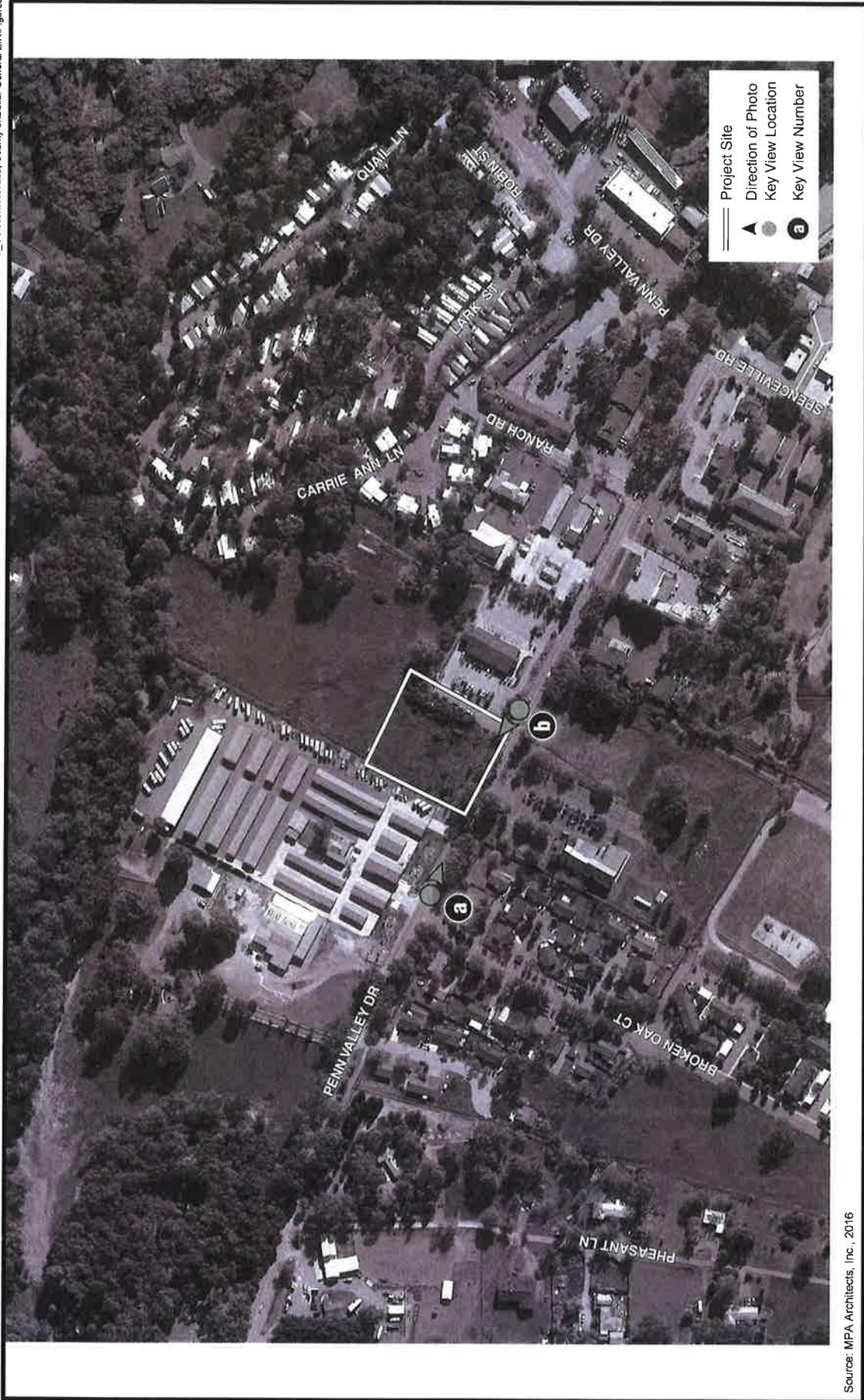
Page 1 of 4

FIGURE 4.0-6  
 Proposed Lighting Plan - Alta Sierra

Michael Baker  
 INTERNATIONAL

Not To Scale





**FIGURE 4.0-7**  
Penn Valley Site Key Viewpoints Location Map

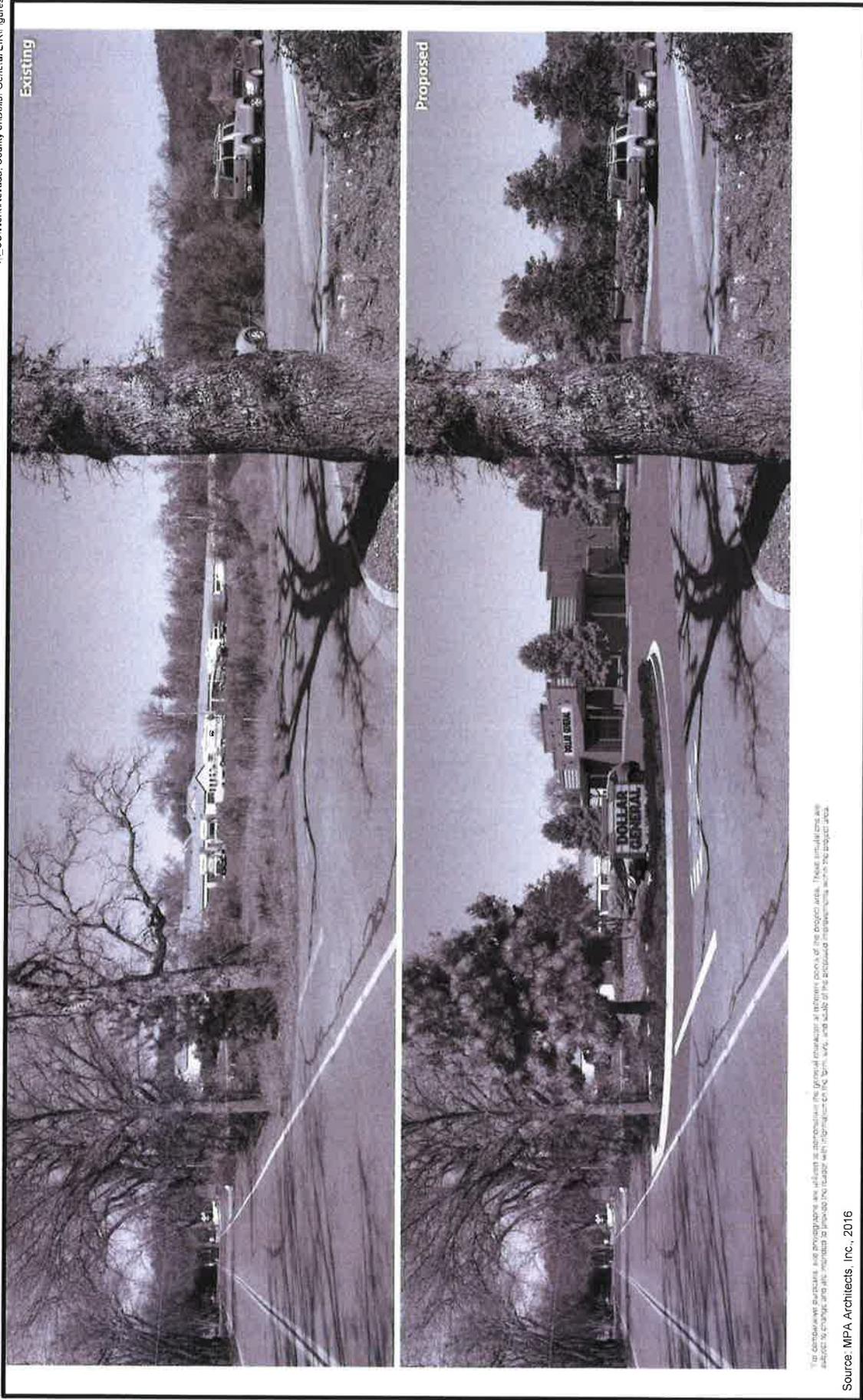
Not To Scale



**FIGURE 4.0-8**

**Penn Valley Site Viewpoint A**

**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-9**  
Penn Valley Site Viewpoint B

**Michael Baker**  
INTERNATIONAL

### Visual Character of Surrounding Uses

As shown in **Figure 2.0-6**, the project site is located in an area with existing development. To the south is Penn Valley Drive, with the Penn Valley Seventh-day Adventist Church and the Penn Valley Gardens residential subdivision farther to the south. A US Post Office, a gas station, and the Penn Valley Shopping Center are located east of the site. Northeast of the site is vacant land, followed by the Creekside Village mobile home park. Directly north of the site is vacant land and SR 20. Penn Valley Mini Storage is located west of the site.

### Light and Glare

The Penn Valley site is located adjacent to a US Post Office and the Penn Valley Mini Storage. Farther east of the site are a gas station and the Penn Valley Shopping Center. All of these uses may generate daytime glare and nighttime lighting levels in the area. However, the County has standards to provide for efficient, safe, and attractive outdoor lighting while minimizing nighttime light pollution and energy waste, as well as design standards which require that projects avoid bare metal, highly reflective surfaces (glass, metallic paint, etc.), illuminated roofing, and high contrast or brightly colored glazed tile. These requirements assist in the reduction of daytime glare and nighttime lighting in the Penn Valley area.

#### 4.2.2 REGULATORY FRAMEWORK

##### Penn Valley Village Center Area Plan

Chapter III of the Penn Valley Village Center Area Plan includes design guidelines for commercial, industrial, multi-family, and public use development. The guidelines pertain to site planning, building design, signage, lighting design, landscape design, pedestrian and bicycle access, and multi-family residential development (Nevada County 2000).

#### 4.2.3 IMPACTS AND MITIGATION MEASURES

##### Adversely Affect a Scenic Vista and/or Substantially Degrade the Visual Character of the Site (Standards of Significance 1 and 3)

**Impact 4.2.1(PV)** Development of the Penn Valley project site as proposed would convert vacant land to commercial development. Such a conversion would fundamentally alter the visual character of a portion of the site. **(Less than Significant)**

There are no officially designated scenic vistas in the project area. However, the project is located in Penn Valley and as stated previously, views of valleys are considered an important factor in Nevada County's scenic quality.

The Penn Valley project would convert approximately 1.2 acres of the project site from undeveloped land to a commercial development. New uses would include a 9,100-square-foot, 18- to 27-foot-high commercial building; 24,511 square feet of surfaced area with 46 parking spaces; and 7,039 square feet of landscaped area. All of these components would affect the visual character of the site. Elevations of the proposed building are shown in **Figure 2.0-12**.

**Figure 4.0-7** shows the location of two key viewpoints of the project site from the surrounding area. Photographs of the site in its existing condition, along with a visual simulation of the proposed development at each of these viewpoints, are provided in **Figures 4.0-8** and **4.0-9**. As shown, the

## 4.0 AESTHETICS

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proposed development would be clearly visible to motorists and pedestrians traveling along Penn Valley Drive in both directions. However, given the commercially developed nature of the area, the proposed development would be visually compatible and would not represent a substantial negative change to views in the area.

Per Section L-II 5.3, Design Review, of the Nevada County Zoning Ordinance, the Penn Valley project would be reviewed for consistency with applicable, adopted design standards, including the Western Nevada County Design Guidelines and the design guidelines in the Penn Valley Village Center Area Plan, prior to issuance of development permits. Both the Western Nevada County Design Guidelines and the Penn Valley Village Center Area plan encourage environmentally sensitive site design that is consistent with the overall architectural character of the project and community. Consistent with the design guidelines, the Penn Valley project was designed using building materials and colors that would blend with the surrounding environment and landscape and help to screen the urban nature of the proposed building. As shown in **Figure 2.0-12**, the building's exterior walls would incorporate architectural features to increase visual interest. These features include varying rooflines, building materials and colors, awnings, and decorative building-mounted lighting fixtures and door hardware.

In addition, the project would include open space per County requirements and would include landscaping throughout the site that would serve as a buffer for adjacent uses.

The project would add to a change in the existing scenic quality of Penn Valley. However, this change would be consistent with existing adjacent uses and the existing aesthetic qualities of the area. The site is not considered visually sensitive given the surrounding context of development in the area. Further, compliance with the applicable design guidelines and incorporation of open space and landscaping would reduce the project's visual intrusion by blending the proposed improvements with the surrounding environment. Therefore, development of the Penn Valley site as proposed would result in a **less than significant** impact to scenic vistas and visual character.

### Mitigation Measures

None required.

### **Create New Sources of Light and Glare (Standard of Significance 4)**

**Impact 4.2.2(PV)** Development of the Penn Valley project site as proposed would introduce new sources of light and glare. **(Less than Significant with Mitigation Incorporated)**

Development of the Penn Valley project site as proposed would introduce a variety of building materials to the site that may create glare. However, the proposed project would be reviewed for consistency with the Western Nevada County Design Guidelines, as well as the design guidelines contained in the Penn Valley Village Center Area Plan, prior to issuance of development permits. Compliance with the design guidelines would substantially reduce the potential for glare from the proposed project. Impacts from glare would be **less than significant**.

The proposed project would introduce new sources of light that currently do not exist on the Penn Valley site. The nearest residential uses sensitive to light and glare in the project area are located on lots to the southwest. The closest homes are located approximately 150 feet from the subject property line to the southwest. The plans for the proposed project identify 15 downward-facing wall light fixtures mounted along the parapets of the building, as well as 5 pole-mounted parking lot lights. The Nevada County Zoning Ordinance's standards for exterior lighting require such lighting to be shielded and directed downward to prevent the light source or lens from being

visible from adjacent properties and roadways. The lighting plan for the Penn Valley site submitted by the project applicant is shown in **Figure 4.0-10**. Based on a review of this plan, the majority of the lighting from the project site will be kept within the property boundaries, but there are areas identified where light is shown to spill off-site. Therefore, this impact would be **potentially significant**.

The County's Land Use and Development Code Section L-II 4.2.8(D)(2) states that "all outdoor lighting fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways..." According to the site lighting plan prepared by the applicant, all light fixtures are designed to meet International Dark Sky requirements, including being fully shielded. With shielded lighting, the Penn Valley project would be consistent with the County Lighting Ordinance and would not be anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. However, implementation of mitigation measures **MM PV-4.2.2a** and **PV-4.2.2b** would be necessary to ensure that project lighting would not expose adjacent properties and roadways to of substantial light or glare, consistent with the Nevada County Land Use and Development Code. With mitigation, this impact would be **less than significant**.

Mitigation Measures

**MM PV-4.2.2a** Prior to building permit issuance, the developer shall submit a final Site Lighting Plan/Photometric Detail that demonstrates that all light spill will be retained on the project site. Potential methods for reducing light trespass onto neighboring roads and properties include replacing the 400-watt parking lot light fixtures located on the south and east with light fixtures of lesser wattage, and/or providing additional screening of those features, and/or moving light poles farther into the interior of the site. The developer shall install and maintain all lighting consistent with the approved Final Site Lighting Plan. Prior to issuance of final occupancy, the Planning Department shall perform a site visit, during the dark hours, to verify that the installed lighting does not trespass onto neighboring roads or properties.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

**MM PV-4.2.2b** All lighting for advertising must meet the County Lighting and Signage Ordinance requirements. Internally illuminated signage shall be prohibited. All lighting for exterior signage or advertising shall be top mounted light fixtures which shine light downward directly onto the sign. Said lighting shall be fully shielded consistent with International Dark Sky standards. Prior to building permit issuance, the applicant shall submit a final signage plan that eliminates any reference to internally lighted signage and provides details for establishing top mounted lighting for both the monument and wall signs. Additionally, any proposed sign lighting shall be shown and taken into account in the photometric detail in the revised project site lighting plan as required by mitigation measure MM PV-4.2.2a. Prior to issuance of final occupancy, the Planning Department shall perform a site inspection to ensure that the sign lighting is installed consistent with this mitigation measure and the County Zoning Code standards.

## 4.0 AESTHETICS

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*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

### 4.3 ROUGH AND READY HIGHWAY SITE

#### 4.3.1 PROJECT-SPECIFIC SETTING

##### **Visual Character of Site**

The Rough and Ready Highway project site has an existing commercial building that would be demolished as a part of project development. The project site lies on the west slope of the Sierra Nevada foothills at an elevation of  $\pm 2,500$  feet and is a fairly level parcel. The site contains mostly non-native varieties of horticultural plants, with the exception of one ponderosa pine and three gray pines.

The site is located in an area developed with rural residential single-family homes, higher-density residential uses including a transitional housing facility and mobile home parks, and areas of vacant undeveloped land. The County does not identify the site as being within a scenic corridor or a scenic viewshed, nor is the site located along a state scenic highway.

Photographs of the Rough and Ready Highway project site from a series of key viewpoints in the vicinity, as well as a map showing the location of these viewpoints, are provided in **Figures 4.0-11** through **4.0-14**.

##### **Visual Character of Surrounding Uses**

The project site is located in a rural residential neighborhood; however, as noted above, there is an existing commercial building on the property. Adjacent land uses include two single-family residences and other rural residential uses to the west. Directly east of the site is West Drive and single-family residential uses, followed by a small mobile home park. South of the site are single-family residential uses. Across Rough and Ready Highway are single-family residential uses and transitional housing, followed by vacant undeveloped land farther to the north. In general, the project area and lands further east and southeast are largely built out with residential uses on relatively small parcels. Land further north and west of the project area is more rural with lower densities and large areas of undeveloped land.

##### **Light and Glare**

Given the rural character of the Rough and Ready Highway site and the surrounding area, it is expected that only minimal nighttime lighting is visible on or near the site associated with existing residences and vehicles traveling on area roadways. Similarly, there is daytime glare visible in the area associated with glass and other reflective building materials and vehicle windows.

#### 4.3.2 REGULATORY FRAMEWORK

There are no additional regulations, policies, or standards that pertain to the Rough and Ready Highway site other than those described in Subsection 4.0.2, above.

### 4.3.3 IMPACTS AND MITIGATION MEASURES

#### **Adversely Affect a Scenic Vista and/or Substantially Degrade the Visual Character of the Site (Standards of Significance 1 and 3)**

**Impact 4.3.1(RR)** Development of the Rough and Ready Highway project site as proposed would maintain the existing commercial use but at a greater scale. Given the rural residential character of the surrounding area, this conversion would be considered to substantially degrade the visual character of the project area. **(Significant and Unavoidable)**

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. While the General Plan does not establish specific scenic vistas in the county, it does identify visual resources that characterize Nevada County. These include the rolling vistas of foothills, valleys, mountains, meadows, forests, wetlands, and habitats unique to the Sierras. Additionally, scenic views within the county are identified as mountain peaks such as Castle Peak, vistas of Donner Lake, and the gorge of the South Fork of the Yuba River (Nevada County 1996a, p. 18-1).

There are no officially designated scenic vistas in the area of the Rough and Ready Highway site. However, the site is located in the foothills of the Sierra Nevada, views of which are considered an important factor in the county's scenic quality.

Currently, an existing single-story commercial building and associated parking lot are on the project site. The proposed Rough and Ready Highway project would maintain the existing type of use on the 1.02-acre project site as a commercial development. The proposed development includes construction of a 9,100-square-foot, 18- to 27-foot-high commercial building, along with 19,354 square feet of surfaced area, 29 parking spaces, and 8,451 square feet of landscaped area. The proposed project's building elevations are shown in **Figure 2.0-13**. The proposed development would be of substantially greater height, size, and scale compared to the existing single-story building and immediately adjacent development, which consists of one-story, single-family detached homes in a rural residential setting. It would also be substantially taller than development on the north side of Rough and Ready Highway, which consists of a combination of one-story, single-family homes and higher-density residential uses including a transitional housing facility and mobile home parks (see **Figure 2.0-7**). Surrounding the area are rural residential properties and large expanses of wooded vacant land as well as some vineyards directly to the south.

**Figure 4.0-11** shows the location of three key viewpoints of the project site from the surrounding area. Photographs of the site in its existing condition, along with a visual simulation of the proposed development at each of these viewpoints are provided in **Figures 4.0-11** through **4.0-14**. As shown, given the rural nature of the surrounding area, the proposed development would substantially change the visual character and quality of the site and would degrade views of the site from the immediately surrounding residential uses.

The proposed development would be reviewed for consistency with applicable, adopted design standards, including the Western Nevada County Design Guidelines, prior to issuance of development permits. The design guidelines encourage environmentally sensitive site design that is consistent with the overall architectural character of the project and community. The Rough and Ready Highway project includes building materials and colors that would blend with the surrounding environment and landscape and help to screen the urban nature of the proposed building. As shown in **Figure 2.0-13**, the building's exterior walls would incorporate architectural

## 4.0 AESTHETICS

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features to increase visual interest. These features include varying rooflines, building materials and colors, awnings, and decorative building-mounted lighting fixtures and door hardware. In addition, the project would preserve a portion of the site as open space per County requirements and would include landscaping throughout the site that would serve as a buffer for adjacent uses. However, the proposed reduction in parking standards allows a larger building design, and the proposed structure would be substantially larger than any other building in the immediate vicinity. Development of the Rough and Ready Highway site as proposed would result in a building that is out of scale with the development in the area and would substantially change views. Given the rural residential nature of the area, such a change would be considered to degrade the visual character and quality of the site and its surroundings.

The existing scenic quality of the project area is largely defined by small-scale rural residential development, which comprises the neighborhood. The level of viewer exposure from public roadways and concern about changes in the viewshed from Rough and Ready Highway and West Drive is high, resulting in visual sensitivity of the site to larger forms that are out of scale with the existing neighborhood. A reduced-size project would likely be able to reduce the severity of this impact. However, the design of such a change to the project would be subject to design and fiscal constraints that are beyond the scope of this Draft EIR. Therefore, a reduced building alternative is addressed in Chapter 16.0, Alternatives of this Draft EIR for consideration by the Planning Commission. Increasing the size of the property to result in less coverage is not possible due to adjacent land ownership. Blocking views of the building from the roadway would not meet with the commercial nature of the project and the need for visibility to the travelling public. The design of the structure meets County standards; however, the impact is substantially adverse in terms of the proportional size and scale of the structure relative to other smaller structures in the vicinity and the visual sensitivity of the site. Given that there are no feasible mitigation measures available to reduce this impact, this impact would be **significant and unavoidable**.

### Mitigation Measures

None available.

### **Create New Sources of Light and Glare (Standard of Significance 4)**

**Impact 4.3.2(RR)** Development of the Rough and Ready Highway project site as proposed would introduce new sources of light and glare. **(Less Than Significant with Mitigation Incorporated)**

Development of the Rough and Ready Highway site as proposed would introduce a variety of building materials to the site that may create glare. However, the proposed project would be reviewed for consistency with the Western Nevada County Design Guidelines prior to issuance of development permits. Compliance with the design guidelines would substantially reduce the potential for glare from the proposed project by discouraging the use of reflective materials and requiring materials to be painted using a neutral color palette. Impacts from glare would be **less than significant**.

As stated previously, there is an existing commercial building on the site. The existing use does not have parking lot pole-mounted lights. The only outdoor lighting appears to be spot lights mounted on the building exterior. All of this lighting would be removed with demolition of the existing building.

Implementation of the proposed project would introduce new sources of light that currently do not exist on the project site. The nearest residential uses sensitive to light and glare in the project area are single-family homes located immediately south and west of the site. The plans for the

proposed project identify 11 downward-facing wall light fixtures mounted along the parapets of the building, as well as 2 pole-mounted parking lot lights. The Nevada County Zoning Ordinance includes standards for exterior lighting that require such lighting to be shielded and directed downward to prevent the light source or lens from being visible from adjacent properties and roadways. The lighting plan for the Rough and Ready Highway site provided by the project applicant is shown in **Figure 4.0-15**. Based on a review of this plan, the majority of the lighting from the project site will be kept within the property boundaries, but there are areas identified where light is shown to spill off-site. Therefore, this impact would be **potentially significant**.

The County's Land Use and Development Code Section L-II 4.2.8(D)(2) states that "all outdoor lighting fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways..." According to the site lighting plan prepared by the applicant, all light fixtures are designed to meet International Dark Sky requirements, including being fully shielded. With shielded lighting, the Rough and Ready Highway project would be consistent with the County Lighting Ordinance and would not be anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. However, implementation of mitigation measures **MM RR-4.3.2a** and **RR-4.3.2b** would be necessary to ensure that project lighting would not expose adjacent properties and roadways to of substantial light or glare, consistent with the Nevada County Land Use and Development Code. With mitigation, this impact would be **less than significant**.

#### Mitigation Measures

**MM RR-4.3.2a** Prior to building permit issuance, the developer shall submit a final Site Lighting Plan/Photometric Detail that demonstrates that all light spill will be retained on the project site. Potential methods for reducing light trespass onto neighboring roads and properties include light fixtures of lesser wattage, and/or providing additional screening of those features, and/or moving light poles farther into the interior of the site. The developer shall install and maintain all lighting consistent with the approved Final Site Lighting Plan. Prior to issuance of final occupancy, the Planning Department shall perform a site visit, during the dark hours, to verify that the installed lighting does not trespass onto neighboring roads or properties.

*Timing/Implementation:* Prior to issuance of building permits and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department and Building Department

**MM RR-4.3.2b** All lighting for advertising must meet the County Lighting and Signage Ordinance requirements. Internally illuminated signage shall be prohibited. All lighting for exterior signage or advertising shall be top mounted light fixtures which shine light downward directly onto the sign. Said lighting shall be fully shielded consistent with International Dark Sky standards. Prior to building permit issuance, the applicant shall submit a final signage plan that eliminates any reference to internally lighted signage and provides details for establishing top mounted lighting for both the monument and wall signs. Additionally, any proposed sign lighting shall be shown and taken into account in the photometric detail in the revised project site lighting plan as required by mitigation measure MM RR-4.3.2a. Prior to issuance of final occupancy, the Planning Department shall perform a site inspection to ensure that the sign

## 4.0 AESTHETICS

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lighting is installed consistent with this mitigation measure and the County Zoning Code standards.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

### 4.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

#### CUMULATIVE SETTING

The cumulative setting for visual resources consists of each of the project sites, as well as all existing, approved, proposed, and reasonably foreseeable development in the visible range of each project site.

**Alta Sierra Site:** The cumulative setting for the Alta Sierra site is characterized by rural commercial development, hillside residential development, and open space. To guide the future uses in the area, the Nevada County General Plan designates the immediate area as a Rural Center with commercially designated land uses (Highway Commercial [HC] and Neighborhood Commercial [NC]) to the immediate north, south, and west of the site. Surrounding the Rural Center are properties identified with the General Plan land use designation of Planned Residential Community (PRC) to the east, Estate (EST) to the south and west, and Urban Medium Density (UMD) to the north. As shown in **Table 17.0-1** in Section 17.0, Other CEQA Considerations, the closest approved project in the surrounding area is Forest Springs Mobile Home Park, which is located approximately 1,800 feet north of the Alta Sierra Rural Center and approximately 1.0 mile from the project site. Hundreds of trees were recently removed from this site as the project began construction, and the tree removal is highly visible from SR 49. However, the Dollar General site is not readily visible to travelers along SR 49 as the project site is approximately 0.10 of a mile from and approximately 50 feet lower in elevation than SR 49, which is the major public view corridor of the Forest Springs Mobile Home Park. Due to these factors and the intervening development on SR 49, these projects lack any substantive visual connection.

**Penn Valley Site:** The cumulative setting for the Penn Valley site is characterized by commercial development, medium-density residential development, and open space. The Nevada County General Plan identifies the immediate area as a part of the Penn Valley Village Center with Community Commercial (CC) land uses adjacent to the site. Surrounding General Plan land uses include Urban Medium Density to the southwest and northeast. There are three Penn Valley projects included in **Table 17.0-1** in Section 17.0, Other CEQA Considerations, which is a list of approved and proposed projects in the surrounding area. None of these three projects is on Penn Valley Drive or in the Penn Valley Village Center. Because none of these projects has visual connection to the proposed Penn Valley Dollar General project, they are not included in the cumulative visual setting and analysis.

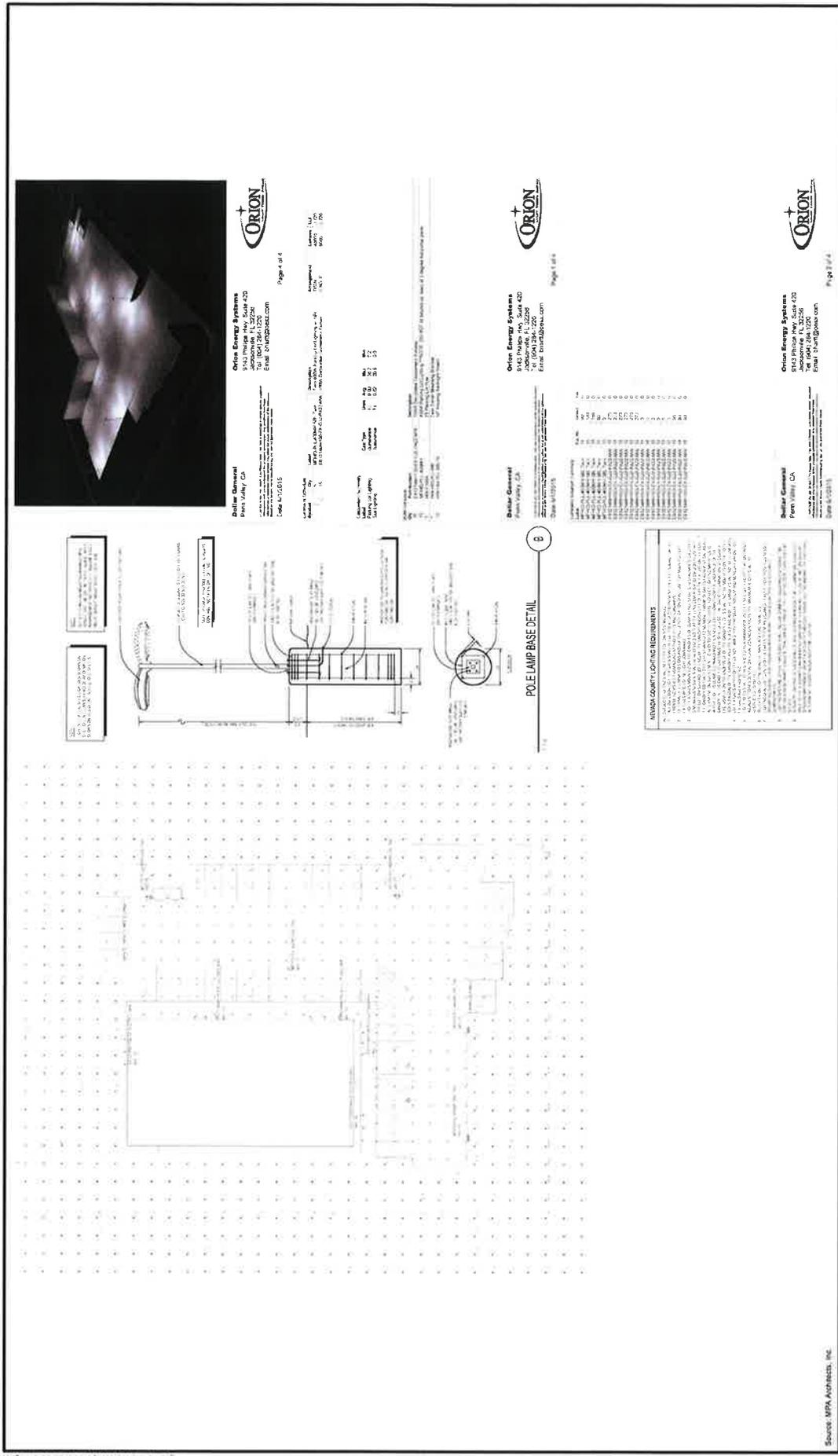


FIGURE 4.0-10  
 Proposed Lighting Plan – Penn Valley  
**Michael Baker**  
 INTERNATIONAL

Not To Scale



Not To Scale

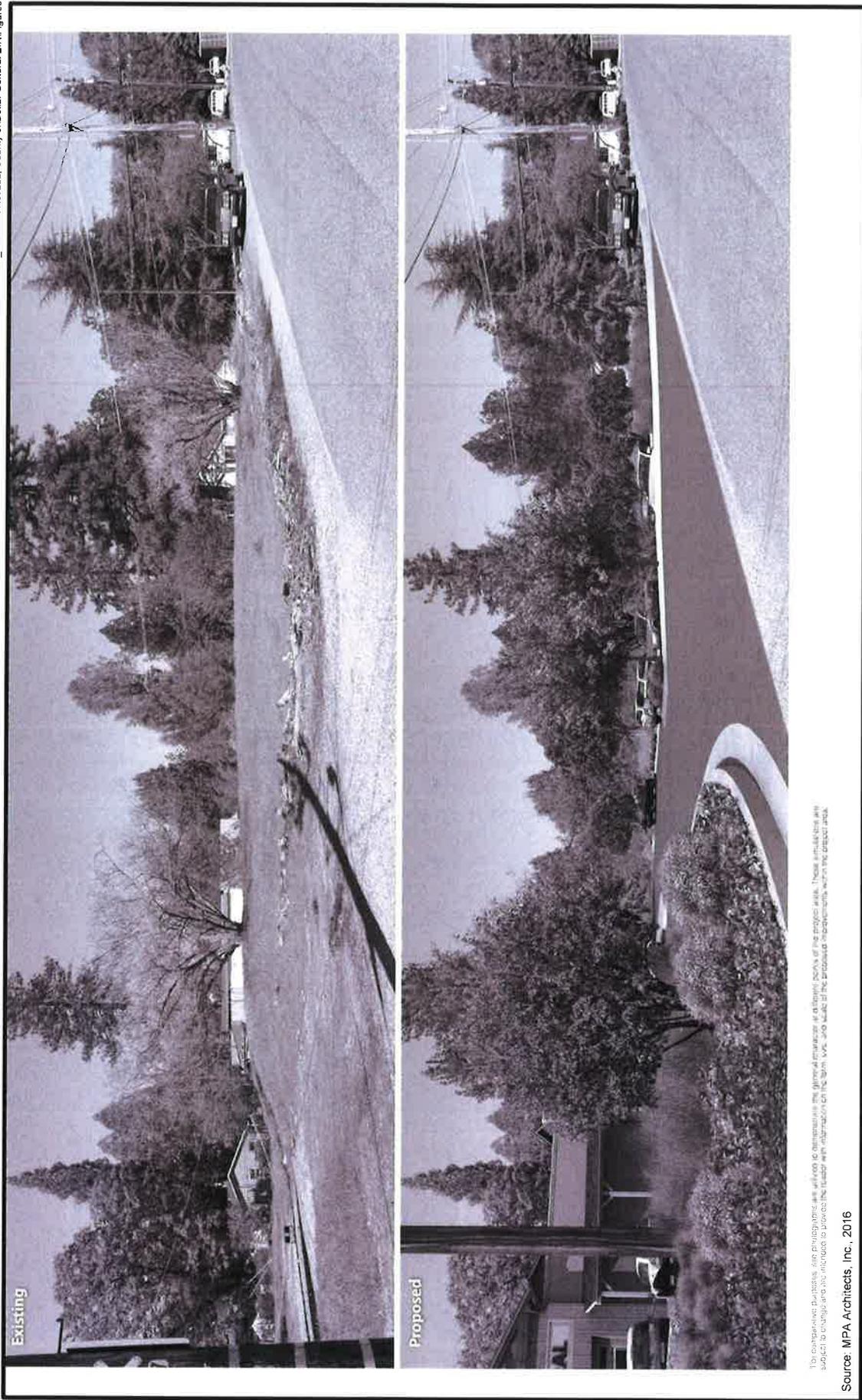
**FIGURE 4.0-11**  
Rough and Ready Highway Site Key Viewpoints Location Map



**FIGURE 4.0-12**  
Rough and Ready Highway Site Viewpoint A



**FIGURE 4.0-13**  
Rough and Ready Highway Site Viewpoint B



**FIGURE 4.0-14**  
Rough and Ready Highway Site Viewpoint C

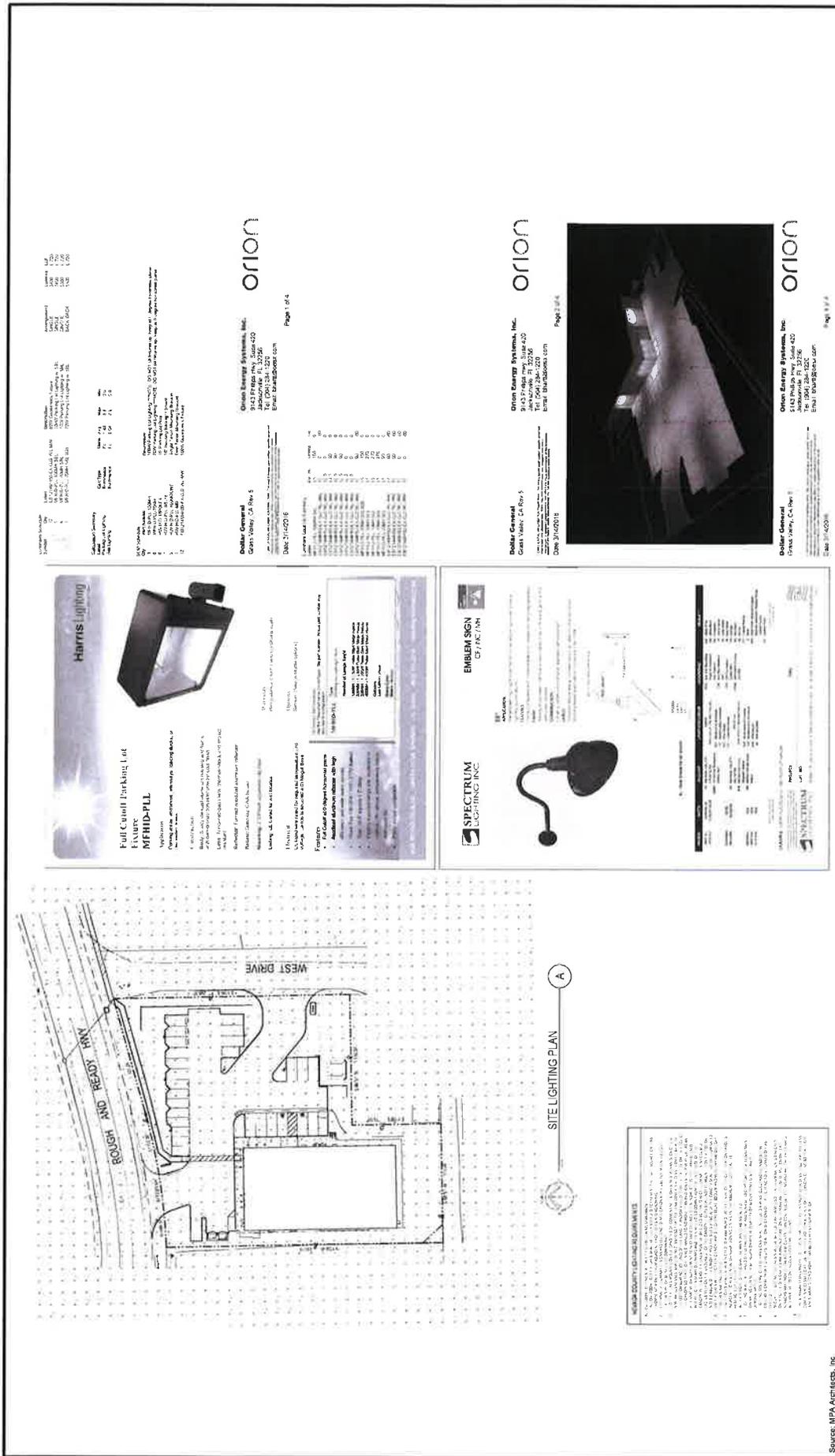


FIGURE 4.0-15  
Proposed Lighting Plan – Rough and Ready Highway  
Michael Baker  
INTERNATIONAL

Not To Scale

Source: MPA Architects, Inc.

**Rough and Ready Highway Site:** The cumulative setting for the Rough and Ready Highway site is characterized by rural commercial development, single-family residential development, and open space. A large community church is also located approximately one-half mile east of the site, although it is not within the same Sunset neighborhood and cannot be seen from the site. The Nevada County General Plan designates the adjacent lands as Neighborhood Commercial land uses. Surrounding General Plan land uses include Urban High Density, Estate, and Residential. As shown in the list of approved and proposed projects in the surrounding area in **Table 17.0-1** in Section 17.0, Other CEQA Considerations, of the approved and proposed projects known at this time, Yuba River Charter School is the nearest approved project. It is located on the Rough and Ready Highway corridor nearly 1 mile east of the proposed Dollar General project. Between the two projects is a large tract of open space and the Sunset neighborhood. Although the Yuba River Charter School project is on the same public road corridor as the proposed Rough and Ready Highway Dollar General, the distance between the two projects precludes its inclusion in the cumulative visual setting of the proposed Dollar General store.

#### CUMULATIVE IMPACTS AND MITIGATION MEASURES

##### Cumulative Aesthetic and Lighting Impacts – Alta Sierra

**Impact 4.4.1(AS)** The Alta Sierra project site is located in a largely developed rural commercial center surrounded by rural residential development and a highway. Cumulative development in the area would substantially alter the existing visual character of the area and generate substantial new light or glare. **(Cumulatively Considerable and Significant and Unavoidable)**

Cumulative development in the vicinity of the Alta Sierra project site, as guided by the Nevada County General Plan, would result in the ongoing conversion of vacant and underutilized properties to more urbanized uses. This ongoing conversion will result in a gradual transition from a rural environment dominated by natural features and scattered development to a more urban environment dominated by development. Future development projects would be subject to the County's development standards and adopted design guidelines, which are intended to protect existing uses, minimize light spillage, and design new development to blend with the character of the surrounding area. Development consistent with these standards and guidelines would ensure cumulative lighting would not result in a significant impact. However, a general conversion from rural to urban uses would result in substantial changes to the visual character of the area that cannot be fully mitigated. Therefore, this would be a **significant** cumulative impact.

As described in Impact 4.1.1(AS) above, development of the Alta Sierra project site would have a significant and unavoidable impact on the visual character and quality of the site and surrounding area. There are no mitigation measures available that could reduce this impacts to a level of insignificance. Therefore, the proposed project's contribution to this cumulative impact would be **cumulatively considerable** and **significant and unavoidable**.

##### Mitigation Measures

None available.

##### Cumulative Aesthetic and Lighting Impacts – Penn Valley

**Impact 4.4.2(PV)** The Penn Valley project site is located in an area developed with similar commercial uses along a developed corridor. Cumulative development would contribute to the ongoing transition of the area to urban uses. Compliance with

## 4.0 AESTHETICS

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existing development standards and applicable design guidelines would reduce cumulative aesthetic and lighting impacts. **(Less than Cumulatively Considerable)**

Development in the vicinity of the Penn Valley project site includes commercial uses consistent with the Nevada County General Plan and the Penn Valley Center Area Plan. Future development in the area would represent a logical expansion of the existing commercial center that serves the surrounding community. Each development project would be subject to the County's development standards and adopted design guidelines, which are intended to protect existing uses, prevent light spillage, and ensure that new development blends with the character of the surrounding area. Therefore, the cumulative impact would be **less than cumulatively considerable** and development of the proposed project would not alter the significance of the overall change.

### Mitigation Measures

None required.

### **Cumulative Aesthetic and Lighting Impacts – Rough and Ready Highway**

**Impact 4.4.3(RR)** The Rough and Ready Highway project site is located in an area dominated by rural residential development and open space. Cumulative development in the area would substantially alter the existing visual character of the area and generate substantial new light or glare. **(Cumulatively Considerable and Significant and Unavoidable)**

Based on existing zoning and General Plan designations, cumulative development in the vicinity of the Rough and Ready Highway project site would result in the conversion of vacant and underutilized properties to residential and commercial uses in the Sunset neighborhood viewshed. A general conversion from the existing rural residential area to a more developed area would result in a change to the existing visual environment that would be subject to the County's development standards and adopted design guidelines, which are intended to protect existing uses, minimize light spillage, and ensure that new development blends with the character of the surrounding area.

As described in Impact 4.3.1 (RR) above, the proposed project is larger in scale and size than other commercial uses in the vicinity. The church which is located 0.5 mile to the east on Rough and Ready Highway is an institutional use, which differs in nature from a commercial use. Due to the size and scale of the Rough and Ready Highway project relative to the existing residential development in the immediate vicinity, and the sensitivity of the site which is based on the high level of viewer exposure from Rough and Ready Highway and West Drive, and concern of residential viewers, the project would have significant and unavoidable impacts on the visual character of the site and surrounding area. The larger scale of the proposed project would in turn contribute to the likelihood of the proposal of additional commercial development that, in order to relate aesthetically and economically to the Dollar General store, would also be out of scale with the existing neighborhood. There are no mitigation measures available that could reduce this impact to less than significant. Because of the project's prominence along Rough and Ready Highway and its scale relative to the surrounding uses, the proposed project's contribution to this cumulative impact would be **cumulatively considerable** and **significant and unavoidable**.

### Mitigation Measures

None available.

**REFERENCES**

Caltrans (California Department of Transportation). 2015. California Scenic Highway Mapping System. [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm).

Costella (Costella Environmental Consulting). 2015. *Management Plan for Oak Resources Dollar General - Alta Sierra and Addendum to the Biological Inventory*.

Nevada County. 1996a. *Nevada County General Plan, Volume 1: Goals, Objectives, Policies and Implementation Measures*. Updated 2008, 2010, and 2014.

———. 1996b. *Nevada County General Plan, Volume 2: Background Data and Analysis*.

———. 2000. *Penn Valley Village Center Area Plan Nevada County, California*.

———. 2002. *Western Nevada County Design Guidelines*.

## 4.0 AESTHETICS

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**From:** Dominic Perri  
**To:** Steve Geiger  
**Subject:** New Holiday market  
**Date:** Tuesday, November 18, 2025 7:54:37 AM

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My name is Nick Perri. I have lived in Lake Wildwood for 10 years. Im sending you this email in support of the new Holiday market project. Every person I talk to here are very much looking forward to a new Holiday market . Please dont let the few who live here that are upset because they will no longer be able to drive their golf cart to the store have any influence on this project. Thank you.....Nick Perri  
Sent from my iPad

**From:** [Perla Lovejoy](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market in Penn Valley  
**Date:** Tuesday, November 18, 2025 8:47:21 AM

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Dear Mr. Geiger:

The idea of a larger market for our community in Penn Valley is a wonderful concept. Holiday Market is an important resource for food and other goods for those of us who live in Penn Valley. We welcome the move and having access to a larger store. Holiday Market is very receptive to our requests and concerns, and a new larger store will allow the employee owned business to grow even more and offer the convenience of shopping locally.

Perhaps for some folks who happen to live across the street and happily drive there with their golf carts is not such a good idea.

As for the rest of us, this market is very important to us not only for what they sell but also providing employment to people who are so friendly and courteous.

Thank you

Perla Lovejoy  
13755 Gold Country Rd Penn Valley

**From:** Sharon Sands  
**To:** Steve Geiger  
**Subject:** Support for Holiday Market  
**Date:** Tuesday, November 18, 2025 11:21:39 AM

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Hi Mr Geiger,

We are letting you know that we are in support of the proposed new Holiday Market plans being approved as soon as possible.

Thanks for noting or approval.

Best regards,  
Sharon and John Langford

(Former LWW residents currently living in Canyon Creek Estates)  
Penn Valley, CA

**From:** [JAS. M TILLMAN JR](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market in Penn Valley  
**Date:** Tuesday, November 18, 2025 12:58:36 PM

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Hi Steve,

I am Pat Tillman and live in Penn Valley. First could you email me a better map of the proposed New Holiday Market. Mainly cannot see the clear streets, store etc. Thanks.

Second, The Lake Wildwood Assn. should have no more say than the people on the outside of the Assn. I happen to be one of them. I live in Penn Valley on Horton St. This store is for the good of all the people in Penn Valley. Plus, another thought, the older Golf Cart generation that lives in Lake Wildwood would not be able to just jet across Pleasant Valley to the store. Sometimes, people need to think of others. Give up the golf carts. Use your cars like the rest of us. Golf carts can't be driven on Pleasant Valley Road and that might be a reason the Lake Wildwood Assn. does not seem to want the new store????? Maybe the Assn. and the store can make a back road for the golf carts??????

Many of the people in Lake Wildwood are renters not homeowners. Therefore there is a possibility that they will not be staying/living in Lake Wildwood forever like most of us homeowners. Second, the population growth in Penn Valley is growing everyday and we need a larger market to fulfill the needs of all of the citizens of our area.

I am a retired educator and see the needs of all people in the area. Change is and has been coming in the area for a long time. People need to change with the times and meet the needs of those people.

Our family is FOR building the New Holiday Market!

Have a very nice day.

Sincerely,

Pat Tillman  
P. O. Box 12

Rough and Ready, CA 95975

**From:** Brian Foss  
**To:** Steve Geiger  
**Subject:** FW: Voice message from DANIEL COLLINS[5302636475] MB: 6628  
**Date:** Tuesday, November 18, 2025 4:22:29 PM  
**Attachments:** [682877.wav](#)

---

Hi Steve,

Voice mail in support of the Holiday Market for the record.

-----Original Message-----

From: George Schureck <George.Schureck@nevadacountyca.gov>  
Sent: Tuesday, November 18, 2025 3:56 PM  
To: Brian Foss <Brian.Foss@nevadacountyca.gov>  
Subject: FW: Voice message from DANIEL COLLINS[5302636475] MB: 6628

Brian,

This voice message is regarding the potential relocation of the Penn Valley Holiday Market store.

George

-----Original Message-----

From: Building Department <BuildingDept@nevadacountyca.gov>  
Sent: Tuesday, November 18, 2025 3:44 PM  
To: George Schureck <George.Schureck@nevadacountyca.gov>  
Subject: FW: Voice message from DANIEL COLLINS[5302636475] MB: 6628

-----Original Message-----

From: DANIEL COLLINS <donotreply@nevcounty.net>  
Sent: Tuesday, November 18, 2025 11:22 AM  
To: Building Department <BuildingDept@nevadacountyca.gov>  
Subject: Voice message from DANIEL COLLINS[5302636475] MB: 6628

Message length: 92 s. (380 kb.)

**From:** [JOHN & SYLVIA WRIGHT](#)  
**To:** [Steve Geiger](#)  
**Subject:** Yes on new Holiday Market  
**Date:** Tuesday, November 18, 2025 5:42:35 PM

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I regret that I missed the Nov. 17 deadline for public comment. Please include my comments in the record if possible.

I support the location and design of the new Holiday Market in Penn Valley. I understand the concerns about traffic and I believe the county staff will address problems that arise. Or, we'll just sit and wait for our chance to turn on Pleasant Valley Road. It's not a big deal. I support the addition of a second left-turn lane from Pleasant Valley Road onto SR 20 eastbound.

I want to be able to shop in Penn Valley and not have to drive to Grass Valley for all the groceries I need that don't fit in the current store. The new store will eliminate two trips per week to GV for my family. That makes us safer, saves us gas money, and reduces air pollution.

I say YES to the market as proposed.

Sylvia Wright  
14460 Lodgepole Drive  
Penn Valley, CA 95946



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## Central Valley Regional Water Quality Control Board

17 November 2025

Steve Geiger  
Nevada County Community Development Agency  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959-7902  
[steve.geiger@nevadacountyca.gov](mailto:steve.geiger@nevadacountyca.gov)

**COMMENTS TO REQUEST FOR REVIEW FOR THE , PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007 (PENN VALLEY HOLIDAY MARKET) PROJECT, NEVADA COUNTY**

Pursuant to the Nevada County Community Development Agency's 17 October 2025 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review* for the PLN24-0089; GPA24-0003; RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007 (Penn Valley Holiday Market) Project, located in Nevada County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

### **I. Regulatory Setting**

#### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has

adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention

Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

#### **Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

#### **Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

#### **Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

#### **Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water

NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water issues/waste to surface water/](https://www.waterboards.ca.gov/centralvalley/water%20issues/waste%20to%20surface%20water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2004/wqo/wqo2004-0004.pdf)

### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board decisions/adopted orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board%20decisions/adopted%20orders/waivers/r5-2018-0085.pdf)

### **Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

PLN24-0089; GPA24-0003; RZN24-0003; - 5 -  
DVP24-2; MGT24-0011; EIS24-0007  
(Penn Valley Holiday Market) Project  
Nevada County

17 November 2025

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



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