

4.2 LAND USE AND PLANNING

This section evaluates the proposed project's compatibility with existing land uses and its consistency with relevant planning policies. For the most part, direct and indirect physical impacts resulting from project implementation are not addressed in this section, but rather in their appropriate technical sections of the EIR. For example, direct impacts such as dust and noise from project construction are addressed in Section 4.5 (Air Quality), and Section 4.11 (Noise), respectively.

4.2.1 ENVIRONMENTAL SETTING

SITE CHARACTERISTICS AND SURROUNDING LAND USES

Sites 1 through 9 (City of Grass Valley Sphere of Influence)

Site 1

Site 1 is located in the City of Grass Valley Sphere of Influence, in western Nevada County, adjacent to the western boundary of the City of Grass Valley (City). The site is currently undeveloped and relatively flat. Most of the site has been cleared from previous activities on the property, containing open grassland, with the remaining dominant vegetation habitat. Existing residential and commercial development is located in the vicinity of the site. Nearby uses include commercial uses such as a computer repair shop, a jujitsu studio, a fire station and the Nevada County fairgrounds located across McCourtney Road.

Site 2

Site 2 is located in the City of Grass Valley Sphere of Influence, in western Nevada County, adjacent to the northeastern boundary of the City. The site is currently undeveloped and of moderate slope. The site has a mix of Sierran mixed forest on the elevations and several large diameter oaks within the mixed Sierran forest. The southwest portion of the site along La Barr Meadows Road supports a small area with a mix of upland and wetland species. The site is located adjacent to a mix of commercial office professional uses to the north and light industrial uses to the south. State Route 49 is located just west of the site. Empire State Park is located to the northeast.

Sites 3 through 9

Sites 3 through 6 and Site 9 are contiguous. Sites 7 and 8, also contiguous, are located directly across Brunswick Road from Site 3. Because of their proximity, the sites have very similar characteristics and have the potential to be developed as one site. The combined acreage for the seven sites is 61.52 acres. The sites are currently undeveloped and of moderate slope. The sites have large trees and understory shrubs. A tributary to Wolf Creek runs along the extreme southeast parcel boundary adjacent to Sites 3 and 7. An intermittent stream bisects the west side of Site 7, parallel with Brunswick, and has associated riparian vegetation. Existing development in the vicinity of the sites includes office and professional uses including medical offices located north of the sites. Further north along Brunswick Road are a wide range of commercial and retail uses. To the east of the sites are multi-family residences along Sutton Way. To the south and east are a mix of large lot single family residences with some equestrian uses.

Sites 10 through 13 (Penn Valley Area)

Sites 10 through 13

These four sites are being evaluated together because the sites are contiguous or very close together. Because of their proximity, the sites have very similar characteristics and have the potential to be developed as one site. Sites 10 and 11 are under the same ownership, while Site 13 is under a separate ownership. These sites are located in the community of Penn Valley in the unincorporated area of Nevada County and not within a Sphere of Influence of another jurisdiction. These sites are currently undeveloped and relatively flat with little to no slope. Sites 10 and 13 have a portion of Squirrel Creek that runs across a portion of the properties with associated wetlands traversing the northern portion of Site 10 (covering approximately half of the site) and southeastern portion of Site 13. Although no drainages are present on Sites 11 and 12, both sites have small wet areas. Site 13 is the only site of this group with an oak woodland. Sites 11, 12, and 13 have scattered Landmark Oaks onsite. The sites are located adjacent to an existing mobile home park, post office, and self-storage business. Other uses in the area include a mix of single family residential, civic, commercial and light industrial businesses. These sites have nearby access to SR-20 located just north of the properties. A separated pedestrian and bicycle path runs on the northern side of Penn Valley Drive from Western Gateway Park east to just east of Pheasant Lane where it crosses to the south side of Penn Valley Drive. Collectively these sites compromise approximately 33.52 acres of developable land.

Sites 14-18 (Lake of the Pines Area)

Site 14

Currently, the site is undeveloped and is of moderate slope. This site contains a mature blue oak woodland which covers an estimated 80 percent of the site. The remainder of the site is covered with mixed interior live oak and blue oak. Most of the existing development immediately adjacent to the parcel to the north is single family residential development. To the west is SR 49. To the east is an electrical substation and some other utility infrastructure. South of the site are some commercial businesses that include some professional office uses and retail commercial area, including a commercial shopping center (Higgins Village) with a drugstore anchor tenant.

Sites 15 and 16

These two sites are being evaluated together because the sites are contiguous. Because of their proximity, the sites have very similar characteristics and have the potential to be developed as one site. The collective size of these sites is approximately 24 acres. The sites both have one existing single-family residence onsite and both are of moderate slope. Site 15 contains a narrow band of blue oak woodland along the western boundary of the parcel, with the remainder of the parcel consisting of oak woodland dominated by black oak. The area along western boundary of Site 16 supports oak woodland with some larger oaks scattered throughout site. Most of the existing development immediately adjacent to the parcels to the south and east is single family residential development. To the northwest is a retail commercial area, including a commercial shopping center (Higgins Village) with a drugstore anchor tenant. A self-storage building to the west is adjacent to the parcel boundary of Site 16. To the north are commercial businesses that include some professional office uses.

Site 17

The site is undeveloped and of moderate slope. A portion of Ragsdale Creek traverses the northern portion of the site. The creek supports riparian habitat. This site contains black oak dominated oak woodland outside of riparian zone. Most of the existing development immediately adjacent to the parcel to the west, south, and east is single family residential development. To the north is Combie Road and a small strip mall with commercial businesses that include some professional office uses.

Site 18

The site is undeveloped and of moderate slope. The southern half of the site is blue oak dominated oak woodland. Scattered larger oaks within oak woodland could qualify as Landmark Oaks. Most of the existing development immediately adjacent to the parcel to the west and south is single family residential development. To the north and east are fairways of the Dark Horse Golf Club. Combie Road borders the property to the south. This site is Phase IV of the Darkhorse Subdivision and is currently slated to accommodate up to 30 units of affordable housing as a condition of approval.

4.2.2 REGULATORY SETTING**LOCAL FRAMEWORK**

The proposed project areas are currently under the jurisdiction of Nevada County and within the City of Grass Valley's Sphere of Influence (SOI) and Planning Area.

Nevada County General Plan and Zoning Ordinance

The Nevada County General Plan (County General Plan) is the long term policy guide for physical development of the County. The County General Plan consists of central themes, goals, policies and implementation programs that help direct and shape the growth of the County. The Nevada County Zoning Ordinance (Zoning Ordinance) serves as the primary tool to implement and ensure consistency with the goals, objectives, and policies of the County General Plan by providing information on zoning types, site development standards, permitting requirements, allowed land uses and other development standards. The Zoning Ordinance applies to all land uses and development within the unincorporated areas of Nevada County.

Although all of the proposed project sites (Sites 1 through 18) are currently located within the County's jurisdiction, the proposed project assumes the annexation of Sites 1 through 9 into the City.

Land Use Element

The County has set a vision for future development within the region to be a balanced, self-sustaining community. As such, the County has developed the goals, polices, and land use patterns within the Land Use Element of the County General Plan which balances growth between rural and urban areas, as well as providing a balance between housing, employment, natural resources, and services in the County as a key element in maintaining the quality of life and unique character of the County.

Nevada County Land Use Designations

Sites 1 through 9

Sites 1 through 9 are currently located within the County of Nevada's jurisdiction and are governed by the County General Plan and Zoning Ordinance. In addition, these sites are also located within the Grass Valley Sphere of Influence and Planning Area and included within the City of Grass Valley General Plan Land Use Map. However, it should be noted that the sites are not included within the City's Zoning Map.

- Site 1 is designated as Office Professional (OP) on both the County's General Plan and Zoning Land Use maps. The OP General Plan designation is intended to provide for office uses, including business, medical, dental and other professional, as well as supporting business services, at intensities of development, which complement other commercial centers and are compatible in scale with nearby residential neighborhoods. The OP zoning designation provides for areas for the development of professional and administrative offices and related uses and structures that complement other commercial centers and are considered compatible with adjacent residential and related uses.
- Site 2 is designated as Business Park (BP) on both the County's General Plan and Zoning land site maps. The BP General Plan designation is intended to provide for a variety of related and mutually supporting manufacturing, distribution, processing, service, and research and development uses. The BP zoning district provides areas for a variety of related uses, including manufacturing, distribution, processing, service, and research and development.
- Sites 3 through 6, and Site 9 are designated as Urban Medium Density Residential (UMD) on the County's General Plan Land Use Map and zoned Medium Density – Planned Development Base District (R2-PD). The UMD designation is intended to provide for residential uses, including affordable single-family dwellings on smaller lots, and multi-family housing types at moderate densities, of up to six dwelling units per acre, in locations with convenient access to transportation facilities (including arterial and major collector roads and public transit), shopping and services, employment, recreation and other public facilities. Areas of urban medium density residential use may provide locations appropriate for the development of affordable housing through clustering of single-family residences or other design techniques. The R2 zoning designation provides for moderate density multiple-family housing, as well as other dwelling unit types, permitting densities up to six dwelling units. The PD is appropriate for the development of affordable housing through clustering of residences or other design techniques.
- Sites 7 and 8 are designated as Urban Medium Density Residential (UMD) and zoned Residential Agriculture with a density equivalent to 1.5 acre minimum parcel size (RA-1.5). The UMD designation is intended to provide for residential uses, including affordable single-family dwellings on smaller lots, and multi-family housing types at moderate densities, of up to six dwelling units per acre, in locations with convenient access to transportation facilities (including arterial and major collector roads and public transit), shopping and services, employment, recreation and other public facilities. Areas of urban medium density residential use may provide locations appropriate for the development of affordable housing through clustering of single-family residences or other design techniques. The RA-1.5 zoning designation established provisions for low-density single-family dwellings.

Sites 10 through 13

- Sites 10 and 11 are designated as Community Commercial (CC) on the County's General Plan Land Use Map and zoned Community Commercial - Site Performance Combining District (C2-SP). The CC designation is intended to provide a wide variety of commercial uses, and limited mixed use employment opportunities, to serve large geographic areas with a wider range of goods and services than are available in Neighborhood Commercial areas. The C2 District is intended to provide a wide range of retail and service uses that serve the varied needs of large geographic areas. The purpose of the SP District designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.
- Site 12 is designated as Urban Medium Density Residential (UMD) on the County's General Plan Land Use Map and zoned Medium Density - Site Performance Combining District (R2-SP). The UMD designation is intended to provide for residential uses, including affordable single-family dwellings on smaller lots, and multi-family housing types at moderate densities, of up to six dwelling units per acre, in locations with convenient access to transportation facilities (including arterial and major collector roads and public transit), shopping and services, employment, recreation and other public facilities. Areas of Urban Medium Density Residential use may provide locations appropriate for the development of affordable housing through clustering of single-family residences or other design techniques. The purpose of the SP zoning designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.
- Site 13 is designated as Planned Development (PD) and zoned Interim Development Reserve - Site Performance Combining District (IDR-SP). The PD designation is intended to designate planned developments in locations where a mix of uses is desirable. The PD designation may allow a variety of land uses, including single-family and multi-family, residential, commercial, industrial, open space, and/or other land uses consistent with the capability and constraints of the land. Primary emphasis for development should be placed on clustering intensive land uses to minimize impact on various natural and man-made resources, minimize public health concerns, and minimize aesthetic concerns. The IDR is a special purpose district zone. The IDR District is intended to be used as an interim zoning district to reflect and reserve the development potential of property designated as Planned Development and Special Development Area in the General Plan. The purpose of the SP District designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.

Sites 14 through 18

- Site 14 is designated as Office Professional (OP) and zoned Office Professional – Scenic Corridor Combining District – Site Performance Combining District (OP-SC-SP). The General Plan designation is intended to provide for office uses, including business, medical, dental and other professional, as well as supporting business services, at intensities of development, which complement other commercial centers and are compatible in scale with nearby residential neighborhoods. The OP zoning designation provides for areas for the development of professional and administrative

offices and related uses and structures that complement other commercial centers and are considered compatible with adjacent residential and related uses. The SC District provides for the protection and preservation of scenic resource areas which are adjacent to highways and roads which have been identified as having high scenic quality and require protection for the benefit of residents and visitors. The purpose of the SP District designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.

- Sites 15 and 16 are designated Planned Development (PD) and zoned Interim Development Reserve – Scenic Corridor Combining District - Site Performance Combining District (IDR-SC-SP). The PD designation is intended to designate planned developments in locations where a mix of uses is desirable. The PD designation may allow a variety of land uses, including single-family and multi-family, residential, commercial, industrial, open space, and/or other land uses consistent with the capability and constraints of the land. Primary emphasis for development should be placed on clustering intensive land uses to minimize impact on various natural and man-made resources, minimize public health concerns, and minimize aesthetic concerns. The IDR is a special purpose district zone. The IDR District is intended to be used as an interim zoning district to reflect and reserve the development potential of property designated as Planned Development and Special Development Area in the General Plan. The SC District provides for the protection and preservation of scenic resource areas which are adjacent to highways and roads which have been identified as having high scenic quality and require protection for the benefit of residents and visitors. The purpose of the SP District designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.
- Site 17 is designed as Urban Medium Density Residential (UMD) on the General Plan Land Use Map and zoned Medium Density - Scenic Corridor Combining District - Site Performance Combining District (R2-SC-SP). The UMD designation is intended to provide for residential uses, including affordable single-family dwellings on smaller lots, and multi-family housing types at moderate densities, of up to six dwelling units per acre, in locations with convenient access to transportation facilities (including arterial and major collector roads and public transit), shopping and services, employment, recreation and other public facilities. Areas of Urban Medium Density Residential use may provide locations appropriate for the development of affordable housing through clustering of single-family residences or other design techniques. The SC District provides for the protection and preservation of scenic resource areas which are adjacent to highways and roads which have been identified as having high scenic quality and require protection for the benefit of residents and visitors. The purpose of the SP District designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.
- Site 18 is designated as Urban Single-Family Residential (USF) on the General Plan Land Use Map and zoned Single-Family – Planned Development - Site Performance Combining District (R1-PD-SP). The USF designation is intended to provide for single-family residential uses (and for other dwelling unit types with a conditional use permit) at densities of up to four dwelling units per acre. The R1 District implements the General Plan’s USF designation. It is intended to provide for single-family

dwellings, as well as other dwelling unit types, at densities of up to four dwelling units per acre. The PD is appropriate for the development of affordable housing through clustering of residences or other design techniques. The purpose of the SP District designation is to provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the SP District regulations are combined.

Nevada County Airport Land Use Compatibility Plan

The Nevada County Airport is approximately 0.50 mile to the east/southeast of Sites 3 through 9. The Nevada County Airport Land Use Compatibility Plan (ALUCP) was adopted by the Nevada County Airport Land Use Commission (ALUC) on September 21, 2011. The plan sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to land owners in their design of new development. The influence area extends 1.7 miles from the airport's runway. The plan is used by the ALUC staff to define compatibility for noise, safety, airspace protection, and overflight as it pertains to newly proposed projects in the vicinity of the Airport. Future development on Sites 3 through 9 will require adherence to ALUCP policies and requirements.

City of Grass Valley Sphere of Influence and Planning Area

Grass Valley's Sphere of Influence is the area that lies directly outside the City limits that the City expects to annex, grow into, and provide urban services to in the future. Sites 1 through 9 are within the City's SOI. Sites 1 through 6 and 9 are within the area identified as the City's Near Term area with regards to the City's projected annexation timelines. Sites 7 and 8 are within the Long Term area. The Local Agency Formation Commission (LAFCO) of the County determines the City's Sphere of Influence at the request of the City. LAFCOs are responsible for coordinating logical and timely changes in local government boundaries.

The Grass Valley Planning Area is the portion of County land outside the City's SOI where development could have an impact on the City's planning efforts. Grass Valley's Planning Area is larger than its Sphere of Influence, as it extends well beyond the area that the City expects to grow into in the future. Nevada County is responsible for planning the anticipated growth and development patterns of the lands that are outside of Grass Valley's Sphere of Influence, but inside the City's Planning Area.

City of Grass Valley Annexation Resolution

The Grass Valley City Council adopted Resolution No. 03-39 in July 2003. The resolution establishes policies and procedures for the processing and review of special development areas and annexations. Specifically, the resolution requires that each special development area or annexation application demonstrate written compliance with the following priorities:

- Provision of affordable workforce housing and a mix of housing types
- Integration of community design principles from the General Plan
- Future transportation/infrastructure needs and current project-related deficiencies
- Future park/recreation facility needs and maintenance costs
- Future short- and long-term fiscal impacts
- Definition of annexation boundaries, phasing, and rate of growth
- Consistency with General Plan policies and Sphere of Influence Plan

In addition, Resolution No. 03-39 requires each special development area or annexation application to adhere to specific procedures during the application process, including the following procedures, which would be applicable to the project's proposed annexations:

- For all annexations, applications shall be required to prepare a Fiscal Impact Analysis of the entire annexation area.
- For all annexations proposing a change in land use designations or mix established for the property by the General Plan in the amount of 20 percent or more of its acreage or density, an economic/market analysis shall be prepared that verifies the project does not impact the existing tax base, jobs/housing balance, and regional market demand.

City of Grass Valley 2020 General Plan

The City of Grass Valley 2020 General Plan (2020 General Plan) is a comprehensive plan for growth and development in the City and the surrounding unincorporated area. It establishes the goals, objectives, and policies that guide the City's physical growth and development during the timeframe of the plan (2000-2020). The intent of the 2020 General Plan is to preserve, protect, maintain, and enhance the quality of life in Grass Valley. The City adopted the 2020 General Plan in November 1999. It addresses the following topics or elements: Land Use, Circulation, Conservation/Open Space, Noise, Safety, Recreation, Historical, and Community Design. In addition, the City adopted a Mineral Management Element in 1993 that was incorporated into the General Plan at that time. The Conservation/Open Space Element of the 2020 General Plan supplements, but does not replace the Mineral Resources Element adopted by the City in 1993.

Land Use Element

The Land Use Element of the 2020 General Plan is broad in scope. Its purpose is to designate the proposed general distribution, location, and extent of the various land uses in the City. It also establishes specific goals, objectives, policies, and implementation actions and strategies to guide land use in the City and its Sphere of Influence.

As previously noted, Sites 1 through 9 are currently governed by the County of Nevada, but are located within the City of Grass Valley Sphere of Influence. In addition, the City's General Plan Land Use Map provides land use designations for these sites. However, as the City does not govern these sites, there are no zoning designations applied on Sites 1 through 9 by the City. As the proposed project assumes the annexation of Sites 1 through 9 into the City both the County's designations (as provided above) and the City's land use designations are applicable to these proposed project sites.

- Similar to the County, Site 1 is designated as Office Professional (OP) on the City of Grass Valley General Plan Land Use Map. The OP classification provides for concentrations of free-standing offices and large office complexes. The designation is intended to facilitate both offices and supporting activities and land uses.
- Similar to the County, Site 2 is designated as Business Park (BP) on the City of Grass Valley General Plan Land Use Map. The intent of the BP designation is to accommodate a variety of employment-generating land uses in a master-planned, campus-type setting, designed to preserve and enhance the natural environment and to be fully integrated into the larger community.
- Similar to the County, Sites 3 through 9 are designated as Urban Medium Density (UMD). UMD is intended to accommodate single-family detached and attached homes,

single family patio homes, duplexes and town houses. UMD requires between 4.01 and 8.0 residential units per gross acre.

Mineral Management Element

As noted above, in 1993 the City adopted a Mineral Management Element and incorporated it into the General Plan. The City prepared the Mineral Management Element to comply with the requirements of the California State Surface Mining and Reclamation Act (SMARA) of 1975. SMARA was enacted to promote the conservation of the state's mineral resources and ensure adequate reclamation of mined lands. The primary goal of the Mineral Management Element is to "recognize and protect where feasible valuable mineral resources for current and future generations in a manner that does not create land use conflicts."

As indicated in the Mineral Management Element, Sites 1 through 9 are located in a Mineral Management Area. All Mineral Management Areas within the City and its Planning Area are classified as MRZ-2. This classification identifies areas that contain potentially significant mining deposits that are either present or have a high likelihood of being present. However, according to the Mineral Management Element, none of the sites in the Grass Valley Sphere of Influence are within an area targeted by the City for conservation and possible future mineral extraction.

City of Grass Valley Development Code

The City of Grass Valley Development Code carries out the policies of the 2020 General Plan by classifying and regulating the uses of land and structures within the City, consistent with the General Plan. The purpose of the Development Code is to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents and businesses in the City. The City's existing Zoning Map does not identify zoning designations for the Sites 1 through 9 since they are not currently located within City limits. However, after the annexation of the sites into the City of Grass Valley, the sites would be governed by the Grass Valley Development Code.

4.2.3 ENVIRONMENTAL ANALYSIS

THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the *CEQA Guidelines*, the proposed project would have a significant impact on land use or planning if it would:

- Physically divide an established community
- Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect
- Conflict with any applicable habitat conservation plan or natural community plan

AREAS OF NO PROJECT IMPACT

The following impacts either are not applicable to the project or are not reasonably foreseeable:

- Physical division of an established community
- Conflicts with habitat conservation or natural community plans

The project proposes to annex approximately 73.96 acres of unincorporated land into the City of Grass Valley. The addition of this land to the City would not physically divide an established community. Rather, it would extend the City limits to the southeast and northeast into Nevada County. Moreover, the low density residential uses and business and industrial parks that surround the land do not form an established community. In addition, the existing General Plan land use policies and development regulations would help to ensure the cohesive planning and development of the primarily undeveloped land and its integration with the surrounding area. Consequently, the project would not result in the physical division an established community. Furthermore, as there are no habitat conservation plans or natural community conservation plans that apply to the project areas, the proposed project would not conflict with any such plans.

PLAN, POLICY, AND REGULATION CONSISTENCY

4.2-1 THE PROPOSED PROJECT COULD CONFLICT WITH AN APPLICABLE LAND USE PLAN, POLICY, OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT SITE.

Level of Significance Before Mitigation: Potentially Significant Impact.

Impact Analysis

Nevada County General Plan and Land Use Development Code (Zoning Ordinance)

Consistency of the proposed project with the applicable goals, objectives, and policies of the Nevada County General Plan is presented below in Table 4.2-1, *Nevada County General Plan Consistency Analysis*. It should be noted that a policy conflict would not in and of itself be considered a significant environmental impact under CEQA.

The proposed project would require Sites 1 through 9 to annex into the City of Grass Valley. After that occurs, the Nevada County General Plan and Zoning Ordinance would no longer govern the sites, as they would then be governed by the Grass Valley 2020 General Plan and Development Code. It should be noted that both the Nevada County General Plan and the Grass Valley 2020 General Plan identify the project areas for development. The remaining sites, Sites 10 through 18, are within Nevada County and are governed by the Nevada County General Plan and Zoning Ordinance.

As previously noted current designations include Office Professional (OP), Business Park (BP), Community Commercial (CC), Urban Medium Density Residential (UMD), Planned Development (PD), and Urban Single-Family Residential (USF), while current zoning designations include Office Professional (OP), Business Park (BP), Medium Density (R2), Residential Agriculture (RA), Community Commercial (C2), Interim Development Reserve (IDR), and Single-Family (R1), and three different combining districts including Planned Development (PD), Scenic Corridor Combining District (SC), and Site Performance Combining District (SP); refer to Section 4.2.2 (Regulatory Framework) for permitted uses under the existing General Plan and zoning land use designation for each site. As the proposed project proposes densities of 16 or 20 units per acre, the proposed project is inconsistent with current General Plan and Zoning designations for the proposed project sites. As such, the proposed project would require General Plan and Zoning amendments to ensure consistency with the proposed general plan and zoning designations of the sites; High Density (R3) District and Regional Housing Need (RH) Combining District. Amending the General Plan to Urban High Density Residential and rezoning the sites to R3 would permit

densities of up to 20 dwelling units per acre within the Grass Valley SOI and 16 units per acre within the unincorporated County, while the RH Combining District would allow densities ranging from 16 to 20 units per acre. Therefore, with implementation with the proposed General Plan and Zoning Amendments, the proposed densities would not conflict with a Nevada County applicable land use plan, policy, or regulation of an agency and there would be no impact in this regard.

Furthermore, given the mix of existing developments in the surrounding areas, including industrial, office, commercial, recreational, single-family residential, and medium density residential, development of higher density affordable housing would be compatible with the surrounding land uses.

**Table 4.2-1
Nevada County General Plan Consistency Analysis**

Goals, Objectives, and Policies	Consistency of Proposed Project
Nevada County Land Use Element	
<p>Goal 1.1: Promote and encourage growth in <i>Community Regions</i> while limiting growth in <i>Rural Regions</i>.</p>	<p>Consistent. All the proposed project sites are located within <i>Community Regions</i>. Incorporating high-density multi-family residential uses adjacent to a mix of uses such as residential, commercial, industrial, and open space/recreation would promote the continued growth centered in the <i>Community Regions</i>.</p>
<p>Objective 1.1: Define and maintain a distinct boundary between <i>Rural</i> and <i>Community Regions</i>.</p>	<p>Consistent. All the proposed project sites are located within <i>Community Regions</i>. Incorporating high-density multi-family residential uses adjacent to a mix of uses such as residential, commercial, industrial, and open space/recreation would promote the continued growth centered in the <i>Community Regions</i>.</p>
<p>Policy 1.2: Within Nevada County, the <i>Community Regions</i> 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.</p>	<p>Consistent. The proposed project sites were selected due to their location adjacent to a variety of existing land uses including, residential, commercial, retail, office, public, industrial, open space/recreation/park, and existing infrastructure, including roadways and water and sewer lines.</p>
<p>Goal 1.2: Recognize and allow for a range of land uses that preserve the qualities of each <i>Rural</i> and <i>Community Region</i> and <i>Rural Place</i>.</p>	<p>Consistent. The proposed project would allow for the development of high-density multi-family residential uses adjacent to a mix of uses such as residential, commercial, industrial, and open space/recreation which is consistent with the existing qualities of the surrounding <i>Community Regions</i>.</p>
<p>Objective 1.2: Provide an appropriate range of land use designations to serve the needs of the residents of the County and with an adequate amount of land in each designation to provide a balanced pattern of development.</p>	<p>Consistent. The proposed project includes the development of up to approximately 2,675 new high-density multi-family low to very-low income housing units. This would allow for the development of the current 1,270 low and very-low income unmet housing needs the County identified in the 2009-2014 Nevada County General Housing Element.</p>
<p>Policy 1.3: To provide for an appropriate range of land use types and densities within the County, the following General Plan land use designations are established:</p> <ul style="list-style-type: none"> a. Urban High Density Residential (20 dwelling units per acre maximum within incorporated area's spheres of influence; 15 units per acre elsewhere) 	<p>Inconsistent. Sites 10 through 18 will develop a minimum of 16 units per acre within the unincorporated County and outside the Grass Valley Sphere of Influence, which is not consistent with this policy of the General Plan since these sites are not located within the Grass Valley Sphere of Influence, which allows up to 20 units per acre. However, it should be noted that, the proposed project would allow for the development of</p>

Table 4.2-1, continued

Goals, Objectives, and Policies	Consistency of Proposed Project
	<p>high-density multi-family residential uses pursuant to the Housing Element of General Plan which requires the County to provide a balance of range of housing opportunities. In weighing the planning and environmental considerations of each site, the County determined that these sites provided the County with best opportunity to meet the Project Objectives included in Section 3.0.</p>
<p>Policy 1.4: The General Plan is intended to provide for the development of Nevada County as a balanced community with adequate amounts of land designated in each land use category to achieve a balance among housing, employment, retail and commercial services, recreation, and public facilities. Multiple Family Residential (Urban High Density and Urban Medium Density) - up to 30 percent of total dwelling units</p>	<p>Consistent. The proposed project would allow for the development of high-density multi-family residential uses adjacent to a mix of uses such as residential, commercial, industrial, and open space/recreation resulting in a range of land use types and densities in the project areas.</p>
<p>Policy 1.5: The General Plan provides for future development in accordance with the following criteria for the various land use designations:</p> <p>a. Urban High Density Residential (UHD) is intended to provide for residential uses, including single- and multi-family housing types at higher densities, of up to 20 dwelling units per acre within incorporated area's spheres of influence and 15 units per acre elsewhere, in locations with a high degree of access to transportation facilities (including arterial and major collector roads and public transit), shopping and services, employment, recreation and other public facilities. Areas of Urban High Density Residential use are intended to provide locations appropriate for the development of affordable housing due to the higher density allowed and resulting cost efficiency in costs of land development and provision of services. Locations which are adjacent to or in close proximity to Community Commercial, Business Park or Industrial areas are considered appropriate for this designation.</p>	<p>Inconsistent. Sites 10 through 18 will develop a minimum of 16 units per acre within the unincorporated County and outside the Grass Valley Sphere of Influence, which is not consistent with this policy of the General Plan since these sites are not located within the Grass Valley Sphere of Influence, which allows up to 20 units per acre. However, it should be noted that, the proposed project would allow for the development of high-density multi-family residential uses pursuant to the Housing Element of General Plan which requires the County to provide a balance of range of housing opportunities. In weighing the planning and environmental considerations of each site, the County determined that these sites provided the County with best opportunity to meet the Project Objectives included in Section 3.0.</p>
<p>Policy 1.36: The County recognizes that amending the Plan through individual General Plan amendments for specific site changes may not be compatible with a comprehensive and internally consistent plan. Where General Plan amendments are considered on an individual basis, the following shall apply: The proposed amendment must be found to be:</p> <p>a. in the public interest; and</p> <p>b. consistent with the General Plan's central themes, goals, objectives, and policies.</p>	<p>Consistent. The proposed project includes the development of up to approximately 2,675 new high-density multi-family low to very-low income housing units. This would allow for the development of the current 1,270 low and very-low income unmet housing needs of the county identified in the 2009-2014 Nevada County General Housing Element.</p>
<p>Policy 1.37: The County shall continue to work closely with the municipalities within the County concerning planning and development of land within the municipalities' spheres of influence.</p>	<p>Consistent. Sites 1-9 were chosen based on the availability of existing infrastructure (e.g. roadways, wastewater mains, and potable water mains) and compatible types of development within the City of Grass Valley SOI. The proposed RH Combining District includes maximum densities that are consistent with existing City of Grass Valley Urban High Density zones. Another key factor in the selection of project sites was the willingness of property owners to participate in the</p>

Table 4.2-1, continued

Goals, Objectives, and Policies	Consistency of Proposed Project
<p>Policy 1.38: Within the City/Town spheres, the Nevada County General Plan Land Use Maps will generally reflect the City's/Town's General Plan land use mapping. In some instances, the County may provide for a less intensive land use due to infrastructure capability, environmental constraints or effect on land use and development patterns outside the city's sphere. However, the County's Plan will not preclude implementation of the City's/Town's Plan by providing for a significantly more intensive land use than the City's/Town's Plan.</p>	<p>rezoning process.</p> <p>Consistent. Sites 1-9 are located within the Grass Valley Sphere of Influence. Although the proposed project would change the General Plan designation of several sites within the Grass Valley SOI from Urban Medium Density to Urban High Density, or in the case of Sites 1 and 2 from Office Park to Urban High Density, the majority of the sites are already planned for residential uses. Additionally, the project sites were chosen based on their proximity to existing infrastructure and similar type of development.</p> <p>Sites 3-9 are surrounded on three sides by the incorporated areas of the City of Grass Valley with similar existing and planned development densities and intensities. As such, the proposed RH Combining District is not precluding implementation of the City's General Plan by providing a significantly more intensive use.</p>
<p>Policy 1.39: For all discretionary projects within a City's/Town's sphere, the County shall first request that the City/Town determine whether or not it desires to annex the project. If the City/Town does desire annexation, the applicant will be directed to the City/Town. If the City/Town does not desire annexation, the application will be referred to the City/Town for review and comment.</p> <p>In recognition of the preparation of the Truckee General Plan, the County shall provide, on an interim basis, for the collaborative review of major development projects within the unincorporated area of eastern Nevada County. This collaborative review process shall terminate upon adoption of the Town's General Plan and sphere of influence.</p>	<p>Consistent. Upon the development of Sites 1-9, future developers will be required to apply for annexation into the City of Grass Valley. If the City annexes the project, all development applications will be submitted to the City of Grass Valley Community Development Department or other City Departments as appropriate. None of the proposed sites are located in the vicinity of the Truckee General Plan.</p>
<p>Circulation Element</p>	
<p>Adverse physical changes to the environment related to project conflicts with Circulation Element goals, objectives and policies are discussed in Section 4.15 (Transportation/Traffic).</p>	
<p>Conservation/Open Space Element</p>	
<p>Adverse physical changes to the environment related to project conflicts with Conservation Element goals, objectives and policies are discussed in Sections 4.3 (Aesthetics), 4.5 (Air Quality), 4.6 (Biological Resources), and 4.10 (Hydrology and Water Quality), as appropriate.</p>	
<p>Noise Element</p>	
<p>Adverse physical changes to the environment related to project conflicts with Noise Element goals, objectives and policies are discussed in Section 4.11 (Noise).</p>	
<p>Safety Element</p>	
<p>Adverse physical changes to the environment related to project conflicts with Safety Element goals, objectives and policies are discussed in Sections 4.8 (Geology and Soils), 4.9 (Hazards and Hazardous Materials), 4.10 (Hydrology and Water Quality), and 4.15 (Transportation/Traffic).</p>	
<p>Recreation Element</p>	
<p>Adverse physical changes to the environment related to project conflicts with Recreation Element goals, objectives and policies are discussed in Section 4.14 (Recreation).</p>	
<p>Historical Element</p>	

Table 4.2-1, continued

Goals, Objectives, and Policies	Consistency of Proposed Project
Adverse physical changes to the environment related to project conflicts with Historical Element goals, objectives and policies are discussed in Section 4.3 (Aesthetics).	
Community Design Element	
Adverse physical changes to the environment related to project conflicts with Community Design Element goals, objectives and policies are discussed in Section 4.3 (Aesthetics).	

City of Grass Valley Annexation Resolution

As the proposed project would require the annexation of Sites 1 through 9 into the City of Grass Valley, the project developer would be required to submit written compliance with Grass Valley City Council Resolution No. 03-39, including identifying the following: affordable workforce housing opportunities; the incorporation of community design principles from the 2020 General Plan; existing transportation/infrastructure deficiencies in the project area and mitigation for project impacts on transportation/infrastructure; compliance with the park and recreation goals of the 2020 General Plan; funding for maintenance of proposed park and recreation opportunities; preparation of a fiscal impact analysis; rationale for annexation boundaries; proposed phasing and rate of growth; consistency with 2020 General Plan policies and the City’s Sphere of Influence Plan; and preparation of an economic/market analysis that verifies the project does not impact the existing tax base, jobs/housing balance, and regional market demand.

The City is listed as the implementing/monitoring agency for the mitigation measures listed in this report that apply to Sites 1-9. In the event that these sites do not annex into the City and do not require City services, the implementing/monitoring agency shall automatically default to the County of Nevada. In the event that the mitigation measure requires improvements to a City facility, such as an intersection already within the City limits, the City of Grass Valley shall remain as the implementing and monitoring agency regardless of whether or not the site is eventually annexed into the City.

City of Grass Valley 2020 General Plan

The project proposes the annexation of Sites 1 thorough 9 into the City. As discussed previously, after the annexation of the sites into the City, the 2020 General Plan would govern the sites. The 2020 General Plan forecasts development on Sites 1 through 9 through land use designations that include Office Professional (OP), Business Park (BP), and Urban Medium Density (UMD); refer to Section 4.2.2 (Regulatory Framework) for permitted uses under the existing General Plan. As the project proposes densities of multi-family high-density residential developments of 16 to 20 units per acre, the proposed project is inconsistent with current City of Grass Valley 2020 General Plan Land Use Map designation for the Sites 1 through 9. Conflicts with the existing Grass Valley General Plan would be considered significant.

As such, as part of the annexation process, Sites 1 through 9 would require a City of Grass Valley General Plan Amendment to change the land use designations which would allow densities up to 20 dwelling units per acre. It is assumed that future project applicants would be responsible to submit applications to amend the 2020 General Plan to allow the land uses and development standards proposed by the project. The potential conflicts would be addressed through policy agreements between the County of Nevada and City of Grass Valley.

Within the Grass Valley Sphere of Influence, the proposed project would allow for the development of 73.96 acres with a maximum 1,480 housing units. Under the current 2020 General Plan designations, 1.08 acres of Office Professional (OP), 11.36 acres of Business Park (BP), and 61.52 acres of medium residential with a development potential of 123 to 246 housing units would be allowed on Sites 1 through 9. Although the proposed project would result in a decrease in office/business development and an increase in housing units compared to the 2020 General Plan, these changes would not cause substantial disruption within the established community or conflicts with adopted plans and policies related to avoidance or mitigation of environmental effects.

Furthermore, given the mix of existing developments in the surrounding areas, including industrial, office, commercial, recreational, single-family residential, and medium density residential, development of higher density affordable housing would be compatible with the surrounding land uses.

The Mineral Management Element of the City of Grass Valley 2020 General Plan places Sites 1 through 9 within a Mineral Management Area. However, according to the Mineral Management Element, none of those sites are within an area targeted by the City for conservation and possible future mineral extraction. Thus, the proposed project located in this area would not conflict with the City's Mineral Management Element.

Consistency of the proposed project with the applicable goals, objectives, and policies of the City of Grass Valley's 2020 General Plan is presented below in Table 4.2-2, *City of Grass Valley's 2020 General Plan Consistency Analysis*. It should be noted that a policy conflict would not in and of itself be considered a significant environmental impact under CEQA.

Table 4.2-2
City of Grass Valley 2020 General Plan Consistency Analysis

Goals, Objectives, and Policies	Consistency of Proposed Project
Grass Valley Land Use Element	
Goal 1-LUG: Promote balanced community growth and development in a planned and orderly way.	Consistent. The proposed project would allow high-density multi-family residential development. Implementation of the proposed zoning amendment would promote the development of balanced housing types for the region.
Objective 1-LUO: Availability of sufficient building sites properly zoned to accommodate projected growth.	Consistent. As described in Section 4.12 (Population and Housing), the City's population as of 2011 is approximately 12,840 residents. The 2020 General Plan estimates that the City will grow to a population of approximately 23,395 by 2020, or increase by approximately 10,555 new residents. The proposed project's new residential units would provide homes for approximately 2,960 new residents, or approximately 30 percent of new residents estimated to move to the City between now and 2020.
Objective 2-LUO: Avoidance of future adverse environmental, public facilities and services impacts.	Consistent. As described in Section 4.13, the proposed project would not have significant impacts on public facilities and services that could not be mitigated.
Goal 3-LUG: In areas of new development, plan for a diversity of land uses and housing types, including mixed use developments.	Consistent. The project proposes high-density multi-family residential uses located adjacent to a variety of existing land uses including, residential, commercial, industrial, and open space/recreation/park. Including this type of uses further promotes diverse land uses in the area.

Table 4.2-2, continued

Goals, Objectives, and Policies	Consistency of Proposed Project
Objective 6-LUO: Reduction in congestion and travel time to acquire needed goods and services.	Consistent. The project proposes high-density multi-family residential uses located adjacent to existing commercial which would place consumers in closer proximity to needed goods and services and reduce the amount of time needed to acquire those goods and services.
Objective 7-LUO: Preservation of open space and unique property features.	Consistent. Future development on the project sites would be clustered to the maximum extent possible in order to conserve open space and natural features. Development would avoid sensitive vegetation, including wetlands and riparian vegetation.
Objective 8-LUO: Provision of a full range of housing opportunities and types.	Consistent. The project proposes high-density multi-family residential uses, affordable housing types, located adjacent to a variety of existing land uses including, residential, commercial, retail, office, public, industrial, and open space/recreation/park. Including this type of uses further promotes diverse land uses in the area. As such, implementation of the project would result in a more diverse range of housing types and values in the project areas.
Goal 5-LUG: Provide for a broad range of housing opportunities, including opportunities for low, moderate and middle income households.	Consistent. As noted above, the proposed project would provide for a more diverse range of housing types in the area from what currently exists that by design would be affordable to various income groups.
Objective 12- LUO: Designation of residential building sites sufficient in number and variety to meet projected demand.	Consistent. As identified under the discussion of project compliance with Objective 1-LUO, the proposed project would allow a maximum of approximately 2,680 multi-family units, with 1,480 of those units located within the Grass Valley Sphere of Influence, at buildout in ten to 20 years. Based on current population estimates, these new residential units would provide homes for approximately 2,960 out of the 10,757 new residents estimated to move to the City between now and 2020.
Objective 13-LUO: Provision of sufficient affordable housing units for those working in Grass Valley.	Consistent. The proposed project includes all proposed development as affordable housing within the proposed project areas.
Goal 6-LUG: Promote a jobs/housing balance within the Grass Valley region in order to facilitate pleasant, convenient and enjoyable working conditions for residents, including opportunities for short home to work journeys.	Consistent. The project proposes high-density multi-family residential uses located adjacent to a variety of existing land uses including, residential, commercial, retail, office, public, industrial, and open space/recreation/park. Including this type of uses further promotes diverse land uses in the area. Thus, a jobs/housing balance could be achieved that would reduce the amount of time required to travel to work, which in turn would create pleasant, convenient and enjoyable working conditions for residents.
Goal 9-LUG: Coordinate peripheral development with the County General Plan and appropriate entities currently providing services in the Planning Area.	Consistent. Nevada County, the Nevada Irrigation District (NID), the Nevada County Sanitary District, and the Nevada County Consolidated Fire District were contacted during the preparation of this Draft EIR.
Objective 26-LUO: Avoidance of land use and inter-jurisdictional conflict.	Consistent. Future project developers would initiate reorganization proceedings with the Nevada County LAFCO following adoption of a resolution approving the proposed annexation. The proposed reorganization would consist of annexation of territory to the City and detachment of the same territory from Nevada County.

Table 4.2-2, continued

Goals, Objectives, and Policies	Consistency of Proposed Project
	Coordination through LAFCO would avoid land use and inter-jurisdictional conflict.
Policy 2-LUP: Require adequate information when reviewing development proposals, including full environmental review and fiscal impact analyses, to assure minimization of environmental, public facilities and services impacts.	Consistent. The City required that the proposed project undergo full environmental review with the preparation of this Draft EIR as well as these sites will ensure to locate development closes to existing infrastructure, which would reduce housing-related construction costs and costs associated with extending infrastructure.
Policy 10-LUP: Annex properties within the Grass Valley Planning Area prior to or in conjunction with their development.	Consistent. The project proposes to annex Sites 1 through 9 into the City along with land use policies and development regulations specifically for high density multi-family residential use to guide future development of the site.
Policy 12-LUP: Permit increases in residential density (clustering) on portions of development sites while maintaining overall density.	Consistent. The project proposes to increase residential density and cluster all development on Sites 3 through 9 and Sites 10 and 11, as well as locating Sites 1 and 2 near existing mixed land uses including residential, commercial, industrial, and recreational uses.
Policy 14-LUP: Encourage incorporation of multiple family development in new development areas while maintaining high design standards.	Consistent. The project proposes the development of a maximum of approximately 2,680 multi-family units, with 1,480 of those units located within the Grass Valley Sphere of Influence, which would be subject to both County and City design standards established to create a high quality living environment that reflects the best qualities of traditional development in the surrounding areas.
Policy 22-LUP: Assure that a sufficient number of sites are zoned for multiple family use.	Consistent. All of the sites would be rezoned to a multiple family use through implementation of the proposed project, resulting in a maximum of approximately 2,675 multi-family units.
Policy 24-LUP: On large parcels, encourage clustering of residential units on the most developable portions of the site in order to reduce infrastructure and other housing-related construction costs.	Consistent. The project proposes to increase residential density and cluster all development on Sites 3 through 9, as well as locating the Sites 1 and 2 near existing mixed land uses including residential, commercial, industrial, and recreational uses. In addition, future developments would be encouraged to be located on the most developable portions of the site, closest to existing infrastructure, which would reduce housing-related construction costs and costs associated with extending infrastructure.
Policy 25-LUP: Utilize clustering and other land use techniques to protect environmentally sensitive resources, such as heritage trees and wetlands.	Consistent. Future development on the project sites would be clustered to the maximum extent possible in order to conserve open space and natural features. Development would avoid sensitive vegetation, including wetlands and riparian vegetation, as well as retain oaks.

Table 4.2-2, continued

Goals, Objectives, and Policies	Consistency of Proposed Project
Policy 28-LUP: Promote the construction of affordable housing utilizing the techniques and approaches described in this General Plan.	Consistent. The project proposes the clustering of Sites 3 through 9 as one development. Development would be located as close as possible to existing infrastructure, which would reduce housing-related construction costs.
Policy 37-LUP: Assure that new development pays its fair share of the cost of municipal services.	Consistent. Future development allowed under the proposed project would be required to pay County or City development impact fees. In addition, the most significant revenue generator would be property tax.
Policy 41-LUP: Request and respond to referrals from Nevada County concerning pending land use decisions within the Grass Valley Planning Area.	Consistent. The City of Grass Valley is a cooperating agency on the preparation and review of this Draft EIR.
Policy 44-LUP: Encourage the application of City standards throughout the City's Sphere of Influence.	Consistent. Environmental impacts and land use compatibility criteria associated with the proposed project sites located within the City's Sphere of Influence, Sites 1 through 9, included the goals, objectives, and policies provided in the City of Grass Valley 2020 General Plan and Zoning Ordinance.

Circulation Element

Adverse physical changes to the environment related to project conflicts with Circulation Element goals, objectives and policies are discussed in Section 4.15 (Transportation/Traffic).

Conservation/Open Space Element

Adverse physical changes to the environment related to project conflicts with Conservation Element goals, objectives and policies are discussed in Sections 4.3 (Aesthetics), 4.5 (Air Quality), 4.6 (Biological Resources), and 4.10 (Hydrology and Water Quality), as appropriate.

Noise Element

Adverse physical changes to the environment related to project conflicts with Noise Element goals, objectives and policies are discussed in Section 4.11 (Noise).

Safety Element

Adverse physical changes to the environment related to project conflicts with Safety Element goals, objectives and policies are discussed in Sections 4.8 (Geology and Soils), 4.9 (Hazards and Hazardous Materials), 4.10 (Hydrology and Water Quality), and 4.15 (Transportation/Traffic).

Recreation Element

Adverse physical changes to the environment related to project conflicts with Recreation Element goals, objectives and policies are discussed in Section 4.14 (Recreation).

Historical Element

Adverse physical changes to the environment related to project conflicts with Historical Element goals, objectives and policies are discussed in Section 4.3 (Aesthetics).

Community Design Element

Adverse physical changes to the environment related to project conflicts with Community Design Element goals, objectives and policies are discussed in Section 4.3 (Aesthetics).

City of Grass Valley Development Code

As none of the sites are currently within the City's jurisdiction, the City's existing Zoning Map does not identify zoning designations for the proposed project sites. The project proposes

the annexation of Sites 1 through 9 into the City. In addition, the project proposes the rezoning of these sites to accommodate high density multi-family residential developments. The proposed changes would require a Zoning Map amendment to reflect these changes. Given the mix of existing developments in the surrounding areas, including industrial, office, commercial, recreational, single-family residential, and medium density residential, development of higher density affordable housing would be compatible with the surrounding land uses.

Nevada County Airport Land Use Compatibility Plan

For a discussion regarding environmental impacts associated with consistency with the ALUCP, refer to Section 4.9 (Hazards and Hazardous Materials).

Mitigation Measure

This mitigation measure applies to all sites:

4.2-1 The County of Nevada shall develop a policy agreement with the City of Grass Valley regarding an exchange density calculations between the jurisdictions. The purpose of this agreement is to obtain parity among the jurisdictions regarding the provision of urban high density residential housing to satisfy state mandated housing requirements and other housing or density needs as appropriate. The County shall develop this agreement and submit to the City prior to the issuance of development permits for this first project site.

Level of Significance After Mitigation: Significant and Unavoidable. While the mitigation would address the density conflicts with the City of Grass Valley, the conflicts would remain until there was a change in the Grass Valley General Plan. Acceptance of an agreement by the City of Grass Valley or a change in the City's General Plan is outside the jurisdiction of the County and potential conflicts would remain significant and unavoidable.

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