
Nevada County General Plan

Volume 1: Goals, Objectives, Policies, and Implementation Measures

Section 2: Community Development

Chapter 1: Land Use

Introduction and Setting

The Land Use Element likely has the broadest scope of the seven mandatory General Plan Elements. It is considered to be the most visible and often-used element of a local General Plan. As required by California Government Code Section 65302(a), the Land Use Element of the General Plan must address the following issues:

- Distribution, location and extent of the uses of land for housing, business, industry, open space, natural resources, recreation and enjoyment of scenic beauty, education, public buildings and grounds and other categories of public and private uses of land.
- Standards of population density and building intensity for land use designations.

By setting forth specific goals and policies to guide future development, this Element is instrumental in facilitating the vision established by the four central themes of the General Plan. The goals and policies of the Land Use Element establish the desired land use pattern that balances growth between rural and urban areas. Providing a balance between housing, employment, natural resources, and services is a key element in maintaining the quality of life and unique character of Nevada County. Ideally, a Land Use Element should not be designed to discourage or promote development, but rather to describe the manner in which development should be managed in the event that it does occur.

Background Information

Nevada County's total land area is 958 square miles. Of that total land area, 70% is privately owned while 30% is public lands. In 2010 the population density in the County was 103 residents per square mile, putting it amongst the lowest of comparison counties and well below the overall California average population density of 244 people per square mile.

With just under 100,000 residents, Nevada County was ranked as the 36th most populated county in California in 2012. The incorporated areas of Grass Valley, Nevada City and Truckee are home to 33% of the county's population. The remaining 67% of residents live in outlying unincorporated areas. The populace has grown from 92,053 in July 2000 to 98,764 in 2010 with a slight decline in 2012 to 97,182. Population estimates for future growth show a slow but gradual population increase of the next 20 years.

Existing Land Uses

Nevada County is composed of a mosaic of residential, commercial, industrial, agricultural, and public land use patterns. While the City of Grass Valley, City of Nevada City, and Town of Truckee are focal points for the development of multiple land uses, there has also been considerable growth in unincorporated areas of the County since the 1970s.

**TABLE 1.1
ACREAGE OF EXISTING LAND USE DESIGNATIONS 2013**

<i>Land Use Designations</i>	<i>Acreage %</i>
Business Park	0.12%
Industrial	0.11%
Office & Professional	0.01%
Public	0.60%
Special Development Area	1.44%
Community Commercial	0.03%
Rural Commercial	0.01%
Neighborhood Commercial	0.03%
Highway Commercial	0.01%
Urban High Density Residential	0.01%
Urban Medium Density Residential	0.10%
Urban Single-Family Density Residential	0.25%
Planned Residential Community	1.04%
Planned Development	1.69%
Residential	1.60%
Estate	2.79%
Rural	29.27%
Recreation	0.27%
Forest	55.54%
Open Space	4.27%
Water	0.90%
Total	100%

Source: Nevada County Planning Department

Residential

The residential developments in the western portion of Nevada County are situated in areas of great natural beauty. The predominant type of residential development has been single-family dwelling units, with multiple-family development occurring mainly in the Grass Valley and Nevada City areas. In the unincorporated area of the County, the greatest residential density occurs in the Alta Sierra area to the south of Grass Valley/Nevada City, Lake Wildwood to the west of Grass Valley/Nevada City, and Lake of the Pines to the south of Alta Sierra along the most southerly County boundary.

While residences are found along many of the highways and roadways in the rural areas of the County, residential development is also found in a dozen or so smaller rural communities. These small *Rural Places* vary in size but may have up to a hundred residences or more. They include

Cascade Shores, Cedar Ridge, Chicago Park, Deer Creek Park, Peardale, Red Dog/You Bet, Rough and Ready, North San Juan, Washington, Soda Springs and Hirschdale.

Land development in the eastern portion of Nevada County tends to be more consolidated than in the western portion. Residential land uses in eastern Nevada County are concentrated around Donner Lake, in the large Tahoe-Donner development, in the Glenshire area to the east, and the Prosser subdivisions to the north on Highway 89. Soda Springs, Kingvale and Floriston are small *Rural Places* of less than 100 residences in eastern County. There are relatively few residential uses outside of these established areas. Growth in eastern Nevada County area has generally kept pace with the overall County. The 2010 Census population of the Town of Truckee was 16,180.

Commercial/Industrial

Most of the commercial and industrial development in western Nevada County is located in or around the City of Grass Valley and Nevada City. Commercial uses are concentrated in the downtown areas of each City, the Brunswick/Glenbrook Basin area, and the Pine Creek Shopping Center on Highway 49 south of Grass Valley. Within the Grass Valley *Community Region*, the Loma Rica Industrial Park is a major location for industrial development and also includes commercial land uses adjacent to the Nevada County Airport. Within the last decade, the Higgins Corner-Lake of the Pines *Village Center* in South County has experienced increased commercial development. Based on recent development proposals, such as the Higgins Marketplace shopping center, this commercial development pattern is expected to continue. Within the Penn Valley *Village Center*, there is a mixture of primarily commercial and some industrial developments. In eastern County, commercial development is concentrated in the Town of Truckee and industrial development is located adjacent to the Tahoe-Truckee Airport and to the north along Highway 89.

Agricultural

For several decades, Nevada County has continued to transition from a predominantly resource based (timber, mining, farming and ranching) rural county to a much more varied and diverse population and economic base which is reflected by the increase in commercial, industrial, rural-residential and recreational uses. However, resource based land uses continue to be significant in terms of the extent of such uses and the continuity of their function in the County's economy.

While cattle ranching remains the main producer of Nevada County's agriculture lands, vineyards and wineries are steadily increasing on the landscape. In addition, the promotion of local agriculture has increased opportunities for direct agricultural marketing, certified farmers markets and agritourism attractions. Agriculture in Nevada County is evolving in response to emerging markets that incorporate a wide range of innovative activities including on-farm direct marketing, entertainment, farm accommodations, outdoor recreation, and educational programming. Therefore, the new land use pattern for agricultural lands is more intensive farming on smaller parcels which are more accessible to the public.

These agricultural uses contribute to maintenance of the rural environment of the County, and by maintaining the rural character, enhance tourism in the County. The role of tourism in the County has been an important part of development. Many of the new jobs in service and retail

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employment are related to visitor serving uses, including lodging and resorts, and it is expected that the importance of such uses will continue to increase.

Public

The extent of public land is a major factor in the County's land use pattern. There are several key public land ownerships that cover a significant amount of the County's total land area. About 169,045 acres or 265 square miles of land in Nevada County is owned by the Federal Government for the Tahoe National Forest, operated by the U. S. Forest Service. The U.S. Forest Service lands are primarily located on the summit and north of Truckee. The Bureau of Land Management has some 20,000 acres of land in Nevada County. The Spenceville Wildlife and Recreation Area contains 11,000 acres or 17.19 square miles, with half the tract in western Nevada County and the other half in Yuba County. These three areas cover a total of 314 square miles of Nevada County's 943 square miles.

Supporting Planning Documents

In addition to the General Plan, Nevada County has several other plans that guide development in specific areas of the county. These plans are described below.

- **Zoning Ordinance**

The Zoning Ordinance is the regulatory tool that implements the Goals and Policies of the General Plan. The Zoning Ordinance includes the zoning map; land use regulations and development standards for each zoning district; general regulations regarding parking, signs, landscaping, density bonuses, and nonconforming uses, structures and parcels; standards for unique land uses that require more specific regulation; land use and development approval procedures; and procedures for public noticing and conduct of public hearings, appeals, amendments and enforcement.

- **Area Plans**

Area Plans are supporting land use policy documents that compliment and assist in the further implementation of the goals, policies and programs of the General Plan. The four adopted Area Plans are: Higgins Corner Area Plan, Loma Rica Industrial Area Plan, North San Juan Area Plan, Soda Springs Area Plan, and the Penn Valley Area Plan. The following communities have been recognized as likely candidates for Area Plans: Washington, Chicago Park, Cedar Ridge, Alta Sierra, and Rough and Ready.

- **Airport Land Use Compatibility Plans**

State law requires that any county with an airport operated for the benefit of the general public establish an Airport Land Use Commission (ALUC). ALUCs were first established under the California State Aeronautics Act in 1967 for the fundamental purpose to promote land use compatibility around airports. ALUCs have three primary functions under state law:

1. The adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of noise.
2. Prevent the encroachment of incompatible land uses around public-use airports.

3. The preparation of an Airport Land Use Compatibility Plan (ALUCP) for the area around each public use airport that defines compatible land uses for noise, safety, airspace protections, and overflight.

The *Nevada County Airport Land Use Compatibility Plan* (NCALUCP) was adopted by the Nevada County ALUC on September 21, 2011. Land areas within the jurisdictions of City of Grass Valley and Nevada County are affected by the NCALUCP.

The *Truckee Tahoe Airport Land Use Compatibility Plan* (TTALUCP) was adopted by the Truckee Tahoe ALUC on October 19, 2010. The TTALUCP identifies compatibility zones that include land areas within the local jurisdictions of the Town of Truckee, Placer County and Nevada County.

- **Design Guidelines**

The beauty of the natural landscape and the built environment combine to define the unique aesthetic quality of the County. As a result of the County's desire to retain its sense of uniqueness, the Nevada County Board of Supervisors has adopted design guidelines for both Western and Eastern Nevada County. The Guidelines do not dictate mandatory design elements, but rather, they are intended as a guide to assist property owners and project designers in understanding the County's goals for attaining high quality development that is sensitive to the County's character.

- **Recreation Trails Master Plan**

The Western Nevada County Non-Motorized Recreation Trails Master Plan was developed to guide the review of discretionary projects for new development proposals in Western Nevada County. This plan is intended to be a tool for the Planning Department and decision-makers to work with developers to provide recreational trails consistent with a regional system. This plan also provides a framework for other trail related organizations in Western Nevada County to enhance trail opportunities and become more competitive for grant funding.

Planning for Legacy Communities

Government Code Section 65302.10 (SB 244, Wolk 2011) required cities and counties to address the infrastructure needs of disadvantaged unincorporated communities (Legacy Communities) in county general plans. Before the due date for adoption of the next housing element counties must update their general plan land use elements to identify the service and infrastructure needs in Legacy Communities. In accordance with Government Code Section 65302.10, Nevada County has identified the following communities as Legacy Communities: North San Juan, Penn Valley, Rough and Ready, Soda Springs and Washington. Additionally, the County has completed an inventory of the existing services and infrastructure in the Legacy Communities. Based on this inventory, an analysis was completed to identify specific service and infrastructure needs. As part of the analysis, the following infrastructure and service needs or deficiencies were considered: water, wastewater, stormwater drainage, and structural fire protection. In some cases, other needs have been identified and are noted.

Penn Valley

The Penn Valley *Village Center* is located in western Nevada County approximately one mile south of State Highway 20, six miles west of Grass Valley and five miles east of the Nevada-Yuba County line. An Area Plan is adopted for the Penn Valley Village Center that further identifies the public facility constraints that affect development in the recommended a number of actions to assist in facilitating improvements in the delivery of public services. Land use designations present in the *Village Center* are Community Commercial, Office-Professional, Urban High Density Residential, Urban Medium Density Residential, Public, and Planned Development.

All of the properties within the Area Plan area are located within the boundaries of the Nevada Irrigation District (NID). While all properties within the Plan area have access to piped, treated water, not all properties are connected to public water. Water is available on a first come, first served basis. Domestic water and water used for fireflow purposes is provided by both individual wells and by piped, treated water. While there is adequate capacity to serve the *Village Center*, existing facilities do not currently provide adequate pressure for fireflow purposes. Two water storage tanks, with a total capacity of 406,000 gallons, are located west of the *Village Center*. However, these tanks do not provide adequate head pressure and additional infrastructure is needed to achieve needed fireflows.

Wastewater disposal service is provided by the Nevada County Sanitation District No. 1. Sewer capacity is measured by Equivalent Dwelling Units (EDUs). While the majority of properties in the vicinity of the Penn Valley *Village Center* are within the boundaries of the Sanitation District, and are eligible for connection to the sewer system, EDU's are limited. Currently, the existing wastewater capacity is presently allocated creating Standby EDU's.

To address a 2009 Cease and Desist Order issued by the Central Valley Regional Water Quality Control Board, Nevada County Sanitation District No. 1 has recently secured funds to complete improvements to the wastewater collection system and construct a 4.3 mile pipeline to the Lake Wildwood Wastewater Treatment Plant. Upon the completion of the pipeline in late 2014, the new wastewater disposal system would be able to more efficiently accommodate the Standby EDU's allowing for appropriate build-out in the Penn Valley service area.

Structural fire protection and emergency services in the Penn Valley *Village Center* are provided by the Penn Valley Fire Protection District. Based on the population growth rates, current use designations and future development potential of the Penn Valley *Village Center*, it appears that the District is able to provide adequate services for the needs of the community.

Rough and Ready

The Rough and Ready *Rural Center* is located in western Nevada County approximately three miles west of Grass Valley. Land use designations present in the *Rural Center* include Neighborhood Commercial, Business Park, and Urban Medium Density Residential.

Within the community area, including the Rough and Ready *Rural Center*, residents receive their potable water from private wells. Although the *Rural Center* is within NID boundaries, the

infrastructure is not in place to provide service for pipe treated water. According to NID, the community has not expressed an overall desire for potable water services.

Wastewater disposal for the Rough and Ready *Rural Center* is provided by septic system only. These systems appear to adequately accommodate the existing development. Based on the land uses designations, the potential build out of the *Rural Center* would not create a need for a community wastewater system.

Structural fire and emergency services are provided by the Rough and Ready Fire Protection District. The Rough and Ready Fire Protection District has Automatic and Mutual Aid agreements in place with numerous agencies and shares training programs with two neighboring districts. The District adequately serves the Rural Center. The service area is projected to have little growth in the future and therefore it is unlikely that service needs will increase.

Another type of deficiency was identified during the inventory process: the need for improved off-street parking. Currently, parking is limited to on-street parking which is minimal. During a special event or public meeting the on-street parking along Rough and Ready Highway is inadequate and unsafe. An unimproved parking area exists behind the historic Rough and Ready Grange Hall. This potential parking site requires improvements for accessibility and drainage to be fully utilized.

North San Juan

The North San Juan *Rural Center* is located in northwestern Nevada County on State Highway 49, approximately 15 miles northwest of Nevada City. An Area Plan was adopted in 2010 for the North San Juan *Rural Center* that further identifies the public facility constraints that affect development in the recommended a number of actions to assist in facilitating improvements in the delivery of public services. Land use designations present in the Rural Center include Neighborhood Commercial, Business Park, Office-Professional, Urban Medium Density and Public.

There is no public water service available in the North San Juan *Rural Center*. Residents receive their potable water from individual groundwater wells for which yields vary significantly. A number of commercial wells have been constructed to satisfy public water system regulations for commercial use. New development must demonstrate an adequate water source prior to the issuance of land use and/or construction permits.

Wastewater disposal service is provided by the Nevada County Sanitation District No. 1. The wastewater disposal system is designed to accommodate 125 EDUs, of which 84 are currently utilized, and the remaining 41 have been allocated as Standby EDUs. While the wastewater disposal system has sufficient capacity to serve current needs of North San Juan *Rural Center*, service to additional properties within the District's Sphere of Influence would require expansion of the facilities that would require the installation of two additional 10,000-gallon septic tanks, an infiltration system, and an expansion of the repair area. Due to the slow rate of development within North San Juan, there is currently no long-range plan for system expansion.

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The North San Juan Fire Protection District provides structural fire and emergency services. Emergency water supplies within North San Juan are limited due to reliance on groundwater wells and storage tanks. Within the high density *Rural Center*, a pressurized fireflow system is necessary to serve future commercial and industrial land uses. The lack of a community water system to serve developing businesses and multi-family residences is a recognized development constraint. The Area Plan recommends prioritizing grant fund opportunities that will assist the North San Juan Fire District in funding a community water storage and hydrant system.

Similar to the situation found in Rough and Ready, parking within the North San Juan *Rural Center* is limited. Improved off-street parking has been identified as a need in the *Rural Center*. The Area Plan identifies potential solutions for this situation.

Washington

The Washington *Rural Center* is located in central Nevada County, approximately 13 miles northeast of Nevada City off of State Highway 20, on the South Fork of the Yuba River. The community is isolated with few opportunities to add significant new residential development due to its location, lack of infrastructure and the wild and rugged topography.

The Washington County Water District is the only water agency serving the community. The district provides water through 122 hook-ups that serve approximately 140 residents and businesses, including a bar/hotel. Washington is a popular recreation destination, which results in considerable spikes in summertime water use which the system does not have the capacity to accommodate. The infrastructure that serves the district is aging and was installed prior to development of modern conservation standards. The current system collects water via a small impoundment created by a diversion dam of a local creek. Water is then piped through a 4"-diameter PVC line to the slow-sand filter and chlorination system. The treated water is then piped three miles to a single storage tank operating entirely via gravity flow. Improvements are anticipated to occur as grant funding has been secured as part of the state's Integrated Regional Watershed Management Program, but improvements are likely needed.

Wastewater disposal for the Washington *Rural Center* is provided by individual septic system only. According to the Nevada County Department of Environmental Health, multiple constraints exist in the Washington area that limit the capacity of individual septic systems that include geologic factors (soil depths and rocks), slopes and flood hazard zones. Since many of the septic systems were installed prior to the establishment of the County's permitting requirements, very little information is available, but improvements are likely needed.

Structural fire protection and emergency services in the Washington *Rural Center* are provided by the Washington County Water District. The District is isolated and is not adjacent to any other local fire service providers. It serves a handful developed properties along the South Yuba River. An Automatic Agreements is in place with Nevada County Consolidated Fire Protection District and with the Tahoe National Forest. The District operates on limited funds and relies heavily on other local fire service providers for equipment and vehicles. The service area is projected to have little growth in the future and therefore it is unlikely that service needs will increase.

Soda Springs

The Soda Springs *Rural Center* is located in eastern Nevada County approximately three miles west of Donner Pass. Land uses present in the Rural Center include Highway Commercial, Urban Medium Density Residential, Urban Single-Family Residential and Recreation.

Community water service is provided by the Donner Summit Public Utilities District (DSPUD). No needs or deficiencies have been identified at this time for water services. According to DSPUD, there is enough capacity in the system to serve roughly double the existing number of 243 water services hookups.

Wastewater disposal services are also provided by the DSPUD. A Cease and Desist Order was issued in 2009 by the Central Valley Regional Water Quality Control Board requiring the DSPUD to upgrade their wastewater treatment plant to address effluent discharge standards. The upgrades to that system are expected to be completed in Spring of 2014. Additionally, the upgraded wastewater treatment facility will increase the capacity of DSPUD to provide service connections within the district boundaries.

Structural fire protection and emergency services are provided by the Truckee Fire Protection District. Based on projected need, the services provide appear to be adequate for the build out rate of the Soda Springs *Rural Center*. The service area is projected to have little growth in the future and therefore it is unlikely that service needs will increase.

An ongoing community need of Soda Springs is a review of the current commercial land use designation within the *Rural Center*. The Old U.S. Highway 40 corridor in Soda Springs is mostly designated by the General Plan Land Use Maps as Highway Commercial (HC). Being the only commercial land use designation present within the *Rural Center*, the HC designation has proven to be a major constraint on the potential expansion of commercial uses and the utilization of mixed uses.

Goals, Policies and Programs

The future use of land in the County is fundamental to attaining the vision of a balanced, self-sustaining community. A land use pattern which balances growth between rural and urban areas, as well as providing a balance between housing, employment, natural resources, and services in the County is a key element in maintaining the quality of life and unique character of the County.

GOAL 1.1

Promote and encourage growth in *Community Regions* while limiting growth in *Rural Regions*.

Policy 1.1.1 Maintain a distinct boundary between *Rural* and *Community Regions*.

Policy 1.1.2 The General Plan divides the County into *Community Regions* and *Rural Regions*. All of the land area of the County is placed in one of these regions. Within the *Rural Regions*, growth is limited to those types and densities of development which are consistent with the open, rural lifestyle, pastoral character and natural setting and surrounding land use patterns which exists in these areas. Within the *Community Regions*, balanced growth is encouraged to provide managed housing, community, located for convenience, efficiency and affordability.

The General Plan Land Use Maps delineate specific boundaries for *Community Regions*. All portions of the County not within a *Community Region* shall be considered to be in a *Rural Region*.

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.

The *Community Regions* are defined by Community boundaries generally based upon the following criteria:

- a. Existing development patterns reflecting higher intensity and density of use and need to provide land area to accommodate a balanced pattern of development in the County;
- b. Existing and potential service areas for major services such as public sewer and water;
- c. Location of major topographic patterns and features;
- d. Major transportation corridors and travel patterns;

- e. Ability to provide and maintain appropriate transitions at Community boundaries.

In addition to the Town of Truckee, Grass Valley and Nevada City, *Community Regions* are established for Higgins Corner/Lake of the Pines, Lake Wildwood and Penn Valley. Boundaries for the *Community Regions* are shown on the General Plan Land Use Maps.

In addition, The New Town Reserve, as provided in Policy 1.4.4, shall be considered as a *Community Region* upon approval of a specific plan designating the community boundary.

GOAL 1.2

Recognize and allow for a range of land uses that preserve the qualities of each *Community Region, Rural Region and Rural Place.*

Policy 1.2.1

Provide an appropriate range and balanced distribution of land use designations to serve the needs of the residents of Nevada County by establishing the following General Plan land uses:

- a. Urban High Density Residential (20 dwelling units per acre maximum within incorporated area's spheres of influence; 15 units per acre elsewhere)
- b. Urban Medium Density Residential (6 dwelling units per acre maximum)
- c. Urban Single Family Residential (10,000 square foot minimum parcel size)
- d. Residential (1.5 acre minimum parcel size)
- e. Estate (3 acre minimum parcel size)
- f. Rural-5 (5 acre minimum parcel size)
- g. Rural-10 (10 acre minimum parcel size)
- h. Rural-20 (20 acre minimum parcel size)
- i. Rural-30(30 acre minimum parcel size)
- j. Rural-40 (40 acre minimum parcel size)
- k. Rural-160 (160 acre minimum parcel size)
- l. Neighborhood Commercial
- m. Community Commercial
- n. Highway Commercial
- o. Service Commercial
- p. Rural Commercial
- q. Office-Professional
- r. Business Park
- s. Industrial
- t. Recreation
- u. Forest - 40 (40 acre minimum parcel size)
- v. Forest - 80 (80 acre minimum parcel size)

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- w. Forest - 160 (160 acre minimum parcel size)
- x. Forest - 640 (640 acre minimum parcel size)
- y. Public
- z. Open Space
- aa. Water Area
- bb. Special Development Area
- cc. Planned Development
- dd. Planned Residential Community
- ee. Continuing Care Retirement Community (20 acre minimum parcel size in Community Regions, 50 acre minimum in Rural Regions)

A residential density exception is allowed for a maximum of 16 units per acre in areas located outside an incorporated municipality's Sphere of Influence where the Regional Housing Needs (RH) Combining District zoning has been applied to accommodate an unmet Regional Housing Needs Allocation (RHNA). The RH Combining District sets forth strict criteria for the process of rezoning designated sites where the housing density of maximum 16 units per acre would be allowed. Only specific parcels designated by the Board of Supervisors in association with the implementation or update of the Housing Element, or where it can be reasonable demonstrated that the rezoning of the site is necessary to meet the goals of the RHNA, can be considered for application of the RH Combining District.

The location and extent of each of the land use designations shown on the General Plan Land Use Maps. Boundary lines for the various land use designations, as shown on the General Plan Land Use Maps, are intended to portray the relative location and extent of land use areas, generally following known physical features such as watercourses, roads and parcel lines.

Program 1.2.1 The County will review the existing land use designations with the specific tasks to:

- a. Review and consider whether like land use designation such as the Rural, Commercial and Forest land use designations could be consolidated to reduce redundancy; and
- b. Review and analyze the current distribution, effectiveness and appropriateness of the Business Park and Highway Commercial (HC) land use designations.

Policy 1.2.2 The County will review innovative land use measures that promote the preservation of open space and environmentally-sensitive

areas. Such concepts as transferable development credits, clustering incentives, and site analysis requirements will be considered.

Policy 1.2.3

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.

The amount of land provided in the land use designations on the General Plan Land Use Maps provide a balance between types of housing units based upon the following criteria for the County as a whole:

Residential Density

- a. Multiple Family Residential (Urban High Density and Urban Medium Density) - up to 30 percent of total dwelling units
- b. Single Family Residential (including Urban Single Family, Residential, Estate, Rural-5 to Rural-160, and Forest) - 70+ percent of total dwelling units

The above criteria should be considered goals toward which the County will work to achieve. Numerous factors may preclude attaining these criteria in selected areas of the County.

The General Plan Land Use Map designations also provide a balance between housing and employment based upon criteria of a jobs/housing ratio of 1.2:1 or more for the County as a whole.

To achieve this jobs/housing balance, and to provide for an appropriate amount of land for commercial and related uses to serve the County's population, the amount of nonresidential land provided in the land use designations on the General Plan land use maps is based upon the following criteria for the County as a whole:

Non-Residential Land Ratios

- a. Local Commercial (Neighborhood Rural) - 2 acres per 1000 population
- b. Combined Community and Service Commercial - 5 acres per 1000 population
- c. Highway Commercial - No specific criteria
- d. Office and Professional - 1 acre per 1000 population

- e. Combined Business Park and Industrial - 15 acres per 1000 population

The above ratios should be considered minimums and may be increased depending upon the specific designation, land use, and location.

The General Plan Land Use Map designations also promote a balanced future growth in population and employment in relation to infrastructure and environmental capabilities and constraints through balanced consideration of the following:

- a. location within a defined *Community Region, Rural Place, Village Center, or Rural Center*;
- b. need for availability and future availability of public water and sewer systems;
- c. topography (erosion hazard)
- d. soil capabilities;
- e. important flora and fauna habitat areas;
- f. commercial timberland;
- g. important agricultural areas;
- h. important mineralized areas;
- i. future capacity of the transportation system;
- j. existing land use pattern;
- k. watersheds and stream corridors;
- l. important historical; archaeological sites;
- m. known historical faults; and
- n. need for new roads and circulation patterns that promote safety and reduce vehicular concentration at existing intersections.

In considering any General Plan amendment, the criteria contained in this policy shall be used to evaluate the appropriateness of the amendment.

Policy 1.2.4

The General Plan provides for future development in accordance with the following criteria for the various land use designations:

- 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.

- b. Urban Medium Density Residential (UMD) 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 6 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. Locations which are adjacent to or in close proximity to Community Commercial, Business Park or Industrial areas are considered appropriate for this designation, as are locations which create a transition between higher density and lower density residential development, and locations which have good accessibility, but which are located within or adjacent to areas of environmental constraints.
- c. Urban Single-Family Residential (USF) 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 4 dwelling units per acre. Locations within *Community Regions* where a full range of services and local access to transportation, shopping and services, employment, recreation and other public facilities can be provided are considered appropriate for this designation.
- d. Residential (RES) is intended to provide for lower density single-family residential uses at densities at a minimum lot size of 1.5 acres per dwelling unit in locations within or adjacent to *Community Regions* where limited services such as either public water and sewer (but not both) are available; or to reflect existing development patterns or where provision of transition from more intensive urban uses to less intensive rural uses is desirable. In keeping with the rural character, agricultural operations and natural

resource related uses, including the production of timber, are also appropriate in this designation.

- e. Estate (EST) is intended to provide for low density residential development at a minimum lot size of 3 acres per dwelling unit in areas which are essentially rural in character, but are adjacent to Community boundaries or near *Community Regions* and therefore are more accessible to shopping, employment and services. In keeping with the rural character, agricultural operations and natural resource related uses, including the production of timber, are also appropriate in this designation.
- f. Rural (RUR) designations are intended to provide for development of compatible uses within a rural setting. Such uses may include rural residential at maximum densities ranging from 5 to 160 acres per dwelling (depending upon the specific development pattern and character of an area; availability of public facilities and services; and environmental constraints), agricultural operations and supporting agricultural production, natural resource production and management, and low-intensity recreation.
- 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*. This designation should have not more than 10 acres of land area in any single location and development should be grouped as a clustered and contiguous center to preclude strip development. Locations of this designation shall provide for convenient, controlled access to arterial or collector roads.
- h. Community Commercial (CC) 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. Community Commercial designations shall be located within *Community Regions* although they may serve areas outside the *Community Region*. This designation shall contain 10 acres or more of land area with development grouped as a contiguous center to preclude strip development, with convenient, controlled access to arterial or major collector, roads.

- i. Highway Commercial (HC) is intended to provide for the retail and service needs of both highway-related and tourist populations, including automotive and travel-related services, recreation, dining, and lodging. Development within this designation should be grouped as a contiguous center to preclude strip development, and with convenient, controlled access to Interstate, freeway or primary arterial routes.

- j. Service Commercial (SC) is intended to provide for specialized intensive repair and related service uses which may have extensive storage needs and which require access to serve large geographic areas. It also provides for limited mixed use employment opportunities. Such designations shall be located only in Community Regions, where a high degree of convenient, controlled access to arterial or major collector roads can be provided.

- k. Rural Commercial (RC) is intended to provide for limited day-to-day retail and service needs for local residents, or for uses of limited scale and intensity providing goods and services to support local agricultural, natural resource or recreational operations. It also provides for limited mixed use employment opportunities. Such designations should have not more than 5 acres in a single location, and convenient, controlled access to an arterial or major collector roadway.

Size may be increased to not more than 10 acres where it is determined that a local market need clearly exists for this size development based upon a professionally-prepared market study, and a Design Master Plan is adopted providing for development in keeping with the rural character of the area.

- l. Office-Professional (OP) 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. Such designations shall be located only in *Community Regions* or *Rural Centers* and shall have convenient, controlled access to arterial or collector roads.

- m. Business Park (BP) is intended to provide for a variety of related and mutually supporting manufacturing, distribution, processing, service, and research and development uses. Development within this designation shall consist of light industries and supporting business and service activities, which are conducted within enclosed structures and do not create external vibration, noise, glare or other hazard. Accessory uses typical for such development may include residences required for on-site security, dining, or recreational facilities for employees. These uses are contained within a planned environment which has a “campus” character providing a high level of on-site amenities. A comprehensive master plan for the entire site shall be required prior to approval of any development located outside of an adopted Area Plan.

To provide for employment in proximity to residents outside the major employment centers of the County, development of *Village* or *Rural Center* Business Parks (BP-V or BP-RC) is also included within this designation. Such development shall be located within a designated *Village Center* or *Rural Center*, with an emphasis on smaller scale processing, service, and research and development uses which are more compatible with the character of *Village* and *Rural Centers*. Business Park development within these centers is also intended to provide for “cottage” industries with residential use for the owner/operator on the premises.

- n. Industrial (IND) is intended to provide for areas in which goods are produced, distributed and warehoused, along with supporting business and service uses. Locations within this designation should be able to provide buffering from adjacent land uses to minimize incompatibility, and should have convenient, controlled access to arterial or major collector roads without passing through residential areas.
- o. Forest (FOR) is intended to provide for production and management (including timber harvesting and related operations) of timber resources, and compatible recreational and low density residential uses. Within the Forest designation, the minimum parcel size should be 40+ acres, in order to provide for preservation of the timber resource and protection of resource management needs and opportunities.

- p. Recreation (REC) is intended to provide for a wide range of recreation uses and supporting services. Such uses may include destination resorts, including country clubs; ski resorts; golf clubs and golf courses; marinas; campgrounds providing a full range of services; and other similar uses. Because such uses are likely to attract significant vehicular trips, such uses should be in close proximity to a major highway or arterial road, but with controlled or indirect access. Also such uses may have significant impact on environmental resources and require careful site design and development. Therefore a comprehensive master plan for the entire site shall be required prior to approval of development.
- q. Public (PUB) is intended to provide for land in public or quasi-public ownership, including cemeteries, schools and other public and quasi-public buildings and uses in locations which are necessary to provide services to *Community Regions* and *Rural Regions*.
- r. Open Space (OS) is intended to provide for land, primarily in public ownership, which is dedicated to recreation, resource and habitat preservation, and protection of environmental resources, and which typically allows only recreation or very low-intensity limited uses, such as, but not limited to, visual corridor preservation, interconnecting wildlife corridors, slope protection, preservation of ditches, railroad rights-of-way, historic trails, agriculture, and timber production. This designation shall also provide for the designation of land in private ownership which is permanently devoted to open space through clustering or other open space requirements.
- s. Water Area (WA) is intended to recognize the importance of large bodies of water to the visual environment of the County, and their importance as a source of water based recreation.
- t. Planned Development (PD) 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, continuing care retirement communities, commercial, industrial, open space, and/or other land uses consistent with the capability and constraints of the land. Primary emphasis shall 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.

Such developments require a high degree of accessibility to the arterial and major collector road system, and should have internal vehicular and pedestrian circulation designed to provide safe and convenient linkage between the various uses. A comprehensive master plan for the entire site shall be required prior to approval of development.

Uses for Planned Developments shall be permitted as shown on the General Plan Land Use Maps for each specific Planned Development designation. Change in the specified area of the permitted uses, except for Open Space, may be allowed to accommodate site-specific conditions identified in the comprehensive master plan, provided that the cumulative change in area of any permitted use does not exceed 5 percent.

- u. Special Development Area (SDA) is intended to provide for the development of large land holdings as an integrated planned environment providing significant employment generation, along with supporting commercial, housing, continuing care retirement communities (CCRC), public facilities, recreation and open space.

The SDA designation shall be applied only to land holdings which occupy 400 acres or more, are in contiguous single ownership (except for intervening public rights-of-way), or capable of being developed as a specific entity and are substantially undeveloped or vacant. Within an SDA designation, a sufficient amount of land to establish a positive contribution to the County job-housing balance shall be allocated for employment generating uses, such as Business Parks, and sufficient land shall be allocated as Urban High Density or Urban Medium Density to ensure that at least 25 percent of the housing shall be constructed as affordable housing to accommodate the needs of local wage earners.

Development within an SDA shall require implementation of a Specific Plan and will normally require execution of development agreements to ensure conformance with the Specific Plan, provision of infrastructure and other requirements. The Specific Plan shall address environmental, infrastructure, circulation and land use elements of the SDA. Prior to such implementation, this

designation shall be implemented by the “IDR” Interim Development Reserve district of the County zoning regulations.

Uses for Special Development Areas shall be permitted as shown on the General Plan Land Use Maps for each specific SDA designation. Change in the specified area of the permitted uses, except for Open Space, may be allowed to accommodate site-specific conditions identified in the comprehensive master plan, provided that the cumulative change in area of any permitted use does not exceed 5 percent.

The Specific Plan prepared for each SDA shall include a Transportation System Management and Demand Management program designed to minimize the SDA's impacts on the local road and State highway systems. Said program will ensure that implementation of the Specific Plan will provide for consistency with adopted County LOS as found in policies 3.10, 4.1, and 4.3.

- v. Planned Residential Community (PRC) is intended to designate existing residential communities in the County which are developed as a single entity under an overall Master Plan. These Planned Residential Communities are Lake Wildwood, Alta Sierra and Lake of the Pines in western Nevada County and the Tahoe-Donner area in eastern Nevada County. The PRC designation is intended to provide for residential development in accordance with the approved Master Plan and also for community support facilities, including recreation, which are operated by a resident’s association or similar mechanism.

- w. Continuing Care Retirement Community (CCRC) is to provide for housing and care services in an age restricted setting that includes independent living, assisted living, nursing care, physical rehabilitation, and memory-impairment housing. The concept of CCRC’s is to support “aging in place” communities that promote and encourage a wide range of living arrangements for senior citizens that includes physical and programmed social connectivity, and supportive health-related and similar services. CCRC’s shall be combined with either a PD (Planned Development) or SDA (Special Development Area) land use designation. The location and site planning characteristics of CCRC’s shall be carefully considered pursuant to policy provisions contained within the General

Plan and pursuant to County Zoning Regulations, including the CCRC Combining District, and will emphasize clustering of development, preservation of open space, and minimizing adverse impacts to the character and lifestyles associated with neighborhoods near the project site.

GOAL 1.3

Within *Rural Regions*, maintain and enhance the County's pastoral character, existing land use patterns, rural lifestyle, and economy in their natural setting.

Policy 1.3.1 Provide for a land use pattern compatible with preservation of character, environmental values and constraints, and the form and orderly development of *Rural Places*.

Policy 1.3.2 Within the *Rural Regions*, growth is provided for only those types and densities of development which are consistent with the open, pastoral character which exists in these areas.

Future development within the following land use designations shall be considered appropriate within *Rural Regions*:

- a. Estate (3 acre minimum parcel size)
- b. Rural-5 (5 acre minimum parcel size)
- c. Rural-10 (10 acre minimum parcel size)
- d. Rural-20 (20 acre minimum parcel size)
- e. Rural-30 (30 acre minimum parcel size)
- f. Rural-40 (40 acre minimum parcel size)
- g. Rural-160 (160 acre minimum parcel size)
- h. Forest-40 (40 acre minimum parcel size)
- i. Forest-80 (80 acre minimum parcel size)
- j. Forest-160 (160 acre minimum parcel size)
- k. Forest-640 (640 acre minimum parcel size)
- l. Rural Commercial
- m. Highway Commercial
- n. Public
- o. Recreation
- p. Open Space
- q. Water
- r. Planned Development
- s. Community Care Retirement Community (50 acre minimum parcel size)

These uses require and support lower levels of service and through low density and intensity of use provide mutual benefits for the maintenance of a rural character and preservation of natural resources.

Policy 1.3.3

Continuing Care Retirement Communities (CCRC) land use designation may be established subject to compliance with the following provisions:

- a. For CCRC's located in *Rural Regions*, development shall be clustered on the project site, with at least 50 percent of the total project site (parcel) area shall be open space. Open space shall generally contiguous, accessible to residents where topographic and other natural site and environmental features allow, and projective of sensitive habitats areas and significant natural features.
- b. CCRC's shall be served by public water and public sewer facilities (community sewer systems referenced by General Plan Policy 3.1 are not allowed). Extension of services for CCRC's shall be carefully considered by the County, including evaluation pursuant to the following criteria:
 1. Public water and sewer service line extensions shall be generally limited in distance into *Rural Regions* unless findings can be made demonstrating special circumstances for longer service line extensions.
 2. Public water and sewer service line extensions to serve CCRC facility shall no pass through lands designated as Open Space, Recreation or Forest in the General Plan.
 3. Extension of public water and sewer service lines shall not create significant potential for development in areas not otherwise planned for development under the General Plan.
 4. Extension of public sewer and water services must comply with applicable provisions of the particular service provider and County policy as a condition of extension of water and/or sewer services to the project site, including annexation into service area boundaries where required.
- c. Any General Plan Amendment application for a CCRC shall carefully consider any issue of compatibility of the proposed project with surrounding lands and neighborhoods. This shall include an evaluation of:

1. The type, intensity and location of land uses in the project area.
 2. Potential for creation of any significant transportation/circulation, aesthetic, noise, visual and other environmental considerations.
 3. Evaluation of the proposed CCRC site plan, including proposed structural and use-area setbacks from property lines.
 4. Protection of the project area's general character of surrounding land uses and neighborhoods.
- d. Implementation of the CCRC designation will require compliance with applicable provisions of the Nevada County Zoning Regulations (Chapter II of the Land Use and Development Code).

Policy 1.3.4

Within the *Rural Regions*, *Rural Places* are established to define places as centers of activity for the surrounding rural areas. *Rural Places* are established for Alta Sierra, Cascade Shores, Cedar Ridge, Chicago Park, Red Dog/You Bet, Rough and Ready, North San Juan, Washington, Kingvale, Soda Springs, Hirschdale, and Floriston.

The pattern of development for each *Rural Place* as shown on the General Plan Land Use Maps shall reflect its specific character providing for recognition of the existing focus and function. This focus shall recognize:

- a. The function as multi-purpose *Rural Centers* of Cedar Ridge, Chicago Park, Rough and Ready, North San Juan and Washington, all of which provide goods and services to the surrounding areas;
- b. The primarily residential character of Cascade Shores in its orientation to water-based recreation, with limited supporting services;
- c. The focus of Red Dog/You Bet in relation to its historic development as a mountain agricultural and mining community incorporating the two historic town sites, and maintaining a rural land use pattern without a commercial center; and
- d. The primarily residential character of Alta Sierra.

Policy 1.3.5

Provide for the submission of area informational documents from citizens to be placed with the County as additional information.

Policy 1.3.6

Rural Centers are intended to provide for the development, within Rural Places, of existing centers to provide a focus for *Rural Regions*. Such centers should have a mix of uses which may include residential, commercial, office, business park, and public or institutional uses, grouped together and interrelated to form a functional and cultural center, and to create a visual identity related to the rural character of the region.

To achieve a desired mix of activities within the *Rural Center* and to ensure that adequate land area is maintained for commercial uses serving the *Rural Regions*, the following are considered to be typical desirable ratios for these uses in relation to the total area of the *Rural Center*:

- a. Residential - 20 percent
- b. Commercial - 50 percent
- c. Business Park - 10 percent
- d. Public and Institutional (including recreation and dedicated open space) - 20 percent.

However, the actual ratios of land use in each *Rural Center* may be varied to reflect its particular needs and character.

The *Rural Center* should have convenient, controlled vehicular access from arterial or major collector roads. Provision of water and sewer service through public or on-site community systems is also desirable to serve the ultimate planned development of the centers. *Rural Centers* are established for Alta Sierra, Cedar Ridge, Chicago Park, Rough and Ready, North San Juan, Washington, and Soda Springs.

Future development of *Rural Centers* may require the formation of an entity, such as an area service district, to provide for the necessary services. Where appropriate in conjunction with the formation of such an entity, a Specific Plan may be required to ensure that comprehensive planning is accomplished for the overall future development of the Center.

Policy 1.3.7

Within the *Rural Center*, sidewalks, multi-purpose pathways, bikeways, greenways and recreational trails should be internally integrated and also provide connectivity to adjacent neighborhoods and regional non-motorized trail systems.

Policy 1.3.8

Future development within the following land use designations shall be considered to be appropriate within *Rural Centers*.

- a. Neighborhood Commercial
- b. Office-Professional
- c. Business Park
- d. Urban Medium Density Residential
- e. Urban Single Family Residential
- f. Residential
- g. Public

These uses provide the opportunity for mutually supporting development in a focused center to provide goods, services and employment for residents of *Rural Places* and the surrounding *Rural Regions*. The grouping of such uses in compact, defined centers also provides the opportunity for more efficient provision of public services than would be possible in a more dispersed pattern.

Policy 1.3.9 Areas of Residential, Urban Single Family and Planned Residential Community land use designations are also located in *Rural Regions*. These designations are intended to reflect the existing areas of platted and developed parcels at densities greater than otherwise allowed in *Rural Regions*. These areas are not extensive, and are not intended to dictate the future character of development outside the limited areas of such designations.

Policy 1.3.10 To encourage resource management in subdivisions in the Rural General Plan designations, agricultural and timber production uses shall be considered appropriate uses within said subdivisions, and the tentative map approval process shall encourage clustering to support grazing, forest management, and crop production coexistent with residential uses.

Policy 1.3.11 Encourage future improvements of public and private facilities/services to that which will enhance the specific character and lifestyle of *Rural Regions*.

Policy 1.3.12 In *Rural Regions*, development shall be driven and determined by land use designations and the need to provide additional road circulation in areas where there is inadequate secondary safety access rather than infrastructure availability.

Policy 1.3.13 *Rural Region* Area Plans are an optional planning tool whose purpose is to allow a more specific treatment of a *Rural Region* area, especially its unique characteristics. Each *Rural Region* Area Plan must contain at least one *Rural Place* and related territories based upon topographical and watershed boundaries. *Rural Region* Area Plans are to complement and assist in the further

implementation of the goals, objectives, and policies of the General Plan.

The North San Juan Rural Center Area Plan, and the Soda Springs Area Plan and portions of the Penn Valley area outside of its *Village Center and Community Region* are the only *Rural Region* Area Plans.

Program 1.3.1

Identify potential communities for future Area Plans based on land use planning needs and community support. *Rural Centers* that should be considered for future Area Plans include, but are not limited to: Soda Springs, Cedar Ridge, Chicago Park, Rough and Ready, and Washington.

As noted in Policy 1.3.4, the *Rural Centers* of Cedar Ridge, Chicago Park, Rough and Ready, and Washington function as multi-purpose *Rural Centers* that provide goods and services to surrounding areas. The Soda Springs *Rural Center* serves the community by providing limited services in addition to meeting seasonal tourist based needs.

GOAL 1.4

Within *Community Regions*, provide for an adequate supply and broad range of residential, employment-generating, and cultural, public and quasi-public uses located for convenience, efficiency, and affordability while protecting, maintaining, and enhancing communities and neighborhoods.

Policy 1.4.1

Maintain a land use pattern based upon criteria that establish the amount of land use types necessary to meet the needs of the population/employment levels, while recognizing the unique character of each *Community Region*. Future development within the following land use designations shall be considered to be appropriate within *Community Regions*:

- a. Urban High Density Residential
- b. Urban Medium Density Residential
- c. Urban Single Family Residential
- d. Residential
- e. Estate
- f. Neighborhood Commercial
- g. Community Commercial
- h. Highway Commercial
- i. Service Commercial
- j. Office-Professional
- k. Business Park
- l. Industrial
- m. Recreation

- n. Public
- o. Open Space
- p. Water Area
- q. Special Development Area
- r. Planned Development
- s. Planned Residential Community
- t. Continuing Care Retirement Community (20 acre minimum parcel size)

Concentration of these uses within *Community Regions* require and support the highest level of service and access, and create mutual benefits through interdependency and proximity of more intensive uses.

Policy 1.4.2

Development within the *Community Regions* shall be consistent with the overall rural quality of life in the County, as demonstrated through sensitivity to resource constraints, provision of interwoven open space as a part of development, and community design which respects the small town or village character of the *Community Regions*. These criteria shall be accomplished through application of the Comprehensive Site Design Standards in review of discretionary and ministerial projects.

Policy 1.4.3

Village Centers are intended to provide for the development of new centers to provide a focus within *Community Regions*. Such centers should include residential, commercial, office, business park, and public or institutional uses, grouped together and interrelated to form a functional and cultural center, and to create a visual identity for the Community. *Village Centers* are established within the Higgins Corner/Lake of the Pines, and Penn Valley *Community Regions*. The boundaries of these *Village Centers* are shown on the General Plan Land Use Maps.

The core area within the *Village Center* should contain the principal commercial uses serving the community. These uses should provide for a wide variety of goods and services, but with a scale that reflects the desired Village character with a lower intensity of use. Within the core area of the *Village Center*, secondary residential and office uses should be allowed and encouraged only above the ground floor to maximize the pedestrian scale and function of the core. Within the balance of the *Village Center*, there should be a mix of residential (predominantly multi-family), secondary commercial, business park and public or institutional uses.

To achieve a desired mix of activities within the *Village Center*, the following are considered to be typical desirable ratios for these uses in relation to the total area of the *Village Center*:

- a. Residential (High Density) - 20 percent
- b. Residential (Medium Density) - 20 percent
- c. Commercial - 25 percent
- d. Business Park - 15 percent
- e. Public and Institutional (including recreation and dedicated open space) - 20 percent

However, the actual ratios of land uses in each *Village Center* may be varied to reflect the particular needs and character of its location.

Within the *Village Center*, and particularly within the core area of the *Village Center*, sidewalks, multi-purpose pathways, bikeways, greenways and recreational trails should be internally integrated and also provide connectivity to adjacent neighborhoods and the regional non-motorized trail system. The *Village Center* should be accessible from all parts of the community with convenient, controlled vehicular access from arterial or major collector roads. Local roads within *Village Centers* should provide for internal access within the center without using the arterial road system.

Area Plans are optional planning tools in *Community Regions* that allow for more specific treatment of a *Village Center*. Area Plans are supporting land use policy documents that complement and assist in the further implementation of the General Plan. Area Plans are adopted for both the Penn Valley and Higgins Corner-Lake of the Pines *Village Centers*.

Policy 1.4.4

A Special Development Area in the southwestern part of the County, in the vicinity of McCourtney and Spenceville Roads is shown on the General Plan Land Use maps for the purpose of establishing a Development Reserve. Development within this Development Reserve shall require implementation of a Specific Plan. Also, a specific *Community Region* boundary shall be established as part of this process. Prior to such time, this designation shall provide for low-density development not to exceed an average density of one dwelling unit per 40-acres and to ensure that the potential for a New Town is not precluded until such time that a specific plan is prepared and Community Region boundaries established. Until that time, this designation shall be implemented by the "PD" Planned Development district of the County zoning regulations.

The Specific Plan shall require a finding that:

- a. Development of the New Town Reserve necessary to assure a long-term, job/housing balance and adequate supply of affordable housing for the unincorporated areas of Nevada County;
- b. Development will provide affordable housing to meet the County's demonstrated housing needs concurrent with the creation;
- c. Development will provide a significant positive increase in the County's jobs/housing ratio and that mechanisms to ensure phased development of employment preceding or concurrent with housing are assured;
- d. A substantial portion of the area within the New Town Reserve will be preserved as open space for vegetation, habitat, and natural resource protection, and for passive recreation with mechanisms to insure that such open space is permanently maintained. This open space will be distributed in such a manner that it provides a significant buffer between the New Town and adjacent lands. The open space shall provide for protection of landmark groves and heritage trees as well as wildlife corridors sufficient to maintain the existing biodiversity of the site;
- e. A multimodal circulation system will be provided which encourages the use of modes other than the private automobile; and
- f. Adequate public facilities and services can be provided to serve the development on a self-sustaining basis through formation of a Community Services District or comparable mechanism, and without imposing a financial burden on the other areas of the County.

Prior to submittal of a New Town proposal, the County-wide population shall be not less than 105,000 persons.

- Policy 1.4.5** Encourage land use patterns which minimize use of the automobile and allow for viable alternative transportation modes.
- Policy 1.4.6** Designate a diversified compatible mix of land uses in close proximity to residential uses.
- Policy 1.4.7** Utilize housing densities to encourage the use of alternative transportation modes and increase the efficiency of public services and facilities.

GOAL 1.5

Within *Community Regions*, ensure that development reflects our small-town character, the characteristics of the land and the natural environment.

Policy 1.5.1 Establish a land use pattern which provides for open space, environmentally sensitive land, resource management areas and appropriate transitions.

Policy 1.5.2 Implement development standards which incorporate open space, protect environmentally sensitive land, and allow for resource management.

Policy 1.5.3 The adopted Comprehensive Site Development Standards, contained in the Land Use and Development Code (Chapter II, Article 4), were established and are implemented as directed by Action Policy 1.17 of the 1995 General Plan. These standards are used during the “project site review process” to provide a consistent approach for addressing the presence of sensitive environmental features and/or natural constraints, clustering and provisions of open space as a part of development, the potential for land use conflicts between uses, and the potential for public health hazards.

Applicable to all development projects in the County, the Comprehensive Site Development Standards have been designed to be protective of the County’s unique character, providing guidance for:

- a. Protection of environmentally sensitive resources;
- b. Provision of open space as part of site development;
- c. Prevention and reduction of fire hazards;
- d. Maintenance and enhancement of vegetation and landscaping;
- e. Prevention and reduction of flood hazards;
- f. Transitions between uses and multiple-use site development;
- g. Community design;
- h. Buffering and screening to mitigate adverse effects;
- i. Incentives to provide for access to public resources and open space; and
- j. Protection of important agricultural, mineral, and timber resources.

These standards shall identify the basic requirements for site development in the County, including, at a minimum, standards to mitigate the impact of development on the following environmentally sensitive resources:

- Wetlands (as delineated in the U.S. Fish and Wildlife Service National Wetlands inventory);
- Major deer migration corridors, critical range, and critical fawning areas (as defined by the State Department of Fish and Wildlife’s Migratory Deer Range Maps);
- Landmark oaks; (defined as any oak 36" or greater at dbh);
- Landmark oak groves; (defined as areas with 33+% canopy closure based on the State Department of Forestry and Fire Protection’s Hardwood Rangeland Maps);
- Rare and endangered species; (as found in the California Natural Diversity Database and the California Native Plant Society Inventory of Rare and Endangered Vascular Plants of California);
- Riparian corridors within 100 feet of intermittent or perennial water courses (as shown the U.S. Geological Survey Quadrangle Topographic Maps);
- Significant cultural resources (as may be defined based upon recommendations by the Native American Heritage Commission or recognized Native American Group, Nevada County Landmarks Commission, or the Nevada County Historical Society);
- Floodplains precluding development and land disturbance within floodways and restricting development within the floodway fringe, through the establishment of floodplain setbacks and associated development regulations (as defined by the Federal Emergency Management Agency’s Flood Insurance Rate Maps);
- Important agricultural lands; (as defined by the State Department of Conservation’s Important Farmlands Map);
- Significant mineral areas, (as defined by the State Division of Mines and Geology ‘s Nevada County Mineral Classification Report Maps referred to as Mineral Resource Zones -2);
- Earthquake faults, (as defined by the State Division of Mines and Geology’s Fault Map of California the United States Bureau of Reclamation’s Seismotectonic Study of the Truckee/Lake Tahoe Area);
- Avalanche hazards (as defined by the Norman Wilson Avalanche Hazard Study);
- Steep slopes (30+%);
- Areas with high erosion potential (as determined by the United States Department of Agriculture’s Soil Surveys of Nevada County and the Tahoe National Forest);

- Areas subject to fire hazards; (as defined by the State Department of Forestry and Fire Protection’s Fire Hazard Severity Map); and
- Visually important ridgelines and viewsheds; (as defined by standards developed by Policy 18.3 of the General Plan).

Policy 1.5.4

Where such resources are present, the standards shall require that professional field inventory and review shall be undertaken to delineate the extent of the resource and determine the impact of the proposed development. The following siting and design measures shall be implemented as appropriate to meet the performance criteria:

- Identification of building envelopes;
- Conservation easements/deed restrictions;
- Use of common vs. individual driveways;
- Specification of location and type of fencing;
- Identification of setbacks and/or buffers;
- Development restrictions;
- Use of Transfer of Development Rights; and
- Offsite mitigation/mitigation banking.

The County shall approve a project for a discretionary permit only if it can be demonstrated that the project, as designed and sited, meets the intent of the performance criteria of the Comprehensive Site Development Standards.

Policy 1.5.5

Clustering of development is an effective and direct means to provide for the maintenance of the rural quality of life and protection of environmental resources which are important to Nevada County. Therefore, submittal of a clustering option of all land divisions within the Estate, Rural, and Forest General Plan land use designations in order to maintain the open, pastoral character of development which gives definition to the *Rural Regions*, and to protect environmental features by preserving areas containing such features as Open Space. This clustering evaluation shall utilize the U.S. Geological Survey maps as the basic level of information.

In all other residential use designations (including Residential, Urban Single-Family, Urban Medium Density, and Urban High Density and Continuing Care Retirement Community), clustering of development shall be strongly encouraged to maintain viable open space onsite to contribute to open space linkages through and between land use areas. In addition, submittal of a clustering option shall be required in these land use designations and

clustering encouraged for all discretionary projects where environmentally sensitive resources.

Clustering may be achieved by building site clustering with creation of permanent open space; restriction of buildable area on individual lots; or other means which are consistent with the protection of the natural resources and environmental characteristics on the site.

No specific amount or ratio of open space shall be required; however, the amount of open space shall not be less than the amount of land area on the site subject to significant environmental features, as defined by Policy 1.5.3. Where the entire site is affected by significant environmental features, clustered development shall occur on the least sensitive habitat or resource area, as defined by an environmental analysis. Within such defined areas, minimum subdivision parcel size shall be limited to that needed to meet water and sewage disposal standards, as determined by the Department of Environmental Health.

Open space created through clustering shall be assured of permanent maintenance as open space by mechanisms such as, but not limited to, dedication, permanent easement, irrevocable trust, deed restrictions, or other mechanism assuring its permanent status.

The allowable number of dwelling units for any clustered development shall not exceed the number of units determined by dividing the total acreage of a parcel by the maximum permitted density for the land use designation in which the parcel is located.

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.

Policy 1.6.2 The General Plan Land Use Designations shall be implemented through adoption and application of compatible zoning districts of the County Zoning Regulations consistent with the following Land Use Designation Compatibility Matrix, and through adoption of zoning district maps consistent with the land use designations.

TABLE 1.2
GENERAL PLAN LAND USE DESIGNATION COMPATIBILITY MATRIX

Land Use Designation	Zoning District																				
	AE	AG	RA	R1	R2	R3	OP	C1	C2	CH	BP	C3	M1	M2	REC	FR	P	TPZ	OS	IDR	PD
Urban High Density Residential	•	•	•	•	•	•	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Urban Medium Density Residential	•	•	•	•	•	-	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Urban Single Family Residential	•	•	•	•	-	-	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Residential	•	•	•	•	-	-	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Estate	•	•	•	•	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Rural-5 (5 acre min parcel size)	•	•	*	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Rural-10 (10 acre min parcel size)	•	•	*	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Rural-20 (20 acre min parcel size)	•	•	*	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Rural-30 (30 acre min parcel size)	•	•	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Rural-40 (40 acre min parcel size)	•	•	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Rural-160 (160 acre min parcel size)	•	•	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•
Neighborhood Commercial	•	•	-	-	-	-	•	•	-	-	-	-	-	-	-	-	•	-	•	-	•
Community Commercial	•	•	-	-	-	-	•	•	•	•	-	-	-	-	-	-	•	-	•	-	•
Highway Commercial	•	•	-	-	-	-	•	•	•	•	-	-	-	-	-	-	•	-	•	-	•
Service Commercial	•	•	-	-	-	-	•	•	•	•	-	•	-	-	-	-	•	-	•	-	•
Rural Commercial	•	•	-	-	-	-	•	•	-	-	-	-	-	-	-	-	•	-	•	-	•
Office-Professional	•	•	-	-	-	-	•	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Business Park	-	-	-	-	-	-	-	-	-	-	•	-	-	-	-	-	•	-	•	-	•
Industrial	-	-	-	-	-	-	-	-	-	-	•	-	•	•	-	-	•	-	•	-	•
Recreation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•	-	•
Forest	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	•	-	•
Public	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Open Space	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	-	•
Water Area	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	-	•	-	•
Special Development Area	-	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	-	•	•
Planned Development	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Planned Residential Community	-	-	•	•	•	•	•	•	-	-	-	-	-	-	•	-	•	-	•	-	•
Continuing Care Retirement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•

The designation (•) means that the zoning district is consistent with the General Plan land use designation; the designation (-) means that the zoning district is not consistent with the General Plan land use designation. Some areas may have an interim zoning designation until the area is ready to be developed in accordance with the General Plan land use designation. The designation (*) means that only those areas zoned "RA" as of November 14, 1995 shall be consistent with the Rural 5, Rural 10, and Rural 20 designations; those areas not zoned "RA" as of that date shall not be considered consistent with said designations.

Policy 1.6.3 Boundaries between regions may be changed and new regions and places may be established only in accordance with criteria established by this plan.

Policy 1.6.4 Direct development to areas that can create the opportunity to acceptable levels of public facilities and services.

Policy 1.6.5 Discourage incompatible land uses in proximity to public facilities and institutional uses.

- a. Where possible, industrial uses should not be placed adjacent to public facilities or institutional uses. New or expanded industrial uses that abut a public facility or institutional use should provide a buffer area so as to mitigate visual, noise, light and glare, and other adverse impacts. However, these criteria do not apply to uses which abut a public or institutional uses of an industrial character, such as the corporation yard.
- b. Public facilities and institutional uses in areas designated for Industrial use on the General Plan Land Use Maps should establish buffers from the surrounding industrial sites, through additional setbacks, landscaping, fencing and other screening, except where the public or institutional use is intended to serve the industrial area or is of an industrial character.

GOAL 1.7

Coordinate land use planning within the *Community Regions* and *Rural Regions*.

Policy 1.7.1 Provide for specific densities for residential uses in the *Community Regions* and *Rural Regions*.

Policy 1.7.2 The General Plan shall provide for the following densities in the respective land use designation based upon the maximum number of dwelling units or persons per acre for the minimum parcel area per dwelling.

The densities shown are the maximum provided for in the respective General Plan designations. The maximum density may not be achieved for all development, either in the short term or in the long term, due to site specific conditions.

**TABLE 1.3
MAXIMUM DENISITIES IN RESPECTIVE LAND USE DESIGNATIONS**

<i>General Plan Designation</i>	<i>Max. Units Per Acre</i>	<i>Min. Acres Per Unit</i>	<i>Max. Persons Per Acre</i>
Urban High Density Residential (1)	15/20		36/48
Urban Medium Density Residential	6		14.4
Urban Single Family Residential	4		9.6
Residential	2/3	1.5	1.584
Estate	1/3	3	0.792
Rural-5 (5 acre minimum parcel size)	1/5	5	0.48
Rural-10 (10 acre minimum parcel size)	1/10	10	0.24
Rural-20 (20 acre minimum parcel size)	1/20	20	0.12
Rural-30 (30 acre minimum parcel size)	1/30	30	0.0792

Rural-40 (40 acre minimum parcel size)	1/40	40	0.06
Rural-160(160 acre minimum parcel size)	1/160	160	0.015
Neighborhood Commercial	4		9.6
Community Commercial	4		9.6
Highway Commercial	4		9.6
Service Commercial	4		9.6
Rural Commercial	4		9.6
Office-Professional	4		9.6
Business Park	4		9.6
Industrial	4		9.6
Recreation	4		9.6
Forest-40	1/40	40	0.06
Forest-80	1/80	80	0.03
Forest-160	1/160	160	0.015
Forest-640	1/640	640	0.0038
Public	NA		NA
Open Space	NA		NA
Water Area	NA		NA
Special Development Area	(2)		(2)
Planned Development	(2)		(2)
Planned Residential Community	4		9.6
Continuing Care Retirement Community	(3)	(3)	(3)

NOTES: NA - Not applicable

- (1) 20 dwelling units per acre maximum within incorporated area's spheres of influence; 15 units per acre elsewhere.
- (2) Population and dwelling units density within Special Development Areas and Planned Developments shall conform to the densities for the land use designations shown on the General Plan Land Use Maps for each specific Special Development Area or Planned Development.
- (3) Maximum CCRC density shall not exceed 2 units/acre in *Rural Regions* and 6 unites/acre in *Community Regions*. CCRC's shall have a maximum of 400 living units. Nursing Care and/or Memory Care beds shall be included in the overall project density calculations at a ratio of 4 beds/1 and 1 kitchen per living unit. Maximum number of persons per acre to be determined in conjunction with processing of Use Permits.

In addition to the densities allowed in the above table, an increased number of dwelling units for housing for lower income and senior citizen households through the density bonus provision of Policy HD-8.1.6 may be allowed.

Cluster developments in rural areas may employ flexible lot sizes subject to health minimums.

Policy 1.7.3

Provide for specific intensities of use for non-residential uses in the *Community Regions* and *Rural Regions*.

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Policy 1.7.4 The General Plan shall provide for the following building intensities in the respective land use designations. Impervious surface shall include all land covered by structures or paved surfaces (excluding gravel surfaces).

**TABLE 1.4
MAXIMUM BUILDING INTENSITIES IN RESPECTIVE LAND USE DESIGNATIONS**

<i>General Plan Designation</i>	<i>Max. Impervious Surface in %</i>	<i>Max. Bldg. Height</i>
Urban High Density Residential	60	3 stories or 45'
Urban Medium Density Residential	50 ⁽¹⁾	3 stories or 45'
Urban Single Family Residential	40 ⁽¹⁾	3 stories or 45'
Residential	30 ⁽¹⁾	3 stories or 45'
Estate	20 ⁽¹⁾	3 stories or 45'
Rural-5 (5 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-10 (10 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-20 (20 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-30 (30 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-40 (40 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-160 (160 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Neighborhood Commercial	85	3 stories or 45'
Community Commercial	85	45' ⁽²⁾
Highway Commercial	85	45' ⁽²⁾
Service Commercial	85	3 stories or 45'
Rural Commercial	85	3 stories or 45'
Office-Professional	60	3 stories or 45'
Business Park	60	45' ⁽²⁾
Industrial	85	45' ⁽²⁾
Recreation	10 ⁽³⁾	45' ⁽²⁾
Forest	5 ⁽¹⁾⁽³⁾	3 stories or 45'
Public	85	3 stories or 45'
Open Space	5	3 stories or 45'
Water Area	5	NA
Special Development Area	(4)	(4)
Planned Development	(4)	(4)
Planned Residential Community	40 ⁽¹⁾	3 stories or 45'
Community Care Retirement Community	(5)	(5)

NOTES

NA - Not Applicable

- (1) Maximum impervious surface may be increased to 60% for conditionally permitted support uses. Within the Forest designation, this standard shall apply only to parcels 5 acres or less in size. In such instances, retention/detention facilities shall be incorporated into the design of those projects that could result in flood damage to downstream uses.

- (2) Discretionary and administrative permits will be required for special uses that would need to exceed the allowable height.
- (3) May be increased to 20% for parcels 5 acres or less in size.
- (4) Intensity of use within Special Development Areas and Planned Developments shall conform to that for the land use designations shown on the General Plan Land Use Maps for each specific Special Development Area or Planned Development.
- (5) Areas of maximum impervious surface and building heights to be determined through the Use Permit process, though in no instances shall heights exceed 3 stories/45 feet.

Policy 1.7.5

Provide flexibility in the General Plan land use provisions so that variations in land use patterns and activities are permitted within the land use framework established for *Community Regions* and *Rural Regions*.

Policy 1.7.6

The County shall recognize the need and allow for certain types of extended family support services, continuing care communities, and institutional uses in areas in which residential uses are allowed in the General Plan land use designations in both *Community Regions* and in *Rural Regions*.

While allowing for the establishment of such support services, this policy will protect the residential areas by only allowing the establishment of such support services with a conditional use permit requiring a finding that the establishment of the uses:

- a. Will provide support for the neighborhood or surrounding community;
- b. Is in keeping with the residential or rural character;
- c. Will not require the extension of public sewer or water outside a *Community Region* boundary (excepting continuing care retirement communities, which are subject to compliance findings in Policy 1.3.3); and
- d. Will have no significant adverse effect on the surrounding property.

For uses of greater intensity as measured by traffic generation, high peak hour traffic volumes, extended hours of operation, or greater building height or bulk, additional on-site buffering or other site or use modifications shall be required to mitigate adverse effects.

Uses which are recognized to be consistent with this policy are those that provide a direct service to the family and/or community and include medical clinics and medical support services, educational institutions, day care services, continuing care

retirement communities, places of worship, community and group meeting center, fire stations, libraries, public utility facilities, other public facilities, and recreation facilities.

These uses are considered to be compatible with the following General Plan land use designations in addition to the Public land use designation:

- a. Urban High Density Residential
- b. Urban Medium Density Residential
- c. Urban Single Family Residential
- d. Residential
- e. Estate
- f. Rural
- g. Forest
- h. Continuing Care Retirement Community

Policy 1.7.6

The County strongly supports home occupations in both *Community Regions* and *Rural Regions* as a means of providing convenient employment opportunities and decreasing dependence on the auto. To ensure home occupations are in keeping with the residential or rural character of the neighborhood or area, home occupations shall be subject to administrative permits; whereas, cottage industries shall be subject to conditional use permits or such other permit process as may be lawfully established in the Zoning Ordinance.

Policy 1.7.7

The County shall allow on-site residential development as an integral part of the primary building for all commercial and office-professional development, provided that such residential development is consistent with applicable provisions of the Comprehensive Site Development Standards.

Policy 1.7.8

Attached dwelling units may be allowed in the Urban Single Family (USF) designation subject to the standards and permitting requirements of the Land Use and Development Code and provided that:

- a. There are no more than 4 dwelling units to a building;
- b. The density does not exceed that permitted by the USF designation;
- c. The buildings are clustered on the site; and
- d. Adequate buffering and screening is provided for adjacent uses in conformance with the Comprehensive Site Development standards.

- Policy 1.7.9** Commercially operated facilities for storage of goods, machinery, equipment, or personal property are prohibited in all areas of the County other than in areas designated primarily for commercial or industrial land uses. No expansion shall be permitted of any existing storage facilities except for facilities already in areas so designated as commercial or industrial.
- Policy 1.7.10** The County shall provide for facilities for the management of hazardous waste produced on-site in the Commercial, Business Park, Industrial, and Public land use designations, and shall provide for facilities for the management of hazardous waste produced on or off-site in the Industrial and Public land use designations. All facilities shall be located in a manner consistent with criteria established in the State-approved Nevada County Hazardous Waste Management Plan approved by the County.
- Policy 1.7.11** Notwithstanding other policies, the County shall provide for development on an existing legally established lot which does not conform to the minimum parcel size of the General Plan land use designation and implementing zoning district provided that all other current development standards are met.
- Policy 1.7.12** Notwithstanding other policies, no land subject to "X" combining district zoning shall be further subdivided nor shall further lot splits be created. The "X" Combining District shall be used to mitigate cumulative impacts of successive land divisions, by zoning property "X" where the division creates the maximum number of parcels allowed by the General Plan designation. The "X" Combining District may also be used where allowable density is transferred to another parcel.
- Policy 1.7.13** Notwithstanding other policies, minor lot line adjustments may be allowed for existing substandard size parcels provided that no new building sites are created.
- Policy 1.7.14** Minimum parcel sizes requirements for the respective General Plan land use designations shall not apply to parcels occupied by Governmental bodies or to parcels owned and occupied by public or investor owned utilities.
- Policy 1.7.15** Land divisions may be allowed at parcel sizes smaller than the minimum requirements for the respective General Plan land use designations where the primary purpose of the division is to allow for the parcelization of legally existing dwellings on one parcel and no new building sites will be created. A legally existing dwelling shall be defined as a residential structure built in compliance with all applicable laws in effect at the time of construction.

Policy 1.7.16

Provide measures to amend and update the General Plan. A review, and potentially a revision, of the General Plan shall be completed not less than every five years. This review shall be coordinated with the state mandated updates of Plan Elements, and should normally be commenced at least one year prior to the required completion date and may include but not limited to:

- a. An updated Housing Element based upon the revised regional housing allocation and incorporating an updated housing needs assessment.
- b. An assessment of current land use needs in order to maintain a balanced growth pattern in the County, particularly related to the jobs/housing balance.
- c. A review and assessment of new or updated available data, including population, economic and natural resource data.
- d. An assessment of infrastructure capabilities and constraints and their relationship to the land use pattern.
- e. A review and update of the AB 1600 studies conducted by the County as a basis for evaluation of the development impact fee program.
- f. An assessment of land use trends and effects of growth on service capabilities and natural resources.
- g. New legislation/laws enacted since the last General Plan Update/Review.

Policy 1.7.17

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 proposed amendments must be found to be:

- a. In the public interest; and
- b. Consistent with the General Plan's central themes, goals, objectives, policies and programs.

If this review concludes that additional areas for development are needed to address the above issues and further General Plan goals, objectives, and policies, the County shall encourage the development of Special Development Areas, consistent with the standards of Policy 1.2.4.u., to accommodate future growth, rather than increases in density and intensity of land uses within *Rural Regions*. This will ensure consistency with the intent of the Plan, particularly Policy 1.1.1, to limit growth in *Rural Regions* and encourage compact, balanced growth within *Community Regions*.

Policy 1.7.18 Encourage and support a sustainable and technologically current high-speed broadband transmission system that reliably connects Nevada County businesses and residences to national networks as a means to reduce transportation impacts, improve air quality, enhance citizens' quality of life, and promote economic development.

Program 1.7.1 The County will develop site standards requiring new residential and commercial development projects to include the broadband infrastructure components and adequate bandwidth speeds necessary to support current communication technologies.

GOAL 1.8

Coordinate with the cities/town in land use planning and development within their spheres of influence.

Policy 1.8.1 Encourage compatibility and coordination of land use designations.

Policy 1.8.2 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.

Policy 1.8.3 Within the City/Town spheres of influence, 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.

Policy 1.8.4 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.

Policy 1.8.5 While recognizing its own responsibilities and obligations, the County will cooperate, to the extent feasible, in the development and/or revision of the City and Town General Plans. The County may amend its General Plan within the City/Town spheres of influence to reflect said updates and/or revisions, unless there is a compelling land use conflict.

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- Policy 1.8.6** Encourage and coordinate with Cities/Town and surrounding counties compatibility of design and development standards, and funding programs.
- Policy 1.8.7** The County will cooperate in the joint preparation of design and development standards applicable to development projects in the County and Cities.
- Policy 1.8.8** The County will actively pursue development of a coordinated development impact fee program, including mechanisms for sharing of development impact fees where the provision of facilities to serve new development extends across joint boundaries. The coordinated development impact fee program shall include coordination with incorporated cities and possibly a Memorandum of Understanding between the County and cities regarding facilitation and implementation of this program.
- Policy 1.8.9** Provide for a comprehensive and equitable distribution of revenues for all annexations.
- Policy 1.8.10** The County will actively pursue formal agreements to share annexation revenues with the Cities/Town based upon the cost of providing facilities and services in the annexation area.
- Policy 1.8.11** Cooperate with Cities/Town and surrounding counties regarding shared responsibilities for improving and maintaining infrastructure.

GOAL 1.9

The County shall recognize Legacy Communities and identify the public facility and service needs in those communities in accordance Government Code Section 65302.10 (SB244, Wolk 2011).

- Policy 1.9.1** The following communities have been identified as Legacy Communities in Nevada County: Penn Valley *Village Center*, North San Juan *Rural Center*, Rough and Ready *Rural Center*, Washington *Rural Center*, and the Soda Springs *Rural Center*. The boundaries of the *Village Center* and *Rural Centers* of these Legacy Communities are shown on the General Plan Land Use Maps.
- Policy 1.9.2** The County has completed an inventory of the services and public facilities available currently available in the Legacy Communities in order to complete an analysis to identify any service and public facility needs or deficiencies:

**TABLE 1.5
LEGACY COMMUNITY SERVICE/INFRASTRUCTURE NEEDS ANALYSIS 2013**

<i>Legacy Community</i>	<i>Community Designation</i>	<i>Area Plan</i>	<i>Population⁽¹⁾</i>	<i>Identified Service and/or Infrastructure Needs</i>
Penn Valley	Village Center	Yes	1,621	1. Limited wastewater disposal capacity ⁽²⁾ 2. Increased fireflows
Rough and Ready	Rural Center	No	963	1. Improved public parking ⁽³⁾
North San Juan	Rural Center	Yes	269	1. Limited wastewater disposal capacity 2. Increased fireflows 3. Improved public parking ⁽³⁾
Washington	Rural Center	No	185	1. Needed Water System Improvements/Upgrades ⁽⁴⁾
Soda Springs	Rural Center	No	81	1. Wastewater Treatment Plant Upgrades Needed ⁽⁵⁾ 2. Development Constraints Imposed by the Highway Commercial (HC) Land Use Designation

Source: Nevada County Planning Department

NOTES:

- (1) Population estimates reflect 2010 Census figures based on the Census Designated Place (CDP) boundaries. Specific populations estimated for individual *Village Centers* and *Rural Centers* is unavailable.
- (2) Potential funding is pending that would enable Nevada County Sanitation District No. 1 to complete improvements to the wastewater collections system for the Penn Valley Service Area and construct a 4.3 mile pipeline to transport wastewater to the Lake Wildwood Wastewater Treatment Plant (WWTP).
- (3) Improved off-street and on-street public parking facilities have been identified as an ongoing need in Rough and Ready and North San Juan *Rural Centers* to safely accommodate community events, public meetings and seasonal activities.
- (4) Project funding was awarded in 2011 through a Proposition 84 Implementation Grant for the completion of the community water system upgrades and improvements through the Consumnes, American, Bear and Yuba (CABY) Region’s Integrated Regional Watershed Management Plan (IRWMP) as a sponsored project by the Washington County Water District.
- (5) In June 2015, the Donner Summit Public Utility District (DSPUD) completed a 24 million dollar project that upgraded and expanded its wastewater treatment process.

Policy 1.9.3

The County recognized the following funding sources that could be pursued to address the service and infrastructure needs of the Legacy Communities:

- a. California Department of Public Health: Safe Drinking Water State Revolving Fund (grants and loans) Proposition 84 (grants), Proposition 50 (grants);
- b. State Water Resources Control Board: Quality Control Fund Cleanup and Abatement Account (loans), Proposition 40 Small Community Groundwater Grants (grants), Clean Water State Revolving Fund (loans);
- c. California Department of Water Resources (DWR): Integrated Regional Water Management (grants), Contaminant treatment or removal technology pilot and demonstration studies (grants), Proposition 81 Safe Drinking Water Bond Law, water disinfecting projects (grants);
- d. California Infrastructure and Development Bank (iBank): Infrastructure State Revolving Fund Program (loans);
- e. California Department of Housing and Development: Community Development Block Grants: Community Development Allocation;
- f. United States Department of Agriculture (USDA): Rural Development Grant and Loan Assistance.

Program 1.9.1 Continue the process of collecting and conducting periodic reviews of demographic, infrastructure and service information for the identified Legacy Communities.

GOAL 1.10

Ensure the compatibility of land uses in the vicinity of airports.

Policy 1.10.1 Implement the adopted Airport Land Use Compatibility Plans for the Nevada County and Truckee Tahoe Airports to maintain compatible land use development patterns within the identified airport influence zones.

Policy 1.10.2 Refer all land use actions which always require Airport Land Use Commission (ALUC) review and other major land use actions affecting property within an airport influence area, to the appropriate ALUC, as listed in accordance with the policies set forth in the applicable Airport Land Use Compatibility Plan, as those standards are in effect and may be hereafter amended.

Program 1.10.1 Amend the Land Use Development Code Chapter III Airport Zoning to reflect the revised airport land use compatibility zones and land use policies established by the adopted Airport Land Use Compatibility Plans.