

Appendix A: Map of Sugarloaf Mountain



Appendix B: Chapter 17.56 of the Municipal Code

## Chapter 17.56 - OS OPEN SPACE ZONE

**Sections:**

## 17.56.010 - Purpose.

The purpose of the OS zoning district is to provide for and encourage the creation and permanent maintenance of open space, both natural and landscaped, for the purposes of maintaining and enhancing aesthetics, recreational opportunities, resource management, public health and safety, and mitigation of development. This zoning district is consistent with all General Plan designations.

*(Ord. 87-2 § 4.11-01, 1987)*

## 17.56.020 - Principal permitted uses.

In the OS zone, the following uses are permitted:

- A. Parks, picnic areas, and natural areas;
- B. Landscaping;
- C. Any agricultural use, except that tree removal shall be governed by the provisions of Chapter 17.80 of this title.

*(Ord. 87-2 § 4.11-02, 1987)*

## 17.56.030 - Accessory uses.

In the OS zone, the following are accessory uses:

- A. Fences or walls.

*(Ord. 87-2 § 4.11-03, 1987)*

## 17.56.040 - Conditional uses.

In the OS zone, the following are conditional uses:

- A. Access roads or streets;
- B. Pedestrian, equestrian, and bicycle paths and trails;
- C. Recreation facilities or accessories;
- D. Cemeteries;
- E. Buildings or structures incidental to recreational use;
- F. Public and quasi-public facilities;
- G. Agricultural uses requiring clearing or tree removal.

*(Ord. 87-2 § 4.11-04, 1987)*

## 17.56.050 - Height regulations.

In the OS zone, height regulations are only as approved as a conditional use.

*(Ord. 87-2 § 4.11-05, 1987)*

## 17.56.060 - Development standards.

In the OS zone, there are no area, lot width and yard requirements, except as may be approved as a part of a use permit, site plan, rezoning, or prezoning.

*(Ord. 87-2 § 4.11-06, 1987)*

17.56.070 - Other required conditions in the OS zone.

Here are no other required conditions in the OS zone.

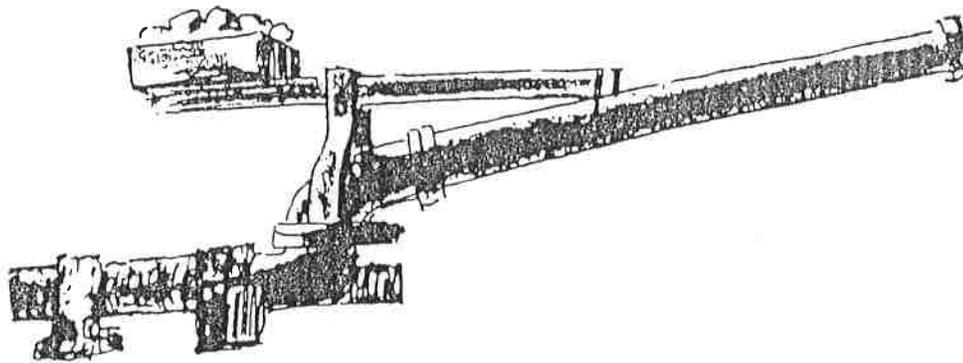
*(Ord. 87-2 § 4.11-07, 1987)*

Appendix C: "Sugar Loaf Nevada City's Promontory and the Adjoining Manzanita Diggins" Compiled by Robert M. Wyckoff, MA

# SUGAR LOAF

Nevada City's Promontory  
and the adjoining

## *MANZANITA DIGGIN'S*



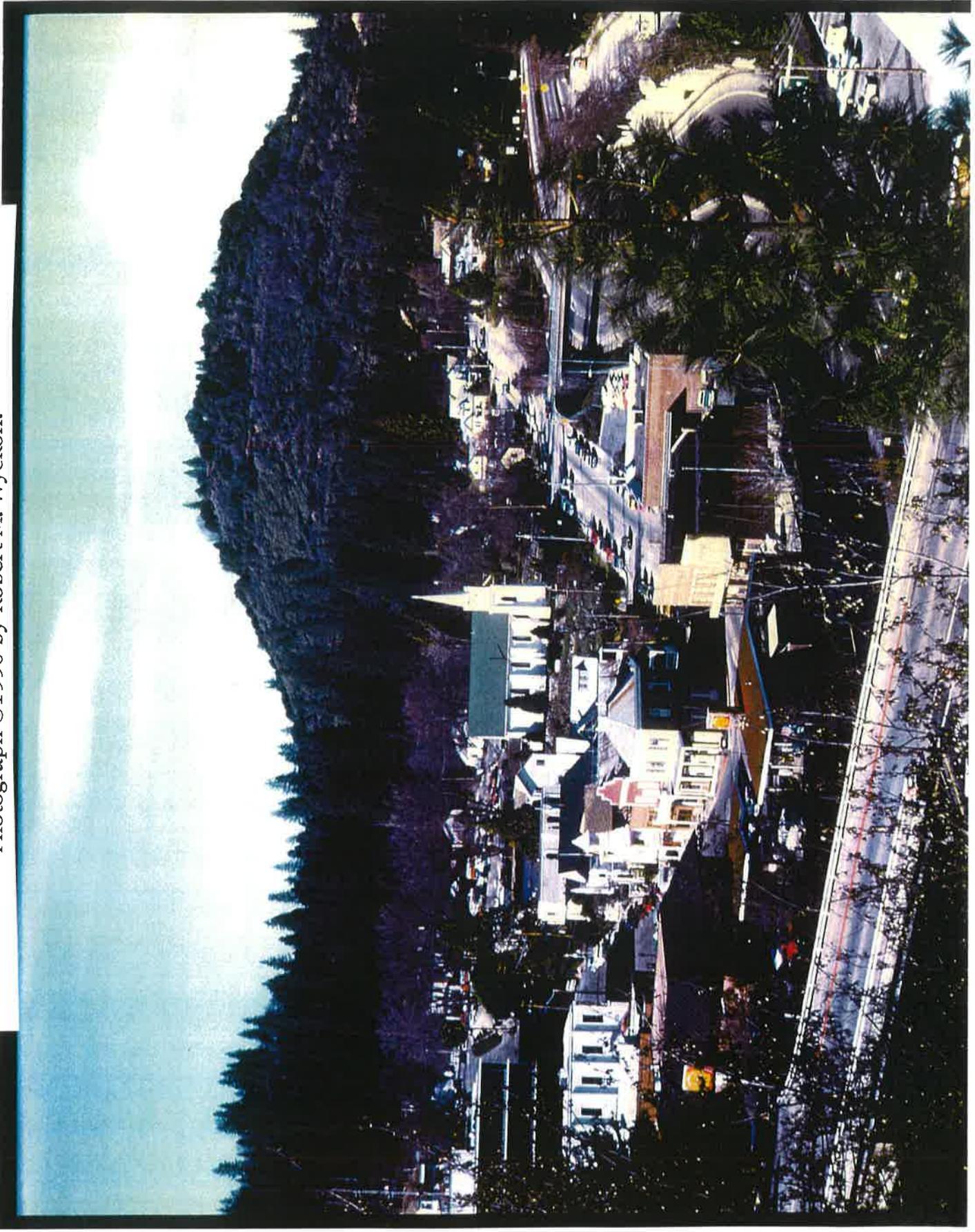
*A listing of events occurring in their  
environs  
1848-2004*

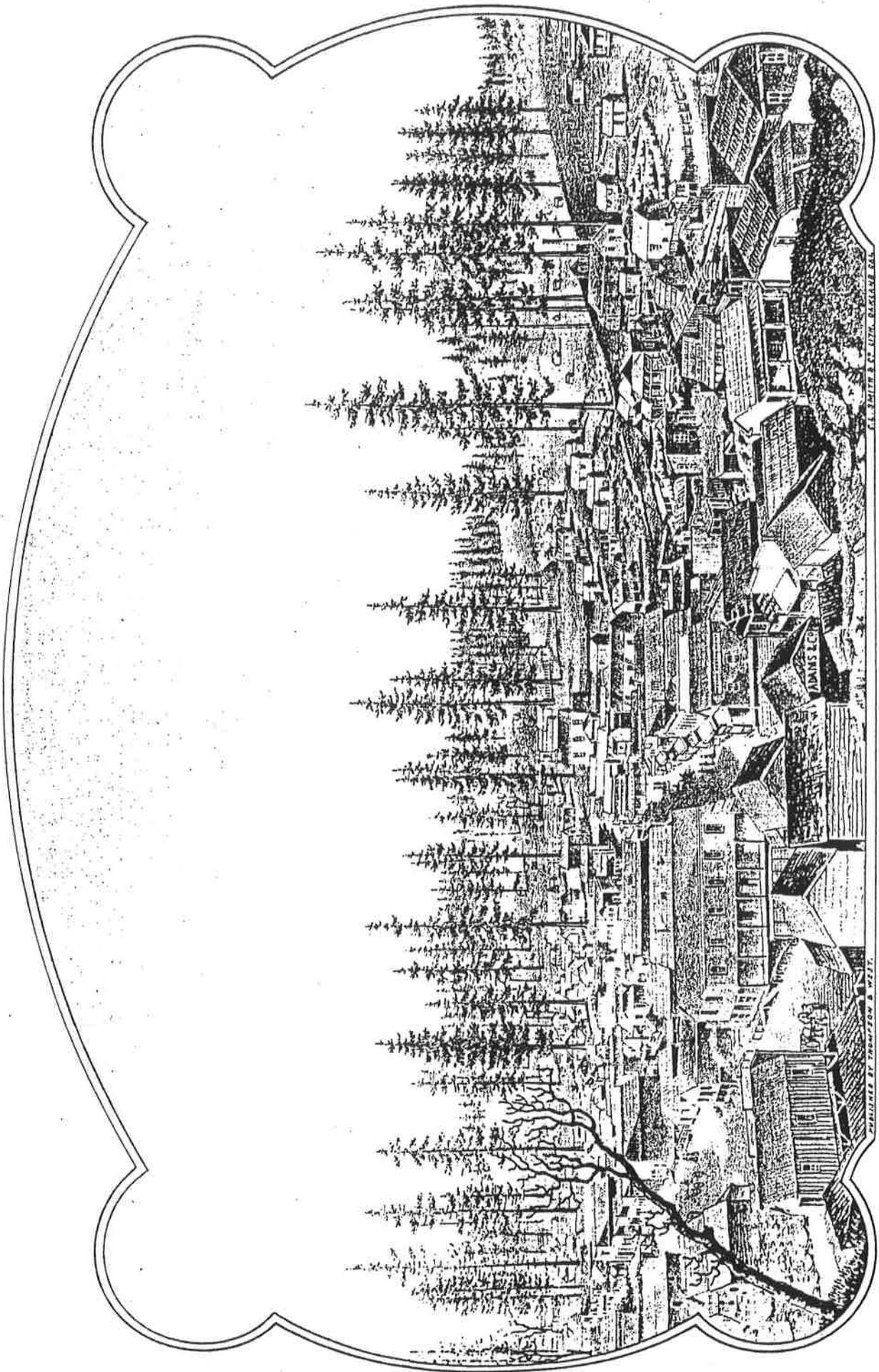
*With Photographs, Maps and Lithos*

Compiled by  
ROBERT M. WYCKOFF, MA  
Historic Preservation Officer  
City of Nevada City, California

SUGAR LOAF from Prospect Hill about 1985. The road near the top of the mountain is partially visible. View is northerly.

Photograph ©1990 by Robert M. Wyckoff.





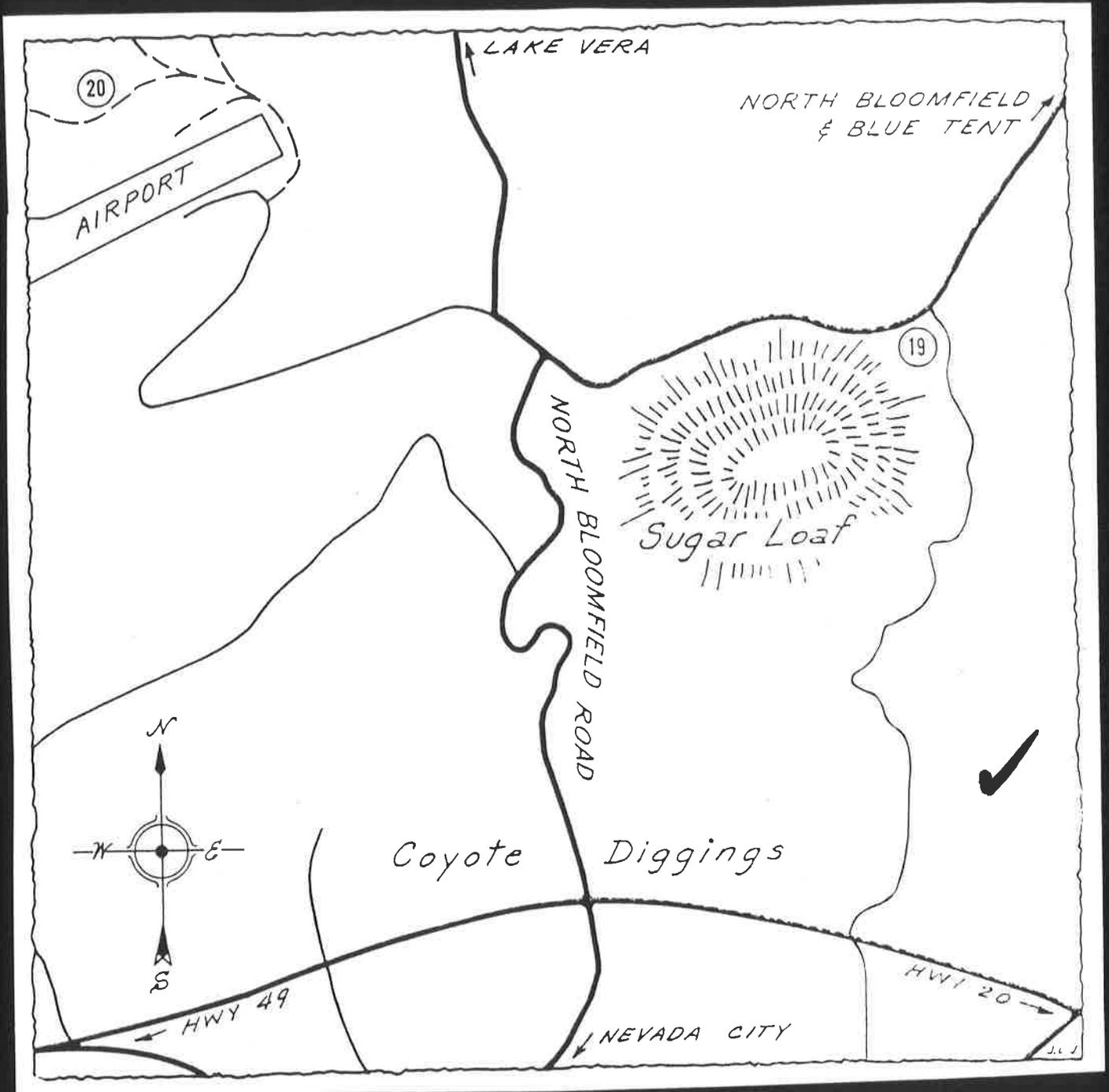
NEVADA CITY, 1853.

From *A History of Nevada County-1880*. SUGAR LOAF appears smaller and is partially hidden behind a some tall pines at right center.

Nevada City's Promontory:  
**SUGAR LOAF**  
and the low lying  
**MANZANITA DIGGIN'S**  
(1848-2004)

By Robert M. Wyckoff, MA  
*Historic Preservation Officer,  
City of Nevada City, California*

THIS NARRATIVE lists some early references to the promontory known as SUGAR LOAF, and to the MANZANITA DIGGIN'S. SUGAR LOAF has been a focal point for those living in or passing through Nevada City since the beginning of the Great California Gold Rush of 1849. The name comes from the mountain's resemblance to a loaf of coarse brown sugar, as it was processed and sold during the 19th and early 20th centuries. Today, refined granulated sugar is the norm. The name Sugar Loaf is used worldwide to describe scores of promontories with the physical appearance of a sugar loaf. Botanically, MANZANITA is *Arctostaphylos manzanita* Parry or common manzanita. It is native to the North Coast Ranges and the Sierra Nevada foothills of California. The red barked, olive green leafed, hard woody shrub grows in abundance throughout the lower elevations of Nevada County. It too, has lent its name to many geographic areas in the state particularly the Sierra foothill Gold Country. Diggin's is a contraction of diggings, meaning a place of excavation for ore or metal. SUGAR LOAF is delineated on most present day area maps, the MANZANITA DIGGIN'S on some.



SUGAR LOAF environs. The road at right of the mountain is Coyote Street and is discussed in the text. The check mark indicates the MANZANITA DIGGIN'S. Map is from

*Gold Cities, Grass Valley and Nevada City*  
by Doris Foley and Jim Morley

## 2222- SUGAR LOAF and the MANZANITA DIGGIN'S

NEVADA CITY was known first as DEER CREEK DRY DIGGIN'S, then CALDWELL'S UPPER STORE. The "upper" was added after Dr. A.B. Caldwell moved his retail operation from an area called Newtown west of Nevada City, near the spot now occupied by Trinity Episcopal Church on Nevada Street.

A MEETING of the town's men in March 1850, selected the name "Nevada," in Spanish meaning "snow covered," as in Sierra (mountains) Nevada (snow covered), was chosen. With and without the suffix "City," it has been so known ever since. In years of severe winter, snow sometimes falls on SUGAR LOAF.

SUGAR LOAF has been mentioned in diaries as a reference point by early prospectors:

"Mary deer one...I found some corn sized Nugets after washed many panss of gravel from the Crek in the site of Sugar Loaf Mt..."

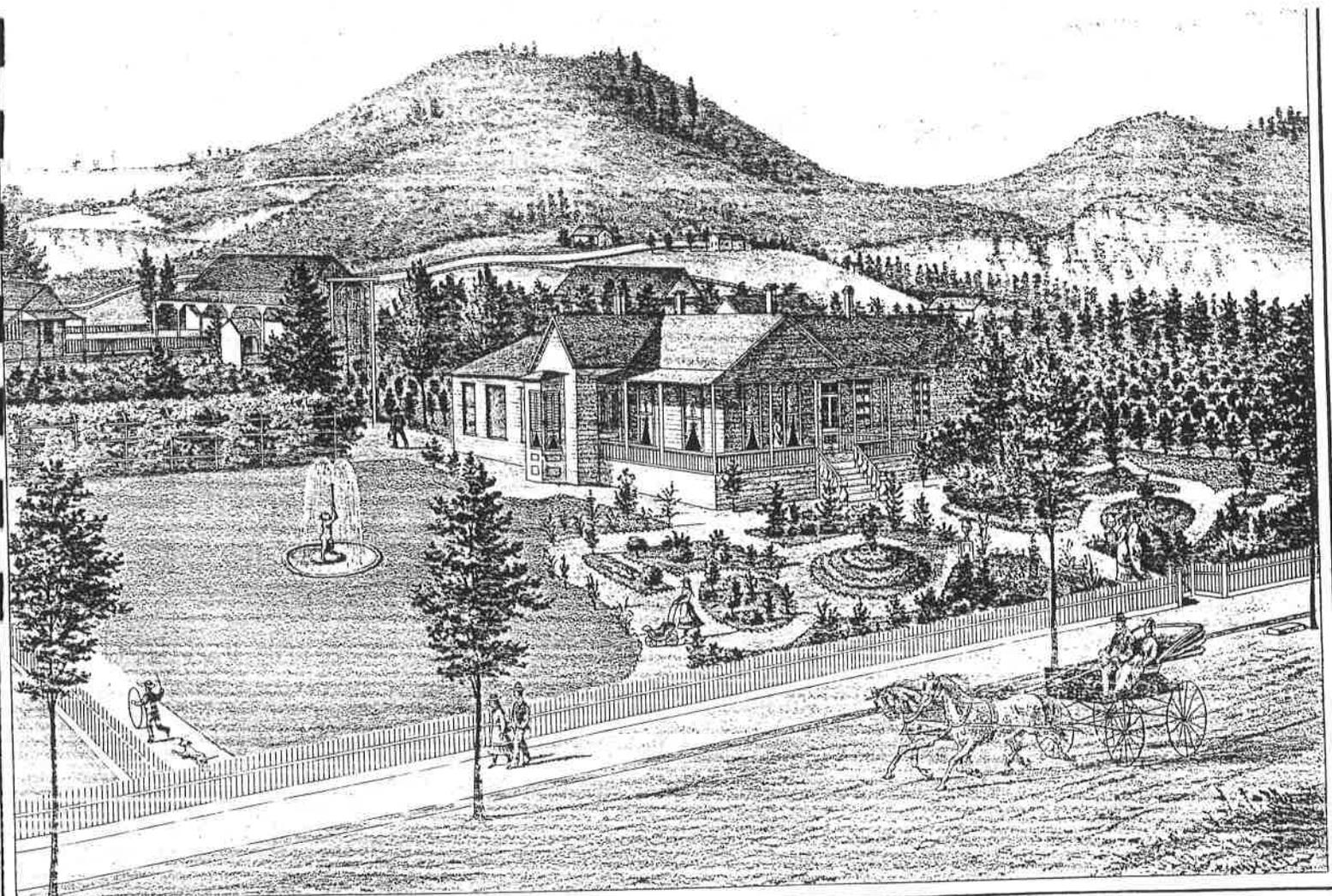
And these mentions from Harry L. Wells 1880, *History of Nevada County*:

*Lying north of Nevada City and on the opposite (side) of SUGAR LOAF is Selby Flat, a place that was a quiet village...*

*Tomlinson..owned some water power near SUGAR LOAF, that he had used in elevating and washing dirt...[later he became a miller]*

The Nevada County Narrow Gauge Railroad was dedicated in May 1876, with great celebration:

*The old cannon was dragged to the summit of SUGAR LOAF, and from the brow of that lofty hill roared forth its congratulations...*



RESIDENCE OF MRS J. J. OTT, NEVADA CITY, CAL.

SUGAR LOAF as represented in this lithograph from *A History of Nevada County-1880*. View is northwesterly from a point on Nevada St. MANZANITA DIGGIN'S are at right and show the raw face of hydraulic mining.

## 3333-SUGAR LOAF and the MANZANITA DIGGIN'S

TODAY, annually at dawn on July 4th, it has been the tradition to explode sticks of dynamite from the summit of SUGAR LOAF. For many years, that honor was bestowed upon Undersheriff Frank Gallino and Sheriff's Sgt. Elmer Oats, both are deceased. The sharp reports were heard for many miles in all directions. The listings continue:

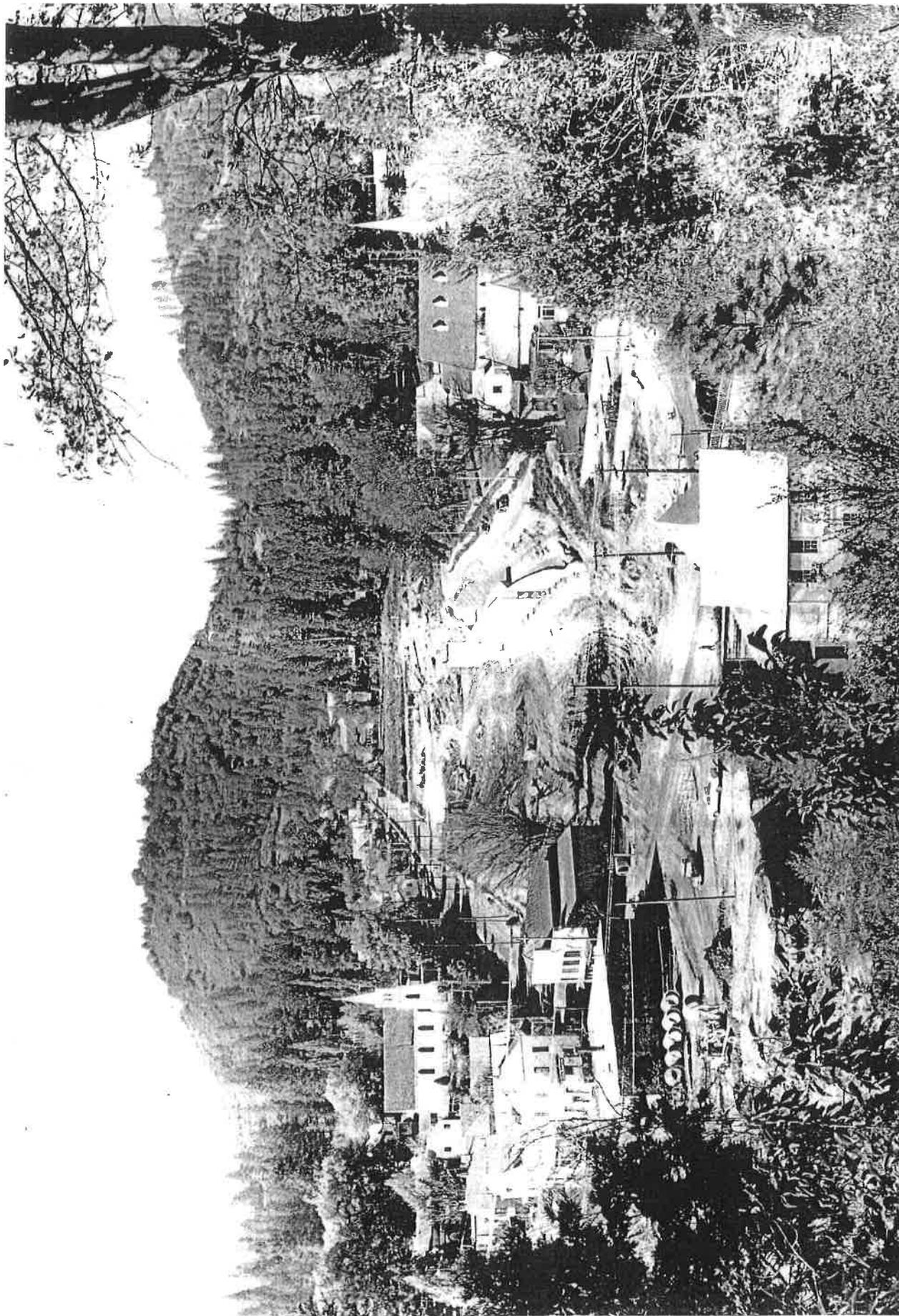
*We give a list of toll roads that have been in operation at various times...Cooper & Co., through SUGAR LOAF...*

Mining claims:

*Selby Flat, just north of SUGAR LOAF, has yielded largely...*

THE COOPER toll road and the water delivery ditch are the only commercial uses encountered during this investigation.

SUGAR LOAF has remained undeveloped down through the years, although it has been logged many times since the area was settled. A narrow, unpaved road to the mountain's top has been cut but not maintained. Beginning at a point at the east base, it circles to the top. This year (2004), the top area has been cleared of brush. Coyote Street, is a narrow paved road bordering the eastern base of SUGAR LOAF from SSR 49, a distance about a mile to the county maintained North Bloomfield Road. Some residential development surrounds the mountain's base. Along Coyote Street, on the mountain side of the road, is visible a rocky soil type indicative of a prehistoric river bottom. The sight of the mountain's undeveloped, green slopes has presented a relaxing and invigorating vista which has been enjoyed by all for some 155 years. It is the purpose of this narrative to point out that there is a definite esthetic, historic and environmental value to maintain SUGAR LOAF and the MANZANITA DIGGIN'S as open space with minimal development limited to the DIGGIN'S area.



Nevada City -1966. Construction of the Golden Center Freeway is underway. SUGAR LOAF is left background with MANZANITA DIGGIN'S at right. View is northerly from Prospect Hill.

*-Photo courtesy Searls History Library*

## 4444- SUGAR LOAF and the MANZANITA DIGGIN'S

The historic significance of both the diggin's and the mountain is enormous. HYDRAULIC gold mining was invented in the Nevada City area and perfected in the surrounding diggin's, mainly at American Hill, Hirshman's and the MANZANITA.

Commercial activity in this area since settlement has been limited mainly to mining. There has been no development of any kind recorded on SUGAR LOAF'S slopes.

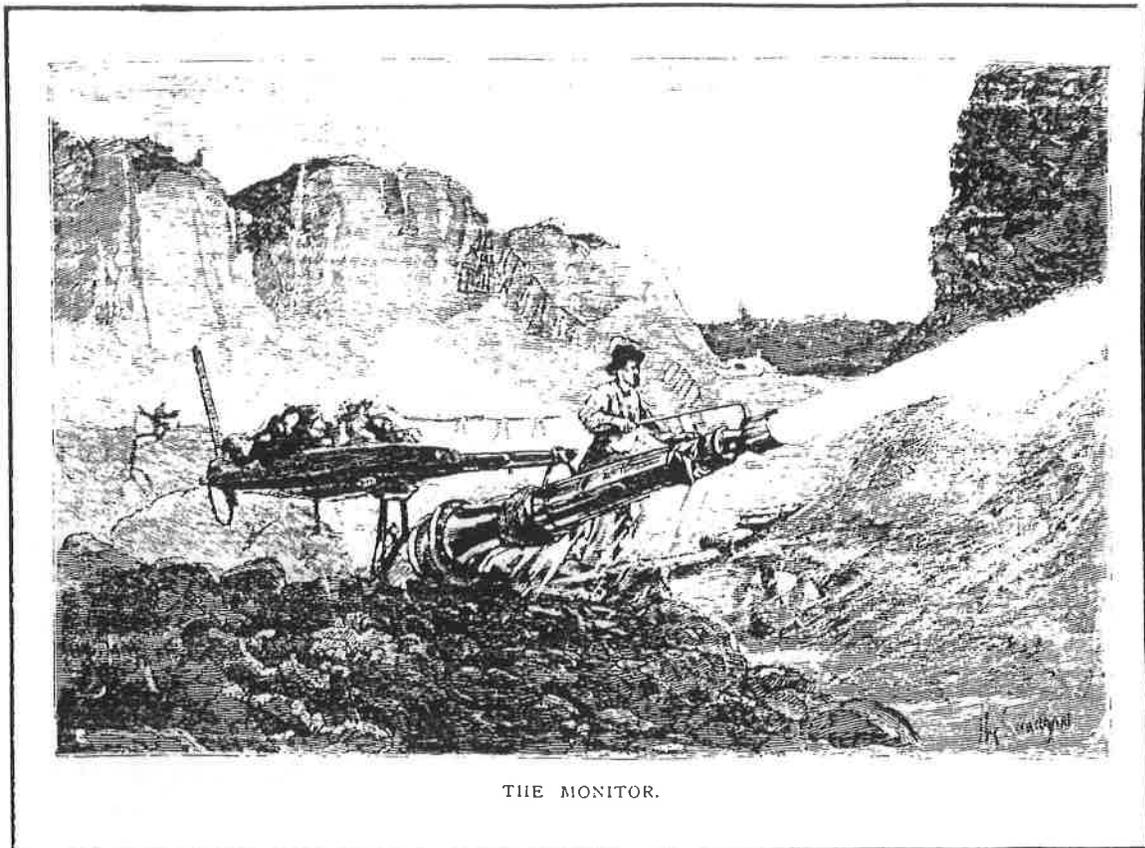
MENTION of the MANZANITA DIGGIN'S here is from Wells' history:

*O.M. Tomlinson built the Elevator Flouring Mill on Manzanita Hill, [east, adjacent to SUGAR LOAF] near Nevada City, in 1860...Most of the machinery...had been (used) to elevate gravel (hoisting loads of rock from vertical shafts sunk in ancient river bottoms) in his diggings at that place...*

*The Manzanita claims...were located by four companies in 1852... Shafts were sunk to the bed rock, and gravels were elevated by means of windlass...The claims were afterwards consolidated and known as the Tomlinson claims. A bed rock tunnel was run, and the ground worked by the hydraulic process. Other companies were located nearby...(all the claims ) are now owned and worked by the Manzanita Gravel Mining Co. (which has taken out more than) \$3,000,000...The (overall) claim embraces 400 acres of ground...*

THE ACCOMPANYING photographs and illustrations, depict SUGAR LOAF during various time periods up until today. It is extremely difficult to photograph the MANZANITA DIGGIN'S as vegetation has overgrown much of the area. Older photos were unavailable; aerial photography is an option.

Robert M. Wyckoff  
April , 2004  
Nevada City, California



THE MONITOR.

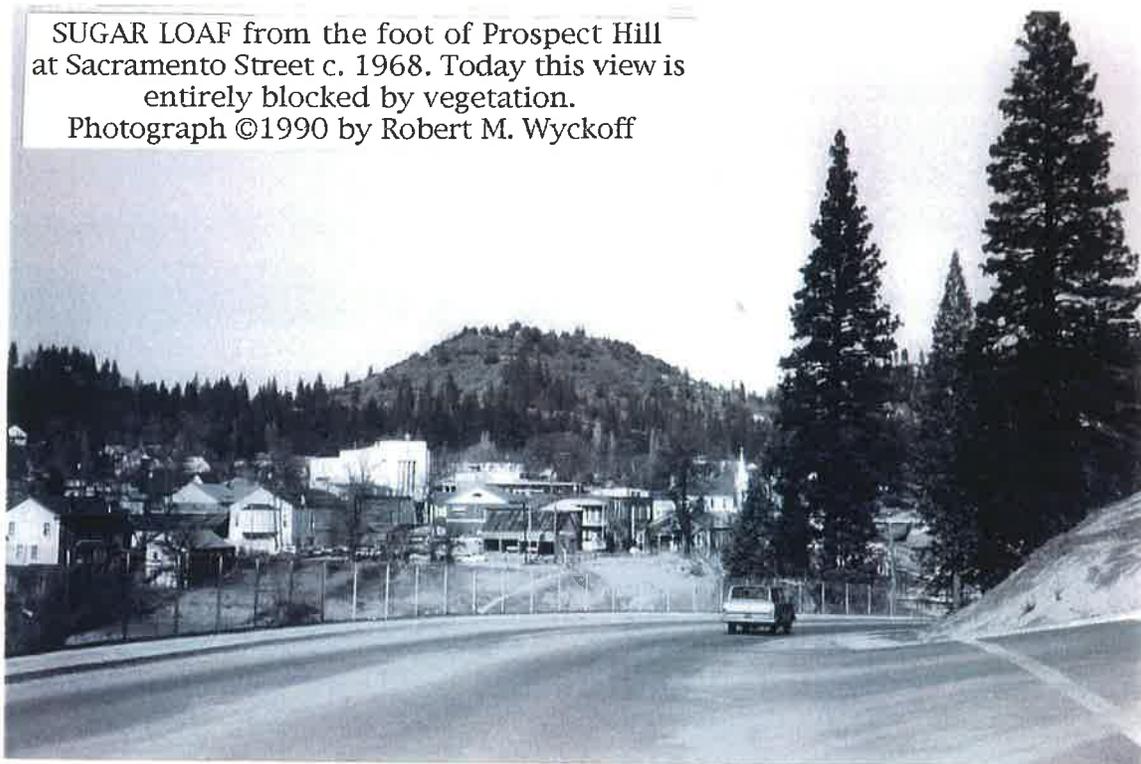
HYDRAULIC NOZZLE called a monitor at work in Nevada County, c. 1875

MANZANITA DIGGIN'S hillsides were blasted down by water under tremendous pressure traveling at a speed great enough to disintegrate a three-foot thick brick wall at a distance of 50-feet! The process is defined as:

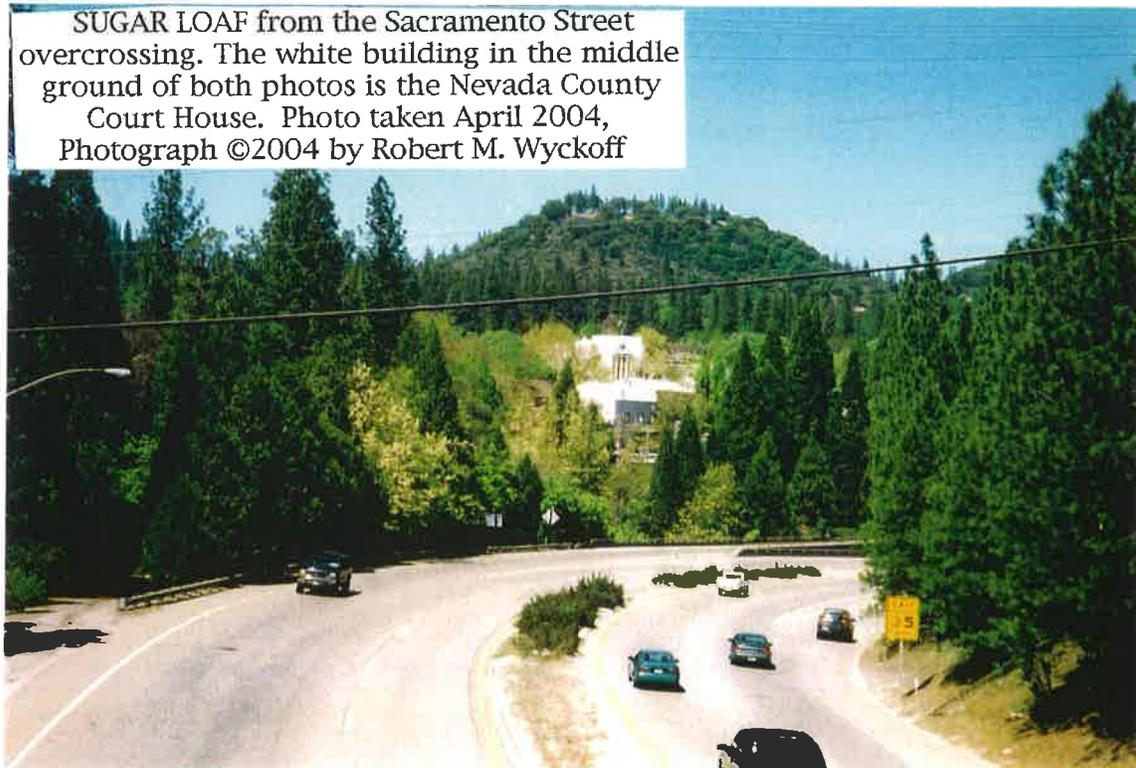
*washing down the auriferous hills of the gravel range [ancient river bottoms] by directing a powerful stream of water against the bank, the dirt and rocks being carried by the water through a deep cut or tunnel in which is set a system of flumes or sluices [riffles] for catching the gold, being finally discharged into some ravine or canyon and denominated 'tailings.'*

Illustration and text from:  
*Hydraulicking, North Bloomfield and the Malakoff Diggin's State Historic Park*, by Robert M. Wyckoff ©1993, 1999.

SUGAR LOAF from the foot of Prospect Hill  
at Sacramento Street c. 1968. Today this view is  
entirely blocked by vegetation.  
Photograph ©1990 by Robert M. Wyckoff



SUGAR LOAF from the Sacramento Street  
overcrossing. The white building in the middle  
ground of both photos is the Nevada County  
Court House. Photo taken April 2004,  
Photograph ©2004 by Robert M. Wyckoff





## Appendix D: Timeline

## Sugar Loaf Timeline

Post Native American era:

- 1852 Manzanita Diggins claim filed, beginning era of hydraulic mining at the base of Sugar Loaf and deforestation of the mountain.
- 1987 Nevada City designates Sugar Loaf as Open Space in General Plan.
- 2003 Sugar Loaf open space included in Nevada City Sphere of Influence Plan.
- 2004 Owners offer 33 acre Sugar Loaf mountain (part of 137 acre holdings) for sale for \$1 million.
- 2004 Friends of Sugar Loaf formed, concerned about private sale. Member offers to purchase to preserve for open space. Offer rejected, owner takes mountain off market.
- 2004 Friends of Sugar Loaf asks City Council to set aside Proposition 40 parks and open space bond funds (\$379,000) and ask Council to request Nevada County to set aside \$250,000 of already accrued recreation mitigation fees to purchase the property when an agreement could be negotiated. Assumed value of property was approximately \$600,000. County agreed on 5/25/2004 and 9/7/2004. State funds also agreed to.
- 2005-2010 Friends of Sugar Loaf and Nevada City continues discussions with property owners. Owners did not want to detach mountain from the entire property. No agreement on price.
- 2010 With State expenditure of grant deadline looming. Owners agree to negotiate a price for the mountain alone. Appraisal completed. Value: \$450,000.
- July 16, 2010 Signed sales agreement from owners for \$450,000.
- 8/31/2010 Request for Recreation Mitigation fees to BOS dropped from \$250,000 to \$71,000 due to reduction in sales price.
- Fall, 2010 5 probate hearings to clear title. Longest probate in Sacramento Probate Court history (approx. 30 yrs.)
- Dec, 2010 Escrow opened
- Nevada County Land Trust loans City \$71,000 to close on property since Nevada County had not yet allocated funds from Recreation Mitigation fees.
- January 2011 Escrow closed. City owns Sugar Loaf.

Nevada County allocates \$67,200 in Recreation Mitigation fees for City to reimburse Land Trust \$71,000 bridge loan for Sugar Loaf. Friends of Sugar Loaf pays remaining \$3800.

- 2010-2014 Nevada County Fire Safe Council, and Sierra Club, and Friends of Sugar Loaf conduct a number of scotch broom removal work days on road/path up to Sugar Loaf.
- Feb 2012 Friends of Sugar Loaf contracts for machine mastication of large scotch broom field on top of Sugar Loaf. Cost \$1500.
- 2013 Friends of Sugar Loaf contracts with Forester to prepare Fuel Reduction Plan for Sugar Loaf. Cost: \$1500.

provided by: Friends of Sugarloaf

## Appendix E: Easement Deed

Recorded at the Request of:  
Kriss Halpern  
And When Recorded, Mail to:

Kriss Halpern  
Attorney at Law  
1021 5th Street, #209  
Santa Monica, CA 90403

**COPY**

Nevada County Recorder  
Gregory J. Diaz  
Document#: 20100016469  
Friday July 16 2010, at 03:00:38 PM  
Rec Fee:\$20.00  
Paid: \$20.00 EM

Space Above for Recorder's Use

Assessor's Parcel No.: In APN: 36-020-47 for APN 36-020-26

The Undersigned Grantor(s) Hereby Declare that the Documentary Transfer Tax is: \$ \_\_\_\_\_.

## ACCESS EASEMENT GRANT DEED

BARBARA A. MC COY

Hereby Grant(s) to:

THE ESTATE OF ARCHIBALD M. MULL, JR. and NEVADA CITY SUGAR LOAF PROPERTIES, a L.L.C., as tenants in common

All that certain easement, located in the County of Nevada, State of California, described as follows:

AN EASEMENT TWENTY (20) FEET IN WIDTH for purposes of ingress and egress situated within Parcel 2 as said parcel is shown and designated on that certain map filed in Book 2 of Parcel Map at Page 81, Nevada County Records, being a portion of the West half of Section 6, Township 16 North, Range 9 East, M.D.M., Nevada County, California; **THE CENTERLINE OF SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT A POINT** on the south line of said Parcel 2, from which the southeast corner thereof bears EAST 62.80 feet; said point of commencement is the beginning of a curve to the right on the herein described driveway centerline, with a radius of 100 feet and a chord of North 21°35' East 64.84 feet; **THENCE FROM SAID POINT OF COMMENCEMENT** leaving the south line of said Parcel 2 along said curve through a central angle of 37°50' for an arc length of 66.03 feet to the end thereof; Thence North 40°30' East 74.00 feet; Thence North 49°10' East 36.00 feet; Thence North 61°50' East 74.00 feet; Thence South 87°50' East 20.00 feet to the end of said easement centerline at a point in the centerline of Coyote Street, a County Road.

MAIL TAX STATEMENT TO PARTY SHOWN ON THE FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Grantee at address above

Name

Street Address

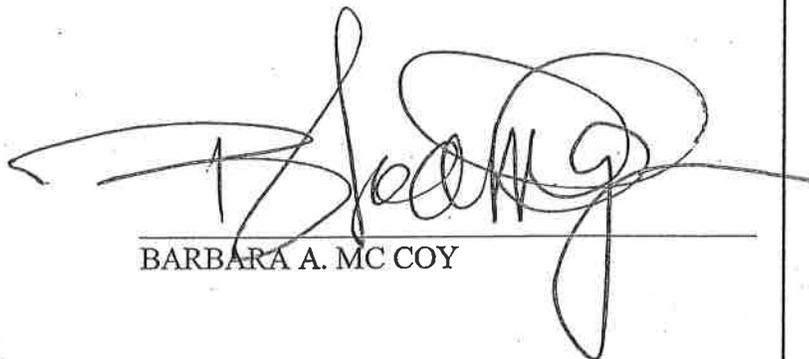
City & State

**TOGETHER WITH THE RIGHT** to maintain roadside vegetation clearance, including the removal of underbrush, lower tree limbs, and grasses within ten feet of the actual driveway roadway edges only as may be required by prevailing Nevada County fire safety standards.

**TOGETHER WITH THE RIGHT** to automatically extend this easement only as may be required to reconstruct the encroachment of the driveway at Coyote Street as required to meet prevailing Nevada County driveway standards and to reasonably allow passenger cars and light pickup trucks to safely negotiate a right turn exiting said driveway, and a left turn from Coyote Street entering said driveway.

**SAID EASEMENT** is graphically depicted on Exhibit "A" attached hereto and made a part hereof.

Dated: 7/16/10

  
\_\_\_\_\_  
BARBARA A. MC COY

(Sign in the Presence of a Notary Public)

**STATE OF CALIFORNIA  
COUNTY OF NEVADA )**

On July 16 2010 before me, Maureen Laine Ryan  
personally appeared BARBARA A. MC COY, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/~~she~~/~~they~~ executed the same in ~~his~~/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

(Seal)

WITNESS my hand and official seal.

Signature Maureen Laine Ryan



# McCoy Property

Parcel 2  
2 Parcel Maps 81

Herein Described  
20' Access  
Easement

Guest  
House

Coyote Street

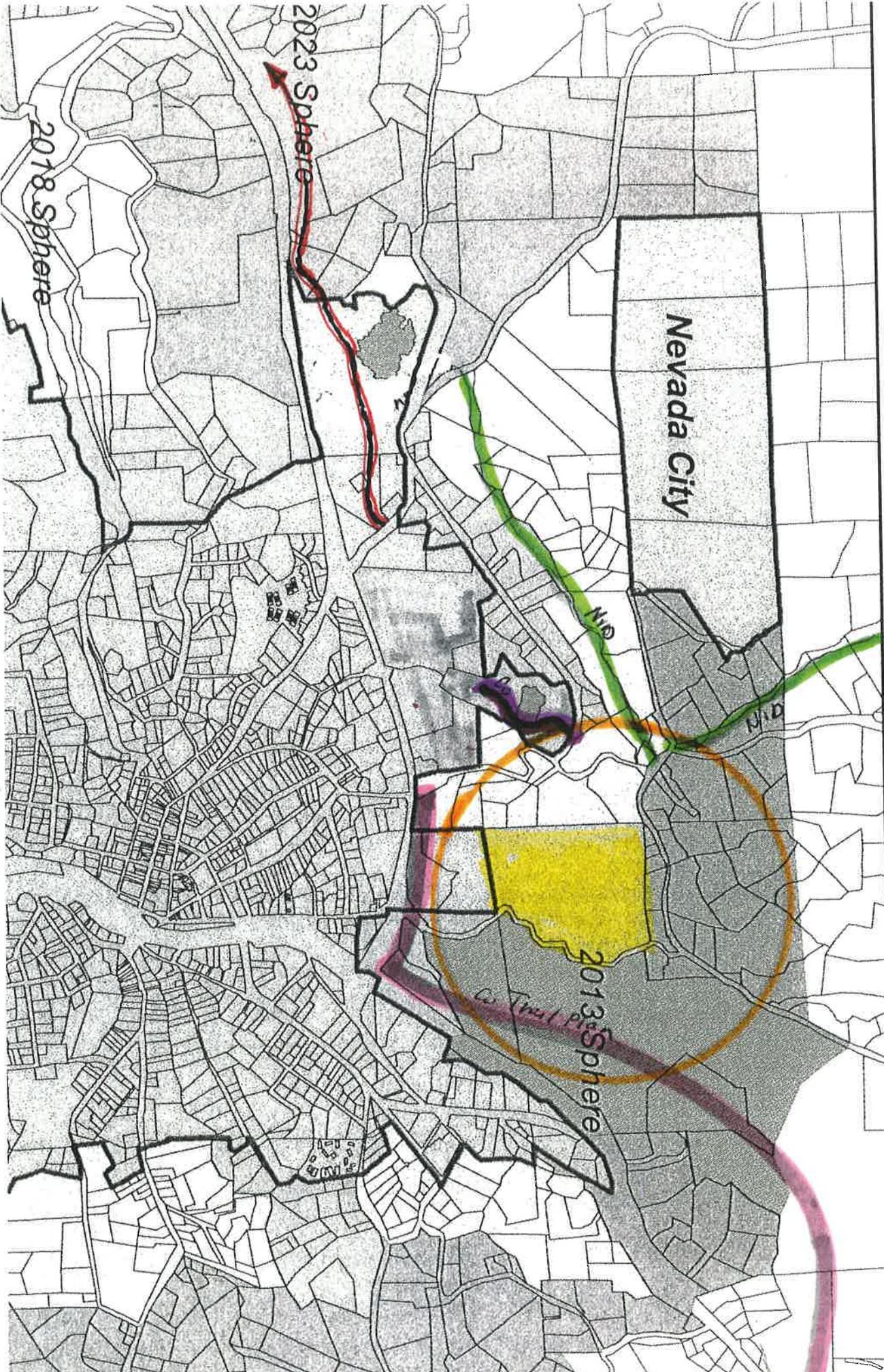
North

Property Line

Access Easement  
Exhibit "A"

OCTOBER 2003  
Scale: 1"=40'

## Appendix F: Potential Trail Connections



2023 Sphere

2018 Sphere

Nevada City

NHD

NHD

2013 Sphere

Co. Trust P...

Appendix G: Ordinance 12.12.070

## 12.12.070 - Prohibition of use of Hirschman's Pond and Diggin's.

- A. Rules and Regulations for the use of the Hirschman's Pond and Diggin's site, including, without limitation, the trails thereon and accessing the site, in addition to regulations elsewhere in this Code relating to public and recreational properties, shall be as follows:
1. Consumption or possession of alcohol is prohibited and regulated pursuant to Chapter 9.18.
  2. Glass containers are prohibited.
  3. Smoking is prohibited pursuant to Chapter 8.24.
  4. Camping without approval is prohibited pursuant to Chapter 9.14.
  5. Open fires are prohibited pursuant to Chapter 8.08.
  6. The discharge of firearms or any other projectile object is prohibited.
  7. All motorized vehicles are prohibited, except for maintenance vehicles approved by the city and emergency vehicles.
  8. The property shall be closed to the general public from thirty (30) minutes after sunset to sunrise.
  9. All refuse shall be removed from the site.
  10. Dumping of household trash is prohibited.
  11. Swimming/wading or use of any floating device/watercraft is prohibited.
  12. Dogs must be on a leash and under the control of the owner or custodian of the dog at all times pursuant to section 6.16.110 of chapter 6.16.
  13. Horseback riding on or equestrian use of trails on or accessing this site is prohibited.
- B. Any person who violates the provisions of this section shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the county jail not exceeding six (6) months, or by both such fine and imprisonment.

*(Ord. No.2013-02, § 1, 4-24-2013)*