

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

February 8, 2017

TITLE: Protection of Nevada City's Sphere of Influence

RECOMMENDATION: Discuss and provide direction to the City Manager.

CONTACT: Amy Wolfson, City Planner; Bryan McAlister, City Engineer; Mark Prestwich, City Manager

BACKGROUND / DISCUSSION: Nevada City's SOI was carefully developed and approved by the Nevada County LAFCo Board in 1983. The SOI was again reviewed and approved by the Nevada County LAFCo Board in 2008.

On January 25, 2017, the City Council was advised by Nevada County Local Agency Formation Commission (LAFCo) Officer SR Jones that she was recommending a severe reduction of the LAFCo-developed and approved Sphere of Influence (SOI) boundary – a reduction of approximately 2/3rds equating to 1,425 acres. Numerous concerns were raised and discussed by City Council Members and City staff with the LAFCo Officer's proposal, including the potential for the County to rezone property and initiate development projects adjacent to City limits on land Nevada City currently has the authority to control development on.

The purpose of this report is to:

1. Provide further analysis of the LAFCo Officer's proposal;
2. Identify practical and legal concerns related to the LAFCo Officer's proposal;
3. Document why Nevada City's SOI is already consistent with LAFCo's policies; and
4. Recommend a public outreach approach.

Analysis of the LAFCo Officer's Proposal to Severely Reduce Nevada City's SOI

The present SOI boundary represents areas currently served by the City in terms of recreation service, fire service, police service, and arterial roadways. As discussed, LAFCo Executive Officer, SR Jones is recommending that the City's SOI be significantly reduced and that those removed areas be classified as "Areas of Interest." The proposal goes on to suggest the County and City may enter into a dialogue that guides the manner in which development should occur in this area. Presently, the County and City engage in a dialogue for properties within the existing SOI using the adopted policy language shown below. This has worked well and has resulted in logical and orderly development consistent with the City's General Plan:

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."

These policies would no longer be applicable for any portion designated as an "Area of Interest." Under the LAFCO Officer's proposal, there would be no obligation for the County to maintain land use patterns consistent with City interests. This possible conflict has the potential to degrade the City's view shed, water shed, and overall quality of life afforded to its residents, along with those residents in the present SOI. Further, this proposal ignores the significant contributions by the City in services already provided to the SOI, as outlined below.

Roadways: Several arterial roadways and collectors: Gracie Road, Red Dog Road, Willow Valley Road, Cement Hill Road, North Bloomfield Road, Coyote Road, Old Downieville Highway, Nevada City Highway, and Pittsburg Road serve as the primary access route from residential properties within the present SOI to schools, commercial destinations, and recreational amenities within the City limits. The intense use of these roads by those within the SOI entering the City on a daily basis is a key reason the current SOI boundary is suitable in its present configuration.

Recreation Service: The City presently manages approximately 10 acres of developed park area, 278 acres of Open Space which includes approximately 12 miles of developed trail. The City is also in the preliminary stages of selecting a trail route on the Sugarloaf property which could add up to two miles of developed trail. Using the national standard of 5 acres per 1000 people, the amount of park and recreation amenities managed by the City could accommodate 57,600 people (roughly 58% of the entire County population). The extent to which the City serves the present SOI and beyond is further exemplified by the recreation programs provided by our park system, particularly those programs associated with the pool at Pioneer Park. In 2016, 90% of swim lesson participants and 75% of adult aquatics program participants were from outside of the City. Furthermore, 96% of summer camp participants were from outside of the City.

Shared Fire/EMS Service Agreement: For more than a decade, the City of Nevada City, City of Grass Valley and the Nevada County Consolidated Fire District (NCCFD), have operated under a joint operational area (JOA) master agreement to provide reciprocal fire protection and emergency medical response services. Through each party's participation, significant improvements in response times, joint firefighting training and safety, supervision and overall greater efficiency is provided to the citizens, visitors, and businesses within each jurisdiction (and beyond).

Nevada City's Fire Station 54 serves as one of seven fire stations. The station was constructed, maintained and is staffed by six City of Nevada City funded professional firefighters and three interns, allowing the City to provide three firefighters per shift. The station performs approximately 1,000 calls for service annually, 2/3 of which are provided on behalf of Grass Valley and NCCFD territory. While Nevada City represents approximately 8% of the JOA population, Station 54 represents 14% of the available JOA Fire Stations and contributes more dollars per capita than each of the other two agencies toward fire protection services.

The City's commitment to quality fire protection and emergency response services is underscored by the community's recent 82% support for a 3/8 cent special sales tax to fund three firefighter positions (incidentally, this measure also provided sustainable funding to augment sworn City Police Department staffing by 10%). These positions were previously funded by NCCFD for more than a decade. Citing financial difficulties, NCCFD notified the City on November 12, 2014 that it would remove three firefighters from Station 54 on April 19, 2015 leading to the City's sales tax measure.

It's important to note that the City, in cooperation with its JOA partners, is already serving territory in the SOI via the master services agreement. Pursuant to the JOA response, the closest available fire apparatus/resource will respond to calls for services. Response protocols often require multiple engine response depending on the type of service call and it is common to see two or three of the agencies responding to service calls of this nature.

As a testament to the effectiveness of the reciprocal Master Services agreement, the Insurance Service Office (ISO) has recently improved the Public Protection Classification ranking of the City's fire suppression ranking from 5 to 3, which has the potential to lower insurance premiums for Nevada City residents.

Watershed Degradation: The present SOI boundary encompasses watersheds for Deer Creek, Little Deer Creek, Gold Run Creek, Oregon Ravine, Woodpecker Ravine, Rogers Williams Ravine, and Manzanita Ravine. All of these drainages run into the heart of the City. Potential upstream degradation and contamination of these water resources would directly impact aesthetic, ecological, and recreational resources within City limits. Most alarmingly, degradation of Little Deer Creek in particular, will directly impact the City's water supply. The City's authority over land uses within the SOI is crucial for providing adequate

protection of these resources from adverse development impacts and/or altered land use patterns. If the SOI is reduced in the manner proposed by the LAFCo Executive Officer, land use patterns could significantly change in a manner that could degrade water quality and severely impact the way in which City residents, and residents beyond, enjoy these amenities for their aesthetic, ecological, and recreational value.

Septic Tank Failure: The County's hydraulic mining legacy resulted in marginal soil quality in many areas of the County, including approximately 30% of the present City SOI. Septic drainage fields are required to meet standard percolation rates which are largely determined by the condition of top soil. Historic mining practices removed the top soil in many areas of the SOI and as such, compromised their ability to accommodate standard septic systems. All areas of the SOI, with the exception of the Eden Ranch subdivision are served by individual septic systems or are already connected to City sewer. A standard septic system lasts approximately 50-years. With consideration of the substandard soils in the area, this life span may be considerably less than that and repair areas will be difficult to locate. The SOI boundary includes many areas that the City expects to be serving as these systems begin to fail. Many of the annexations that have occurred over the last 25 years were the result of failing septic systems.

On any given day, the City's population swells to 6,000 to accommodate normal business, including the Rood Center, School activity, general commercial activity, and other business. Taking into account this daily population swell, the sewer capacity runs at just over 50% capacity. The City's Wastewater Treatment Plant has capacity for 0.69 million gallons per day (mgd). Current average dry weather flow ranges from 0.38 to 0.47 mgd. The City has more than enough capacity to serve the area included in the SOI. Because all septic systems will eventually fail, the need to serve the present SOI area will intensify every day forward.

Well Failure: The nature of the Nevada County foothills are such that ground water resources are provided in reservoirs of fractured rock. California regularly experiences periodic extended drought conditions. The ability to regulate and monitor water use will become increasingly important throughout California as population increases and drought patterns continue. While much of the SOI is within the Nevada Irrigation District Boundary, service agreements exist between NID and the City that allow service to be provided depending on proximity and eligibility of existing infrastructure. There are several properties in the present SOI that are already served by City water. There are also many areas in the SOI that are adjacent to existing City water line facilities. City facilities can be extended where NID facilities do not exist using our service agreement.

Water sources for the City's water system include Little Deer Creek and the DS Canal. The City's water treatment plant has capacity for 2 million gallons per day (mgd) and currently treats a maximum daily demand of 1.5 mgd. The City has adequate water treatment, storage and distribution facilities which can be

expanded as necessary to accommodate projected growth within the current City limits and SOI.

Affordable Housing: Both the County and the City have acknowledged that our community is in need of additional affordable housing. Effective affordable housing is typically provided near commercial districts and within high density residential developments. The nature of high-density residential development requires that they be served by a sewer system as opposed to septic systems. Because the County does not have any sewer treatment plants available to serve the area within the present SOI, it is reasonable to assume that any property proposed for an affordable housing project within the SOI would be served by City sewer, and therefore require annexation to the City. Another consideration is proximity of housing to jobs. The City serves as the hub for the County of Nevada (the area's largest employer), County Courthouse, Tahoe Forest Service, Caltrans and several Fire Districts. The SOI offers opportunity for development that is contiguous to the City and close to essential services with greatest opportunity for additional workforce housing.

View Shed: The City's view shed is of particular importance in terms of preserving our sense of history and general character as a city nestled within a wooded enclosure. Altering any of the land use patterns in any part of the view shed would irreversibly compromise this special character that is largely unique to Nevada City and lose the City's charm so cherished by City residents, Sphere residents, and tourists.

Additional analysis is necessary regarding statutory provisions governing SOI updates.

Practical and Legal Concerns

The City Attorney's review of the LAFCo Officer's proposal to severely reduce Nevada City's SOI raises numerous practical and legal issues:

- Reducing the sphere has the effect of indirectly rendering portions of the County and City General Plans ineffective to the extent that they provide that County land use designations not be more intense than City designations **within the City's sphere of influence** and that when development is proposed **within the City's sphere of influence** the City can elect to annex and assume concurrent processing of the application. Removal of properties from the City's sphere of influence would render these provisions inapplicable.
- To the extent properties are removed from **the City's sphere of influence**, the City's role in development approval would be reduced to merely being able to comment so that it could be approved by the County over the City's objection.

- To the extent properties are removed from **the City's sphere of influence**, the County could change the zoning to allow uses more intense than provided for in the City's designation.
- The **current sphere** was based upon protecting the immediate watershed from adverse impacts from development that inadequately addresses water and sewer concerns. The City has the capacity to serve the properties within its sphere. The County does not and cannot require connection to city services, especially sewer connections for new development and failed septic systems creating potential environmental impacts.
- The road connections within the **current sphere** generally route traffic through Nevada City causing additional traffic within the City that could be cumulatively significant if not adequately addressed.
- Severe reduction of **the City's sphere of influence** would involve more than changing a few lines and has the potential for significant environmental impacts that should be studied in an Environmental Impact Report that must occur as early as feasible in the planning process, i.e. before a decision is made on whether to reduce the City's current sphere. As long as the City is not requesting the change, there is no reason for the City to pay for the EIR necessitated by the proposal to reduce its current sphere.
- There is no discernable authorization in the LAFCo law for reducing properties within a sphere of influence to an "Area of Interest". Because the City has been advised by the LAFCo Officer that Nevada County may be the only LAFCo in California that uses this term in their policies, the Nevada County LAFCo Board can revisit this policy and remove it to be consistent with the other LAFCo's.
- The County's own explanation of "What is LAFCO?" states that "LAFCo's regulate through approval or denial the boundary changes proposed by other public agencies or individuals. LAFCo's do not have the power to initiate boundary changes on their own... ". The City is unaware of any request of any public agency to shrink the City's current sphere.
- The Municipal Service Reviews do not reflect an inability of the City to provide services for development within the current sphere. To the contrary, the City has a better ability to provide those services today than it did in 1988 or 2008 when the sphere was reviewed and left as it currently is. To the contrary some services, like recreation, are available only through the City.
- Nothing in the review of the sphere reflects an inability of the City to provide services within the current sphere area if annexed.
- Removal of properties from the City's current sphere would not lessen the impact on the City's fire protection services, because the City has a mutual aid agreement and via the City's JOA partnership with adjacent Fire

Districts/agencies that service such areas that would require it to respond whether the property was annexed to the City or not.

- Why change the SOI if it is working?

The Nevada City SOI is Already Consistent with LAFCO Policies

The overall goal of California LAFCos is to encourage orderly growth and development and discourage urban sprawl. To that end, Nevada County LAFCo is required to determine appropriate SOI boundaries and may recommend boundary updates based on the following four categories:

- Present and Probable Need for Public Services.
- Present Capacity of Public Facilities and adequacy of public services
- Social and Economic Communities of Interest
- Disadvantaged Unincorporated Communities (the present SOI does not contain any areas designated so this is not a determination that needs to be considered for the Nevada City SOI update)

As outlined above, the probable need for public sewer and water service is imminent as residential septic systems fail and as drought conditions continue. The City has more than enough capacity to provide continued and expanded service to the present SOI as needed. The City has service agreements for fire, water, and police services and long-standing relationships with those parties. The harmonious manner in which these service agreements are carried out provide better response and service to the entire community, including that of the City, its entire SOI, and arguably beyond that boundary. A reduction in the present SOI has the potential to disrupt this balance of service.

The SOI offers opportunities for orderly growth in areas that are immediately adjacent and connected to infrastructure and other essential services. This is consistent with the overall goal and policies established by LAFCO law to promote logical and orderly development and to prevent urban sprawl. Nevada City is a "full service city" that provides water, wastewater, police, fire protection and emergency services. Housing, retail and employment are in close proximity to jobs and essential services, and the character and sustainability is preserved by the City's General Plan and current SOI policy.

Conservation and protection of water resources riparian areas, natural environment and forestland within the City boundary and SOI is also further defined in the City's General Plan. As areas are annexed into the City, important considerations are given to preservation and recreational use of open space.

At the suggestion of LAFCo Executive Officer, staff has prepared a preliminary map (attached) that breaks out the recommended Area of Interest into seven distinct geographic areas. Explanations for why each area is consistent with LAFCo policy are described below:

Geographic Area 1: This area is adjacent to both the Old Airport property and the Sugarloaf property. The City's primary access road to its Old Airport property traverses this area. This area is primarily developed with low density residences. It encompasses the ridgeline and the City's northern view shed. This area has a history of hydraulic mining and, as such, contains soils that are likely marginally able to support septic repair areas once the current systems fail. As intervening parcels experience failing septic systems and are annexed to the City, sewer lines will be extended to eventually serve this area, as well.

Geographic Area 2: Area 2 encompasses medium density residential uses and is served by Willow Valley Road and Boulder Street. This area lends itself to walkable improvements and higher-density housing, which could make it a good fit for well-designed affordable housing in the future. This area also encompasses the watersheds of Deer Creek and Little Deer Creek. As previously discussed degradation of these resources could have severe adverse implications for the City's water supply, as well as ecological and aesthetic resources. Deer Creek is a prominent resource throughout the City. Any degradation of this resource would have detrimental impacts on the City's sense of place, history, and quality of life.

Geographic Area 3: This area encompasses the City's water treatment plant and also a portion of the Little Deer Creek watershed. The City currently serves the Nevada County Sportsman's Club with treated water so it does not make sense for this to be outside of the SOI. Rather, City staff would support expanding this area of the SOI to encompass the point at which Little Deer Creek diverts to the canal that provides the City's water supply.

Geographic Area 4: This area represents the City's southern view shed and serves as a drainage shed from the Banner Lava ridge. There are several large and developable parcels that would be best suited for low-density residential development. The topography of this area is such that it lends itself to gradient water flow from the City's water plant. The City has the capacity and, because of the gradient, the ability to serve this area with sewer.

Geographic Area 5: This area is a primary entry point into the City and the point closest to Grass Valley. Land use patterns in this area must be seriously considered in terms of their impact on maintaining a distinct boundary between the two cities and avoiding sprawl that could degrade that distinction. This is an area the City may want to consider annexing in the near term.

Geographic Area 6: This area is served by Old Downieville Highway, which provides a direct route into the heart of downtown. On both the north and south sides of this area, developed trails exist that are maintained by the City. Any land use pattern changes here could have a direct impact on the trails as a recreation amenity. It is worth noting, that the City hopes to eventually connect the Tribute Trail with the Hirschman's Trail system sometime in the future. The Eden Ranch subdivision is served by a package treatment plant. The City has received calls from residents of this subdivision that express concern over the adequacy of this system. The City anticipates that the system will eventually fail and will necessitate a large annexation to serve that area with sewer.

Geographic Area 7: The City has deeded road access through this area to the Old Airport property. It also has a history of hydraulic mining leaving marginal soils and questionable ability to support adequate repair areas after septic failure. The City has the capacity and, because of the gradient, the ability to serve this area with sewer.

Recommended Public Outreach Approach

City staff recommends aggressive implementation of a proactive public outreach and communication effort to help inform City residents and property owners about the LAFCo Officer's proposal and the City's concerns, and to communicate the City's perspective on the issue to the LAFCo Board. Specific recommendations include:

1. Provide an informational mailing to City residents and property owners in the City limits and SOI outlining the City's concerns with the LAFCo Officer's proposal and inviting the public to:
 - Provide the City with an email or letter expressing their perspective on the issue; and
 - Invite them to attend the February 23, 2017 Nevada County LAFCo Board Meeting at the Rood Center and get involved in the discussion.
2. Construct a page on the City's website (www.nevadacityca.gov) dedicated to monitoring the developing SOI issue and documenting the correspondence received.
3. In addition to Mayor Phelps, who currently serves as a member of the LAFCo Board, encourage all other Council Members to attend and provide testimony at the LAFCo meetings throughout the Nevada City SOI discussions.
4. Direct the City Manager and/or designee(s) to provide testimony at the February 23rd LAFCo Board Meeting and deliver all correspondence received on the issue to the LAFCo Board.
5. Authorize the preparation of a letter requesting the new LAFCo Board consider removing the "Area of Interest" policy language from their policy as it does not appear to be replicated in other California LAFCo agencies and unnecessary in Nevada County.

ENVIRONMENTAL CONSIDERATIONS: Described throughout report.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

- ✓ Memorandum from SR Jones, Nevada County LAFCo Officer
- ✓ Geographic Map

Local Agency Formation Commission of Nevada County
950 Maidu Avenue
Nevada City, CA 95959
Phone 530-265-7180 or 888-846-7180

Date: December 7, 2016 (revised January 18, 2017)

To: Mark Prestwich, City Manager

From: SR Jones, Executive Officer

Subject: Sphere of Influence Update – Summary of LAFCo Staff Recommendations

Nevada County LAFCo adopted the original sphere of influence for Nevada City in 1983 (Exhibit A). In 2008, LAFCo reviewed and updated the Nevada City sphere of influence plan; however, the sphere boundary itself was not modified and remained as adopted in 1983.

The City’s boundaries in 2016 include 1224 acres (approximately 700 acres are developed, while approximately 500 are unimproved). The sphere of influence adopted by LAFCo in 2008 included approximately 2900 acres (exclusive of City boundaries). The 2008 sphere plan assigned these lands to four timed sphere horizons: Current (215 acres), 2013 (389 acres), 2018 (567 acres) and 2023 (1735 acres).

Changes Affecting Spheres of Influence in Nevada County

Since 1983, there have been a number of important changes that impact sphere of influence reviews and updates. Changes include updates to LAFCo law and to Commission policy, as well as changes to local government financial circumstances and land use policies.

1. **Definition of Sphere of Influence:** In 1983, LAFCo law defined this term as “...the *ultimate* boundary and service area of a local government agency.” The definition now reads “...a plan for the *probable* boundary and service area of a local government agency.”
2. **Requirement to Prepare Municipal Service Reviews:** Before taking action on a sphere of influence, LAFCo is now required to review municipal services provided by each agency, including projections for growth and development; present and planned capacity of facilities and adequacy of services, including infrastructure needs and deficiencies, the agency’s financial capability to provide services and the service relationships between providers in the region.
3. **Requirement to Periodically Review and Update Spheres of Influence:** LAFCo is now required to review and update each agency’s sphere of influence plan every five years.
4. **Commission Sphere Policies:** The Commission’s sphere of influence policies now state that LAFCo will not include lands in an agency’s sphere that are unlikely to require the services provided by the agency, or lands which cannot feasibly be served by the agency. Commission policy now also provides for the designation of “Areas of Interest,” which

are areas beyond an agency's sphere of influence where land use and other decisions may impact the agency.

5. **General Plans:** Since 1994, the County's General Plan has included policies that respect City land use designations within spheres of influence and that foster cooperation between the County and the City with respect to annexation and development. Following LAFCo's 2008 update of the City's sphere, City and County staff worked together to review land use designations of each parcel within the City's sphere and to identify parcels where the General Plan designations were not compatible. This exercise identified five parcels with potentially incompatible designations.
6. **Increasing Cost of Providing Municipal Services:** The cost of providing municipal services, especially fire and police, have increased dramatically since 1983. Annexation of lands located considerable distances from current City boundaries would likely impact the City's fire and police service costs.
7. **Development and Buildout of Sphere Lands:** Many of the parcels included in the 1983 sphere of influence are now developed for residential use, utilizing private septic systems and wells (or receive treated water for Nevada Irrigation District) , and do not require City services.

Areas Recommended for Inclusion in the Sphere of Influence Update

The sphere boundary recommended by LAFCo staff is shown on Exhibit *B* retains 1482 acres in the sphere. The major portion of these lands were designated by the 2008 sphere of influence update as within the Current, 2013 and 2018 Sphere Horizons. In addition, three areas from the 2023 Sphere Horizon are recommended for inclusion in consideration of their development potential (Indian Flat Area, Highway 20 Frontage Area and the Highway 49 Planned Development Area).

The following list includes descriptions of the most significant areas recommended to be retained in the City's sphere:

- **Indian Trails:** This 30-lot estate residential project is located on the west side of the City, adjacent to the City-owned Hirschman's Pond property. Although the development receives treated water from Nevada Irrigation District and uses private septic systems (and thus does not require City services), the area is recommended for continued inclusion in the city sphere as the City holds title to the project's the trail system.
- **Sugarloaf Mountain and Manzanita Diggins:** This area includes seven properties located north of the City on either side of Coyote Street. The City holds ownership to Sugarloaf Mountain (31 acres) and intends to apply for annexation, proposing to designate it for Open Space. The Manzanita Diggins properties, comprised of two properties (totaling 15 acres), is located on the other side of Coyote Street from Sugarloaf. These properties have development potential under the City's General Plan. The Nevada County Consolidated Fire District owns two parcels (totaling 5 acres) in this area; one parcel is the site of NCCFD's Station 84 and is connected to the City's public sewer system. The southern half of a large (110 acre) parcel in this area is also recommended for continued inclusion in consideration of its City General Plan designation for Planned Development.

- Highway 20 (north of Nevada City) Frontage Area: This residential area includes 12 parcels and is located adjacent to the Manzanita Diggins area north of Nevada City, on the northwest side of Highway 20. Although most of the properties are already developed for residential use, the area may provide access points for the Manzanita Diggins area, discussed above.
- HEW (Health, Education and Welfare) Building: Located off Willow Valley Road east of the City boundary, this property was the site of a County-owned facility that has since been purchased by a local developer. The site is connected to the City’s wastewater system, as are several other properties in the immediate vicinity. The area is recommended for continued inclusion in the sphere in consideration of its development potential and the extension of City sewer service.
- Hurst Property: This 90-acre area is adjacent to City boundaries off Gracie Road; the City’s General Plan designates this area for Planned Development.
- Prospector Nursery/Caltrans: This area is located south of Gold Flat Road, and includes lands designated by the City for Planned Development, a commercial nursery, as well as the Caltrans facility. The latter is connected to the City’s wastewater system.
- Gallelli Properties: This area is located west of the current City boundary and Providence Mine Road and includes 162 acres in 5 separate parcels. The southern portion is designated for Planned Development by the City’s General Plan, while the northern portion is designated for Open Space.
- Juvenile Hall Property: Located adjacent to the western City boundary off Highway 49, this County facility has been connected to the City sewer system.
- Highway 49 Planned Development: This area is located west of the existing City boundary, south of highway 49 and north of American Hill Road. Portions are designated for Planned Development by the City’s General Plan.
- ‘Incompatible Parcels:’ The five properties (one appears to have been subdivided, so there are now six) that City and County staff identified in 2008 as having inconsistent General Plan designations are all included within the recommended sphere.

The portions of the 2023 Sphere Horizon that are recommended for removal from the sphere of influence would be designated as an “Area of Interest” in order to ensure the City is notified of development proposals and other projects that may have potential for impacting the City. The proposed “Area of Interest” consists of lands that had previously been included in the 2023 sphere horizon (with the exception of several of the areas listed above, including Indian Trails, Highway 20 frontage, and the Highway 49 Planned Development areas). This area includes 462 developed properties totaling 982 acres, and 94 unimproved properties totaling 366 acres.

Known Development Proposals within the Nevada City Sphere of Influence

As noted above, the County’s General Plan policies provide that development permits involving lands located within the City’s sphere will generally be referred to the City for annexation or comment. According to the County Planning Director, lands designated by the Commission as “Area of Interest” are referred to the City for comment.

At this time, LAFCo is not aware of any development projects or permit applications for lands within the City’s sphere of influence boundary as updated in 2008.

Comparable Spheres of Influence in other Counties

LAFCo staff has compiled statistics on a few city spheres in other counties which are comparable in terms of population. In reviewing these statistics, please keep in mind that each LAFCo determines spheres of influence based on the legislative direction of the Local Government Act (Gov’t Code 56000, et seq), Commission policy, and local circumstances.

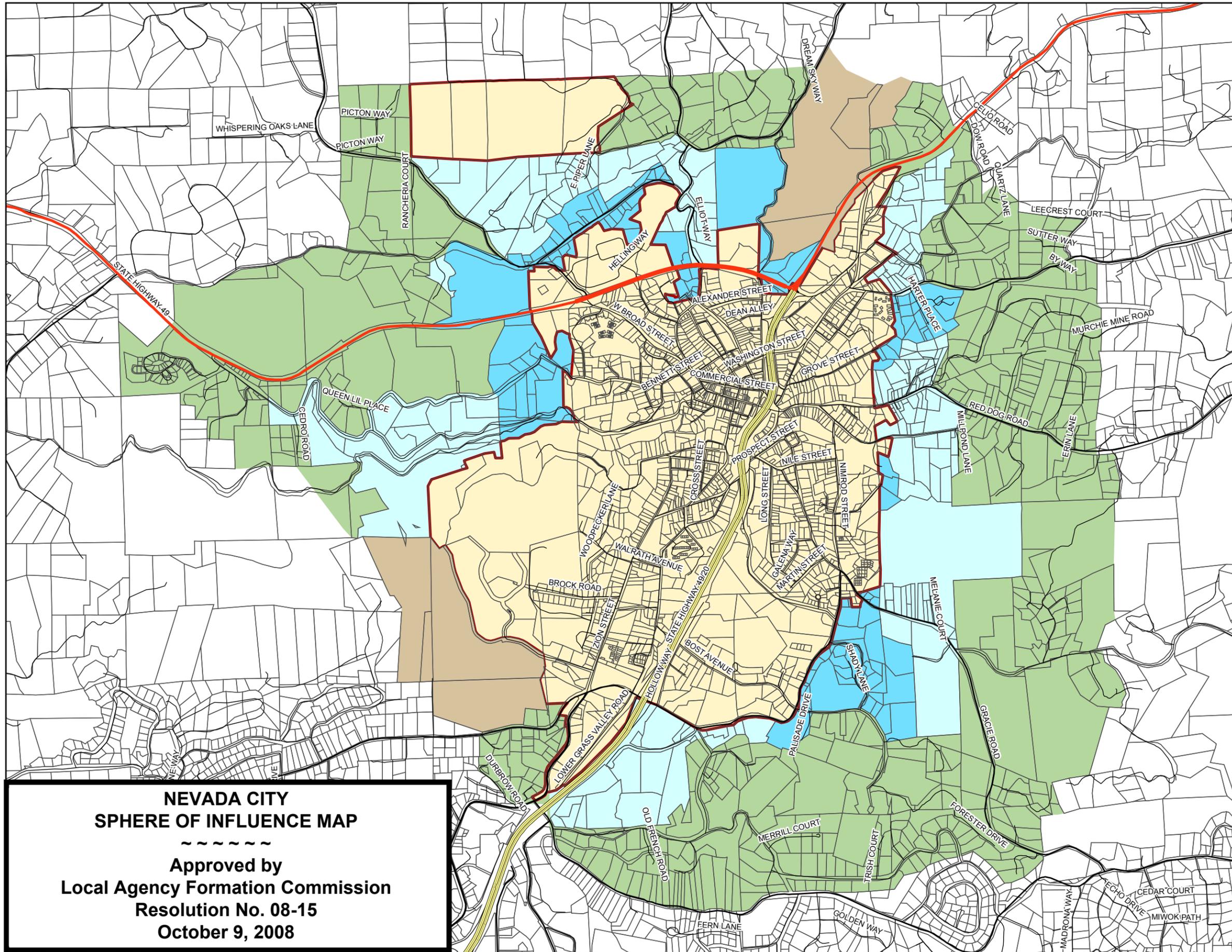
Comparable Cities	2015 Pop.	City Acreage	Sphere Acreage	Last Update	Sphere/City Boundary
Jackson, Amador County	4586	2300	1219	2014	53%
Angels Camp, Calaveras County	3811	2277	3480	2011	153%
Carmel, Monterey County	3747	640	850	2013	133%
Rio Dell, Humboldt County	3372	1013	160	2008	16%
Nevada City, Nevada County	3194	1224	2907	2008	238%
Nevada City, Nevada County (Recommended)	3194	1224	1482	2016	121%
Yountville, Napa County	3017	966	13.5	2013	1%
Alturas, Modoc County	2723	1550	2228	2010	144%
Ross, Marin County	2493	985	0	2007	0%
Sutter Creek, Amador County	2457	202	4	2014	2%

Note that Nevada City is a “full service” city that provides water, wastewater, police and fire protection and emergency response services. These four basic services are also provided by Angels Camp and Alturas. Of the remaining listed cities, Carmel provides only police and fire (water and wastewater are provided by other agencies), Rio Dell provides water, wastewater and police (fire is provided by an independent fire district), Yountville provides water and wastewater (and contracts for fire and police services) and Ross provides police and fire (while contracting with other agencies for water and wastewater).

Exhibits:

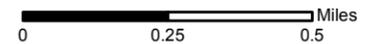
A Nevada City Sphere of Influence Map, Approved by LAFCo Resolution 08-15

B Recommended Nevada City Sphere of Influence Map (recommendation by LAFCo staff, December 2016)



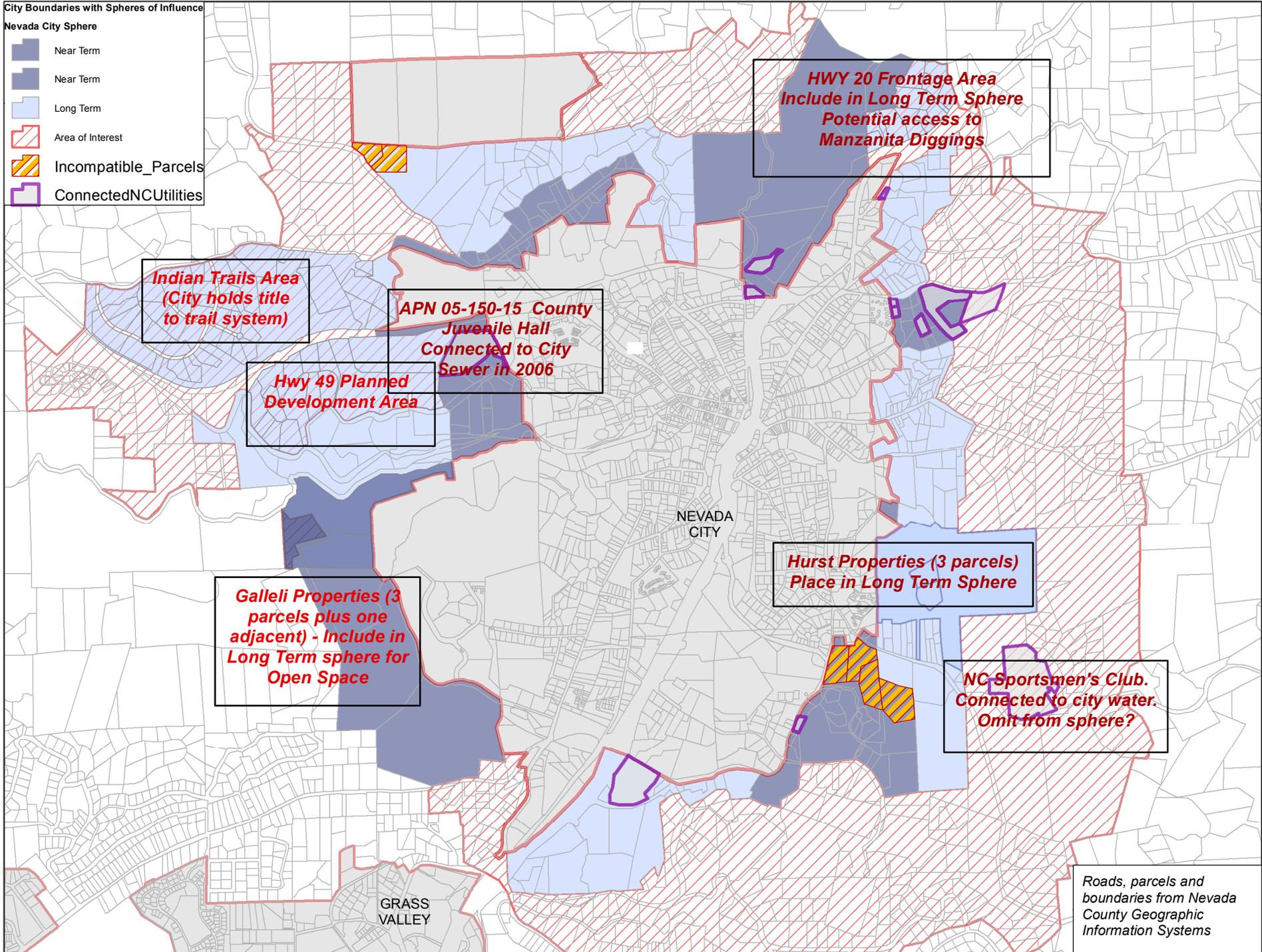
Legend

-  Parcel Boundaries
-  City Limits
-  Current Sphere Horizon
-  2013 Sphere Horizon
-  2018 Sphere Horizon
-  2023 Sphere Horizon



Created by Nevada County GIS 8/1/07 NevadaCitySphereCleanup.mxd
 Every reasonable effort has been made to assure the accuracy of the maps and data provided; nevertheless, some information may not be accurate. The County of Nevada assumes no responsibility arising from use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Before making decisions using the information provided on this map, contact the Nevada County Public Counter staff to confirm the validity of the data provided.

**NEVADA CITY
 SPHERE OF INFLUENCE MAP**
 ~ ~ ~ ~ ~
**Approved by
 Local Agency Formation Commission
 Resolution No. 08-15
 October 9, 2008**



City Boundaries with Spheres of Influence

- Near Term, Nevada City
- Near Term, Nevada City
- Long Term, Nevada City
- ▨ Area of Interest, Nevada City
- LONG-TERM, GRASS VALLEY
- NEAR-TERM, GRASS VALLEY
- ▨ Incompatible_Parcel

