

**CITY OF NEVADA CITY
PLANNING DEPARTMENT**
317 Broad Street
Nevada City, CA 95959
Phone (530) 265-2496 Fax (530) 265-0187

APPLICATION PACKET FOR A USE PERMIT/DEVELOPMENT PERMIT

This packet contains filing forms and instructions for submitting a complete application for a Use Permit or a commercial/industrial/multi-family Development Permit. You must complete all forms and submit all required supplemental documents listed on the attached checklist or your application will not be accepted. If you have questions regarding the need for zoning-specific information that may be required by the zoning applicable to your project, you should discuss your zoning with the City Planner prior to filing an application.

Applications must be filed with the Planning Department at City Hall. If all information is complete and no issues arise that require additional time for review, your project will be scheduled for public hearing and/or environmental review. You will receive a Staff Report approximately 10 days prior to the hearing. That Report will contain a Staff Recommendation for the project including a list of recommended conditions of approval. **You or your authorized representative must attend the public hearing or no action will be taken.** Surrounding property owners will also be notified of the hearing. During the hearing, the Planning Commission will consider the staff recommendation, your comments and any input from the public. The hearing body will either, 1) approve your project, 2) approve it with conditions, 3) deny it, or 4) continue it for additional information if necessary.

SUBMITTING A COMPLETE AND ACCURATE APPLICATION AND SITE PLAN WILL HELP TO MAINTAIN YOUR DESIRED HEARING SCHEDULE.

**USE PERMIT/DEVELOPMENT PERMIT
FILING INSTRUCTIONS & CHECKLIST**

This form must be filed with your application. Please check off (✓) each item to verify that the required information is attached.

Your application will not be accepted if any required item is missing.

- () 1. The signed and completed Application form, including a letter of authorization from the property owner(s) if forms are signed by a Representative.
- () 2. Filing fees pursuant to the most recently adopted Resolution of the City Council.
- () 3. The completed Land Use Application and Project Information form.
- () 4. If grading is anticipated, submit a profile showing the cut and fill and the height of any needed retaining walls.
- () 5. Photos of the site and a site plan reduction indicating where photos were taken.
- () 6. 3 hard-copies and 1 digital copy of building elevations and floor plans including square footage calculations. Plans must be drawn to a recognizable scale, preferably to an engineer's scale.
- () 7. 3 hard-copies and 1 digital copy of any comprehensive sign plan that includes the location, type, size and design of all proposed signs, including a color scheme.
- () 8. 3 hard-copies and 1 digital copy of a Lighting Plan that depicts the location, height and positioning of All light fixtures and provides a description of the type and style of lighting proposed, including pole or building mounted area lights and sign lights.
- () 9. 3 hard-copies and 1 digital copy of a site plan drawn per attached instructions. All **plans must be folded** to a maximum 8 ½" x 11" size.
- () 10. Please submit a separate page describing the project in detail. Include discussion of such items as scope of work, operations of any business, including hours of operation, number of employees, etc

LAND USE APPLICATION

Please print or type in black ink

Type of application(s) for which you are applying:

- | | | |
|-----------------------------------------------------|-------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Tentative Map | <input type="checkbox"/> Ordinance Amendment | <input type="checkbox"/> Certificate of Compliance |
| <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Voluntary Merger |
| <input type="checkbox"/> Development Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Home Business |
| <input type="checkbox"/> Administrative Dev. Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Temporary Commercial Permit |
| <input type="checkbox"/> Boundary Line Adjustment | <input type="checkbox"/> Setback Easement | <input type="checkbox"/> Management Plan |
| <input type="checkbox"/> Other (specify): _____ | | |

PROJECT DESCRIPTION: I propose to use the outside space at 426 Broad St. as a seating and dining area for the patrons of my business, Kosmos Spa(ce). The outside space may also host outdoor workshops from time to time.

Assessor's Parcel No(s): _____

Applicant Name(s): Rachel Budde

Applicant Mailing Address: 220 Nevada St Nevada City CA 95959

Telephone #: () 646 338 2228 E-Mail: fatandthemoon@gmail.com FAX#: _____

Property Owners Full Names: Rachel Budde

Property Owner Mailing Address: 220 Nevada St Nevada City CA 95959

Telephone #: () 646 338 2228 E-Mail: fatandthemoon@gmail.com FAX#: _____

Name of Representative (if applicable): _____

Address of Representative: _____


Telephone #: () _____ E-Mail: _____ FAX#: _____

Site address(es): 426 Broad St. Nevada City 95959 Acreage(s): less than 1

Water Source: city Method of Sewage Disposal: city

I hereby acknowledge that I have read the instructions for filing this application and state under penalty of perjury that the information provided on all attached documents is correct.

Signature of Property Owner(s) or () Authorized Representative*



Date: 8/2/2020

Date: _____

***Representative may sign application if a Letter of Authorization from the owner(s) is provided.**

**CITY OF NEVADA
PROJECT INFORMATION QUESTIONNAIRE**

The information provided in this questionnaire will be used for preparation of the project Initial Study (environmental review) and for overall project review. All questions must be answered completely with legible responses, typed or in black ink, providing more than a simple "yes", "no" or "NA" response. Attach separate written discussion pages where needed to provide a complete response.

1. Project Description:

a. Describe the proposed project including any proposed phasing:

The proposed use of the outdoor space at 426 will be for seating and dining of

patrons of Kosmos Spa(ce) LLC.

b. Are any exceptions to required standards proposed or required for this project (a Variance, a Petition for Exceptions or a Management Plan to encroach into any sensitive resources)? *If yes, identify the nature of the proposed variance, exception or management plan:*

No

c. **Code Violations:** To your knowledge, are there any Code violations occurring on this property, including the issuance of a Warning Notice or a Citation for the subject property? ___ yes no *If yes, describe:*

2. Land Use:

a. Does this project have a relationship to a larger project or a series of projects?
___ yes no *If yes, describe:*

b. Describe existing on-site land uses:

The current use is exactly the same as what is being proposed: seating and dining for patri

c. Describe surrounding land uses, indicating distance to nearest residence:

Yards and foot traffic describe the use of the surrounding land around the location.

d. Describe project potential to change the character of the surrounding area, including the loss of open space.

No potential change

- e. Will this project displace any residential units? ____ yes no *If yes, describe:*

- f. Will this project result in a population increase in the immediate project area?
 ____ yes no Explain:

- g. List any specialized plans or zoning restrictions applicable to this project site, e.g., an “SP” zoning, a Master Plan, a Specific Plan, an Area Plan, an Airport Land Use Plan?

3. Geology/Soils:

- a. A Preliminary Grading Plan is attached. ____ yes no
- b. A Soils/Geologic Report is attached. ____ yes no
- c. Slopes that exist on site prior to grading:
 Gentle (0-10%) _____ sq. ft/acres _____ % of site
 Rolling (10-30%) _____ sq. ft/acres _____ % of site
 Steep (more than 30%) _____ sq. ft/acres _____ % of site
 ____ 30%> slopes are cross-hatched or highlighted on the site plan or tentative map
- d. Does the project propose to encroach into slopes of 30% or greater?
If yes, is a Management Plan included in this application? ____ yes no
- e. Is the site on filled land? ____ yes no *If yes, explain:*

- f. Are there existing erosion problems or geologic hazards occurring on this site, such as landslides, mudslides, ground failures, earthquake faults or similar hazards? *If yes, describe:* _____
- g. Will a grading permit be required? ____ yes no
If yes, have you attached a preliminary grading plan? ____ yes no

Describe proposed site grading:

How many cubic yards of soil will be imported, exported or moved on site?
 n/a

Maximum proposed depth and slope of any excavation and the type: n/a

Grading material sources or disposal sites: n/a

Transport methods and haul routes: n/a

The location and height of any proposed or required retaining walls: n/a

4. **Water Quality:**

- a. Describe any water bodies on, or adjacent to, the property, including lakes, rivers, creeks, seasonal and/or perennial water courses, irrigation ditches or drainage swales.

n/a

- b. Is there a floodplain on or within 100 feet of this project site? *If yes, is it identified on the Federal Emergency Management Agency (FEMA) maps and have you included a copy of that map with this application?* yes no

- c. For development projects, describe impervious surfacing created by this project:

<u>Lot Coverage:</u>	<u>EXISTING</u>	<u>PROPOSED</u>
building coverage	<u>n/a</u> %	<u> </u> %
surfaced areas	<u> </u> %	<u> </u> %
landscaped areas	<u> </u> %	<u> </u> %
permanent open space (excluding <i>required</i> landscaping)	<u> </u> %	<u> </u> %
Total	100 %	100 %

- d. Describe any discharge to surface waters that will result from this project, including any wastewaters other than storm water runoff that may be present in the discharge:

n/a

- e. Identify the water body or feature that receives runoff waters, describing proposed methods for treating and controlling runoff before it enters the drainage or watercourse.

n/a

- f. Will a permit be required from the California Regional Water Quality Control Board?
 yes no *If application for a State permit has been made, provide the permit #: _____.*

- g. Are there any wetlands or riparian areas on this site? yes no

If yes, describe: _____

Will wetlands be affected by the proposed project? yes no

Will an Army Corps of Engineers wetlands permit be required? yes no

If yes, is correspondence to or from the Army Corps attached? yes no

- h. Does this project propose to encroach into the required buffer from any perennial or seasonal waterbodies or riparian area? yes no

If yes, is a Management Plan included in this application? yes no

5. **Air Quality:**

- a. Describe any air pollutants, i.e. dust, smoke, fumes or odors, which may be generated by this project both during and after construction (short and long term impacts).

There will be indoor construction on the building on the property with some dust and some outdoor concrete work and fence building. The impacts will be short term.

- b. Is the project site mapped within an area known to contain naturally occurring asbestos? ___ yes no Source of information: _____

6. **Transportation/Circulation:**

- a. A traffic study is included with this application. ___ yes no

- b. Does this project require/include a Petition for Exceptions? ___ yes no

- c. Describe the access roads serving this project:

<u>Road name</u>	<u>Right of Way width</u>	<u>Surfacing</u>	<u>Finish grade</u>
<u>n/a</u>	_____	_____	_____
_____	_____	_____	_____

- d. Is the access road serving the site a dead-end road? ___yes no *If yes, what is the distance to the nearest through road?*

- e. Who provides the road maintenance for each road accessing your project?

n/a

- f. Will this project result in substantial or cumulative impacts to the circulation system in this area? ___ yes no Explain:

- g. What road improvements are proposed? n/a

- h. Describe how this project provides for pedestrian needs, pursuant to Sec. L-II 4.1.8 of Zoning Regulations and the Nevada County Non-Motorized Pedestrian Plan:

n/a

- i. Describe how this project will provide transportation alternatives pursuant to Sec. L-II 4.1.9 and General Plan Policy RD-4.3.1, including:

- 1) The estimated number of employees or residents that will work/live on the project site. 8-10 employees

- 2) Identify existing and potential alternatives to individual automobile use, including but not limited to, access to public transportation services, bicycle racks, or provisions for developer-sponsored carpooling or bussing.

we will have bicycle racks

- 3) Proposals to incorporate one or more measures into the project to ensure use of viable alternatives.

n/a

- 4) For projects employing 50 or more persons: describe feasible measures for reducing auto dependence.

n/a

7. **Biological Resources:**

- a. Is the required Biological Inventory attached? ____ yes no

- c. Is a Management Plan for encroachment into sensitive biological resources required? ____ yes ____ no If yes, is it included in the Inventory? ____ yes no

- c. How many native oaks exist on the project site? n/a

- d. How many oaks have trunk diameters of 36" or more, measured at breast height (4')? n/a
-

- e. Number, size, type and location of trees that will require removal, including those for road and sewage disposal construction (as shown on site plan):

n/a

- f. Is a Tree Protection Plan for trees to be retained attached or addressed in your Biological Inventory? ____ yes no

- g. Does this project have the potential to preclude the future use of any natural resource i.e., forests or water? ____ yes no If yes, explain:
-

- h. Has this site been logged site in the last 10 years? ____ yes no

If yes, was a Timber Harvest Plan approved? n/a yes ____ no

Is there an active Timber Harvest Plan on file? n/a yes ____ no

____ If yes to either, a copy of the approved and/or proposed Plan(s) is attached.

8. **Mineral Resources:**

- a. Is this site mapped as an MRZ-2, Significant Mineralized Area, by the State Dept. of Conservation? ____ yes no

b. Does this project have the potential to deplete any non-renewable minerals?

___ yes no *If yes, explain:*

9. Risk of Upset/Health Hazards

a. Have you included the required Nevada County Hazardous Materials/Waste Statement with this application? ___ yes no

b. Do you have knowledge, or is there evidence, of any past, potentially hazardous materials use, including underground fuel storage tanks, dumpsites, or surface or subsurface mining activity? ___ yes no

If yes, a Phase I Assessment must be submitted with this application. Contact the County Department of Environmental Health for information regarding what research must be conducted for the specified past use.

c. Does this project propose the handling, storage or transportation of any potentially hazardous materials, toxic substances, flammables or explosives? ___ yes no

If yes, briefly describe the potentially hazardous materials:

d. Will the proposed project include the use of hazardous materials in quantities greater than 55 gallons, 200 cubic feet or 500 pounds? ___ yes no

If yes, have you attached a Hazardous Materials Inventory Statement with this application? ___yes ___no

e. Does this project propose, or will this project result in, the generation of hazardous waste as defined by the California Health & Safety Code, Chapter 6.5? ___yes no

f. Does this project propose fuel tanks, either above or below ground? *If yes, in what quantities?*

g. Is this project site within two air miles of an airport? ___ yes no

If yes, is the project site mapped with the boundaries of an airport Comprehensive Land Use Plan (CLUP)? ___ yes no

10. Noise:

a. Is a Noise Study attached? ___ yes no

b. Describe any noise-sensitive land uses (homes, schools, hospitals, churches, libraries, nursing homes) within a half-mile of the project site.

There are nearby homes, churches and libraries.

- c. Describe any noise that will be generated by this project both during and after construction; identifying the noise source and the hours of operation for the noise generating use, including any outdoor activity areas, i.e., storage yards, outdoor music, playgrounds, animals pens.

The noise level generated will be by people dining and in conversation during business hours

11. Public Services:

- a. List agencies providing the following public services to your project site:

Fire Protection: n/a

Domestic water: n/a

Sewage disposal: n/a

Road maintenance: n/a

Other special districts: n/a

- b. If public sewer is proposed, how many EDUs are allocated to this site? n/a

- c. How many EDU's are required for the proposed use? n/a

- d. Is trash and recycling service available to serve the project site? yes no

- e. As a result of this project will there be significant amounts of solid waste generated, including stumps or inert matter? yes no *If yes, describe how the solid waste will be handled/removed:*

- f. Within what Fire Severity zone is the project site mapped (Moderate, High or Very High) on the CalFire Fire Severity Hazard maps? moderate

- g. Will this project result in the need for additional public services including fire, police, water, sewage disposal or recreation, including annexation to a special district?
 yes no *If yes, describe:*

12. Utilities & Services Systems:

- a. List the public utilities that are available to serve the project site and the entities that provides service:

Telephone: n/a

Electricity: n/a

Gas (propane or natural gas) n/a

High speed internet service: xfinity

- b. Will this project require the extension of service for any energy source?

yes no *If yes, describe:*

- c. Will this project require the recording of a new utility easement?
 ___ yes no *If yes, the proposed easement must be shown on the site plan.*
- d. Describe how this project maximizes energy efficiency, i.e., utilizes alternative energy sources, pursuant to General Plan policies EC-8.6.1, EC-8.6.4 & 14.2:

 n/a

- e. What type of sewage disposal system is proposed for this project (public sewer, individual septic systems, community system, centralized system)?

13. Aesthetics:

- a. Will there be a change to any highly visible ridgelines or any scenic viewsheds?
 ___ yes no
If yes, is a Management Plan included in this application? ___ yes no
- b. Is this project visible from a scenic highway, a large population center, or a public recreation area? yes ___ no *If yes, describe:*
 It is within view of the downtown foot traffic on Broad St.

- c. Does this project propose any outdoor storage, activity or use (other than parking)?
 yes ___ no *If yes, describe the use:*
 There is a pre-existing small storage shed for garden tools which will stay. The
 'activity' on site will be dining and seating and occasional workshops.

- d. Does this project propose new fencing? yes ___ no *If yes, describe fence type, height, materials and colors:*
 The planning commission approved new fencing. The design is still to be determined

- e. Will this project require the installation of new overhead utility lines, visible from public roadways or adjacent properties? ___ yes no *If yes, describe:*

- f. Is any new exterior lighting proposed? ___ yes no
If yes:
 Is the location of all exterior lighting shown on the site plan? yes ___ no
 Is a comprehensive Lighting Plan included in this application, which describes existing and proposed lighting, the number and type of light fixtures, i.e., compact-fluorescent, metal-halide, incandescent; the location (wall-mounted, pole); and type of shielding to prevent off-site light spill? ___ yes no

14. Agriculture:

- a. Is this project site mapped on the State Dept. of Conservation Important Farmlands Map, as Prime, Unique or a Farmland of Statewide or Local Importance?
___ yes no If yes, is a Management Plan for encroachment into important agricultural lands included with this project? ___ yes no

- b. Is this project site, or an adjacent site, contracted for an Agricultural Preserve (Williamson Act), ___ yes no

- c. Is there a Conservation Easement recorded for the project site, or an adjacent site?
___ yes no

- d. Is there an agricultural use established on or adjacent to this parcel?
___ yes no If yes, describe the use:

- e. Is the project site irrigated? ___ yes ___ no
If yes, what is the water source (well, treated, raw water, or?):

- f. Has the site ever been evaluated under the LESA (Land Evaluation & Site Assessment) system? ___ yes ___ no
___ If yes, a copy of the evaluation is attached.

- g. Will this project prohibit or decrease agricultural production, on or off-site?
___ yes no If yes, describe:

15. Cultural Resources:

- a. n/a A letter from the North Central Information Center is attached, recommending whether an on-site Cultural Resources Inventory be conducted.

- b. n/a An Inventory was conducted and is attached.

- c. n/a An Inventory is not attached because:
_____ The North Central Information Center determined that an inventory is not required due to project size or sensitivity level (see letter).
_____ An on-site inventory was conducted for a previous project and is on file with the Planning Department, County File No#: _____.

16. Recreation:

- a. Describe any public recreational facilities existing or proposed on the project site, including trails. Describe any known historic, public use of this site.
n/a

Development project information (not applicable to Tentative Maps)

17. Proposed use:

- a. Proposed use/occupancy type: business
- b. Building type & hazard classification: n/a
- c. Days & hours of operation: Monday-Sunday 9am- 6pm
- d. Total number of employees: 10-15
- e. Describe any outdoor activity proposed, including area square footage:
1200 sq ft in patio and 200 sq ft in front the building
seating and dining and occasional workshops.

f. Number of parking spaces, pursuant to Sec. L-II 4.2.9.f. of Zoning Regulations:

	<u>Required</u>	<u>Proposed</u>
Regular stalls:	<u>n/a</u>	_____
Compact stalls:	_____	_____
Wheelchair accessible:	_____	_____
TOTAL:	_____	_____

g. Are loading bays or drop off areas proposed or required? no

18. Building Characteristics of each proposed building:

- a. Building size in square feet (existing and proposed):
1st floor n/a 3rd floor _____
2nd floor _____ 4th floor _____

b. If assembly area without fixed seats, state UBC and/or designed occupancy: _____

c. Building height, measured from average finished grade to highest point _____

d. Proposed exterior building:

	<u>Materials</u>	<u>Colors</u>
Roofing:	_____	_____
Siding:	_____	_____
Trim:	_____	_____
Windows:	_____	_____

e. Describe proposed architectural features or details (roof overhangs, offsets, wainscoting, etc) incorporated to comply with applicable County Design Guidelines:

n/a

19. Building Permits: List any building or grading permits related to this project that have been applied for and/or issued. n/a

20. **Signage:**

no A Comprehensive Sign Plan been submitted that identifies:

- a. Number of signs
- b. Total sign square footage
- c. Sign style (wall sign, monument, free-standing)
- d. Sign lighting
- e. Sign placement/location
- f. Design, e.g., colors, materials, lettering style

21. **Residential Projects** n/a

a. Number of dwelling units:

Single-family _____

Multiple-family _____

b. If multiple family or condominium project, number of dwelling units with:

One Bedroom _____

Two Bedrooms _____

Three Bedrooms _____

Four or More Bedrooms _____

c. Does this project include a conversion of residential real property to a condominium project? yes no

If yes, have you provided tenant notice pursuant to Sec. 66427.4 of the Subdivision Map Act, and attached a report on the impact to tenants are required by Sec. 66427.4?

yes no

If yes, you must provide verification of such notice.

Is that documentation attached? yes no

.....
I understand that failure to provide a complete and accurate response to all questions on this form may deem this application incomplete and may result in project processing delays.

Signature of Property Owner(s) or () Authorized Representative that completed this document:

_____ 

Date: 8/2/2020