





# City of Nevada City

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**TO:** Planning Commission  
**FROM:** Amy Wolfson, City Planner  
**SPECIAL MEETING DATE:** September 1, 2020  
**RE:** Tree Removal Application – 103,200,204,208 Providence Mine Road

- ATTACHMENTS:**
1. Application
  2. Landscape/planting plans with tree locations identified
  3. Photos of trees
  4. Providence Park EIR (1985)
  5. Providence Plaza Conditions of Approval (1993)

**APPLICATION:** Jeremy Jones is Property Manager, at the office complexes at 103,200,204,208 Providence Mine Road, known as Providence Mine Park and Providence Mine Plaza. Jones is requesting removal of four Cedars, nine Pines, and two Redwoods for a total of 15 trees between 10 and 42 inches diameter on four properties amounting to 4.72 acres. Reasons for removal are poor health, threat to structure, and fire abatement. It should be noted that Jones has identified three of these trees as being dead. Jones has marked each of the trees on the site with a red ribbon and numbered them consistent with the numbers referenced on the application.



*Red ribbons referencing trees to be removed.*

Staff has reviewed the EIR that was prepared for Providence Park (103 Providence Mine Road) approved in 1985 and the conditions of approval for Providence Plaza (200-208 Providence Mine Road) approved in 1993. Neither document provided conditions related to future tree removal, though both required approved landscape plans. The landscape plans are attached, and have been updated with the approximate locations of the current proposed tree removals.

**MITIGATION CONSIDERATION:** Pursuant to Section 18.01.070 of the City Municipal Code, the Planning Commission may impose mitigation on the loss of any protected tree(s). The total replacement requirement shall be based on the number of tree(s) removed. Mitigation replanting or seedling protection shall be provided with the intent to reflect the character of the site prior to tree removal. Pursuant to Section 18.01.036 additional protection may consist of, but is not limited to, one (1) or more of the following:

- Modifications to existing structures, such as porches/decks or similar improvements;
- Pruning/trimming;

- Spraying for insects and disease;
- Special care and feeding;
- Method of tree removal.

**ENVIRONMENTAL CONSIDERATION:** This project may be considered exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15304 (Minor Alterations to Lands) for small projects that do not involve the removal of healthy, mature, and scenic trees, except for forestry and agricultural purposes.

**RECOMMENDED MOTION**

1. In approving the Tree Removal application, as conditioned, located at 103,200,204,208 Providence Mine Road, Nevada City, CA, the Planning Commission finds:
  - a. That the removal of the trees identified in the exhibits provided by the applicant are necessary for reasonable use of the property

**RECOMMENDED CONDITIONS OF APPROVAL**

1. The approval for the tree removal shall expire 180-days from the issuance of the permit.
2. Any tree work shall avoid impacts to nesting birds under the federal Migratory Bird Treaty Act
3. Any firm or person removing the trees shall obtain a business license from City Hall



CITY OF NEVADA CITY

**PAID**  
JUL 15 2008

**CITY OF NEVADA CITY**

1017 Broad Street • Nevada City, California 95959 • (530) 265-2496

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RCPT.

AMT.

**TREE REMOVAL APPLICATION**

A City permit is required for removal of any tree with a cumulative diameter at breast height (cbd) of 4" or greater (Mandrone, Manzanita, Oak); or 6" or greater (all other trees). An arborist's report may also be required. See Ordinance 2004-09 (City Code, Ch 18) for criteria.

**NOTE: A \$100 administrative fee must be paid when the application is submitted. All applications must include photographs of the tree(s) to be removed and a site plan showing the location of all trees to be removed and approximate locations of any roads and structures.**

Street Address/Location: 103, 200, 204, 208 Providence Mine Rd. APN #: 005-220-013

Owner/Representative: Jeremy Jones Phone #: (530) 267-1511

Mailing Address: 103 Providence Mine Rd. Suite 201 Nevada City, CA 95959

Email Address: nevadacityoffices@gmail.com

Company performing tree work: Getting Bids. Tom O'Brien or Crown tree Service

Identify and describe tree(s) to be removed and state reason(s). Use additional pages if necessary.

Number	Diameter	Species	Reason for removal (See § 18.01.035)
1	42"	Cedar	Dead
2	42"	"	Dying
3	26"	Pine	Fungus + close to building
4	30"	"	"
5	11"	"	"
6	16"	Redwood	Dying + close to building
7	24"	Pine	Fungus + Damage
8	12"	Redwood	Dying + close to building
9	10"	Pine	Fungus
10	12"	Pine	" + leaner

See Back of page

Property Owner's Signature: [Signature] Date: 7-15-2

\*\*\*\*\* Office Use Only \*\*\*\*\*

Permit Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ Remarks

(Mitigation/Protection Measures): \_\_\_\_\_

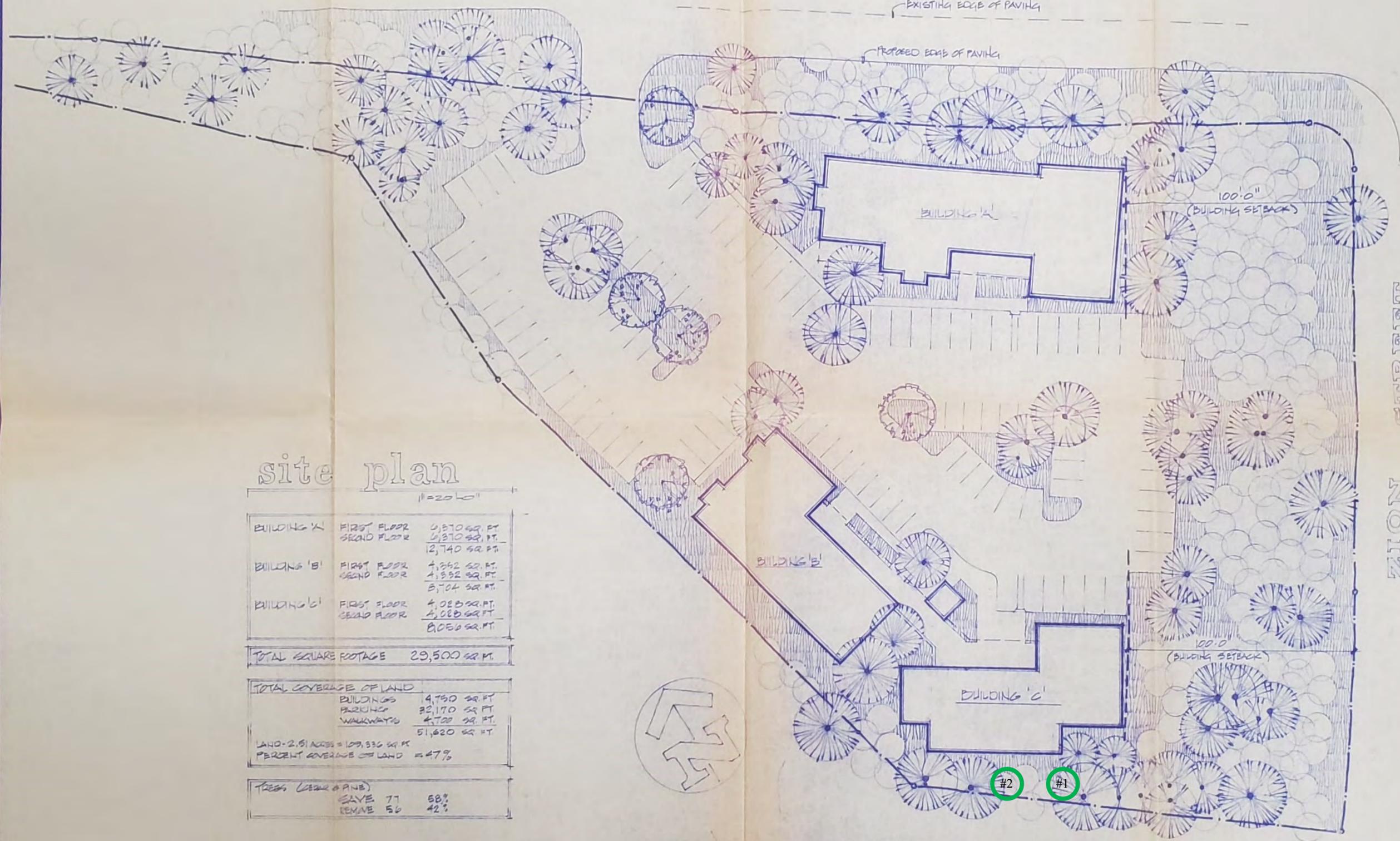
Approved by:

_____	_____	_____	_____
Name/Title	Date	Name/Title	Date

11	42"	Pine	Fungus +	to	Close to building		
12	19"	Cedar	Dying	"	"	"	"
13	30"	Pine	Fungus	"	"	"	"
14	17"	Pine	Dead				
15	26"	Cedar	Dead				

101, 103, and 105

LONE PINE ROAD



site plan

1" = 20'-0"

BUILDING 'A'	FIRST FLOOR	6,870 SQ. FT.
	SECOND FLOOR	6,870 SQ. FT.
		12,740 SQ. FT.
BUILDING 'B'	FIRST FLOOR	4,992 SQ. FT.
	SECOND FLOOR	4,992 SQ. FT.
		9,984 SQ. FT.
BUILDING 'C'	FIRST FLOOR	4,088 SQ. FT.
	SECOND FLOOR	4,088 SQ. FT.
		8,176 SQ. FT.
TOTAL SQUARE FOOTAGE		29,500 SQ. FT.
TOTAL COVERAGE OF LAND		
BUILDINGS	4,790 SQ. FT.	
PARKING	32,170 SQ. FT.	
WALKWAYS	4,700 SQ. FT.	
	51,660 SQ. FT.	
LAND - 2.51 ACRES = 109,936 SQ. FT.		
PERCENT COVERAGE OF LAND = 47%		
TREES (LEAVE & PLANT)		
SAVE	77	58%
REMOVE	56	42%

PROVIDENCE PARK



REVISED 12/13/84

PROPOSED PRELIMINARY DESIGN FOR:  
PROVIDENCE PARK  
NEVADA CITY CALIFORNIA

DATE 10-1-84  
JOB NO. 8310  
DRAWN B. WEST  
CHECKED

SHEET 1 OF 1

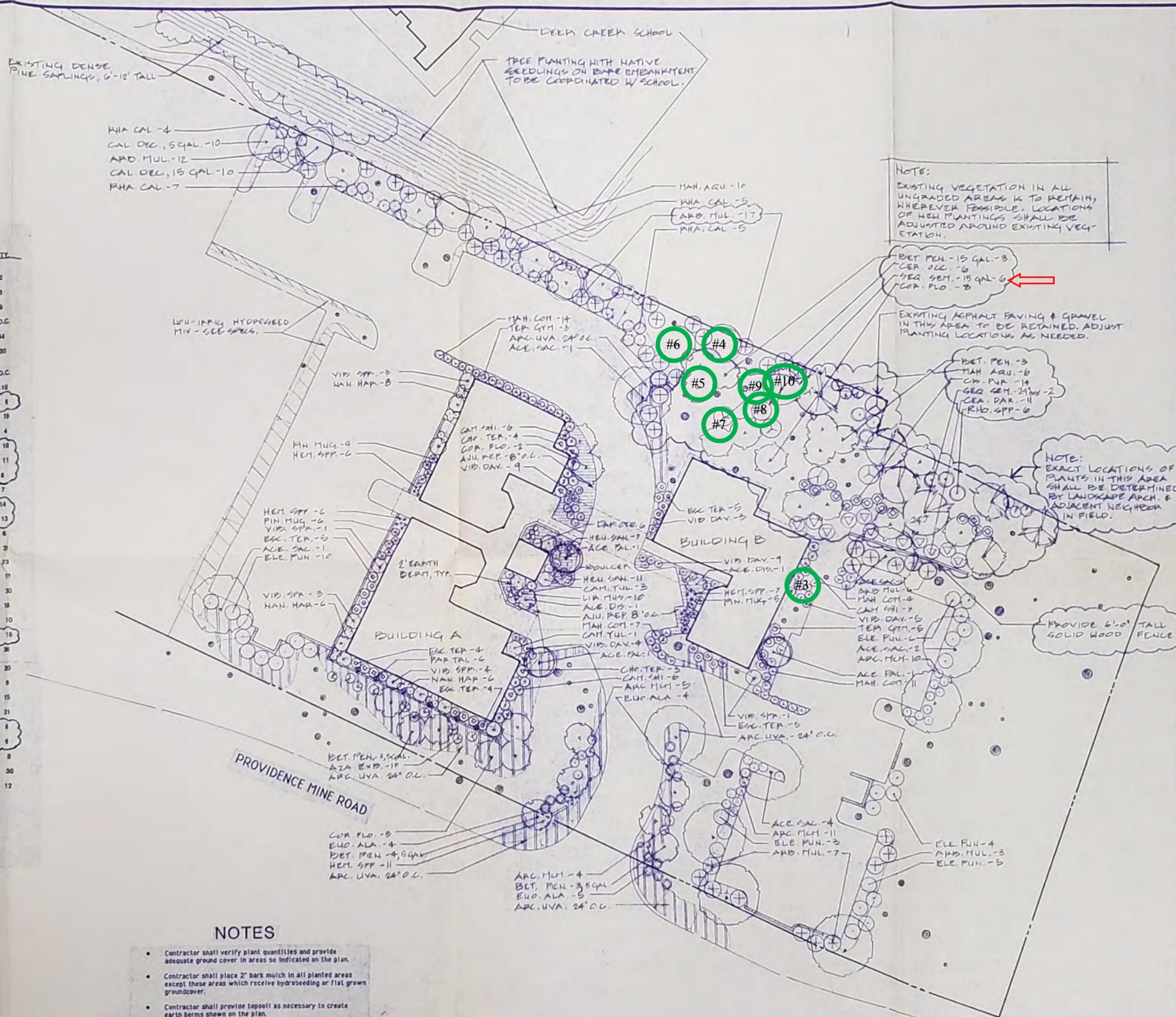
Submitted 12/17/84  
D. Rye

**PLANTING SCHEDULE**

KEY	BOTANICAL NAME/COMMON NAME	SIZE	QTY
u	ACE. DIS. ACER PALMATUM 'DISSECTUM' Laceped Japanese Maple	5 GAL	2
u	ACE. PAL. ACER PALMATUM Japanese Maple	5 GAL	3
c	ACE. SAC. ACER SACCHARUM Sugar Maple	15 GAL	9
d	AJU. REP. AJUCA REPTANS Carpet Bugle	FLATS 8" O.C.	
u	ARB. MUL. ARBUTUS UNEDO 'MULTI' Multi-trunked Strawberry Tree	5 GAL	44
a	ARC. McM. ARCTOSTAPHYLOS DENSIFLORA 'McMINN'	5 GAL	30
g	ARC. UVA. ARCTOSTAPHYLOS UVA-URSI Bearberry	LINERS 24" O.C.	
a	AZA. EXB. AZALEA EXBURY Exbury Azalea	5 GAL	10
u	BET. PEN. BETULA PENDULA Single Western White Birch	5 GAL 10	15 GAL 8
a	CAM. SHI. CAMELLIA SASANQUA 'SHISHI GASHIRA' Shishi Gashira Camellia	5 GAL	19
a	CAM. YUL. CAMELLIA SASANQUA 'YULETIDE' Yuletide Camellia	5 GAL	4
c	CAL. DEC. CALOCEDRUS DECURRENS Incense Cedar	15 GAL 10	5 GAL 10
a	CEA. DAR. CEANOTHUS 'DARK STAR' Ceanothus	5 GAL	11
u	CER. OCC. CERCIS OCCIDENTALIS Redbud	15 GAL	8
a	CHO. TER. CHOISYA TERNATA Mexican Orange	5 GAL	7
c	CIS. PUR. CISTUS PURPUREUS Orchid Rockrose	5 GAL	14
u	COR. FLO. CORNUS FLORIDA Pink Flowering Dogwood	5 GAL	13
a	DAP. ODO. DAPHNE ODOREA Winter Daphne	2 GAL	6
a	ELE. PUN. ELEAGNUS PUNGENS Silverberry	5 GAL	7
a	ESC. TER. ESCALLONIA 'TERRI' Terri Escallonia	5 GAL	23
a	EUG. ALA. EUONYMUS ALATA 'COMPACTA' Compact Burning Bush	5 GAL	17
p	HEM. SPP. HEMEROCALLIS SPECIES Daylily	1 GAL	30
p	HEU. SAN. HEUCHERA SANGUINEA Coral Belle	from JUMBOPAK	
a	LIR. MUS. LIRIOPE MUSCARI Lily Turf	1 GAL	10
a	MAH. AQU. MAHONIA AQUIFOLIUM Oregon Grape	1 GAL	15
a	MAH. COM. MAHONIA AQUIFOLIUM 'COMPACTA' Dwarf Oregon Grape	1 GAL	26
a	NAN. HAR. NANDINA DOMESTICA 'HARBOR DWARF' Dwarf Heavenly Bamboo	1 GAL	20
v	PAR. TRI. PARTHENOCISSUS TRICUSPIDATA Boston Ivy	1 GAL	6
a	PIN. MUG. PINUS MUGO MUGO Mugo Pine	5 GAL	15
a	RHA. CAL. RHAMNUS CALIFORNICA 'EYE CASE' Coffee berry	1 GAL	21
a	RHO. SPP. RHODODENDRON SPECIES Rhododendron	5 GAL	8
c	SEQ. SEM. SEQUOIA SEMPERVIRENS Coast Redwood	24" BOX 2	15 GAL 8
a	TER. GYM. TERNSTROEMIA GYMNANTHERA Ternstroemia	5 GAL	8
a	VIB. DAV. VIBURNUM DAVIDI David's Viburnum	5 GAL	30
a	VIB. SPR. VIBURNUM TIBUS 'SPRING BOUQUET' Spring Bouquet Laurustinus	5 GAL	12

NON-IRRIGATED HYDROSEED - SEE SPECS.

a=annual  
 c=canopy tree  
 g=groundcover  
 p=perennial  
 s=shrub  
 u=understory tree  
 w=wetland plant  
 v=vine



**NOTES**

- Contractor shall verify plant quantities and provide adequate ground cover in areas so indicated on the plan.
- Contractor shall place 2" bark mulch in all planted areas except those areas which receive hydroseeding or flat groundcover.
- Contractor shall provide topsoil as necessary to create earth berms shown on the plan.
- Boulders shall be moss rock field stone, approximate size as shown on plan. Bury rock 1/3 to 1/2 of the height of the rock in planting area.

NOTE:  
EXISTING VEGETATION IN ALL UNGRADED AREAS IS TO REMAIN, WHEREVER FEASIBLE, LOCATIONS OF NEW PLANTINGS SHALL BE ADJUSTED AROUND EXISTING VEGETATION.

EXISTING ASPHALT PAVING & GRAVEL IN THIS AREA TO BE RETAINED, ADJUST PLANTING LOCATIONS AS NEEDED.

NOTE:  
EXACT LOCATIONS OF PLANTS IN THIS AREA SHALL BE DETERMINED BY LANDSCAPE ARCH. & ADJACENT NEIGHBOR IN FIELD.

**McPROUD & ASSOCIATES**  
**LANDSCAPE ARCHITECTURE**  
 LA #2090  
 110 Boulder Street  
 Nevada City, CA 95959 (916) 265-6680

SCALE: 1" = 20'-0"  
 DATE: 12/14/93  
 REV: 1/21/94  
 REV: 2/9/94  
 REV: 6/21/94

PROVIDENCE PLAZA  
 Nevada City, CA  
**PLANTING PLAN**





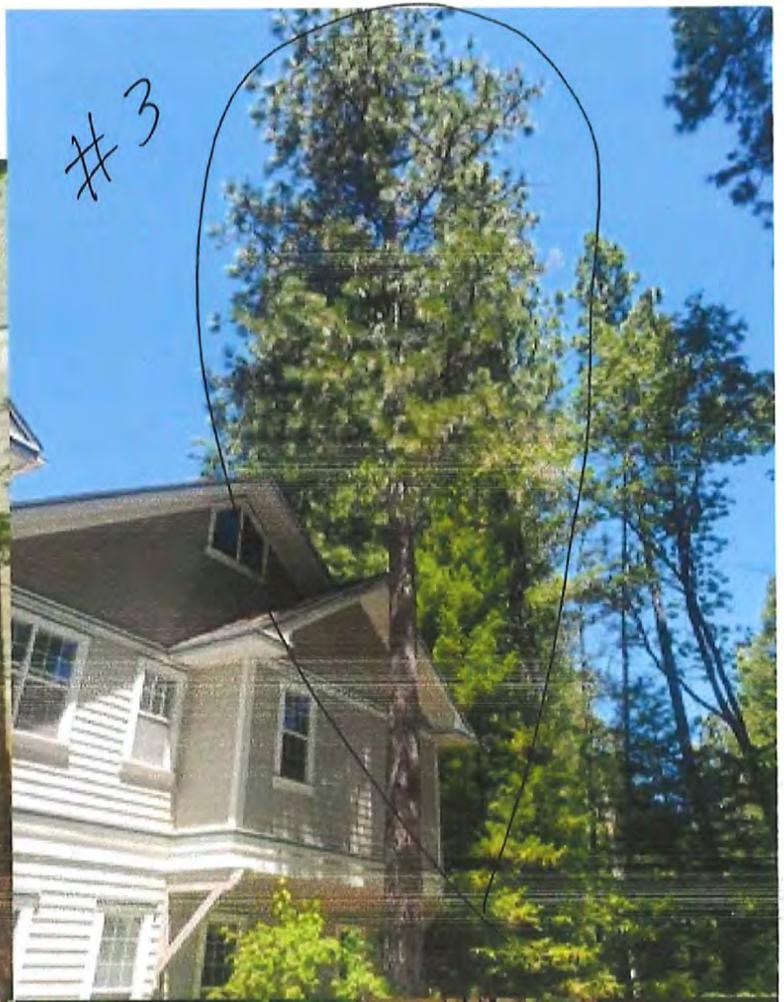
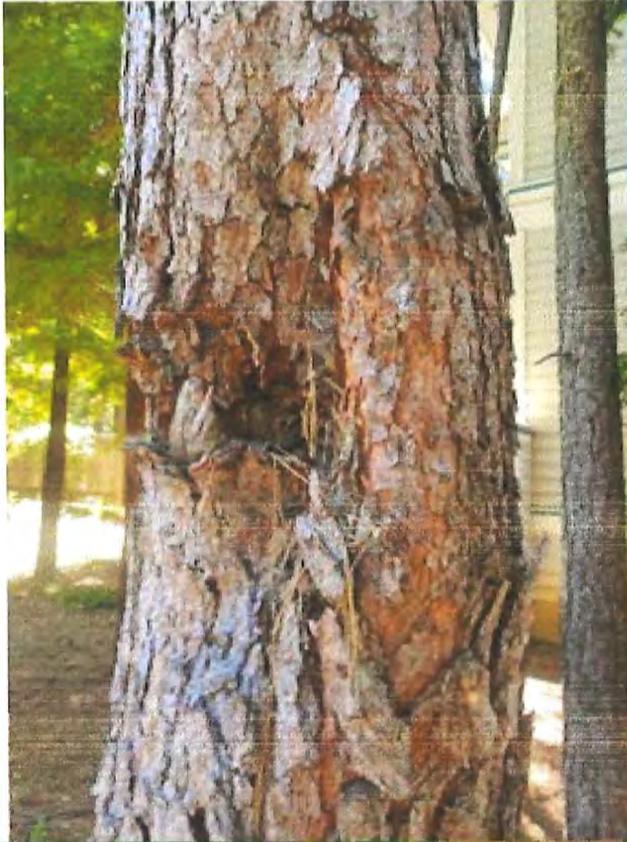
103 Providence Mine Rd.  
Between 103 and CalFire



204 & 208 Providence Mine Rd.  
between building and street.



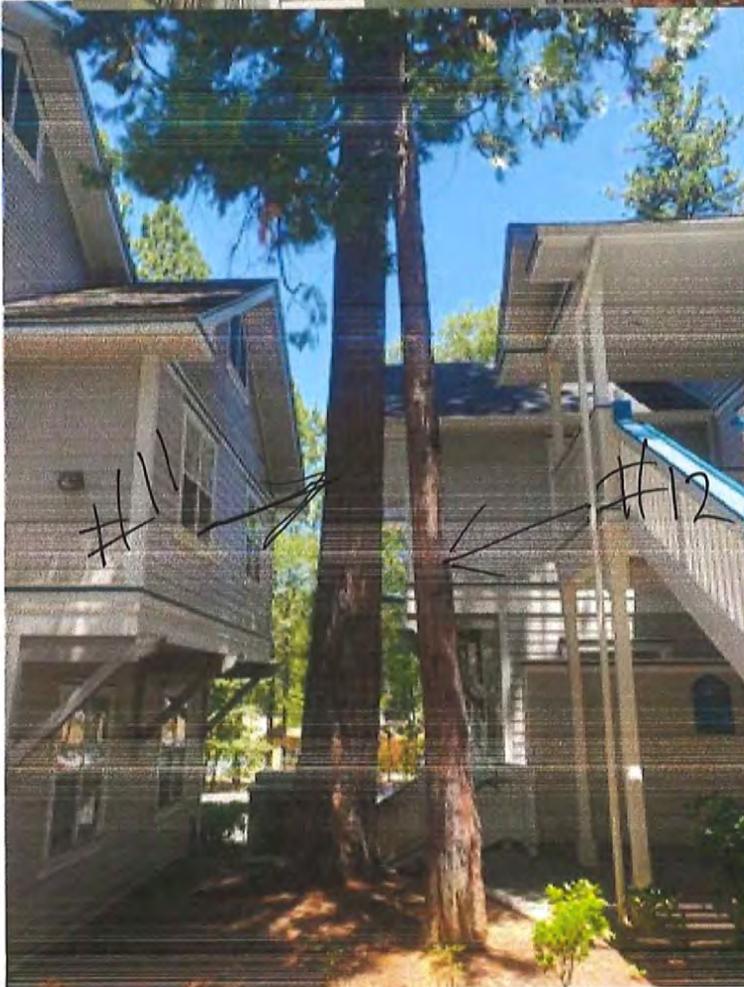
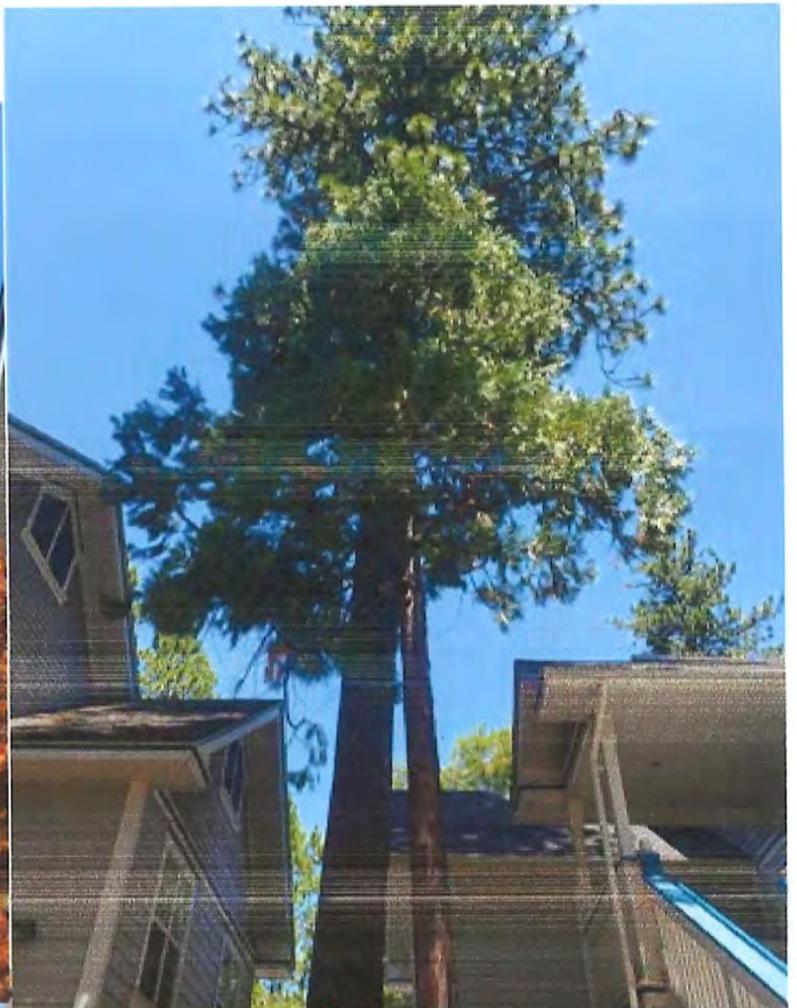
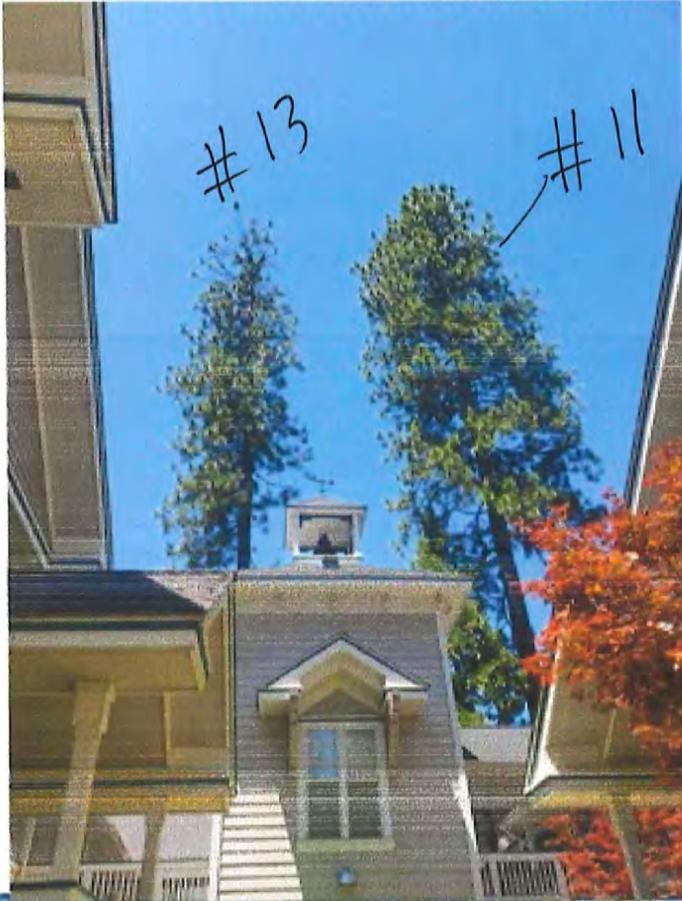
200 Providence Mine Rd.



#5 #6 #7 #9 #10

#8

208 Providence Mine Rd.

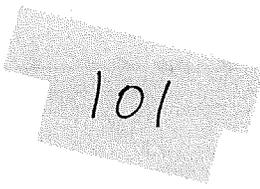


105



105

101



101

105

005-220-013

103

103

#2 → ○ of #1



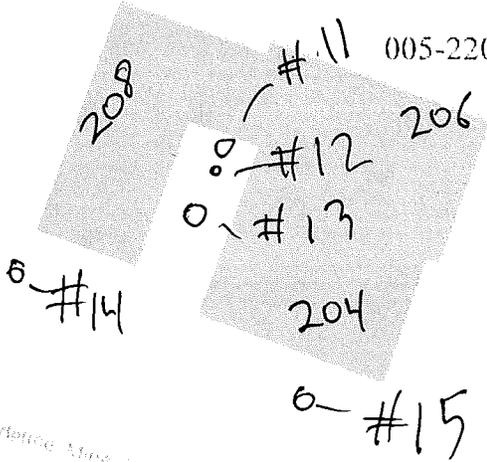
Cal Fire ↗



005-220-020

798

005-220-021



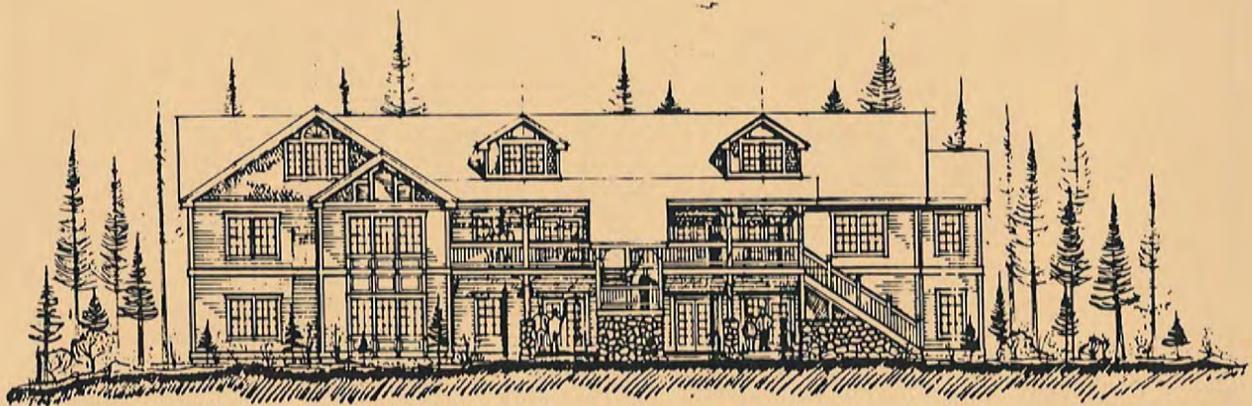
Providence Ave (Road)

60ft

39.2503° -121.0293 Degrees

Draft

**ENVIRONMENTAL IMPACT  
REPORT**  
for  
**PROVIDENCE PARK**  
professional office complex



elevation

**LEAD AGENCY:**

CITY OF NEVADA CITY  
317 Broad Street  
Nevada City, California 95959

916-265-2496

**PROJECT SPONSOR:**

REES ENTERPRISES  
305 Railroad Avenue, Suite 5  
Nevada City, California 95959

916-265-5855



**ANDREW R. CASSANO**  
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PHONE 916-272-6314

*LAND USE PLANNING • LAND SURVEYING • COMPUTER PROGRAMMING*



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## I N T R O D U C T I O N

### Section 1

#### 1.01 HOW TO USE THIS REPORT:

This report includes a variety of sections containing different information, only some of which you may be interested in. The following is a summary of those sections, to assist you in finding that information, as quickly as possible:

**Section 1:** This Section, which begins here, is intended to outline the EIR procedure and purpose, for those unfamiliar with the process. It defines documents incorporated into this EIR by reference, and outlines the methodology used in preparing the document. This section also includes a listing of documents, organizations, and persons contacted during the preparation of this EIR.

**Section 2:** This Section contains the project description, as presented by the project sponsors. It contains additional information, including an outline of expected agency approvals needed for the implementation of the project. Anyone interested in the project should read this section, so that they have a clear understanding of the proposal.

**Section 3:** This Section is the Executive Summary which consolidates the potential impacts and mitigations into a brief area for handy reference. You may wish to review this Section first, and then to read the more detailed text for any areas of concern that you are interested in.

**Sections 4 through 26:** These Sections are the detailed text of the EIR, which include a more in-depth review of the project's potential impacts than the Executive Summary. In most cases, these sections give a brief overview of the existing setting of the item under consideration, the potential impacts that the project may have on that setting, and suggested mitigations (offsetting actions) to reduce potential impacts below the level of significance.

**Sections 27 through 31:** These Sections contain various analyses of alternatives to the project, cumulative impacts, growth inducement, long term effects, and irreversible changes.

**Finding Information:** To assist you in using this document, please refer to the Table of Contents and List of Figures in the front of the report, and the alphabetic index, in the rear of the report.

**Bold Type** is used in this report for Section headings, and sub-section headings, and is also used in the place of italics, for emphasis or for publication titles.

#### 1.02 PURPOSE OF THIS REPORT:

This report was prepared at the request of the City of Nevada City, at the expense of the project sponsor (applicant), to consider the effects and consequences of the proposed Providence Park office complex. An EIR or Environmental Impact Report,

is a report required, in some cases, prior to the implementation of a project. The requirements for such reports are established by the California Environmental Quality Act (CEQA). In the case of this project, the City of Nevada City, during its initial environmental study of the proposed project, found that the project may have a significant impact, or adverse effect, on the environment and required that this EIR be prepared. This EIR is intended to be a complete disclosure of all possible impacts of the project.

### **1.03 THE EIR PROCESS:**

In order to assure the public that this document does include all possible affects, CEQA requires that this draft EIR be distributed to responsible agencies (agencies having permit authority over the project), the State Clearinghouse for distribution to State Agencies, and that it be made available to the general public for review by interested parties.

The City of Nevada City will hold public hearings on the adequacy of the EIR, during which interested parties or agencies can submit verbal or written comments on whether this Draft EIR is adequate. Following those hearings, the author of this report will respond to comments submitted.

Following the City's receipt of the response to comments, final public hearings will be held on the adequacy of this EIR, and finally, on the merits of the project. Processing will be completed by the certification by the City that the EIR is adequate and complete. After this certification, the City may act to approve, conditionally approve, or deny the project itself.

### **1.04 COMMENTING ON THIS EIR:**

As discussed above, any interested party may comment on whether this document is adequate. If you have comments regarding the document, you are encouraged to submit them in writing to City of Nevada City, 317 Broad Street, Nevada City, California 95959. As an alternative, you may enter comments verbally at the public hearings held by the City. Notice of any public hearings will appear in the Legal Notice section of the local newspaper. Dates of hearings may also be obtained, by calling the City at 916-265-2496.

Comments usually consist of the following types of remarks:

1. Advising of any errors or oversights in this report.
2. Advising of any impacts or effects not addressed by the report.
3. Requesting additional information regarding impacts discussed by this report.
4. Suggesting alternate mitigations or requirements to offset project impacts.

### **1.05 INCORPORATION OF OTHER DOCUMENTS:**

CEQA (Section 15150) allows other related documents to be incorporated into this EIR by reference. When this is done, it legally means that the entire text of referenced documents becomes a part of this EIR. The following related reports or

documents are hereby incorporated by reference:

**Champion Trails EIR:** (State Clearinghouse Number 79041631): This document is an extremely exhaustive environmental report, that was prepared in 1979 by the firm of Environalysis, to address the proposed Champion Trails project. Champion Trails was a proposed residential project with other related uses, that was ultimately denied by the City, following a City wide election on the issue. The Providence Park project was basically addressed in this report, since the project proposed 2.3 acres of Office and Professional use on the site. Champion Trails did not include a site plan for development of the property, nor did it specifically declare the proposed building area.

The Champion Trails EIR contained considerable information on the existing setting of Nevada City in general, and of this property. It included specialized studies of the historical and archeological aspects of the property, water quality aspects, housing, public services, wildlife, and so on, to include the full array of environmental considerations. Most of the information is still valid, although some aspects, like the status of the sewer treatment plant, have changed.

**Analysis of Traffic Impacts at Gold Flat Road/Zion Street and Gold Flat Road/Searls Avenue in Nevada City:** This traffic study was prepared in September, 1983, by JHK and Associates, for the City of Nevada City. The report summarizes previous traffic studies in the area, and makes projections for future traffic loading. The report also makes recommendations for traffic and circulation improvements in the area. The report mentions an additional 36,000 square feet of office and professional use in the area of Providence Park, although this figure is not sufficient to include both this project, and future office and professional proposed by Grass Valley Group, on property across Lone Pine Road. This report is considered further in the traffic section of this EIR (Section 8).

**Availability of Referenced Documents:** All reports or studies incorporated by reference are available for public inspection at City Hall, 317 Broad Street, Nevada City. Copies can probably be obtained there, pending the workload of City staff, and payment of copy fees.

#### **1.06 METHODOLOGY OF THIS EIR:**

In preparing this document, the above existing reports were relied on for background information, identification of impacts, and development of mitigation measures. Affected responsible agencies were consulted, to assure that information is consistent with current conditions. Each area of consideration is identified, with potential impacts, and suggested mitigation measures. In many cases, this information is summarized, as allowed by CEQA, to cut down on the volume of this document and to allow for easier use by the public.

#### **1.07 SIGNIFICANT IMPACTS:**

Section 15382 of CEQA contains the following definition:

"'Significant effect on the environment' means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna,

ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

Prior to the recent revisions, CEQA stated that "an iron clad definition of significant effect is not possible, because the significance of an activity may vary with the setting." Now it appears that the term lacking and iron clad definition is "substantial." CEQA seems to purposely leave the definition of substantial adverse effects hazy, to give every local jurisdiction (lead agency) the authority to interpret impacts, based on their individual and collective perception of the opinions of their constituency. In Nevada City, there has historically been a fairly wide split of opinion on land use issues and proposed projects.

Appendix G of CEQA cites a number of examples of significant impacts. This checklist was used by the author of this EIR to determine potential significant impacts, and to determine areas of mitigation. It is included in the appendix of this report for review and reference.

It should be noted that this document is a professional opinion only, and the City has no obligation to agree with the determinations made herein. To assure the legality of their action, the City may wish to enter alternate findings into the record, in any case where their findings are substantially different from the conclusions contained in this document.

#### **1.08 EIR AUTHORS:**

The following individuals wrote, contributed, or where consulted during the preparation of this EIR:

Andrew R. Cassano, Land Use Planner and Licensed Land Surveyor, primary author.

Janusz Bajsarowicz, Civil Engineer, Traffic Analysis.

Voyteck Bajsarowicz, Engineering Technician, Traffic Analysis.

Josephine McProud, Landscape Architect, Vegetation and Landscaping Consultant.

#### **1.09 PERSONS, ORGANIZATIONS, AND DOCUMENTS CONSULTED:**

The following is a list of agencies, organizations, persons and reference documents consulted during the preparation of this EIR. Please note that the number of each referenced document is used in the remaining text as a "footnote" reference to this list (i.e.: Champion Trails EIR<sup>1</sup>):

1. **Champion Trails Draft Environmental Impact Report, State Clearinghouse Number 79041631, Environalysis, December, 1979.**
2. **Analysis of Traffic Impacts at Gold Flat Road/Zion Street and Gold Flat Road/Searls Avenue in Nevada City, JHK and Associates, September, 1983.**
3. Beryl Robinson, Jr., City Manager, City of Nevada City.

4. Robert and Nancy Rees, Rees Enterprises, Nevada City, project sponsor and applicant.
5. John O'Dell, O'Dell and Associates, Grass Valley, Consulting Engineer for the project submittal.
6. Bruce West, Nevada City, Architect for the project sponsor.
7. Nevada County Assessor's Office.
8. Nevada City, California, Text and General Plan, 1973, adopted December, 1973.
9. Cranmer Engineering, Inc.: Emerson A. Wallis, Gordon Plantenga, R. Keith Sauers, Bud Fritzche, Crisanne Zufelt, George R. Wasley, Jr. (Project Engineers for sewer plant and collection system upgrade, surveyors of the subject site, LAFCO executive officer and staff).
10. **Nevada City General Plan 1980-2000**, Working Draft (#35), by Hall, Goodhue, Haisley, and Barker, and Lord and Associates, December, 1983.
11. **Glenbrook Basin Amendment to the Nevada County General Plan, Draft Environmental Impact Report**, November, 1980, Environmental analysis (available at the Nevada County Planning Department).
12. **Whispering Pines Corporate Community, Draft Specific Plan/ Master Environmental Impact Report**, September, 1983, WPM Planning Team (available at the City of Grass Valley).
13. Nevada City Police Department, Lynda Wood, Records Clerk and Secretary, and William Beard, Chief.
14. Nevada City Fire Department, Larry Parsons, Fire Marshall.
15. William Falconi, City Engineer, Nevada City.
16. Nevada Irrigation District, Ed Neuharth, Director of Administration.
17. Pacific Gas and Electric Company, Richard Ware, District Representative.
18. Pacific Bell, Roger Savage, Outside Plan Engineer.
19. Nevada County Planning Department, Patrick Norman, Planner II, Dale Creighton, Planner II, and Thomas Parilo, Assistant Planning Director.
20. Jack Gooch, City Treasurer, City of Nevada City.
21. Nevada County Department of Public Works, Michael Forga, Operations Engineer, Steve Borrum, Traffic Engineer, and Wesley Zachary, Assistant Director.

22. Nevada County Building Department, Robert Thomas, Senior Building Inspector.
23. Nevada County Auditor-Controller, Bruce Bielefeld, Assistant Auditor-Controller.
24. Nevada County Resource Conservation District, Andrew Lovato, District Manager.
25. California Department of Transportation, District III, Virginia Winton.
26. Nevada County Tax Collector's Office.
27. California Department of Forestry, Nevada City District, William Smethers, District Ranger; Edward Barnes, Forester; and David M. Burns, Unit Forester, State Office.
28. Nevada County Air Pollution Control Board, Ron Earles, Air Pollution Control Officer.
29. Robert Paine, Project Neighbor.
30. Errol Christman, area miner who salvaged equipment from the project site.
31. Nevada County Historical Society, Charles Harrison, Sites and Markers Specialist.
32. Edward B. Sylvester, Sylvester Engineering, Inc., Consulting Civil Engineer for the project sponsor.
33. W. Lon Cooper, Planning Commission Chairman, City of Nevada City.
34. Paul Matson, Vice-Mayor, City of Nevada City.
35. City of Grass Valley, William N. Roberts, City Planner.
36. Nevada County Superintendent of Schools, Jerome F. Hund, Superintendent of Schools.
37. Department of Health Services, Jerome S. Lukas, Ph.D., Senior Psychoacoustician, Noise Control Program.

**P R O J E C T   D E S C R I P T I O N**

**Section 2**

**2.01 KEY PROJECT CONTACT PARTIES:**

**PROJECT SPONSOR/APPLICANT:**

Rees Enterprises, 305 Railroad Avenue, Suite 5, Nevada City, California, 95959, 916-265-5855, Attention: Robert or Nancy Rees.

**PROPERTY OWNER:**

Erickson Lumber Company, Inc.

**PROJECT ENGINEER:**

Edward B. Sylvester, Civil Engineer and President of Sylvester Engineering, Inc., 13293 Lower Grass Valley Road, Nevada City, California, 95959, 916-265-5841.

**PROJECT ARCHITECT:**

Bruce West and Associates, Architect, 305 Railroad Avenue, Nevada City, California 95959, 916-265-6948.

**PROJECT ATTORNEY:**

Richard Ellers, Attorney at Law, 205 North Pine Street, Nevada City, California 95959, 916-265-3285.

**LEAD AGENCY:**

City of Nevada City, 317 Broad Street, Nevada City, California 95959, Attention: Mr. Beryl Robinson, City Manager, 916-265-2496.

**2.02 LEGAL NATURE OF APPLICATION:**

The project area is currently outside, but adjacent to, the City Limits of the City of Nevada City. The land area is a portion of Nevada County Assessor's Parcel 5-190-13. The project application consists of the following separate, but related components:

1. **Annexation** to the City of Nevada City.
2. **General Plan Amendment**, from UMD-Urban Medium Density (3-8 dwelling units per acre) residential to C-Commerical, which allows Professional Office zoning.
3. **Prezoning** from planned R-1 residential to Professional Office, to provide for office and professional use after annexation.

4. **Site Plan Application** to provide for a 34,000 square foot office complex, to be developed in three phases.

### **2.03 PROJECT LOCATION:**

The project is located on the southwest perimeter of the City of Nevada City. Nevada City is about 28 miles north of Auburn, California via State Highway 49. Auburn is located about 35 miles east of Sacramento, via Interstate 80 (See Figure 1).

The project area is at the corner of Zion Street (west side) and Lone Pine Road in Nevada City, just north of the intersection of Zion Street and Ridge Road. The project area is a portion of Section 13, Township 16 North, Range 8 East, Mount Diablo Meridian (See Figures 2 and 3).

### **2.04 PROJECT PROPOSAL:**

The project proposal is illustrated in Figure 4. The sponsor intends to construct a total of 34,000 square feet of Office and Professional building area, in three buildings consisting of two buildings of 11,500 square feet and one building of 11,000 square feet. 136 paved parking spaces would be provided, along with associated walkways and landscaping. A 2' x 20' sign is proposed to face Zion Street, which would identify the complex as Providence Park. The sponsor also proposes a 4' x 10' directory sign at the entrance to the project on Lone Pine Road, naming the individual businesses contained in the complex. The sponsor intends to preserve natural areas around the perimeter of the property.

The property land area consists of about 2.5 acres, which is currently a portion of a large 147.6 acre parcel, shown on Book 16 of Parcel Maps, Page 57, Nevada County Records.

### **2.05 SPONSOR'S OBJECTIVES:**

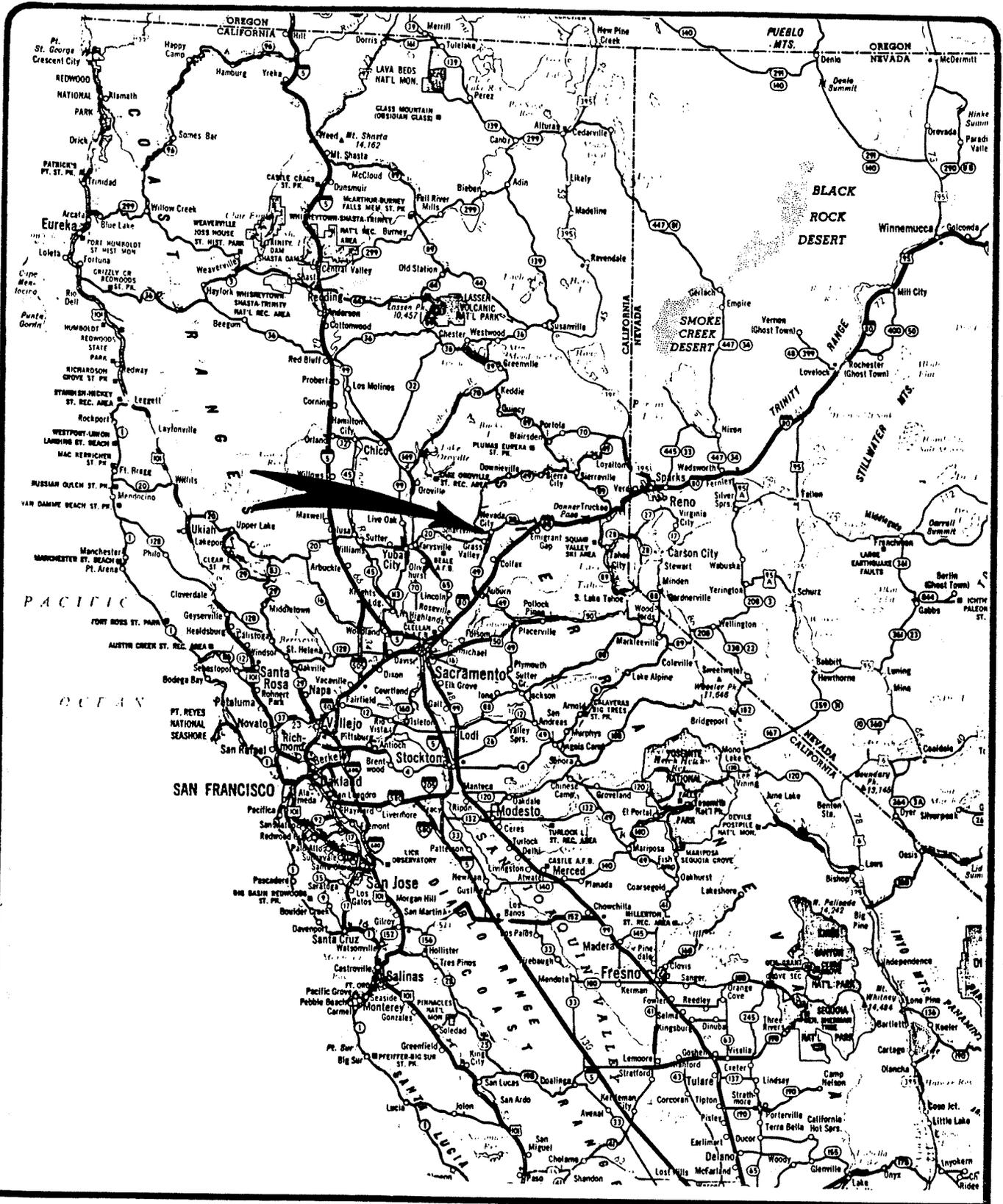
The sponsor proposes to develop the project under the jurisdiction of the City of Nevada City, which will entitle the project to City services, including public sewage collection and treatment, police protection, and fire protection.

The sponsor intends to develop the project in three phases, with each phase consisting of one building and its required parking. Phasing would begin with one building, immediately after receiving all required permits and plan approvals. Additional phases would be constructed as market demand for office space dictated, which is anticipated to be within a 3-5 year period.

Office space within the project would be leased to individual tenants. The sponsor indicates that a number of tentative tenants are interested, sufficient to occupy the first phase of the project. Increments of leased space would vary depending on the tenant's needs.

### **2.06 PROPOSED ARCHITECTURE:**

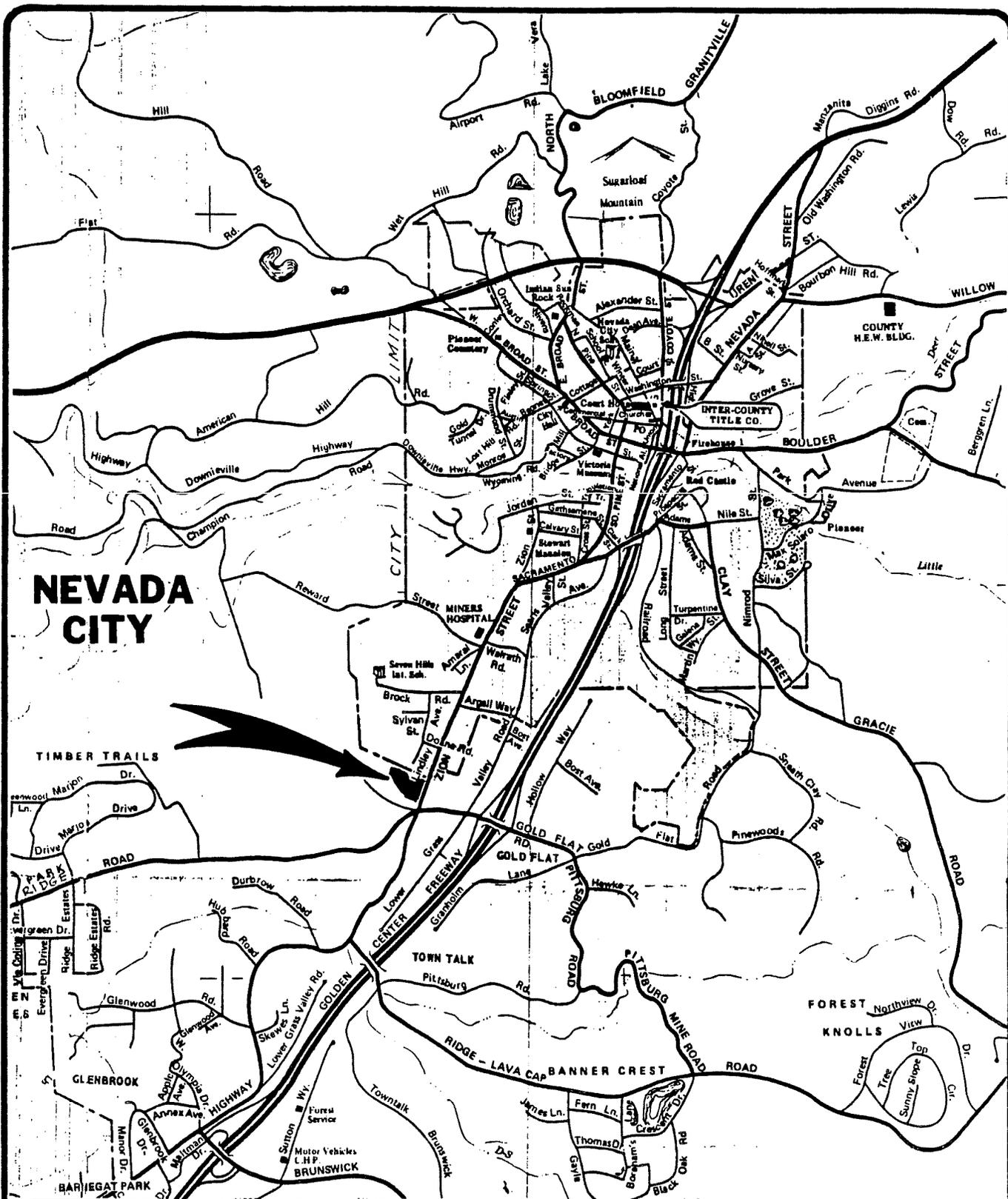
The proposed architectural design of the project is shown in Figure 5. The buildings would consist of 2 equal stories, plus a loft, of wood frame construction. Building materials would consist of wood siding (shingle, douglas fir, or redwood) with



**FIGURE 1 REGIONAL LOCATION KEY**

Scale: Approx: 1"=55 miles.  
 Source of Graphics: Hammond Road Atlas.

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California

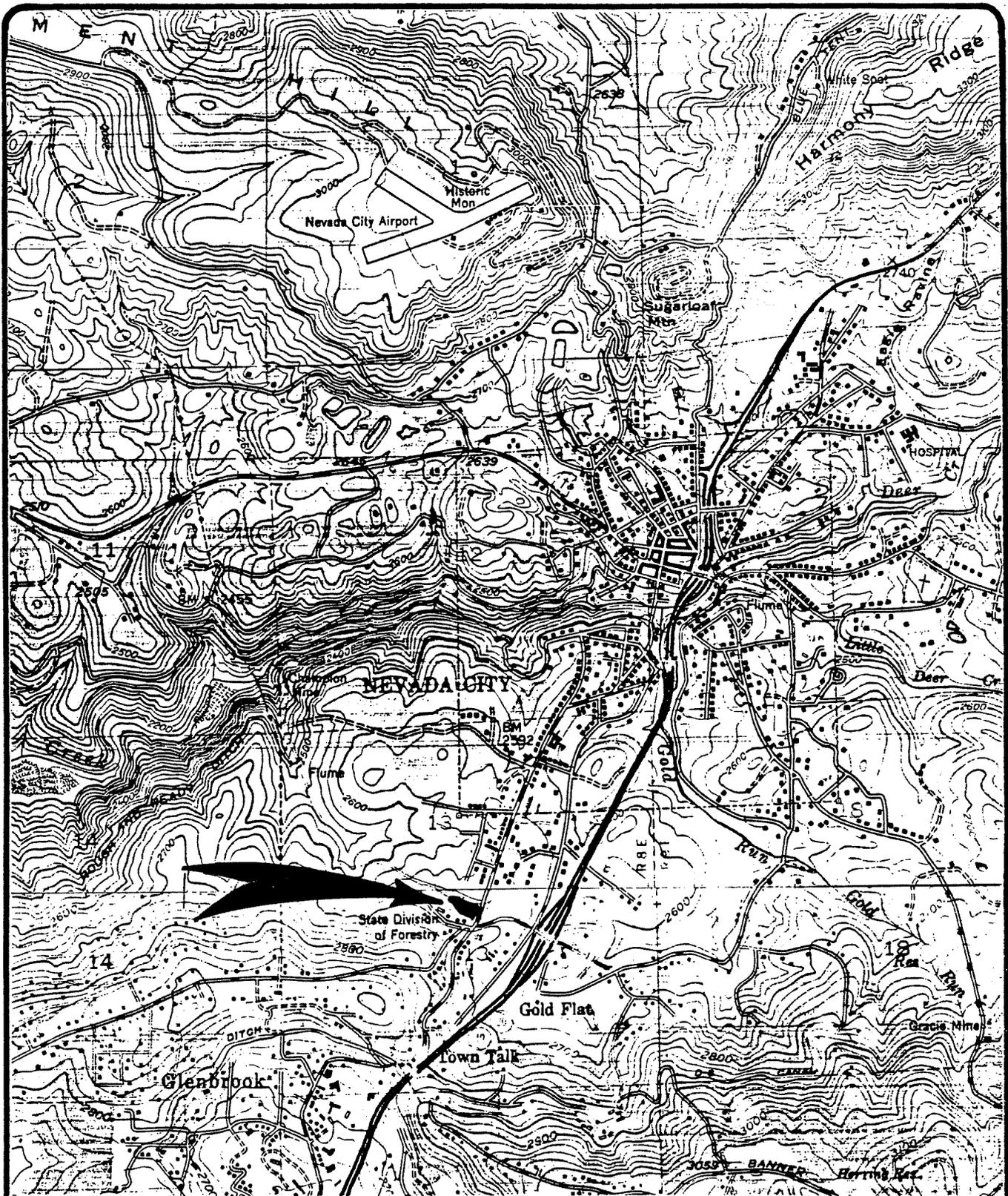


**FIGURE 2 LOCAL LOCATION KEY**

Scale: Approx: 1"= 2000'

Source of Graphics: Inter County Title Company.

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California



**FIGURE 3 TOPOGRAPHY OF PROJECT AREA**

Scale: Approx: 1"= 2000' Contour Interval=20'  
 Source of Graphics: U.S.G.S. 7.5' Quadrangle Maps

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California

LONE PINE ROAD

ZION STREET

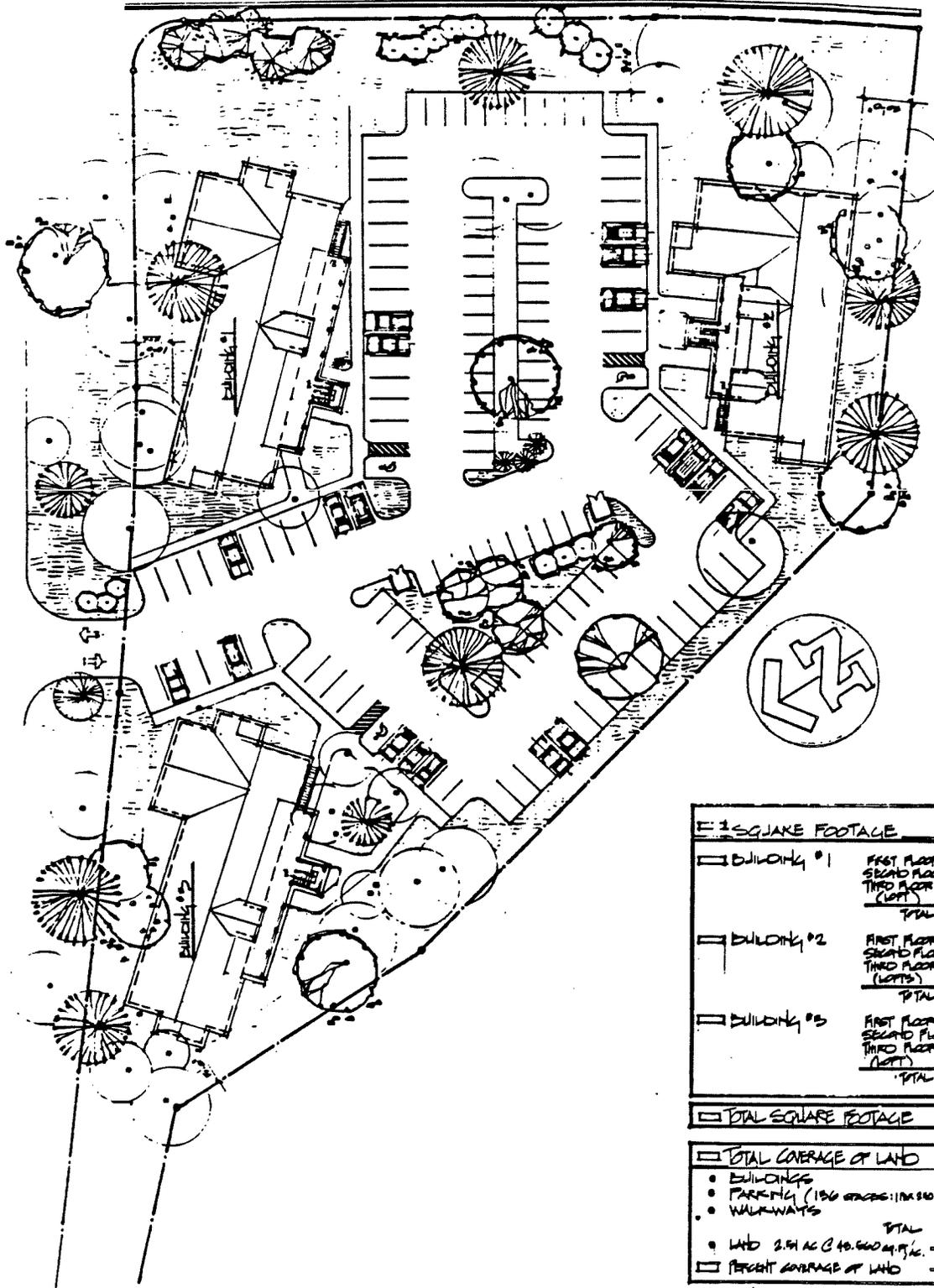


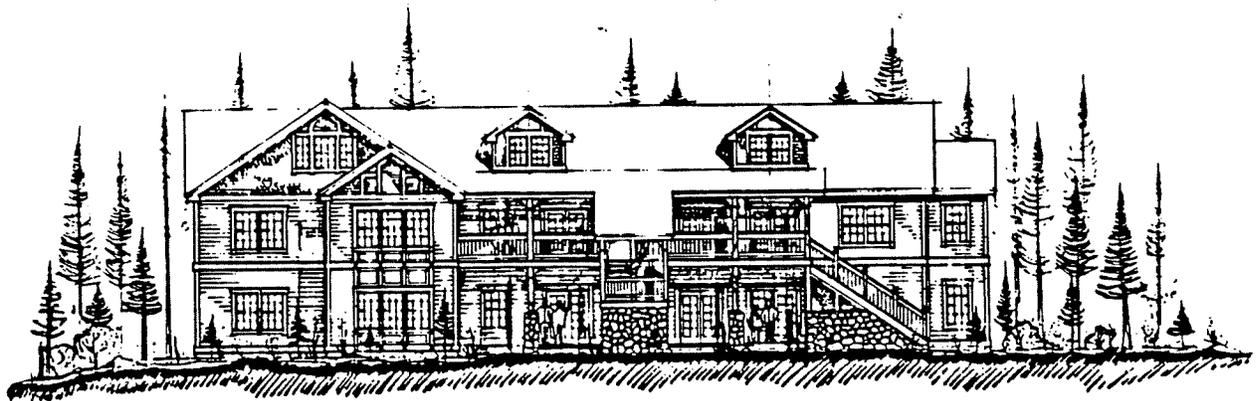
FIGURE 4

PROJECT SITE PLAN

Scale: Approx: 1" = 60'

Source of Graphics: Bruce West and Associates

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California



elevation

**FIGURE 5**

**BUILDING ELEVATION**

Scale: Approx: None (Building Height is about 35')

Source of Graphics: Bruce West and Associates

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California,



masonry in some lower building areas. Roofs would consist of matt finish, color plated metal, or fire retardent, Class A shingles. All colors would be natural wood-tone or earth-tone, to blend with the surroundings.

**2.07 SITE DESCRIPTION:**

The project area is bounded on the east by Zion Street, on the south by the California Division of Forestry facility, on the north by Lone Pine Road, and on the west by vacant land and a Nevada City water storage facility. Across Lone Pine Road to the north, there is existing residential development, and vacant land currently under consideration for office and professional use, in an ongoing application by Grass Valley Group.

The site itself is generally trending downward at 8 to 10 per cent cross slope to the north. There is considerable local relief on the site created by apparent old mine washes, varying from 4-6 feet deep. The site is approximately 2680 feet above mean sea level. There is fairly heavy existing vegetation, consisting largely of conifer trees with some hardwoods. Tree, understory vegetation, and wildlife characteristics are typical of the Transitional Life Zone of the western slopes of the Sierra Nevada Range. Understory vegetation has recently been thinned and partly grubbed out, probably to permit viewing and surveying of the property.

There is some evidence of past land uses, including the mine washes, and a concrete foundation structure near Zion Street.

**2.08 PROPOSED PUBLIC SERVICES & UTILITIES:**

Upon successful annexation of the property, the following services would be provided to the project:

- WATER SUPPLY: Nevada Irrigation District
  - SEWAGE COLLECTION: City of Nevada City
  - FIRE PROTECTION: City of Nevada City
  - POLICE PROTECTION: City of Nevada City
  - ELECTRICITY: Pacific Gas and Electric Co.
  - NATURAL GAS: Pacific Gas and Electric Co.
  - TELEPHONE: Pacific Bell
  - SOLID WASTE: Nevada City Garbage Service  
(to McCourtney Land Fill)
  - ROAD MAINTENANCE AND SNOW REMOVAL: City of Nevada City and  
County of Nevada on adjacent  
public streets.
- By project owner on private  
roads and parking areas.

Services associated with residential development, such as schools and social services are generally not applicable to an office and professional development.

## **2.09 PERMITS REQUIRED:**

Prior to construction and occupancy of the proposed project, the following agency approvals must be obtained (\* Indicates a Responsible Agency):

### **City of Nevada City:**

1. Approval of the current application, consisting of these components:
  - a. Approval of annexation to the City.
  - b. Approval of the General Plan Amendment to allow office and professional development.
  - c. Approval of the rezoning to Professional Office from implied residential (All land annexed to Nevada City is viewed as R-1 residential, unless a rezoning or rezone is approved).
  - d. Approval of the site plan for office and professional development.
2. Approval of the architecture for the project.
3. Approval of a landscaping plan for the project.
4. Approval of the building permit for the structures.
5. Approval of the engineered grading, drainage, and utility plans for the project, including sewer collection extensions or improvements.
6. Approval of final construction of the project.
7. Approval of the tentative and final parcel map separating the project area from the remainder of the existing parcel (if the parcel map is processed after annexation).
8. Approval of a variance to allow freestanding signs in the professional office district.

### **County Agencies and Special Districts:**

1. Approval of the annexation by the \*Local Agency Formation Commission (LAFCO).
2. Approval of the tentative and final parcel map separating the project area from the remainder of the existing parcel by the City and/or the \*County of Nevada.
3. Approval of the Soil Erosion and Sediment Control Plan by the Nevada County Resource Conservation District.
4. Approval of the building permit by the Nevada County Building Department (under contract to the City of Nevada City).

**State Agencies:**

1. Approval by the \*California Division of Forestry of an Exemption from Timber Harvest Plan.

**2.10 ENVIRONMENTAL IMPACT CHARACTERISTICS:**

The project would result in the clearing, grubbing, and grading over about 55-65% of the the 2.5 acre site. Some of the trees within this area could be saved, but many major trees would be removed. Parking areas and building roofs would form impervious surfaces over about 54% of the site at complete buildout. Storm drainage for these areas would be channeled through improved ditches or pipes, on and off-site, to natural drainages that would carry the water to Deer Creek.

The project would hook up to water, natural gas, telephone, and electrical systems, and to the sewer collection system operated by the City of Nevada City. Police and Fire protection would be extended by the City.

Zion Street would be widened in the area of the project, resulting in additional vegetation removal. Area traffic would be increased.

**2.11 PROJECT ECONOMIC CHARACTERISTICS:**

The property is currently within the unincorporated area of the County. It is a portion of Assessor's Parcel 5-190-13, shown as a 3.43 acre parcel on the current roles. The property is in Tax Area Code 68-005, and the current assessed value is \$4,032 for the entire 3.43 acres or \$2,939 for the 2.5 acres. This would currently generate about \$33 per year in property taxes.

Upon successful completion of the project, the property would be included in a City of Nevada City Tax Area Code, and would be re-assessed to "market value," based on a completed questionnaire by the owner, as to the cost of the land and improvements. The sponsor has not provided a cost estimate of the project. A rough estimate of final value of the site would be about \$2,000,000. Taxes generated from this reappraisal would be distributed to the City and County in accordance with current distribution practices.

A characteristic of office and professional uses, is that they do not provide retail sales, so no direct sales tax revenue would be generated.

The rate of occupancy and phasing schedule of the project would be controlled by the market demand for the space. Office space rents in this area generally ranges from \$0.50 to \$1.25 per square foot per month, depending on the age of the building, amenities, location, and so on.

Business licenses would be required by the City, for any business occupying the complex. Business license fees are \$32 or \$40 per year, per business, depending on whether advanced payment is made.

**E X E C U T I V E   S U M M A R Y****Section 3****3.01 PURPOSE OF THIS SECTION:**

The purpose of this section is to summarize the major findings of this draft EIR. This section includes a discussion of the consistency of the proposal with the zoning ordinance, existing General Plan, and proposed General Plan. Potential impacts are summarily categorized as to their significance, and ability to be mitigated. The last portion of this section lists the proposed conditions of project approval, which will mitigate impacts below the level of significance.

**3.02 MAJOR CONCLUSIONS:**

The finding of this EIR, is that the project could be implemented without significant adverse effects on the environment, provided that the mitigation measures suggested are incorporated into the approval, as conditions of approval. The project site appears appropriate for professional office use.

Minor changes may be needed in the final project design to address enlarged parking areas and retention of 15% interior landscaping.

Of the possible effects considered, the lack of adequate fire flow seems the most significant. Redesign of the size or materials used for the project, or water line improvements, may be required.

**3.03 CONSISTENCY WITH PROFESSIONAL OFFICE ZONING:**

Site development in the Professional Office District is governed by Nevada City's Zoning Ordinance.

The site plan proposed generally meets the site development requirements of Article 8 A, which defines frontage, minimum lot area, and setbacks from streets and property lines. The maximum permitted building height is 35'. Signs are only permitted as attachments to the building, with 24 square feet of surface, so a variance would be required to allow the signs proposed by the sponsor.

The proposed site plan generally meets the requirements of Section 12.10 for off-street parking, but no specific standard is given for the dimension of parking areas. The site plan shows double parking aisles as about 52-54' wide in some areas. This should be increased to a minimum of 56' for double parking aisles to provide for maneuvering room. This section also requires landscaping in the interior of the parking area, equal to 15% of the impervious surface, which the site plan marginally appears to meet, notwithstanding the widening of parking aisles outlined above.

The requirements with respect to tree cutting and other considerations in the Open Space Zone outlined in Article 14 do not appear to apply to the Professional Office Zone.

**3.04 CONSISTENCY WITH EXISTING GENERAL PLAN:**

Although the existing General Plan<sup>8</sup> is currently being updated, this document currently controls development in Nevada City.

No obvious inconsistencies between the proposed project and the existing General Plan were noted.

**3.05 CONSISTENCY WITH PROPOSED GENERAL PLAN:**

The General Plan is currently being updated, making it difficult to evaluate this consideration fully. The proposed land use map was not available at this writing, so it is unknown what the General Plan consultant recommends in terms of land use in this area. A working draft of the proposed General Plan<sup>10</sup> was reviewed.

The current draft does not appear to provide for an Office and Professional District. Addition of this district during the General Plan update would probably be desirable, since professional office use is a low intensity, special form of commercial land use.

Section II, page 13 of the Working Draft outlines considerations for annexations and development. The Plan recommends compact rather than scattered development patterns, and discourages "strip" development. Appropriate land use determinations are recommended to be based on the physical characteristics of the land in question, whether the land is currently served by public utilities, whether the land has special resource or landmark significance, and on considerations of the fiscal and employment effect on the City.

The Working Draft (Section II, page 14) proposes to require that all new development served by the Gold Flat Freeway interchange, contribute jointly to making improvements to offset increased traffic.

The Working Draft stresses protection of scenic roadways through landscaped buffers and limitation of new billboard signs and access roads.

The Working Draft recommends adoption of the Nevada County Regional Transportation Plan as the Circulation Element of the General Plan.

Taking into consideration the mitigation measure recommended by this EIR, no obvious inconsistencies between the proposed new General Plan and the proposed project were noted.

**3.06 AREAS OF CONTROVERSY:**

Discussions with City officials involved the public hearings where the need for this EIR was determined, have not identified any major areas of controversy.

Based on this study, it would appear that major issues include whether the land area is appropriate for office and professional use, whether traffic from the project would result in significant adverse effects, whether the mine shaft on the site would influence development, whether the project would have an adverse appearance, whether fire protection would be sufficient, and whether tree removal proposed is excessive.

**3.07 ISSUES TO BE RESOLVED:**

One issue to be resolved, is whether the proposed General Plan should include a Professional Office (OP) designation, as recommended by this report, to separate this type of land use from general commercial uses.

Another issue, which is suggested to be resolved by the sponsor following City action, is whether adequate fire protection can be provided to the site.

A general issue to be resolved is the density proposed for the site. The City does not apply open space rules and guidelines to Professional Office zoning. However, the City may wish to consider guidelines, during the review of this application.

The City may wish to change the road name "Lone Pine Road." The area is heavily wooded, and the name does not seem very appropriate. Champion Drive and Bradley Drive (after the surveyor who mapped the Nevada City townsite) are suggested as alternative road names.

**3.08 POTENTIAL IMPACTS THAT CAN BE MITIGATED:**

All potential impacts identified, can be mitigated below the level of significance, with the possible exception of fire protection. Mitigations for some impacts, including interior traffic circulation, may require a redesign, or decrease in the project size.

**3.09 POTENTIAL IMPACTS THAT CAN NOT BE MITIGATED:**

Only the issue of fire protection remains as a potential adverse impact that cannot be mitigated below the level of significance.

The required fire flow for the project is estimated to be 1135 gallons per minute, for a two hour duration, with on-site fire hydrants, and an engineered sprinkler system incorporated into the building.

The estimated available fire flow to the site, is approximately 800 gallons per minute for a two hour duration.

This EIR suggests further research and coordination of this issue by the project sponsor. It is possible that available fire flows could be higher at the site, or that the preliminary fire flow requirement could be modified under further scrutiny by the City.

Another alternative would be a redesign of the project, to require a lower fire flow.

**3.10 POTENTIAL IMPACTS FOUND INSIGNIFICANT:**

The following considerations were found to be insignificant, and not in need of specific mitigation measures as conditions of approval:

- Energy
- Housing
- Quality of Life
- Wildlife
- Schools

Natural Resources  
Recreation  
Climate

### 3.11 PROPOSED MANDATORY MITIGATIONS:

The following is a listing of proposed mitigation measures which should be attached to the project as conditions of approval. The potential impacts being addressed are shown in bold type, including the Section of this EIR, where a more detailed discussion can be found.

**Section 4: A mine shaft existed on the property which might cause structural failures and present hazards for workers. The site is subject to potential earthquakes. Erosion on exposed soils could cause loss of topsoil and adversely affect water quality.**

A. Prior to construction of the project, a geotechnical study shall be prepared by a qualified soils engineer, to identify, if possible, any mine shafts or air holes, and to make recommendations for dealing with these features during construction. The geotechnical study may include special recommendations for cut and fill slopes, driveway and parking area structural sections (i.e.: depth of base rock and pavement), and for building foundations.

B. Prior to any clearing, grubbing, or grading, an engineered grading, drainage, and utility plan for the total project, shall be approved by the City Engineer. Phasing of the parking area shall be shown. The plan shall include measures for removal of the concrete foundation and reclamation of that area. This plan shall indicate the location of any identified shafts, as a notice to construction workers. Construction shall be in strict conformance with the plan.

C. Prior to any building construction, a building permit shall be issued, based on a plans and specifications approved by the Nevada County Building Department, in accordance with the Uniform Building Code (UBC), and area earthquake standards.

D. Prior to any clearing, grubbing, or grading, a Soil Erosion and Sediment Control Plan shall be prepared and approved by the Nevada County Resource Conservation District. The plan shall outline permanent, as well as temporary techniques to prevent or minimize soil erosion. Those techniques shall include, but not be limited to, seeding, mulching, and or otherwise planting exposed soils, and providing erosion-proof surfaces in any drainage ditches and outlets of drainage structures.

E. All earthmoving construction shall occur in the dry season, between May 15th and October 15th. This period of time may be altered according to seasonal conditions, as approved or required by the staff of the Nevada County Resource Conservation District.

G. The project owner shall be responsible for continued maintenance of drainage facilities and for continued erosion control.

H. If any blasting is required, the storage and use of explosives shall be in strict accordance with applicable regulations to avoid any hazards to nearby properties and occupants.

**Section 5: The project will result in impervious areas that could cause additional**

**erosion, and adversely impact downstream properties.**

A. Prior to any clearing, grubbing, or grading on the site, the City Engineer shall review and approve the developer's plan for on and off-site drainage. If deemed necessary by the City Engineer, following a review of this plan and study, off-site drainage improvements and/or off-site drainage easements from adjoining property owners may be required. A drainage release letter from the adjoining, northerly property (Grass Valley Group) shall be required.

**Section 6: Implementation of the project without sufficient sewer treatment plant capacity could adversely affect water quality.**

A. The capacity of the sewer treatment plant shall be reviewed by the City at the time of reviewing the building permit for each phase of construction. If sufficient capacity does not exist at that time, or if the quality of treated discharge is in violation of State or Federal standards, the building permit shall not be issued.

B. Sewer and water hookup fees, as well as monthly service charges, shall be paid to Nevada City and Nevada Irrigation District, respectively, according to then-current rates, at the time of construction of each phase of the project.

**Section 7: Implementation of the project could result in light and glare to adjoining properties and roadways.**

A. The grading, drainage, and utility plan for the project shall include lighting locations and details for review and approval of the City Engineer. All exterior light fixtures shall be designed to shade any direct view of the light source from neighboring properties or roadways.

B. All mechanical or metal components relating to the buildings, including heating and air conditioning parts, shall be enclosed by wood framing. In the event that this is not possible for all components, any exposed parts shall be painted with matt finish earth-tone colors.

C. Any free-standing signs approved by the City as a part of the site plan, shall not include lighting.

**Section 8: Implementation of the project could overcrowd area roadways, compound existing traffic conditions, and require the City to later fund signals and street widening.**

A. Zion Street shall be widened along the project's frontage, to conform to the wider Zion Street section to the north. Widening shall include, curb and gutter, and drainage. Widening should be sufficient to allow for 3 interim traffic lanes, until development of the property across Zion Street. At the discretion of the City Engineer, a sidewalk may also be required. No on-street parking shall be permitted, to allow for the traffic lanes.

B. Lone Pine Road shall be improved to 24' wide, with a minimum 3' sidewalk or pedestrian pathway, with drainage facilities as required. No on-street parking shall be permitted. Curb and gutter shall NOT be required. This work should be coordinated with the improvements planned for the Grass Valley Group project, if possible.

- C. Prior to construction, engineered improvement plans for the total project, shall be prepared for all roadway and drainage construction, and approved by the City Engineer.
- D. The project shall contribute \$11,500 (4.6% of \$250,000) to the City of Nevada City, or shall comply with then-current contribution requirements of the City, for its pro-rata share of future roadway improvement costs. This contribution may be paid in phases, prior to building permit issuance, based on the number of parking spaces.
- E. Conditions A and B above, may be complied with based on a phasing plan approved by the City Engineer.
- F. Zion Street improvements shall be dedicated to the City of Nevada City, upon completion. The developer shall guarantee construction for one year following completion, by posting a bond.
- G. Lone Pine Road right-of-way shall be offered for dedication to the City of Nevada City. Unless and until the City accepts the roadway for maintenance, all maintenance and snow removal shall remain the responsibility of benefitting property owners.
- H. Parking areas may contain 40% compact, 8' x 14' parking stalls, and 60% full size, 9' x 18' parking stalls. Travel lanes shall be 24' wide. All compact spaces shall be clearly designated by painting "compact" in the stalls.

**Section 9: Implementation of the project could impact public services adversely.**

- A. Prior to any construction or the issuance of a building permit, the sponsor shall define the available fire flow at the site, by either direct testing by the Fire Department, or by hydraulic analysis by Nevada Irrigation District. Any costs associated with the fire flow definition shall be paid by the sponsor.
- B. Prior to any construction or the issuance of a building permit, the sponsor shall coordinate with the City Fire Department, to determine if fire flows are adequate. If fire flows are inadequate, the sponsor may consider redesign of the buildings to meet fire flow requirements. Any changes in the building appearance shall be subject to new architectural review by the Planning Commission.
- C. The building shall incorporate an engineered sprinkler system, to be approved by the City Fire Department, unless waived by the City Fire Department. Supervision, testing, and maintenance of the system shall be the responsibility of the project owner, and the Fire Department may require periodic evidence of testing and maintenance.
- D. The project shall include on-site fire hydrants, with the precise location and design of service mains to be approved by the Fire Department. Details of hookup of the fire hydrant system to the NID mains shall be coordinated with Nevada Irrigation District.
- E. The project shall make contributions toward the construction and equipping of a future fire station for the area, if required by then-current City requirements, prior to the issuance of a building permit.

**Section 10: Implementation of the project could adversely impact utility services.**

A. Prior to commencement of construction, the sponsor shall provide letters from all utility companies, indicating their approval of the design, or design requirements for on and off-site utility distribution. The sponsor shall provide any easements required by utility providers.

**Section 11: The project could increase ambient noise levels in the area, and adversely affect adjoining properties.**

A. All contractors working on the construction of the site shall have proper mufflers and engine panels on their equipment to minimize noise levels. This requirement shall be a part of the plans and specifications for project construction.

B. Construction hours shall be limited to 7:00 am to 5:30 pm on weekdays, and 8:00 am to 1:00 pm on Saturdays, except for inside, non-disruptive contractors. No construction work shall occur on Sundays or Holidays. This requirement shall be a part of the plans and specifications for project construction.

**Section 12: The project may obliterate historical or archaeological artifacts or features.**

A. Should any potentially significant archeological or historical feature be discovered during construction, work shall stop, until the value of preservation of the feature can be assessed by a qualified historian or archeologist. This requirement shall appear in the plans and specifications.

**Section 13: No mitigations are suggested for potential impacts on housing.**

**Section 14: The project would result in the loss of mature trees and other vegetation, eliminate timber production, and increase view to the site.**

A. The California Division of Forestry would require that an Exemption from Timber Harvest Plan be filed prior to tree removal.

B. Prior to any construction, a landscape plan, prepared by a licensed landscape architect, showing the approximate extent of cut and fill, trees to be removed, and new landscaping for the entire project shall be approved by the Planning Commission. The landscaping plans shall include treatment of the 30' buffer area along Zion Street to enhance and improve the natural vegetation in this area. Additional vegetation may be required to provide visual screening of the project from Zion Street. The landscaping plan shall consider the likelihood of survival of major trees, based on their current condition and vitality, and on the likelihood of increased wind loading after project construction.

C. Buildings shall not be constructed on graded pads which are significantly larger than the building footprint, but shall either utilize stepped footing construction, or slab on grade construction with retaining walls built in to the structure walls to avoid excess grading and tree or vegetation removal.

D. Retaining walls shall be used to contain cut and fill along the portion of the construction that parallels Zion Street, to maximize the buffer area. The selective use of retaining walls at other locations to save trees shall also be considered in the landscaping and grading plans. The use of wood or native rock retaining walls is

encouraged.

E. The plans and specifications used during construction of the project shall contain the following requirements or provisions:

1. Areas outside of construction clearing limits shall be temporarily fenced during construction activity.
2. Any tree planned to be saved which is lost or damaged during construction shall be replaced by two trees of 24" box size.

F. All landscaping (natural or new) of each phase of construction shall be guaranteed for a period of one year by either the posting of a performance bond or security equal to the value of replacing 50% of the landscaping, or by letter of guarantee to the City from a licensed landscape contractor. Building Permits for Phases 2 and 3 shall not be issued unless existing landscaping is in good repair and in accordance with the approved plan.

G. The use of natural, drought resistant vegetation, is encouraged for landscaping.

**Section 15: The project must meet all statutory requirements regarding the use of the property, including City zoning standards.**

A. Prior to the commencement of construction of the project, Nevada County LAFCO approval action and processing shall be completed.

B. The final annexation area shall include those portions of Lone Pine Road and Zion Street rights-of-way, adjacent to the frontage of the subject property.

C. The final development plan shall be in compliance with the Nevada City Zoning Ordinance with respect to building setbacks and height, required parking spaces, landscaping, and other considerations.

D. Any freestanding signs must be approved through the City's variance process, and must include architectural review of the proposed signs.

E. Prior to any use of the 2.5 acre site for purposes of sale, lease, or finance, a tentative and final parcel map must be processed and filed with the appropriate jurisdiction(s).

F. Construction of the last phase must commence within 8 years of the City's approval action.

**Section 16: No direct mitigations are proposed for protection of the "Quality of Life." However, other measures serve to mitigate these concerns.**

**Section 17: The project could have an adverse effect on altering climate and degrading air quality.**

A. Any burning of brush on the site during construction, shall require a burning permit.

B. Burning of brush on the site during construction shall only occur on those days

designated as burn days by the Nevada County Air Pollution Control Department.

C. Contract plans and specifications for the construction of the site shall include requirements for watering of the site by water truck during construction, at least two times daily, or more often as conditions dictate, and for watering of local streets to clean the roadway surfaces of any mud or debris "tracked" from the construction site.

**Section 18: The project could have an adverse effect on the aesthetics of the area.**

A. Architectural design of the buildings shall be in compliance with the elevation submitted by the sponsors. Any variation in building design shall require revised architectural approval by the Planning Commission.

B. All on-site utilities shall be installed underground.

C. All refuse dumpsters shall be enclosed in areas fenced by cyclone fencing with redwood slats, or other similar screening material.

**Section 20: The annexation and proposed implementation of the project could adversely affect City and County finances.**

A. The project shall be constructed in phases, as represented by the sponsor. Building permits shall be issued separately for each building.

**Section 21: No mitigation measures are proposed for school impacts.**

**Section 22: No mitigations beyond a building permit meeting Title 24 energy standards is proposed for the potential wasteful use of energy.**

**Section 23: The project could involve the use of hazardous materials, or expose people to other safety hazards.**

A. No occupant of the project shall store, use, or dispose of hazardous materials, except upon approval of a Use Permit by the Planning Commission.

B. No direct vehicular access shall be permitted to the project from Zion Street.

**Section 24: No mitigations are proposed for the potential impacts on natural resources.**

**Section 25: No mitigation measures are proposed for potential impacts on recreation.**

**Section 26: The project could adversely affect solid waste collection and disposal.**

A. Prior to construction, the sponsor shall provide a letter from Nevada City Garbage Service, or the current hauler, indicating that the size and location of proposed dumpster points is sufficient to serve the project.

**3.12 OPTIONAL MITIGATIONS AND ALTERNATIVES:**

The following additional conditions are presented as optional considerations. The inclusion of these conditions is not necessary to mitigate the effects of the project below the level of significance, but they may be desirable from the City's standpoint.

- A. Optionally, the topsoil within the construction area may be removed and stockpiled, for later use in planters and landscaped areas.
- B. Optionally, the sponsor may wish to include a plaque, or other monument in the landscaping plan of the site, outlining the history of the Perserverence and Providence Mines.
- C. Optionally, the City could require the sponsor to construct a 6' high, cyclone security fence along the boundary common with the California Division of Forestry.

## SOILS AND GEOLOGY

### Section 4

#### 4.01 SOILS AND GEOLOGY SETTING:

The Champion Trails EIR<sup>1</sup> (pages 36,42,65,66,263,267) contains a detailed description of the Soil and Geology setting. A preliminary soils report was prepared for Champion Trails by the firm of Geomechanics (now Anderson Geotechnical, Sacramento) in 1979 and is referred to in the Champion Trails EIR.

The subject site contains clayey and silty soil, generally deeper than 5 feet. The soil surface consists of duff resulting from the recent to long decay of leaves and needles. The soil below is reddish brown soil with clayey characteristics. This soil is typical of the area, and can be seen in most excavations previously made for development in the Nevada City area. There are no obvious signs of near-surface bedrock on the property.

Soils on the site are currently well stabilized by duff cover and existing vegetation. It appears that the the site has been recently, selectively, cleared and grubbed. The site contains numerous minor swales which were apparently formed by past mining activity (see Section 4.02 below). Signs of minor erosion and sedimentation are visible in these swales, from heavy storm flows occurring this season.

The description of the site geology is fairly technical in nature. Interested parties are encouraged to review the Champion Trails EIR. With respect to earthquake danger the preliminary soils report concluded that the maximum "credible" earthquake in the area would be 6.5 on the Richter scale. There are no active faults on the site. Surface rupture on the site would not be expected, but groundshaking would be expected.

#### 4.02 PAST MINING ACTIVITY:

Historically, this property was a portion of the Perserverance Mine (Mineral Survey No.1524A). The Providence Mine, from which the project derives its name, was located northwest of the site. A review of the mineral survey plat, filed in 1895, discloses that the "Main Working Shaft" was located about 300 feet northerly of the intersection of "Grass Valley and Nevada City Road" (now Zion Street) and the road to Rough and Ready (now Ridge Road). The shaft appears to be about 50-60' westerly of the dashed line used to designate the road that is now Zion Street. This would appear to indicate that the shaft was on the project site, probably near the existing concrete foundation. The actual site of the shaft is not clearly evident on the site at this time.

While the above described Mineral Survey was required by law to show the current workings and improvements, it would not show additional shafts or air shafts that were possibly later excavated on the site. No details were found on the plat or related patent deed as to the depth or angle of the shaft.

Errol Christman, a Cedar Ridge miner, recalls that the shaft was vertical, and was located adjacent to the foundation. He salvaged the metal building from the site,

which housed the hoists and equipment for working the shaft. The Nevada County Historical Society did not respond to the Notice of Preparation of this EIR, and have verbally indicated that it is unlikely that the foundation has significant historical value. The Society does expect to review this document, and may offer additional comments. In the opinion of the author, the foundation does not have significant historical value, and may be removed, if necessary.

#### **4.03 POTENTIAL SOILS/GEOLOGY IMPACTS:**

Construction of the project will involve clearing and grubbing of the area to be improved, and grading of the soils to form parking, access, and building areas. Typical construction in this area would form cut and fill slopes at the edges of access ways and parking areas.

Removal of the vegetation and exposure of soils would make the site subject to erosion during wet weather. Erosion is a potentially significant impact, because valuable top soil, once lost, cannot be replaced. Also, erosion increases sediment and nutrients in downstream water ways, which can seriously effect water quality and aquatic life. Erosion can be minimized through proper mitigations, as outlined below.

Construction of improvements over mine shafts could lead to foundation failure in buildings and parking areas, through settlement of the ground after construction. This hazard can be avoided by following the recommendations of a soils engineer for sealing and backfilling the shaft(s), and by avoiding building construction directly over shafts. Additionally, mine and air shafts could be hazardous to construction personnel during implementation of the project. If structures are not properly designed and constructed, an earthquake could cause structural damage, as well as injury to the occupants.

#### **4.04 SOILS/GEOLOGY MITIGATION MEASURES:**

A. Prior to construction of the project, a geotechnical study shall be prepared by a qualified soils engineer, to identify, if possible, any mine shafts or air holes, and to make recommendations for dealing with these features during construction. The geotechnical study may optionally include special recommendations for cut and fill slopes, driveway and parking area structural sections (i.e.: depth of base rock and pavement), and for building foundations.

B. Prior to any clearing, grubbing, or grading, an engineered grading, drainage, and utility plan, for the total project, shall be approved by the City Engineer. Parking lot phasing shall be shown on the plan. The plan shall include measures for removing the concrete foundation and reclamation of the area. This plan shall indicate the location of any identified shafts, as a notice to construction workers. Construction shall be in strict conformance with the plan.

C. Prior to any building construction, a building permit shall be issued, based on a plans and specifications approved by the Nevada County Building Department, in accordance with the Uniform Building Code (UBC), and area earthquake standards.

D. Prior to any clearing, grubbing, or grading, a Soil Erosion and Sediment Control Plan shall be prepared and approved by the Nevada County Resource Conservation District. The plan shall outline permanent, as well as temporary techniques to prevent or minimize soil erosion. Those techniques shall include, but not be limited

to, seeding, mulching, and or otherwise planting exposed soils, and providing erosion-proof surfaces in any drainage ditches and outlets of drainage structures.

E. All earthmoving construction shall occur in the dry season, between May 15th and October 15th. This period of time may be altered according to seasonal conditions, as approved or required by the staff of the Nevada County Resource Conservation District.

F. Optionally, the topsoil within the construction area may be removed and stockpiled, for later use in planters and landscaped areas.

G. The project owner shall be responsible for continued maintenance of drainage facilities and for continued erosion control.

H. If any blasting is required, the storage and use of explosives shall be in strict accordance with applicable regulations to avoid any hazards to nearby properties and occupants.

## G R A D I N G     A N D     D R A I N A G E

### Section 5

#### 5.01 GRADING AND DRAINAGE SETTING:

Please refer to the previous section (Section 4) for additional information relating to these issues. As discussed, the project site is currently cut by a number of small swales from past mining activity. One of these swales which runs down, northerly, appears to carry drainage water from the California Division of Forestry site, and from the road side ditch at the Zion/Ridge intersection. Drainage on the site now occurs as sheet flow in a northerly direction with some concentrated flows in the artificial swales. Evidence of shallow flows of 1-2' wide could be seen, following heavy rains during this season.

In the current forested state of the site, with duff cover and vegetation, some rainfall is absorbed and retained on the site in the duff cover and through percolation into the ground.

Storm runoff from the site now varies according to the intensity of storms and the level of saturation of the ground. Runoff leaves the site in a northerly direction, and for the most part, passes under Lone Pine Road in a culvert, and continues to a ravine that runs down toward the west, on the property currently proposed to be developed by Grass Valley Group. Water continues down this ravine to Peck Ravine, where it runs in a northerly direction to Deer Creek.

#### 5.02 POTENTIAL GRADING AND DRAINAGE IMPACTS:

Construction of the project will alter the contours of the site to form parking areas and building areas. This will involve the construction of excavation and embankment (cut and fill) to form the necessary final grades. The project site plan proposes underground storm drains that would carry the existing drainage from the California Division of Forestry site, and would also collect runoff from the paved parking areas.

According to the application, about 54% of the site would be covered with impervious surfaces of either pavement or roofs. This will eliminate absorption or retention of storm flows in these areas and cause immediate and total runoff. How the drainage would be handled off-site is not clearly explained, but general engineering practice dictates that drainage improvements should return water to its natural course as quickly as possible, and that off-site runoff be minimized to the extent possible. The City of Grass Valley often requires "Downstream Drainage Release Letters" from neighboring properties, which is basically a grant of permission for the increase of storm flows. The County does not usually require such letters. This is probably because County development is generally more rural in nature and less critical.

The project site is within the Deer Creek Drainage Basin and watershed (See Champion Trails EIR<sup>1</sup>, p.68). Since this area consists of about 84.6 square miles or over 54,000 acres, the proposed impervious surfaces on the 2.5 acre project will have only a very minor effect on overall flows in Deer Creek.

### **5.03 GRADING AND DRAINAGE MITIGATION MEASURES:**

**NOTE:** Please review the mitigations proposed in the previous Section 4. The engineered grading and drainage plan required, is a direct mitigation for grading and drainage impacts.

A. Prior to any clearing, grubbing, or grading on the site, the City Engineer shall review and approve the developer's plan for on and off-site drainage. If deemed necessary by the City Engineer, following a review of this plan and study, off-site drainage improvements and/or off-site drainage easements from adjoining property owners may be required. A drainage release letter from the adjoining, northerly property (Grass Valley Group) shall be required.

## **H Y D R O L O G Y   A N D   W A T E R   Q U A L I T Y**

### **Section 6**

### **6.01 HYDROLOGY AND WATER QUALITY SETTING:**

Hydrology is defined as "the science that deals with the circulation, distribution, and properties of the water of the earth" (The Random House Dictionary, 1978). Please refer to the previous sections (Sections 4 and 5) for additional information relating to surface water travel. A discussion of the hydrology of the area can also be found in the Champion Trails EIR<sup>1</sup>, pages 43, 67, and 268. The amount and characteristics of groundwater flow is difficult to assess, without extensive geological study, based on numerous test wells.

A discussion of water quality likewise is contained the Champion Trails EIR<sup>1</sup>, on pages 46, 80, and 277. This discussion emphasizes the quality of Deer Creek and Lake Wildwood. The City of Nevada City is currently upgrading the sewer treatment plant, which discharges to Deer Creek. Reports outlining the effect of this upgrade on water quality are available at City Hall, and also at the office of the project engineer, Cranmer Engineering, Inc.

Water Quality in this area is governed by the California State Water Quality Control

Board-Central Valley Region. The current upgrade of the sewer treatment plant is occurring under the Regional Board's jurisdiction. No permits are expected to be required from the Regional Board for this project.

#### **6.02 POTENTIAL HYDROLOGY/WATER QUALITY IMPACTS:**

The proposed project would be connected to a public water system operated by Nevada Irrigation District, and to the sewer collection system operated by the City of Nevada City. Therefore, no wells would be drilled on the site, nor would any septic systems be installed. Sewage effluent from the project would not include any hazardous materials, and could be properly treated by the the City's treatment plant. At this point in time, adequate capacity exists in the City's sewer treatment plant to serve the project (Working Draft: Nevada City General Plan 1980-2000<sup>10</sup>, Section II, page 6).

The only source of degradation of water quality would be storm runoff from the site, as discussed in Sections 4 and 5, which could carry sediment and nutrients to Deer Creek, without erosion control measures.

Covering approximately 1.35 acres of the site with paving and roofs could have a minor effect on the recharge of groundwater sources, through elimination of some on-site percolation. Considering the size of the site, and the fact that this area is not dependent on wells for water, this impact would be minor.

#### **6.03 HYDROLOGY/WATER QUALITY MITIGATION MEASURES:**

NOTE: Please refer to Section 4 for the mitigation measure requiring erosion protection, which would be the primary mitigation for water quality.

A. The capacity of the sewer treatment plant shall be reviewed by the City at the time of reviewing the building permit for each phase of construction. If sufficient capacity does not exist at that time, or if the quality of treated discharge is in violation of State or Federal standards, the building permit shall not be issued.

B. Sewer and water hookup fees, as well as monthly service charges, shall be paid to Nevada City and Nevada Irrigation District, respectively, according to then-current rates, at the time of construction of each phase of the project.

## **L I G H T   A N D   G L A R E**

### **Section 7**

#### **7.01 LIGHT AND GLARE SETTING:**

Currently, the project site is unimproved, and there are no sources of light and glare.

#### **7.02 POTENTIAL LIGHT AND GLARE IMPACTS:**

The proposed project will contain 3 office buildings and their related lighting. Although most offices would be active only during regular business hours, many offices leave all or a portion of their lights on during the night for security reasons. Interior lights do not create any significant adverse effects.

Outside lighting for walkways, doorways, signs, and parking areas would likely be provided. If not properly designed, outside lighting can create a considerable glare off-site; which at the least can be irritating to neighbors and passing motorists, and at worst could create driving hazards by distracting or blinding motorists.

Other potential sources of glare could include shiny metal roofs (not proposed) of the buildings, and sheet metal heating and cooling components which may be attached to the structures. Reflections of the sun from shiny surfaces could be irritating, distracting, or blinding for motorists.

**7.03 LIGHT AND GLARE MITIGATION MEASURES:**

A. The grading, drainage, and utility plan for the project shall include lighting locations and details for review and approval of the City Engineer. All exterior light fixtures shall be designed to shade any direct view of the light source from neighboring properties or roadways.

B. All mechanical or metal components relating to the buildings, including heating and air conditioning parts, shall be enclosed by wood framing. In the event that this is not possible for all components, any exposed parts shall be painted with matt finish earth-tone colors.

C. Any free-standing signs approved by the City as a part of the site plan, shall not include lighting.

## **T R A N S P O R T A T I O N :**

### **Section 8**

#### **8.01 BUS AND AIR SERVICES:**

The project area is currently served by bus service between 7:30 am and 5:30 pm on weekdays and between 9:00 am and 5:30 pm on Saturdays. Air service to the general area for light aircraft, is provided at the Nevada County Air Park. The project is not expected to significantly affect bus and air service, so the remainder of this section deals with traffic conditions and mitigation measures.

#### **8.02 TRAFFIC SETTING:**

The project site fronts on Zion Street, which is approximately 28' wide. Further to the north, beyond Lone Pine Road, Zion Street is improved to approximately 38' wide, with curb, gutter, and sidewalk. Just southeast of the project area, Zion Street intersects with Gold Flat Road and Ridge Road. Gold Flat Road provides a link to the Highway 20/49 Freeway. Traffic movements are controlled by a 4-way stop at Gold Flat and Zion Streets, and by 2-way stop signs on Searls Avenue, Lower Grass Valley Road and at the Freeway off-ramps. Currently, some traffic utilizes Ridge Road to reach Highway 20 west, toward Marysville. Construction is under way on a new alignment for Highway 20, expected to be completed in 1985, which will tie Highway 20 to the freeway at Empire Street in Grass Valley. It has been estimated in previous traffic studies, and by Steven Borrum, Nevada County Traffic Engineer, that completion of the new Highway 20, would reduce traffic on Ridge Road by about 10% to 15%. Previous traffic studies in the project area indicated that existing intersections operate at a Level of Service "A," which indicates that there are no current capacity problems.

Lone Pine Road was originally constructed as a gravel haul road, during the construction of the Freeway in the late 1960's. It is a private roadway, approximately 20' wide. The paving surface is in poor condition. The structural section (thickness of base rock and paving) is unknown.

#### **8.03 PREVIOUS TRAFFIC STUDIES REVIEWED:**

In preparing this discussion of traffic, two previous studies were reviewed. The first was the traffic study in the Champion Trails EIR<sup>1</sup>, and the second was the JHK and Associates Study<sup>2</sup>. The Champion Trails study is somewhat outdated, since the planned land uses in the area have changed. The JHK study<sup>2</sup> was prepared in September, 1983, at the request of the City of Nevada City, to address the overall impacts of the Grass Valley Group proposal, the SPD proposal across Zion Street (Casci's Field), and other existing and planned projects. As outlined in Section 1, the JHK study is incorporated into this EIR by reference, and should be reviewed by persons interested in projected traffic conditions. The traffic study for the proposed Grass Valley Group project was not available at the time of this writing.

Since the time of the JHK study<sup>2</sup>, proposed area land uses have changed further. The SPD commercial proposal for Casci's Field has been denied by the City. The Narrow Gauge 40 proposal has been formally filed with the City, and is significantly

different that the proposal incorporated in the JHK study. This discussion of traffic relies mainly on the JHK study, except that estimated traffic generation has been revised, based on now current data. It should be noted that area wide traffic generation will remain in a constant state of change, until final land uses are determined.

No new traffic data was collected for the purpose of determining existing conditions in the JHK study. Information was brought forward from earlier studies, with the help of Steven Borrum.

#### **8.04 POTENTIAL TRANSPORTATION IMPACTS:**

The area roadways could accommodate the proposed project without further improvement or signalization, at this point in time. However, traffic impacts must be considered on a cumulative basis, to provide funding for future, area wide, transportation improvements.

Using the JHK study, and including modifications based on now-current conditions, results in the following estimates of trip generation (it is assumed that the former SPD site will eventually be developed in a similar fashion, as regional commercial):

##### **Grass Valley Group: (proposed)**

400,000 square feet of light industrial building and about 36,000 square feet of professional office buildings, near Zion Street, would result in approximately 2800 daily trip ends. The peak hour traffic is estimated at 14.5% or 406 peak hour trips.

##### **Shopping Center: (in Casci's Field)**

48,400 square feet of general commercial building would generate approximately 5706 daily trip ends (117.9 trips per 1000 square feet). The peak hour traffic flow is estimated at 514 trips.

##### **Woodbridge Townhouses: (completed project; not fully occupied)**

36 multi-family units generating about 5.2 trip ends per unit per day, for a total of 166 daily trip ends. Peak hour flows are estimated at 10% for 17 trip ends.

##### **Gold Flat Industrial Park: (approved, but not built out)**

42,000 square feet of light industrial building, generating about 7 trip ends per 1000 square feet, for a total of 294 daily trip ends. The peak hour traffic is estimated at 14%, for 41 trip ends.

##### **County or other offices at Seven Hills: (anticipated)**

It is currently unknown whether this site will be used for County offices. For purposes of this study, the JHK figures are used, projecting 1275 trip ends and a peak hour generation of 140 trip ends.

##### **Remaining Champion Trails Property: (anticipated)**

10,000 square feet of research and development for 55 daily trip ends, 100

residential units with 10 trip ends per unit for 1000 trip ends, for a total of 1055 daily trip ends. Peak hour generation is estimated at 198 trip ends.

**Narrow Gauge 40: (proposed)**

65 multi-family units (5.2 trip ends per unit), assumed 100,000 square feet of County offices, 20 acres of commercial (assumed to be 80,000 square feet of commercial and 80,000 square feet of offices), and 80 single family units (10 trip ends per unit) for a total of 10,959 for the entire proposal. (An environmental impact report addressing this project is expected to be forthcoming.) The estimated peak hour flow is expected to be 1,430 trip ends.

**PROVIDENCE PARK: (this proposed project)**

34,000 square feet of professional offices, at buildout, for a total trip generation of 602 trip ends (17.7 trip ends per 1000 square feet). The peak hour trip generation is estimated at 14.8% for 90 trip ends.

Required traffic improvements are based on the peak hour, or the time during the day when overall traffic flow will be the heaviest. The peak hour for these projects is expected to be between 5:00 pm and 6:00 pm. The following table summarizes the peak hour trip generations, and identifies the per centage contributed by each of the above projects:

**PEAK HOUR TRAFFIC GENERATION:**

<b>Project:</b>	<b>Peak Hour Trips:</b>	<b>Percent of Total:</b>
Grass Valley Group:	406 t.e.	14.4%
Shopping Center:	514	18.0
Woodbridge Townhouses:	17	0.6
Gold Flat Industrial Park:	41	1.4
Old Seven Hills School:	140	5.0
Remaining Champion Trails:	198	7.0
Narrow Gauge 40:	1428	50.4
PROVIDENCE PARK:	90	3.2
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<b>TOTAL ALL NEW PROJECTS:</b>	<b>2,834 trip ends</b>	<b>100.0 %</b>

From the above table, it can be seen that the proposed Narrow Gauge 40 project would generate the highest percentage of peak hour traffic. It is currently unknown, as to whether the Narrow Gauge 40 project will be approved as presented. For this reason, it should be assumed that the proposed Providence Park project could contribute up to 4.6%, rather than 3.2%, of peak hour traffic, as was originally implied by the JHK study. The City Engineer has indicated that the traffic projections used for the Grass Valley Group are probably too low. This is offset by the fact that any future development in Casci's field would probably be less intense than that considered in the JHK study.

The above information represents an increase in peak hour trips from 1,945 in the JHK study, to 2,834 under current conditions. However, the area wide improvements recommended in the JHK study would appear to remain sufficient to accommodate the projected traffic. The effects of the proposed Narrow Gauge 40 project on the levels of service at the Gold Flat/Freeway interchanges will have to

be considered in that project's EIR. The area wide improvements include the following:

1. Traffic signalization of the Gold Flat/Ridge/Zion intersection, with left turn lanes at every approach, and with modifications to provide for a right turn lane from Ridge Road to Zion Street. The geometry of this intersection is shown in Figure 6, which was included in the JHK study.
2. Traffic signalization of the Gold Flat/Searls/Lower Grass Valley Road intersection, with widening to provide for two eastbound lanes on Gold Flat Road.
3. Traffic signalization at the Freeway interchange, phased with the above signals.

Additionally, development of the Casci's Field site should include access limited to Gold Flat Road, and left turn channels should be provided for that access, depending on the final land use. Access to Providence Park should be limited to Lone Pine Road, to avoid complicating the Ridge/Zion intersection turning movements.

Lone Pine Road should be widened to 24' and improved to the structural section required by the City Engineer. Additionally, a sidewalk or pathway should be provided to accommodate pedestrian traffic. A limited left turn pocket should be provided from Zion Street to Lone Pine Road, as shown in Figure 6.

#### **8.05 FUNDING AREA WIDE IMPROVEMENTS:**

The Regional Transportation Plan 1980 (available at the County Department of Public Works) addresses County wide road improvement projects. This study includes signalization of the Ridge/Gold Flat/Zion intersection, but does not address signalization at Searls Avenue or the Freeway on Gold Flat Road.

The County collects mitigation fees from all new projects, to assist in the funding of identified improvements. Currently, Nevada City does not participate in this mitigation fee program. The Working Draft of the City's General Plan does recommend that all projects in this area contribute to ultimate street improvements, and that the Regional Transportation Plan be adopted as the City's circulation element.

The JHK study indicates that the cost of the above signalization would be between \$210,000 to 250,000. This amount does not include right-of-way acquisition, and street widening. However, projects that develop in the area could be required to dedicate the necessary right-of-way, and to complete the required widening. The City Engineer indicates that a study to evaluate TOTAL costs of regional improvements may be undertaken in the near future.

#### **8.06 INTERNAL TRAFFIC CIRCULATION:**

The project parking area design appears generally adequate to handle internal circulation. The design of the parking areas has apparently been done using the County parking ordinance, which permits up to 40% of the spaces to be designed for compact cars. Parking tiers should be widened to a minimum of 56', to allow maneuvering area, even where compact spaces are used.

**8.07 TRANSPORTATION MITIGATION MEASURES:**

A. Zion Street shall be widened along the project's frontage, to conform to the wider Zion Street section to the north. Widening shall include, curb and gutter, and drainage. Widening should be sufficient to allow for 3 interim traffic lanes, until development of the property across Zion Street. At the discretion of the City Engineer, a sidewalk may also be required. No on-street parking shall be permitted, to allow for the traffic lanes.

B. Lone Pine Road shall be improved to 24' wide, with a minimum 3' sidewalk or pedestrian pathway, with drainage facilities as required. No on-street parking shall be permitted. Curb and Gutter shall NOT be required. This work should be coordinated with the improvements planned for the Grass Valley Group project, if possible.

C. Prior to construction, engineered improvement plans for the total project, shall be prepared for all roadway and drainage construction, and approved by the City Engineer.

D. The project shall contribute \$11,500 (4.6% of \$250,000) to the City of Nevada City, or shall comply with then-current contribution requirements of the City, for its pro-rata share of future roadway improvement costs. This amount may be paid in phases, prior to building permit issuance, based on the number of parking spaces.

E. Conditions A and B above, may be complied with based on a phasing plan approved by the City Engineer.

F. Zion Street improvements shall be dedicated to the City of Nevada City, upon completion. The developer shall guarantee construction for one year following completion, by posting a bond.

G. Lone Pine Road right-of-way shall be offered for dedication to the City of Nevada City. Unless and until the City accepts the roadway for maintenance, all maintenance and snow removal shall remain the responsibility of benefitting property owners.

H. Parking areas may contain 40% compact, 8' x 14' parking stalls, and 60% full size, 9' x 18' parking stalls. Travel lanes shall be 24' wide. All compact spaces shall be clearly designated by painting "compact" in the stalls.





**PUBLIC SERVICES:****Section 9****9.01 PUBLIC SERVICE SETTING:**

**Police Protection:** Police protection for Nevada City is provided by the Nevada City Police Department. The department currently consist of the Chief, a sergeant, a records clerk/secretary, and five full time officers. Additionally, there is a parking meter officer and reserve officer, and one voluntary reserve officer. Patrols are provided 24 hours a day.

**Fire Protection:** Fire protection in Nevada City is provided by the Nevada City Volunteer Fire Department. The Department has two full time employees, one of which is the Fire Marshall.

**Rescue Squad:** The volunteer fire department also operates a rescue squad, which responds to accidents and emergency calls with first aid, paramedical attention, and emergency ambulance service.

**Public Works:** Nevada City has a full time public works staff that provides road and utility maintenance and snow removal. The staff also provides the operation and maintenance of the City's sewer and water treatment plants.

**Parks and Recreation:** Nevada City operates and maintains Pioneer Park and Callahan Park, which provides limited recreational opportunities to City residents and residents of the County.

**Other Public Services:** The City provides additional services upon demand, including consulting engineers, who are retained on a contract basis to provide City engineering duties. Other required services are provided by existing staff or on a contract basis. The preparation of this EIR is another example of services provided by the City on a contract basis.

**9.02 POTENTIAL PUBLIC SERVICE IMPACTS:**

The **Police Department** indicates that office and professional uses are not noted for a high number of police calls. The Department would provide periodic patrol of the project area and response to regular calls and burglar alarm calls, if any of the offices installed alarm systems. The project can be SINGULARLY accommodated by existing staff and equipment. However, continued annexations and growth in the City will require the addition of two more patrolmen in the near future. The Police Chief indicates that he will request this manpower increase in the next fiscal year.

The **Fire Department** can provide fire protection to the proposed project, although on-site hydrants and engineered sprinkler systems in the buildings would be required. No increases in staff or equipment are needed. The City Vice-Mayor indicates that the City intends to begin planning for a site and funding for a future fire station in the general area of the project.

The Nevada City Fire Marshall indicates that the required fire flow for the project as

presented, would be about 2270 gallons per minute without an engineered sprinkler system, and about 1135 gallons per minute with an engineered sprinkler system. Both flows would be for a two hour duration, and on-site hydrants would be required.

The fire flow calculations are based on Insurance Services Organization (ISO) guidelines. ISO fire flows are based on the size of the buildings and the number of stories, whether the building materials are combustible, the separation between buildings, and whether sprinkler systems are installed. The proposed project requires a high fire flow, because of the wood frame construction, 2 story plus loft design, and relatively large floor area.

Construction of the project without sufficient fire flow would result in several significantly adverse effects. First, it would limit the fire department's ability to properly fight fire. Secondly, it could result in high insurance premiums for the sponsor. Third, it could degrade the overall insurance rating for the City of Nevada City, which could result in additional insurance premiums throughout the City.

Nevada Irrigation District indicates that the approximate available fire flow at the site is 800 gallons per minute. NID cannot make detailed determinations regarding fire flow without an actual test, or a computer model hydraulic analysis of the distribution system.

Mitigation measures outlined below, suggest that further coordination be conducted by the project sponsor, to verify available fire flows and ISO calculations, which are subject to some variation in interpretation. A redesign of the buildings would be another alternative to close the gap between apparent existing and necessary fire flows.

The project is not expected to have a significant adverse effect on the **Rescue Squad**. The Fire Marshall indicates that calls to office and professional facilities are infrequent.

The **public works** staff would be impacted slightly by the additional land use, with its associated water and sewer connections. Additionally, the City would take over maintenance of approximately 380' of Zion Street, which is now maintained by the County. Snow removal would also be required as needed. The City is not expected to accept Lone Pine Road for maintenance, so this roadway would have to be maintained by the property owners. The project would slightly increase the work load of the public works staff, but this effect is not expected to be significant. Like the Police Department, the public works staff is operating with a minimal crew, and the addition of personnel in the near future is expected to be a necessity.

**Parks** in Nevada City could expect minor additional use as a result of the project. Occupants of the project might use the park during lunch or on other occasions. Also, a few additional permanent residents may be attracted to the area, who would use the parks.

Parks funding is supplemented at this time, by the collection of park and recreation fees for new residential development. Additionally, the County collects park and recreation fees for new residential projects, and is expected to disburse some of these funds to Nevada City, in recognition of the fact that City parks serve a regional function.

The impacts on City parks, as a result of the project would be insignificant.

**Other public services**, provided on a contract basis, should not be significantly affected by the proposed project. Most consulting work is paid for thorough user fees.

### **9.03 PUBLIC SERVICE MITIGATION MEASURES:**

A. Prior to any construction or the issuance of a building permit, the sponsor shall define the available fire flow at the site, by either direct testing by the Fire Department, or by hydraulic analysis by Nevada Irrigation District. Any costs associated with the fire flow definition shall be paid by the sponsor.

B. Prior to any construction or the issuance of a building permit, the sponsor shall coordinate with the City Fire Department, to determine if fire flows are adequate. If fire flows are inadequate, the sponsor may consider redesign of the buildings to meet fire flow requirements. Any changes in the building appearance shall be subject to new architectural review by the Planning Commission.

C. The building shall incorporate an engineered sprinkler system, to be approved by the City Fire Department, unless waived by the Fire Department. Supervision, testing, and maintenance of the system shall be the responsibility of the project owner, and the Fire Department may require periodic evidence of testing and maintenance.

D. The project shall include on-site fire hydrants, with the precise location and design of service mains to be approved by the Fire Department. Details of hookup of the fire hydrant system to the NID mains shall be coordinated with Nevada Irrigation District.

E. The project shall make contributions toward the construction and equipping of a future fire station for the area, if required by then-current City requirements, prior to the issuance of building permits.

## **U T I L I T I E S**

### **Section 10**

#### **10.01 UTILITIES SETTING:**

**Public Water:** Public water to the site is available from Nevada Irrigation District. There is a 6" main in Zion Street capable of meeting consumptive domestic water demands, and of providing some fire flow. NID maintains a pressure reducing station near the southeast corner of the site. Water originates from the Cascade Canal system, and is treated at the Elizabeth George treatment plant on Banner Lava Cap Road.

**Sewage Collection:** Sewage collection and treatment is provided by the City of Nevada City, through existing collection lines, with treatment at the plant near Deer Creek, west of Nevada City. There is an existing 6" sewer trunk along the Zion Street frontage.

**Electrical:** Electrical power is supplied by Pacific Gas and Electric Company, which has existing overhead facilities along Zion Street.

**Natural Gas:** Natural Gas is also provided by Pacific Gas and Electric Company. PG&E indicates that a natural gas main exists in Zion Street which could be used to serve the proposed project.

**Telephone:** Telephone service is provided by Pacific Bell. Overhead facilities currently exist along the Zion Street frontage.

**Garbage Collection:** Refuse collection is provided by Nevada City Garbage Service.

**Other Utilities:** Cable television is also generally available to the area, but would likely not be used for the proposed office and professional use.

#### **10.02 POTENTIAL UTILITY IMPACTS:**

The providers of electricity, natural gas, telephone, and water, indicate that sufficient capacity exists to serve the project. Coordination will be required during the design and construction phases, to assure that hookup and on-site distribution meets the requirements of the supplier.

Nevada City is in the process of upgrading its sewer treatment plant. The upgrade is expected to be completed during the summer of 1984. Completion of the upgrade will bring treated discharge into conformance with the requirements of the State of California Water Quality Control Board-Central Valley Region, and the requirements of the federal Environmental Protection Agency.

The Working Draft of the General Plan<sup>10</sup> indicates that sufficient capacity will exist in the plant to accommodate the project.

During the City's recent review of the proposed SPD shopping center, which was ultimately denied, the design engineer for the sewer system upgrade, Cranmer Engineering, Inc., indicated that sufficient capacity existed in the sewer trunk fronting the property to handle at least the estimated 27,000 gallons per day of effluent. This proposed project would generate between 1800 and 3400 gallons of effluent per day (Based on 120-136 occupants, and a generation of 15-25 gallons per day per occupant). Therefore, the existing trunk has the capacity to serve the proposed project.

As with most treatment plants, wet weather flows are significantly higher than dry weather flow, due to the infiltration and inflow of storm water. Efforts are currently under way to minimize infiltration and inflow. The treatment plant will begin to approach capacity again, as growth continues in the City.

The City indicates that policies are being considered that would reserve capacity of the plant, first for vacant properties within the existing City limits, and then for annexed lands.

#### **10.03 UTILITY MITIGATION MEASURES:**

A. Prior to commencement of construction, the sponsor shall provide letters from all utility companies, indicating their approval of the design, or design requirements for on and off-site utility distribution. The sponsor shall provide any easements

required by utility providers.

## N O I S E

### Section 11

#### 11.01 NOISE SETTING:

The project site is currently undeveloped, and contains no significant sources of noise. No noise level measurements were included in the scope of this EIR. Estimates regarding ambient noise levels were made using information contained in the Champion Trails EIR<sup>1</sup>, page 54, and the Glenbrook Basin EIR<sup>11</sup>, page 45. The Champion Trails EIR indicated that ambient noise levels varied between 60 and 65 decibels at Zion Street, in front of the site.

The level of noise events is measured in decibels. In land use planning, another commonly used measurement of noise is the Community Noise Equivalent Level (CNEL). CNEL levels are a composite, which considers the decibel level of individual noise occurrences and the frequency of these occurrences, weighted as to when they occur over a 24 hour period.

The Working Draft of the proposed Nevada City General Plan<sup>10</sup>, Section VI, page 2, contains a commonly used table of acceptable CNEL ranges possible land uses. Residential compatibility range up to 60 to 65 CNEL. Office and Professional uses range up to 75 CNEL.

The only major source of noise at the site at present, is the traffic on Zion Street. Assuming that the Grass Valley Group project is implemented, and that other development will eventually be served by Lone Pine Road, traffic from this roadway will become a noise generator.

Based on the data contained in the Glenbrook Basin EIR<sup>11</sup>, it would appear that a noise level of 60 decibels would extend into the site approximately 75 to 100 feet from Zion Street by the year 2000. The 65 decibel level would probably extend into the site about 30 to 50 feet. Noise levels from Lone Pine Road are more difficult to estimate, since the ultimate development of this area is unknown. An educated guess would be that the 65 and 60 decibel noise levels would extend into the site by about 40 and 75 feet respectively. Please note that these figures are measured in decibels as opposed to CNEL. Therefore CNEL levels would be less, due to the lower activity on the roadways during the night.

#### 11.02 POTENTIAL NOISE IMPACTS:

The proposed project, at buildout, would generate noise in the form of increased traffic on Lone Pine Road and Zion Street. Traffic would be generally slow in the project area, and would involve acceleration and deceleration noises. Other noises from the site would include outdoor conversation, the sounds of landscaping maintenance crews and equipment. Noise sources at the site are not considered significant after buildout, and would be outweighed by traffic noise from Zion Street and Lone Pine Road. CNEL levels, as outlined in the Working Draft of the Nevada City General Plan<sup>10</sup>, would permit the project to be developed in this area. Noise levels for surrounding residential uses would not be increased beyond the appropriate

levels, as a result of this project.

During construction of each phase of the project, ambient noise levels would be increased for periods of time that might range from 60 to 90 days per phase. Noise generators would include earthmoving equipment, power tools, hammering, and so on. Table IV-35, page 381, of the Champion Trails EIR<sup>1</sup>, shows average noise levels of various construction equipment and tools, both with, and without careful noise mitigation. Most levels range from about 75 decibels at 50 feet up to 90 decibels at 50 feet. Blasting can range from 120 decibels to 190 decibels for the duration of the blast.

These sources of noise generation could have a significant impact on existing residential development along Zion Street, if no mitigation were implemented. The mitigation measures outlined below are based on limiting construction noise to certain hours to reduce overall CNEL levels to the project neighbors.

### **11.03 PROPOSED NOISE MITIGATION MEASURES:**

NOTE: Section 4 contains a requirement that any blasting required on the site shall be conducted in accordance with applicable regulations.

A. All contractors working on the construction of the site shall have proper mufflers and engine panels on their equipment to minimize noise levels. This requirement shall be a part of the plans and specifications for project construction.

B. Construction hours shall be limited to 7:00 am to 5:30 pm on weekdays, and 8:00 am to 1:00 pm on Saturdays, except for inside, non-disruptive, contractors. No construction work shall occur on Sundays or Holidays. This requirement shall be a part of the plans and specifications for project construction.

## **A R C H E O L O G I C A L / H I S T O R I C A L**

### **Section 12**

#### **12.01 ARCHEOLOGICAL/HISTORICAL SETTING:**

The Champion Trails EIR<sup>1</sup> contains a detailed report on the historical and archeological aspects of the project area (pp. 55, 132, 387). This study was conducted by a consultant, Donald J. Storm, in 1978, based on a field survey.

No significant prehistoric (older than about 136 years) remains were found on this site. The project site was the location of the Perserverance Mine (see Section 4.02), which consisted of a shaft and related appurtenances. The precise location of the shaft is not clearly visible. A concrete foundation exists on the site, which was an appurtenant building to the mine workings. The Perserverance Mine was patented in the 1890's, so initial excavation and mining would have occurred before that time.

#### **12.02 POTENTIAL ARCHEOLOGICAL/HISTORICAL IMPACTS:**

No existing feature on the site appears to contain significant archaeological or

historical value, which would dictate special mitigation measures. However, the possibility of uncovering significant features during construction always exists, and it is desirable to perpetuate local history to the extent possible.

**12.03 PROPOSED ARCHEOLOGICAL/HISTORICAL MITIGATIONS:**

A. Should any potentially significant archeological or historical feature be discovered during construction, work shall stop, until the value of preservation of the feature can be assessed by a qualified historian or archeologist. This requirement shall appear in the plans and specifications for the project.

B. Optionally, the sponsor may wish to include a plaque or other monument in the landscaping plan of the site, outlining the history of the Perserverance and Providence Mines.

## H O U S I N G

### Section 13

#### 13.01 HOUSING SETTING:

The Working Draft of the Nevada City General Plan<sup>10</sup>, Section IV, contains the proposed Housing Element, which includes various statistics on housing in Nevada City, Grass Valley, and Nevada County. A constant problem statewide, with current home prices and mortgage interest rate structures, is providing affordable housing for first-time home buyers, as well as special groups, including low to moderate income groups, and the elderly.

The Working Draft of the General Plan<sup>10</sup> recommends that sufficient land should always be made available for housing, priority should be given to in-fill sites where utilities are available, determination of density should be based on the availability of public services, and that innovative techniques for affordable housing should be encouraged. It further recommends that any proposal be evaluated for its effect on the surrounding housing context.

Since the land use map of the proposed General Plan is not available, it is difficult to assess the current availability of housing sites.

#### 13.02 POTENTIAL HOUSING IMPACTS:

The proposed project poses two possible impacts on housing in Nevada City. The first is that this site would be eliminated as a possible multi-family housing site. The second is that, under certain circumstances, the office and professional project could create a need for additional housing.

Considering all planning aspects, this site could be a suitable location for a multi-family development, instead of an office and professional development. Both land uses are considered transitional in intensity, between commercial, industrial, and governmental or institutional (such as the CDF site) and single family residential, such as the existing development along Zion Street. Development of the project site could be considered as in-fill development, since the frontages of Zion Street are developed on both sides. Public utilities appear to be available. A housing project could be developed with similar impacts on the physical environment. Noise levels, while marginal for new single family development, would not be high enough to rule out multi-family development. It is likely that about 20-30 multi-family units could be constructed on the site, depending on the outcome of the soils report regarding existing mine shafts.

Generally speaking, housing on the site could have higher impacts than the proposed office and professional, in some areas. Housing residents would be on the site 24 hours a day, and compared to office residents who would likely use the site primarily during business hours. Therefore, corresponding impacts, like traffic and noise, would be greater on the surroundings. Sewage generation, water usage, and utility usage would be higher. Also, housing requires more governmental services than office and professional, such as social services, recreation, and police and fire protection, which could result in fiscal impacts.

In the event that the office and professional project was occupied by a significant employer, there could be an increased demand for housing to shelter employees. Most office and professional projects in this area contain doctors, attorneys, engineers, architects, other consultants, realtors, contractors, title companies, and other service oriented professionals. Manufacturing and retail uses are not permitted under Nevada City's zoning ordinance. Most of the offices outlined do not require large lease spaces, and they tend to draw on existing local people for employees. Both the rate of office construction and home construction are governed by the free economic market demand. There is no evidence that construction of office and professional uses has a clear impact in the form of increased housing demand, although all land use increases tend to encourage the general growth of the City and the surrounding area.

Notwithstanding the forthcoming land use map of the proposed Nevada City General Plan, and its recommendations for this parcel, it appears that the proposed project would not have a significant effect on housing needs or demand.

### **13.03 PROPOSED HOUSING MITIGATION MEASURES:**

No mitigations are proposed, with respect to housing. However, the City should consider the general availability of housing sites in other locations, when reviewing this proposal.

## **P L A N T   L I F E**

### **Section 14**

#### **14.01 PLANT LIFE SETTING:**

The project site is currently undeveloped and contains a variety of native vegetation. Detailed reference information is contained in the Champion Trails EIR<sup>1</sup>, pages 46, 106, 306. No rare or endangered species were identified on the site. The plant life or forest is classified as mixed conifer and hardwood. However, the forest on this property is predominantly conifer. The common names of some of the most dominant species are Yellow (Ponderosa) Pine, Red and White Fir, Incense Cedar, Black Oak, Birch Brush, Scotch Broom, Poison Oak, and Blackberries. Some of the understory vegetation has been recently removed from the site; probably to allow viewing of the property and surveying. Trees on the site range from seedlings to large diameter trunks of up to about 48". Vegetation is fairly consistent throughout the site.

#### **14.02 POTENTIAL PLANT LIFE IMPACTS:**

The project sponsors have indicated that they desire to retain as much vegetation as possible in the interior of the project and around the edges of the property. Construction of the project would result in the definite removal of trees in the locations used for parking and buildings, which is estimated at 54% of the site. Additional vegetation would be lost to cut and fill slopes, around the edges of parking and access areas, and in the areas of Zion Street widening. On a site sloping at 10% cross-slope, the area lost to cut and fill usually extends from 3 to 10 feet beyond the edges of parking areas and access roads. If the buildings are constructed on graded pads, vegetation loss could extend from 5 to 15 feet beyond the edge of the buildings.

Even though clearing and grubbing for construction might not directly require removal of a tree, experience in this area has shown that trees are sensitive to cut, fill, or paving in close proximity to their trunks. A rule of thumb, is that whenever construction excavation encroaches within the drip line of a tree or about 15' on the average, there is an increased chance that the tree will not survive. Trees cannot tolerate fill against their trunks, which begins rotting. It is difficult to predict the effect of paving near a tree, without excavation or fill.

Tree removal also alters the wind protection for remaining trees and makes them more susceptible to being blown over. During this season, a tree was blown over on a home adjoining the site, during a storm with particularly high winds after a long period of rainy weather had soaked the ground.

Figure 7 shows the plan submitted by the applicant, with the major trees to be saved and removed indicated. Major trees, having a trunk diameter of about 8" and greater, are shown on the plan. The numerous small trees, especially in the area adjacent to Zion Street, are not shown on the plan. In reviewing this plan, as discussed above, trees with construction within their drip line, or located within 3-15 feet of improvements are threatened. In summary the applicant's plan indicates that about 87 trees out of 148 total major trees would be removed. Considering other factors, another 8 trees might be lost, for a total tree removal of between 59 and 64%.

Nevada City's Open Space zoning district requires permits for the removal of more than 20% of the trees over 8" in diameter in certain zoning districts. It appears that this requirement would not apply to the proposed project.

One problem that has proven itself over and over in this area, is that of assuring preservation of vegetation during construction. Despite the well-meaning and best efforts of project sponsors and lead agencies, much vegetation planned for saving is lost by carelessness during construction.

The potential loss of vegetation is primarily significant with respect to the visual characteristics of the site, especially in consideration of the Working Draft of the General Plan's<sup>10</sup> stated goal of "protecting views from the highways." Retention of trees and vegetation, in general, is a valuable asset of any community and particularly to Nevada City. Due to the small size of the site and the existing development in the area, the loss of timber production for commercial purposes is not considered significant.

The significance of the loss of trees and other vegetation will have to be decided by Nevada City, during their review of the project. The following mitigation measures are intended to minimize vegetation loss, and to provide for replacement of lost trees.

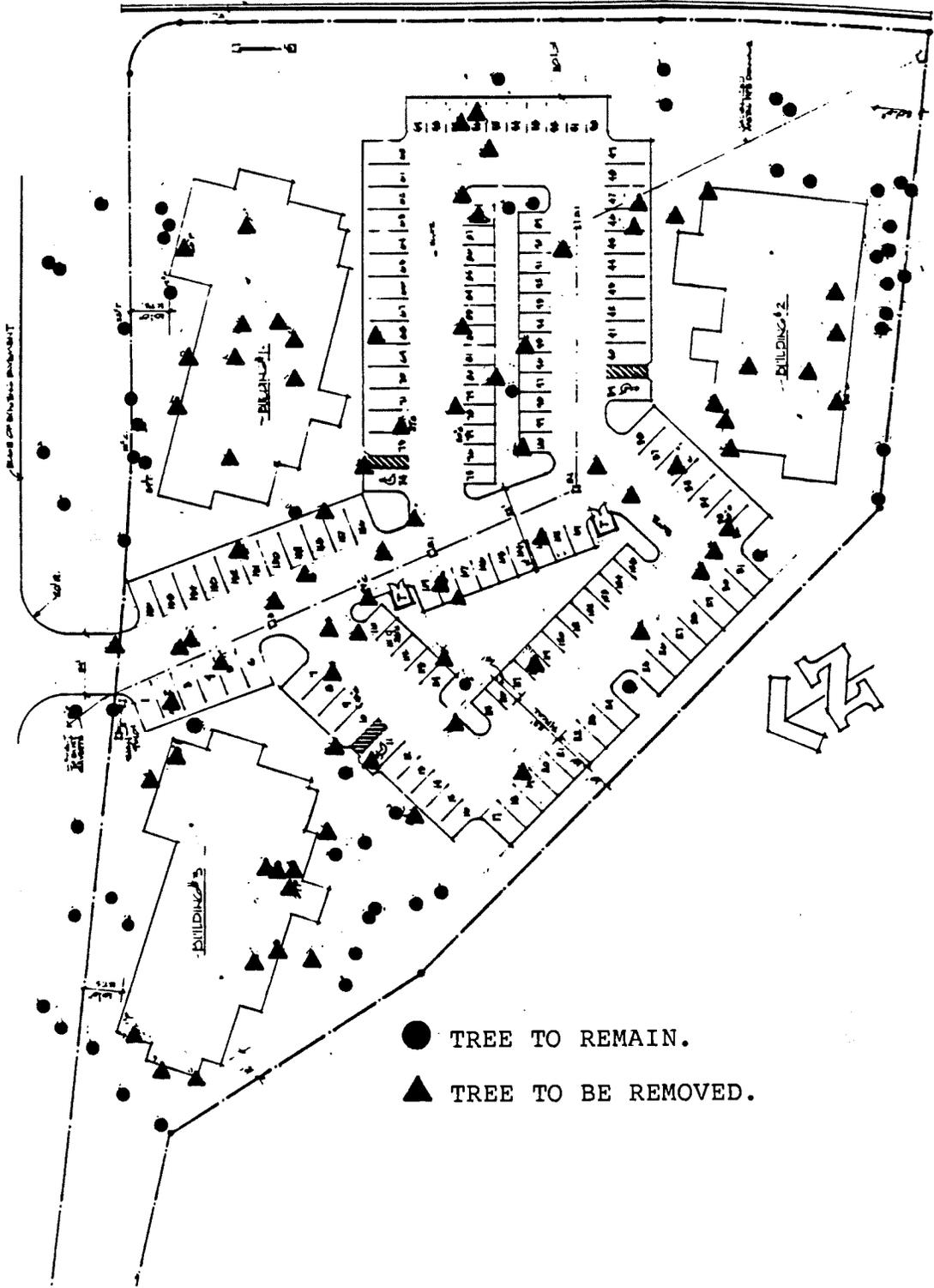
#### **14.03 PROPOSED PLANT LIFE MITIGATION MEASURES:**

A. The California Division of Forestry would require that an Exemption from Timber Harvest Plan be filed, prior to tree removal.

B. Prior to any construction, a landscape plan, prepared by a licensed landscape architect, showing the approximate extent of cut and fill, trees to be removed, and new landscaping for the entire project shall be approved by the Planning Commission.

LONE PINE ROAD

ZION STREET



- TREE TO REMAIN.
- ▲ TREE TO BE REMOVED.

FIGURE 7 ESTIMATED TREE REMOVAL

Scale: Approx: 1"=60'

Source of Graphics: Bruce West and Associates

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California



The landscaping plans shall include treatment of the 30' buffer area along Zion Street to enhance and improve the natural vegetation in this area. Additional vegetation may be required to provide visual screening of the project from Zion Street. The landscaping plan shall consider the likelihood of survival of major trees, based on their current condition and vitality, and on the likelihood of increased wind loading after project construction.

C. Buildings shall not be constructed on graded pads which are significantly larger than the building footprint, but shall either utilize stepped footing construction, or slab on grade construction with retaining walls built in to the structure walls to avoid excess grading and tree or vegetation removal.

D. Retaining walls shall be used to contain cut and fill along the portion of the construction that parallels Zion Street, to maximize the buffer area. The selective use of retaining walls at other locations to save trees shall also be considered in the landscaping and grading plans. The use of wood or native rock retaining walls is encouraged.

E. The plans and specifications used during construction of the project shall contain the following requirements or provisions:

1. Areas outside of construction clearing limits shall be temporarily fenced during construction activity.
2. Any tree planned to be saved which is lost or damaged during construction shall be replaced by two trees of 24" box size.

F. All landscaping (natural or new) of each phase of construction shall be guaranteed for a period of one year by either the posting of a performance bond or security equal to the value of replacing 50% of the landscaping, or by letter of guarantee to the City from a licensed landscape contractor. Building Permits for Phases 2 and 3 shall not be issued unless existing landscaping is in good repair and in accordance with the approved plan.

G. The use of natural, drought resistant vegetation, is encouraged for landscaping.

## LAND USE

### Section 15

#### 15.01 LAND USE SETTING:

The proposed project area is undeveloped at this time. The property is designated as Residential (1.5 acres per dwelling unit) on the Nevada County General Plan, and is designated as Urban Medium Density (3-8 residential units per acre) on the existing Nevada City General Plan. The designation(s) proposed by the new Nevada City General Plan, under development at this time, are currently unknown. Existing surrounding land uses consist of the following:

NORTH: Existing single family residential, and planned office and professional by the Grass Valley Group EIR and annexation application. This area is shown

as Urban Medium Density on the existing City General Plan.

**SOUTH:** Existing California Division of Forestry (CDF) complex, shown as "Public" on the Nevada County General Plan, and shown as Urban Medium Density (3-8 units per acre) on the existing Nevada City General Plan.

**EAST:** Currently undeveloped property, designated as Office and Professional on the Nevada County General Plan and as Urban Low Density (1-6 residential dwelling units per acre) on the existing Nevada City General Plan. This was the site of the proposed SPD shopping center application, which was recently denied by the City.

**WEST:** Currently developed with a storage tank for the Nevada City water system, and undeveloped for the remainder of the Erickson Lumber Property. This area is designated as Residential (1.5 acres per dwelling) on the Nevada County General Plan and designated at Urban Medium Density on the existing Nevada City General Plan.

The project site is located just northwest of the Zion Street and Ridge Road intersection, which is a key intersection in dealing with future traffic circulation in the area (See Section 8).

#### **15.02 PROPOSED GENERAL PLAN AND ZONING:**

The original application requests a General Plan Amendment to Commercial and rezoning to LB or local business, since it appeared that LB zoning would be necessary to support office and professional. Since the original application, it has been discovered that Nevada City did adopt a "Professional Office District" by ordinance 81-1, which created Article 8A in the Zoning Ordinance. This action deleted professional offices from the LB district.

Permitted uses in the Professional Office district are defined as "Business, rest homes, convalescent homes, nursing homes, insurance and real estate offices." Retail uses are not permitted in this district.

The project sponsors have indicated that they will revise their application to a request for Professional Office zoning. The sponsors do not intend to use the site for rest homes, convalescent homes, or nursing homes.

A Commercial designation on the existing Nevada City General Plan would still be required. The appropriate designation under the proposed Nevada City General Plan is unknown at this time.

#### **15.03 CONSISTENCY WITH PROFESSIONAL OFFICE ZONING:**

Site development in the Professional Office District is governed by Nevada City's Zoning Ordinance. Sections which particularly apply to this type of development are Article 8 A (P M) **Professional Office Zone**, as amended by Resolution 81-1, and Article 12, **Special Provisions**.

The site plan proposed generally meets the site development requirements of Article 8 A, which defines frontage, minimum lot area, and setbacks from streets and property lines. The applicants have chosen Zion Street to be considered as the lot front, which is permitted under the Zoning Ordinance. Actually, the project tends

to face Lone Pine Road, but keeping the major building setback along Zion Street appears desirable, in order to encourage a better visual corridor.

The maximum permitted building height is 35'. Signs are only permitted as attachments to the building, with 24 square feet of surface, so a variance would apparently be required to allow the signs proposed by the sponsor.

The proposed site plan generally meets the requirements of Section 12.10 for off-street parking, by providing one parking space per 250 square feet of gross floor area. No specific standard is given for the dimension of parking areas. The site plan shows double parking aisles as about 52-54' wide in some areas. This should be increased somewhat for double parking aisles to provide for maneuvering room (See Section 8). Landscaping is required in the interior of the parking area, equal to 15% of the impervious surface, which the site plan appears to marginally meet, not withstanding the widening of parking aisles outlined above.

Section 12.50 governs the processing of site plans. The proposed site plan and current application appear to meet, or be in the process of meeting these requirements. Although the application discusses landscaping, a more detailed landscaping plan must be provided prior to final approval.

The requirements with respect to tree cutting and other considerations in the Open Space Zone outlined in Article 14 do not appear to apply to the Professional Office Zone.

#### **15.04 CONSISTENCY WITH EXISTING GENERAL PLAN:**

Although the existing General Plan<sup>8</sup> is currently being updated, this document currently controls development in Nevada City. The following policy statements (p. 4) are worth noting:

"2. Plan future annexations in detail as to feasibility, desirability and fiscal responsibility. . ."

"3. Promote a local transportation system wherein the special needs of the residents are considered from social and cultural aspects."

No obvious inconsistencies between the proposed project and the existing General Plan were noted.

#### **15.05 CONSISTENCY WITH PROPOSED GENERAL PLAN:**

The General Plan is currently being updated, making it difficult to evaluate this consideration fully. The proposed land use map was not available at this writing, so it is unknown what the General Plan consultant recommends in terms of land use in this area. A working draft of the proposed General Plan<sup>10</sup> was reviewed.

This plan is based on 4 major principles (p. 1), 2 of which are partially excerpted below, as they may apply to this project:

"1. PRESERVE THE SENSE OF WOODED ENCLOSURE by protecting views from the highways. . ."

"3. REINFORCE EXISTING COMMERCIAL CONCENTRATIONS and strongly

limit additional commercial locations."

The current draft does not appear to provide for an Office and Professional District. Addition of this district during the General Plan update would probably be desirable, since professional office use is a low intensity, special form of commercial land use.

Section II, page 13 of the Working Draft outlines considerations for annexations and development. The Plan recommends compact rather than scattered development patterns, and discourages "strip" development. Appropriate land use determinations are recommended to be based on the physical characteristics of the land in question, whether the land is currently served by public utilities, whether the land has special resource or landmark significance, and on considerations of the fiscal and employment effect on the City.

The Working Draft (Section II, page 14) proposes to require that all new development served by the Gold Flat Freeway interchange, contribute jointly to making improvements to offset increased traffic.

The Working Draft stresses protection of scenic roadways through landscaped buffers and limitation of new billboard signs and access roads.

The Working Draft recommends adoption of the Nevada County Regional Transportation Plan as the Circulation Element of the General Plan.

Taking into consideration the mitigation measures recommended by this EIR, no obvious inconsistencies between the proposed new General Plan and the proposed project were noted. As additional data becomes available regarding the new General Plan, this finding may be modified accordingly.

#### **15.06 LAFCO ACTION REQUIRED:**

In order for this property to be annexed to the City of Nevada City, the Local Agency Formation Commission (LAFCO) must approve the annexation.

LAFCO is a boundary commission, created by the State in each California County, to fulfill two major functions: (1) to discourage urban sprawl, and (2) to encourage the orderly formation and development of local government agencies. LAFCO has jurisdiction over all annexations to, detachments from, and formations of cities, and special districts. State laws that govern LAFCO's activities include the Knox-Nisbet Act, the District Reorganization Act, and the Municipal Organization Act. LAFCO also acts as lead agency and conducts environmental reviews as mandated by CEQA.

The Nevada County LAFCO is made up of two County Supervisors, one City Councilman from both Grass Valley and Nevada City, two members representing special districts, and one general public member, for a total of seven members.

Generally, LAFCO prefers that the City being affected by an annexation conduct the environmental review of the proposed annexation. This EIR, being prepared under the City's direction, is intended to address the annexation of the proposed project, as well as other issues. LAFCO action is taken at an advertised public hearing. Final processing of the annexation includes processing with the State Board of Equalization, which does not include any discretionary actions.

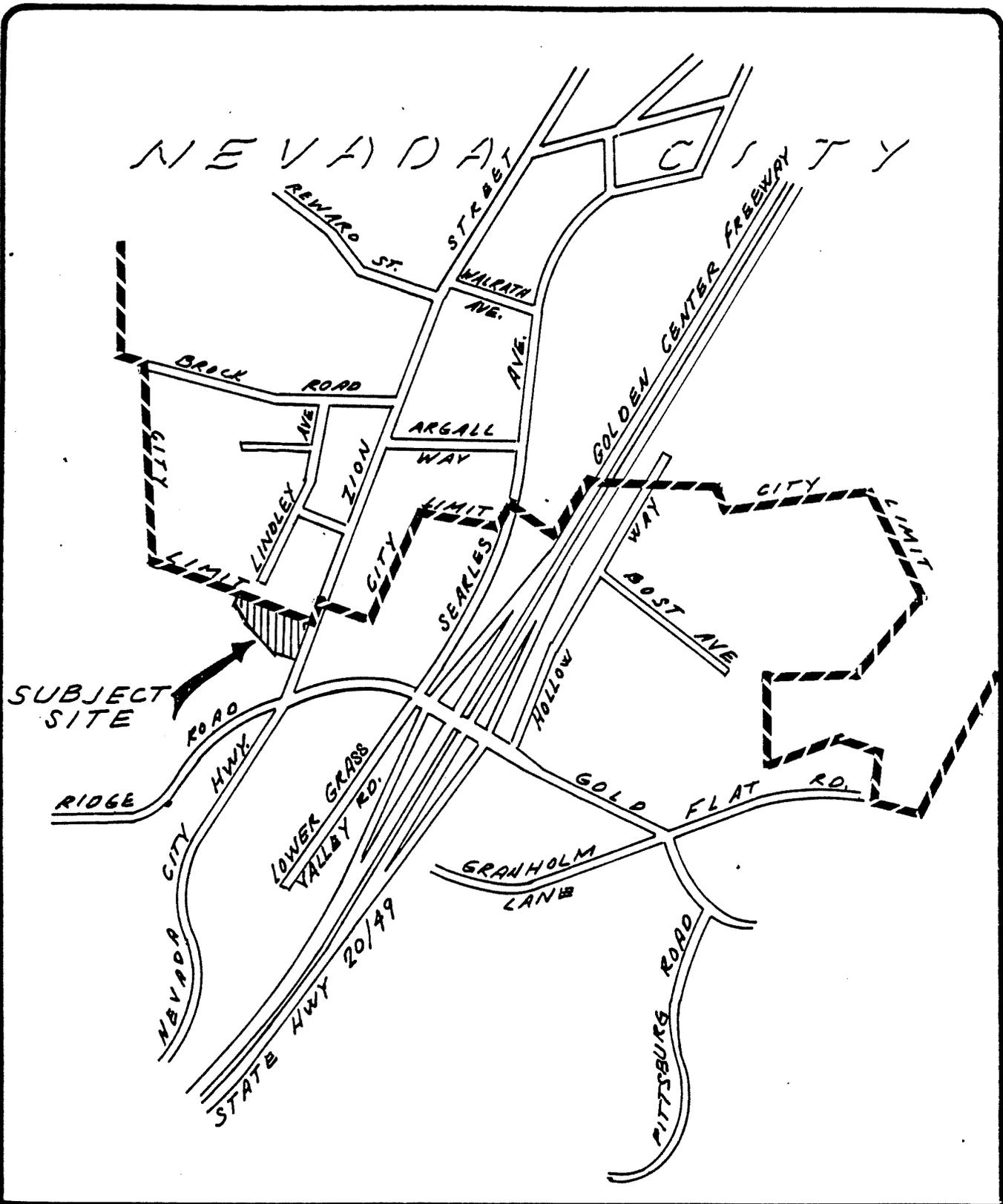


FIGURE 8

ANNEXATION AREA

Scale: None

Source of Graphics: O'Dell and Associates

Andrew R. Cassano, Land Use Planner, Cedar Ridge, California



Annexation of the property will have the following effects on the City and special districts:

CITY OF NEVADA CITY:	Addition of 2.5+ acres.
COUNTY OF NEVADA:	Loss of 2.5+ acres for some County Services.
GOLD FLAT FIRE DIST.:	Loss of 2.5 taxable acres.
NEVADA IRRIGATION DIST.:	No Change.
SCHOOL DISTRICTS:	No Change.

Annexation of the subject property will change the tax bases and finances of some agencies. Please refer to Section 20 for additional information.

The proposed project appears to be a logical extension of the City boundaries, since the property is adjacent to the City limits line. The project area is within the Sphere of Influence area for Nevada City, as previously adopted by LAFCO. The proposed annexation would not create urban sprawl or represent disorderly growth on the part of the City. Figure 8, provided by the project sponsor, shows the relationship of the proposed annexation with the existing City limits line. The annexation should include those portions of Lone Pine Road and Zion Street rights-of-way which front on the property. This would cause approximately 380 lineal feet of Zion Street to come under City maintenance, and to be deleted from County maintenance.

#### 15.07 GENERAL LAND USE CONSIDERATIONS:

The recommendation of the consultant preparing the new Nevada City General Plan should be considered during the review of this project, since the plan will attempt to balance all available land uses throughout the City.

In general, land use planning involves placing new land uses near similar or compatible uses, where public services can accommodate the use, and where the land itself is capable of supporting the proposed use.

Land use intensities are considered in making determinations about compatible uses. Land use intensity varies, from being quite low in rural or agricultural residential areas, to being the highest for heavy industrial. This property is bordered by residential, public (CDF) use, and potential office and professional or commercial use along Zion Street. Also planned, is the research and development, or light industrial use proposed by Grass Valley Group, which would be served by Lone Pine Road. All public services are generally available to the site, and the site does not have any outstanding constraints such as steep slopes or streams.

It would appear that, from a theoretical planning standpoint, the superior use of this property would be either office and professional, as proposed, or multiple family residential. Both of these uses have a medium intensity, and are encouraged in areas which are making a transition from single family use to higher uses, such as the CDF site and the possible commercial use of the property across Zion Street. The proximity of the property to adjacent roadways, and possible commercial uses, makes

it questionable as to whether single family use would be appropriate, because of future noise impacts.

The proposed project represents in-fill type development, rather than strip development, in that both adjoining properties along Zion Street are already developed.

#### **15.08 PARCEL MAP REQUIRED:**

The subject property is currently a portion of a 147.5 acre parcel, shown as Parcel 3, on the parcel map for Erickson Lumber Company, filed in Book 16 of Parcel Maps, at Page 57, Nevada County Records. The Subdivision Map Act, requires that a parcel map must be approved and filed, prior to the creation of any new parcel for sale, lease, or finance.

The parcel map would have to be processed under the jurisdiction of Nevada County, at this time, since the property has not been annexed. For maps including land in both the City and County, the approval and processing by both the City and County jurisdictions would be required.

#### **15.09 FENCING:**

The California Division of Forestry (CDF) has requested that a condition of approval be included in the project approval, requiring construction of a 6' high, cyclone, security fence, along the boundary line shared by the project and CDF, and that a buffer area also be provided. The fence request is in response to apparent incidents of vandalism on the CDF site.

From an objective standpoint, it seems questionable whether the project would adversely affect security on the CDF site. The implementation of the project would inhabit the adjoining area with office buildings and their occupants. Police patrols would probably be more frequent in the area. The fencing would have a somewhat adverse affect on aesthetics of the area, and would discourage any continued wildlife movement over the area. Even if the project provided fencing, the CDF site would still not be entirely enclosed by fencing.

It would seem more appropriate for CDF to fence a reduced area on their own site, to improve security. For this reason, the fencing is included as an optional consideration by the City.

#### **15.10 PROPOSED LAND USE MITIGATION MEASURES:**

- A. Prior to the commencement of construction of the project, Nevada County LAFCO approval action and processing shall be completed.
- B. The final annexation area shall include those portions of Lone Pine Road and Zion Street rights-of-way, adjacent to the frontage of the subject property.
- C. The final development plan shall be in compliance with the Nevada City Zoning Ordinance with respect to building setbacks and height, required parking spaces, landscaping, and other considerations.
- D. Any freestanding signs must be approved through the City's variance process, and must include architectural review of the proposed signs.

E. Prior to any use of the 2.5 acre site for purposes of sale, lease, or finance, a tentative and final parcel map must be processed and filed with the appropriate jurisdiction(s).

F. Construction of the final phase of the project, shall commence within 8 years of the City's approval action, unless otherwise extended by future action of the Planning Commission.

G. Optionally, the City could require the 6' cyclone security fence along the boundary common with the California Division of Forestry.

## Q U A L I T Y   O F   L I F E

### Section 16

#### 16.01 QUALITY OF LIFE SETTING:

Quality of Life is a term that cannot be defined, since it varies from one individual to the next. Quality of Life generally means the combination of physical, social, political, and economic conditions, that makes a particular area desirable (or undesirable). Many old and new residents of Nevada City and the surrounding area describe the quality of life as being a reason for their living here.

The desirable quality of life in Nevada City would probably include the climate, the fact that Nevada City is a small town, the beauty of the surrounding and integrated tree cover and vegetation, recreational opportunities in surrounding public lands, absence of long commutes to work on congested freeways, the presence of some employment opportunities, the historical beauty of the individual buildings and city as a whole, and the area's rich mining history, itself. Most residents feel that the community is friendly, and that the pace of the "rat race" is much slower than in highly urban locations.

Additionally, individual residents may attribute specific characteristics associated with their individual residence or place of business, to enhancing their quality of life.

Many people state that the growth of Nevada City and its surroundings, along with corresponding increases in traffic, is the main threat to the Quality of Life. Growth can be defined as the cumulative effect of individual land owners improving and using currently unimproved property.

Under the private property concepts adhered to in the United States, it is difficult to deny any property owner a reasonable use of his land, without a specific reason. Efforts to limit growth have been enacted in some areas, such as the City of Petaluma. In 1978, Measures A and B appeared on the ballots of Nevada County voters. One measure would have limited residential growth, apparently through limitations on the issuance of building permits. The other measure would have placed a moratorium on land divisions, until the County General Plan could be adopted. Both measures were defeated by an approximate margin of 55% to 45%.

The County has been somewhat successful in limiting growth, particularly growth resulting from land speculation, by enacting fairly rigorous policies for new development. These policies include low density zoning, requirements for off-site road and utility improvements, proof of development capability, and the levying of mitigation and development fees.

Currently, Nevada City has no specific policy which limits growth. The City does rely on zoning and development standards to govern new projects, and makes individual, discretionary decisions regarding all new projects (except single family dwelling building permits).

#### 16.02 POTENTIAL QUALITY OF LIFE IMPACTS:

Since Quality of Life is so difficult to define, this consideration is correspondingly difficult to assess in technical terms. Generally, a project of this type could probably cause significant adverse effects if it:

1. Failed to retain trees and provide landscaping.
2. Created adverse views from Zion Street.
3. Destroyed historic assets.
4. Significantly disrupted the neighborhood.
5. Caused significant traffic congestion.
6. Was unable to be accommodated by any public service or utility.

Overall, it appears that the project as proposed, and with the mitigation measures suggested herein attached as conditions of approval, would not cause a significant adverse impacts on the Quality of Life.

The decision makers of Nevada City must ultimately make a collective decision regarding Quality of Life impacts, by their final action on this proposal.

### **16.03 PROPOSED QUALITY OF LIFE MITIGATIONS:**

No mitigation measures are proposed specifically to address Quality of Life. It is noted, however, that other mitigation measures contained in this report serve this purpose, including the measures which require tree preservation, landscaping, architectural standards, and street improvements.

## **C L I M A T E / A I R Q U A L I T Y**

### **Section 17**

#### **17.01 CLIMATE/AIR QUALITY SETTING:**

Detailed information on climate and air quality is contained in the Champion Trails EIR<sup>1</sup> (Climate: pages 111, 275; Air Quality: pages 51, 111, 297). Some climate statistics from that source are as follows:

Average Annual Precipitation:	53.01 inches.
Mean Air Temperature:	53.2° F.
Extreme High Temperature:	111° F.
Extreme Low Temperature:	-1° F.

Nearly all of the annual precipitation occurs in the period of October through May, inclusive. Winters over the last 10 years have shown severe fluctuation from the average precipitation. A drought period occurred for 2 or 3 years around 1977, when annual rainfall fell to around 30" per year. A wet period has occurred for the last two years. Rainfall was more than 100" in the 1982-83 season.

Nevada City is usually slightly below the snow level, although snow storms leaving 6" to 2' of snow usually occur between one and three times a year, making snow removal necessary.

Prevailing winds are generally westerly to southwesterly, with occasional north to northwest winds. Local winds occur down drainage canyons, usually in the evening

hours, as cool air drains from the mountain areas. Wind velocities vary considerably, from 0 to over 50 m.p.h. Occasionally storms carry very high winds over 50 m.p.h. gusts for periods usually limited to 24 hours.

Nevada City is located in a basin to some degree, and inversions of trapped air, often containing smoke from various sources are evident at times, especially in the winter. This condition has lead to brief periods of poor air quality.

Nevada City is in the Mountain Counties Air Basin, as established by the California Air Resources Board, which has responsibility for adopting and implementing air quality standards.

Prevailing winds tend to carry in pollutants from the Sacramento Valley, leading to a continual decline in air quality for the Nevada City area. At the present time, however, air quality for the area is rated as relatively good<sup>28</sup>.

Locally, air quality is the responsibility of the Nevada County Air Pollution Control Department.

#### **17.02 POTENTIAL CLIMATE/AIR QUALITY IMPACTS:**

Implementation of the project will involve removal of vegetation and construction of impervious surfaces over about 1.35 acres of the site. Roof and paving absorb more heat than the existing forest cover, which would lead to local heating of the air, causing it to rise from the site. Due to the relatively small size of the project area, this impact would not be significant.

During construction, air quality could be affected by dust from construction, as well as by the exhaust from construction equipment. Burning of brush on the site could also be a contributing factor to reducing air quality.

Following construction, heating sources for buildings, which burn fossil fuels, and automobiles travelling to and from the site would generate pollutants, including Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, Sulfur Dioxide, and Particulate Matter. Particulate matter includes dust, lead, and rubber and asbestos from vehicle tires and breaks.

Under current conditions, and with the following mitigation measures, it does not appear that the project would have a significant adverse effect on climate or air quality.

#### **17.03 PROPOSED CLIMATE AND AIR QUALITY MITIGATIONS:**

- A. Any burning of brush on the site during construction, shall require a burning permit.
- B. Burning of brush on the site during construction shall only occur on those days designated as burn days by the Nevada County Air Pollution Control Department.
- C. Contract plans and specifications for the construction of the site shall include requirements for watering of the site by water truck during construction, at least two times daily, or more often as conditions dictate, and for watering of local streets to clean the roadway surfaces of any mud or debris "tracked" from the construction site.

**A E S T H E T I C S / O P E N   S P A C E****Section 18****18.01 AESTHETICS/OPEN SPACE SETTING:**

Aesthetics is defined as having a sense of love and beauty and the principles of taste and art. As it pertains to the project proposal, aesthetics refers to the beauty and pleasantness of the site. Open space is also considered in this section, since a majority of Nevada City residents probably associate open space with aesthetics. However, like the term, "Quality of Life," what is aesthetic and what is not varies with individuals.

The project currently contains forested land, which has strived to heal from past mining activity and disruption. In its present state, the site serves as open space, by virtue of the fact that it is currently not developed. This open space has been enjoyed by project neighbors and passing motorists over the past years, to a degree which varies with the individual.

Many areas around Nevada City are enjoyed as open space, because they have remained largely vacant for a variety of reasons, including that they are public lands, that the owners have not chosen to improve the property, that constraints, such as steep slopes, prohibit development, or that development of the area has been of low density, leaving many natural areas.

Undoubtedly, the "wooded enclosure," as mentioned in the basic policies of the Working Draft of the Nevada City proposed General Plan<sup>10</sup>, is an outstanding asset of Nevada City and its surroundings, which should always be protected. The wooded enclosure, or abundance of trees, vegetation, and natural areas, is a primary contributor to the outstanding aesthetics and quality of life in Nevada City.

**18.02 POTENTIAL AESTHETICS/OPEN SPACE IMPACTS:**

The project, upon completion, will remove tree cover and vegetation, and will convert this existing open space to a developed site with parking and buildings. If not developed carefully, and required to install landscaping, the project could seriously damage the aesthetics of the area and adversely affect views from Zion Street.

The City of Nevada City Zoning Ordinance has an underlying open space requirement that applies to many zoning districts, but those provisions would not apply to the Professional Office zone. Also provided for in the zoning ordinance, is a requirement that 25% of light industrial sites be maintained as open space. This open space requirement also would not apply to the Professional Office zone.

In comparing these ordinances to other jurisdictions, the County requires open space in all land developments, except single family residential. Open space requirements in the County are variable. They are designed to include slopes over 30% and wetland areas. By applying the formula to individual proposals, open space can vary between 15% and 50% of the site, depending on the nature of the land. For this project, in the County, the open space requirement would be 15%, and the site plan

would meet this requirement in the setbacks along property lines. In the City of Grass Valley, there is currently no requirement for open space in site development. However, residential projects can dedicate land in lieu of paying park and recreation fees. There is also incentive to incorporate up to 20% of annexed lands into open space, to avoid paying 20% of annexation development fees.

### **18.03 ARCHITECTURAL APPEARANCE:**

The Working Draft of the proposed General Plan<sup>10</sup> (Section III, Page 5) recommends that the City formulate design guidelines which can be used by developers to assist them in developing architecture that is consistent with Nevada City. Since no such guidelines are currently available, City decision makers will have to rely on their individual and collective opinion as to what designs are appropriate.

Generally, it would appear that Nevada City architecture exhibits the following characteristics:

1. Building heights of under 35-40' or 2 stories to 2 stories plus loft.
2. Steep, peaked roofs, having 6:12 to 12:12 pitches.
3. Overhanging roofs and gable ends on roofs.
4. Covered porches and entries.
5. Multi-pane, vertical, and bay windows.
6. Use of V-Rustic or lap-board siding, either in earth-tone colored stains, or painted white or off-white in the Victorian tradition.

Figure 5, in Section 3 of this EIR, is an elevation of building 2 of the proposed project, showing the intended architectural appearance. The sponsors should be commended for their efforts in developing this architecture, which appears appropriate for Nevada City, incorporating many of the features outlined above. This design is a refreshing change from complexes which are designed with a box-style, "tract home" appearance. The design is also superior to modernistic styles found in many of the recent office and retail developments.

The proposed buildings would have matt finish, colored metal roofs, or Class A fire retardant shingles, and would be sided in shakes or other wood siding. Earthtone colors would be used for the roof and siding. Brick or rock masonry trim may be used around the foundation or lower portion of the buildings. Windows would be double-pane, but would be metal clad wood, with multi-pane design.

The buildings would consist of two equal stories, and third floor lofts having reduced floor areas under the roof pitch, with windows provided in dormers.

### **18.04 PROPOSED AESTHETICS/OPEN SPACE MITIGATIONS:**

Please note that mitigation measures required in other sections of this EIR, particularly in Section 14, which addressed plant life and landscaping, serve to mitigate potential aesthetic impacts.

A. Architectural design of the buildings shall be in compliance with the elevation submitted by the sponsors. Any variation in building design shall require revised architectural approval by the Planning Commission.

B. All on-site utilities shall be installed underground.

C. All refuse dumpsters shall be enclosed in areas fenced by cyclone fencing with redwood slats, or other similar screening material.

## W I L D L I F E

### Section 19

#### 19.01 WILDLIFE SETTING:

Detailed information on the wildlife setting for the subject property is included in the Champion Trails EIR<sup>1</sup>, pages 49, 107, 304. This report incorporated a wildlife study prepared by WESCO in 1979. A listing of wildlife species common to the site is found on page 109 of that document. The common names of the most common species include gray squirrel, deer, jackrabbit, opossum, skunk, fox, coyote, raccoon, woodpecker, quail, dove, turkey vulture, hawk, robin, chickadee, and pigeon.

The conifer and mixed conifer forest provide habitat for the above species, by providing cover and food. This site is in close proximity to existing development. Noise from Zion Street and other surrounding land uses probably somewhat discourages wildlife. Some of the species, like the gray squirrel and some of the birds, are fairly comfortable living in proximity to existing development, and others probably frequent the site during the night, in search of food.

#### 19.02 POTENTIAL WILDLIFE IMPACTS:

Wildlife species tend to naturally maximize their population based on available habitat. For this reason, any elimination of habitat can have the effect of reducing wildlife population. Noise and activity during construction has the effect of harassing and displacing any on-site wildlife. Due to the relatively small size of the site, and the proximity of undeveloped open space to the west, which extends along Deer Creek, the impacts on wildlife habitat would be insignificant.

The Champion Trails EIR<sup>1</sup> determined that there are no rare or endangered wildlife species on the site. There are no wet areas on the site, so no species which are dependent on water or wetlands are expected to be affected. Due to the proximity of the property to Zion Street, there should be no worsening of any effect on wildlife migration. Increased traffic from the project may have the indirect effect of slightly increasing roadway kills of wildlife.

#### 19.03 PROPOSED WILDLIFE MITIGATIONS:

No mitigation measures are proposed for wildlife impacts. Retention of vegetation and trees on-site and incorporation of landscaping, as required by other measures will minimize the elimination of habitat.

## FINANCIAL CONSIDERATIONS

### Section 20

#### 20.01 FINANCIAL SETTING:

This section is intended to discuss finances as they pertain to financing government and public services, and the possible effects of the project on County and City finances. At the present time, the subject property is in the unincorporated area of Nevada County, and is entitled to County services. The property has been under one ownership for a number of years, and has been a part of a large holding. This fact, coupled with Proposition 13, which strictly limits reassessment of the property, except at the time of sale or improvement, have kept current property taxes low.

The property is a portion of Assessor's Parcel 5-190-13, a 3.43 acre parcel owned by Erickson Lumber Company. The property is in tax area code 68-005, and the current assessed value of the entire parcel is \$4,032. Based on this figure, the pro-rata assessed value of the subject site (\$4,032, divided by 3.43 acres times 2.5 acres) is about \$2,939. Property taxes for this parcel under Proposition 13 are \$45.82 for 1983-84 for the total parcel, or \$33.40 for the 2.5 acre parcel. These revenues are currently distributed as follows:

#### CURRENT TAX DISTRIBUTION:

Agency	Amount
COUNTY WIDE: (\$30.47 total)	
Gen. Fund:	\$ 8.73
Solid Waste:	0.26
N.I.D.:	1.47
N.C. Elem. School:	9.03
Co. School Service:	0.26
N. U. High School:	5.54
Sierra College:	2.60
Equalization Aid:	0.00
Reg. Occup. Prog.:	0.26
Nevada Cemetery Dist:	0.24
Gold Flat Fire Dist.:	2.09
NID DISTRICT LOAN:	1.38
Elementary Bond:	0.43
High School Bond:	0.21
H.S. Lease Purchase:	0.90
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TOTAL:	\$ 33.40

There are currently no other revenue generating sources on the site. Since the property is vacant, there are also no direct services being provided. Indirect services now being provided include County road maintenance of the Zion Street frontage, snow removal, and fire protection by Gold Flat Fire Protection District.

The cost of most public services is attributed to residential land uses, or the cost per capita. For this reason it is difficult to evaluate the current and future costs of services with certainty.

**20.02 POTENTIAL FINANCIAL IMPACTS:**

If the proposed project is approved and annexed to Nevada City, the property will be reappraised to current market value at several stages. The first reassessment would occur at the sale of the property to the project sponsor, and would be based on the actual sales price. Subsequent reappraisals would occur at each phase of development, as buildings were completed. From this standpoint, it is to the benefit of the City and County to have the project developed in this fashion. To simplify financial analysis, the "after project" condition is assumed to be a total buildout of the project, at this point in time, with all other considerations made in current dollars. The applicant's have not supplied any cost information, but it is likely that a total build out of the site at this point in time would be worth about \$2,000,000, for land, improvements, and related expenses. The value of the improved property is likely to go up with phasing over future years, due to moderate inflation, but a project value of \$2,000,000 is used in this fiscal analysis.

After annexation, the resulting property taxes would be divided between the City, County and other agencies, based on an agreement between the City and County, which was executed after Proposition 13 (County Resolution 81-235). This agreement provides that taxes which previously went to the County General Fund, will be divided with 40% to the City, and 60% to the General Fund. Additionally, the City would receive the taxes which previously went to any service agency eliminated.

In the case of this annexation, the taxes that went to Gold Flat Fire District and Solid Waste, would be distributed to the City. The City would then become responsible for fire protection, and Gold Flat would lose the revenue and the service responsibility. In subsequent tax years, any incremental increase in taxes would be distributed 40% to the City and 60% to the County.

After annexation and reappraisal, the estimated taxes would be about \$21,920 per year, in current dollars. This amount would be distributed as follows:

**PROJECT TAX DISTRIBUTION:**

<b>Agency</b>	<b>Amount</b>
CITY OF NEVADA CITY:	\$ 3833.14
OTHER AGENCIES	
Co. Gen. Fund:	3436.98
Solid Waste:	(to City)
N.I.D.:	963.62
N.C. Elem. School:	5924.48
Co. School Service:	173.18
N. U. High School:	3635.86
Sierra College:	1703.76
Equalization Aid:	0.20
Reg. Occup. Prog.:	171.58
Nevada Cemetery Dist:	157.20
Gold Flat Fire Dist.:	(to City)

NID District Loan:	908.00
Elementary Bond:	280.00
High School Bond:	140.00
H.S. Lease Purchase:	592.00
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TOTAL:	\$ 21,920.00

Since office and professional uses are primarily service businesses and do not include retail sales, there would not be a noticeable direct sales tax benefit from the project. However, the project would employ people and attract people to the site to conduct business. These people and jobs would generate indirect revenues, in the form of taxable purchases, gasoline taxes, cigarette taxes, and traffic fines. Unlike most industrial projects, office and professional uses do not "import" money to the community by exporting manufactured goods. In most cases, services are provided to local people, so that community money is "recycled."

Revenue increases would be offset by the additional costs of services to the project. These increases would be in the form of direct costs, such as police protection, fire protection, and street maintenance, and indirect costs of services to additional population that may result from the project. The occupancy of the proposed project could be about 120 persons, or slightly less than the 136 parking spaces provided. Figures for revenue from these sources has been estimated using data from the Whispering Pines EIR<sup>12</sup>, which was based on an occupancy of 2000 persons. It is further assumed that revenue from miscellaneous taxes might be split 60% to the City, and 40% to the County (Glenbrook area), due to the location of the project, on the south side of Nevada City.

Businesses in the project would be required to obtain business licenses from the City of Nevada City, at a cost of \$32 to \$40 per year (depending on whether advance payment is made). It is assumed that the project could house about 22 individual businesses, or about one business for every 1500 square feet of floor space.

It is also assumed that money spent for utilities, such as solid waste, water, sewer, and electricity, equals the cost of providing the service, and no benefit or deficit would result.

No road maintenance is expected on Lone Pine Road, since the City does not anticipate accepting the road for maintenance.

Costs to the County would include some backup Sheriff's protection, and general service costs to serve any additional population.

The following table compares annual costs versus revenues for the City of Nevada City:

<b>NEVADA CITY</b>		
<b>CONSIDERATION:</b>	<b>REVENUE</b>	<b>COST</b>
Property Taxes:	\$3,830	
Business Licenses:	792	
Sales Taxes:	500	
Gasoline Taxes:	72	
Cigarette Taxes:	17	

Traffic Fines:	144	
General Administration:		\$1,200
Police Protection:		2,400
Fire Protection:		600
Street Maintenance:		600
-----		
TOTALS:	\$5,355	\$4,800

The following table compares annual costs versus revenues to the County of Nevada:

**COUNTY OF NEVADA**

CONSIDERATION:	REVENUE:	COST:
Property Taxes:	\$3,437	
Sales Taxes:	300	
Gasoline Taxes:	48	
Cigarette Taxes:	11	
Traffic Fines:	96	
Road Maintenance Savings:	500	
General County Services:		\$3,000
Sheriff's Protection:		600
-----		
TOTALS:	\$ 4,392	\$3,600

From the above analysis, it can be determined that the project would approximately break even from the fiscal standpoint of the City, and have a slightly favorable fiscal impact on County finances.

Another potential impact or adverse effect of the project, might occur if the project were constructed, but remained vacant, due to a poor market or leasing prices too high for the market to bear. No market study was conducted as a part of this EIR. The sponsor indicates that preliminary tenants have been located, to fill the first phase of development. It will be the sponsor's responsibility to evaluate the feasibility of building the project, while considering reasonable rents. The fact that the project will be phased will be helpful in avoiding vacancies due to poor market projections.

**20.03 PROPOSED FINANCIAL MITIGATION MEASURES:**

A. The project shall be constructed in phases, as represented by the sponsor. Building permits shall be issued separately for each building.

**S C H O O L S**

**Section 21**

**21.01 SCHOOLS SETTING:**

The project area is served by Nevada Joint Union High School District for grades 9-

12, and by Nevada City Elementary School District for grades K-8. Both districts are over crowded, and are currently collecting mitigation fees for new RESIDENTIAL development. The High School collects \$271 per unit for each building permit issued under SB201, and \$700 per unit for each new subdivided lot under CEQA. The elementary school district collects \$509 for each building permit issued under SB201, and \$1884 per unit for each new lot subdivided under CEQA.

Currently, fees collected under SB201 may only be used for temporary facilities, although efforts are under way to permit these fees to be used for permanent facilities. Fees collected under CEQA may be used for permanent facilities. Neither of the fees can be used for any purpose, except expanding facilities.

#### **21.02 POTENTIAL SCHOOL IMPACTS:**

Although implementation of the project may indirectly result in an slight increase in population within the districts, or even within other districts, schools associate impacts with residential development only, and do not assess fees to non-residential uses. It is assumed that the appropriate mitigation fees would be paid by new residents, either under SB201 or CEQA. Also, the project will result in increased tax revenues to the school districts.

#### **21.03 PROPOSED SCHOOL MITIGATION MEASURES:**

No mitigation measures are proposed for school impacts.

## **E N E R G Y**

### **Section 22**

#### **22.01 ENERGY SETTING:**

The consideration of the efficient use of energy is a mandatory element of EIR's, required by CEQA. Although some electrical energy, especially in this area, is generated by clean, hydro-electric power, most energy generation involves the burning of fossil fuels, which are a non-renewable, limited resource.

Estimates of when fossil fuel supplies will be depleted vary, and are highly dependent on the rate of use, world wide. It is everyone's best interests to conserve energy use to the extent possible. The high cost of energy provides a natural incentive toward conservation.

Electricity and natural gas are available to the site. Natural gas would likely be the choice of the sponsor for heating the buildings, and providing hot water.

#### **22.02 POTENTIAL ENERGY IMPACTS:**

Implementation of the project is likely to require the following approximate amounts of energy per month:

Natural Gas:	3,500 cubic feet(35 therms)
Electricity:	11,000 kilowatt hours

The project would also cause the consumption of energy in gasoline to power automobiles to and from the site, fuel to power construction equipment, and power required for public services. These energy uses are speculative to define and are insignificant.

The project does not have good potential for passive solar heating, because of the tree cover, and trees planned to be saved. Effective solar heating would require direct access to the sun for several hours every day. Solar hot water heating may be cost effective, although the hot water needs of the project will not be significant.

The State of California has enacted laws to assure energy savings. One law requires that thermostats in buildings accessible to the public be set no lower than 80° F. in the summer, cooling months, and no higher than 65° F. in the winter, heating months.

The most recent State law affecting energy consumption (Title 24), requires that all new construction meet rigorous heat loss requirements. This law, which is administered by the Nevada County Building Department (under contract to Nevada City), would likely result in heavy insulation of the buildings and limitation of the windows. Walls would likely be insulated to R-19 and ceilings insulated to R-30. Windows would be double pane. The use of heavy insulation and vapor barriers as required by this law, results in significant energy savings, and corresponding low utility costs.

### **22.03 PROPOSED ENERGY MITIGATION MEASURES:**

No direct measures are proposed for energy conservation. The requirement for the sponsor to obtain a building permit prior to construction, will assure maximum heat loss efficiency in the new buildings.

## **S A F E T Y / H A Z A R D O U S M A T E R I A L S**

### **Section 23**

#### **23.01 SAFETY/HAZARDOUS MATERIALS SETTING:**

There are apparently no significant safety hazards existing on the site. The property is privately owned, and not available for public access. Although a mine shaft historically existed on the site (see Section 4), the location of the shaft and safety condition is unknown. Depending on the vitality and root condition of trees on the site, a safety hazard may exist during windy or snow loaded conditions, in the form of falling trees or limbs.

#### **23.02 POTENTIAL SAFETY IMPACTS:**

There will be no significant use, storage, or disposal of hazardous materials within the proposed project. Completed offices may use common chemicals associated with copying, blueprinting, and other technical machines. Maintenance of landscaping may involve on-site storage of gasoline for power tools, along with possible gardening chemicals.

Potential safety hazards include the possibility of trees or limbs falling during time of high wind or snow loading, structural failure of the buildings under snow loading or

during an earthquake, and the possibility of a mineshaft caving in.

Increased traffic from the project would slightly increase the likelihood of accidents, at or near the site, and on adjoining roadways. If any redesign of the project resulted in a direct, separate access from Zion Street, the additional encroachment between Ridge Road and Lone Pine Roads would cause confusion during turning movements and add to traffic accident potential.

Implementation of the project might increase the possibility of wildfire, by populating a currently vacant site. This hazard is off-set by the fact that inhabitation of the site would involve clearing of some of the combustible materials, and increase the likelihood of someone seeing and reporting a wildfire more rapidly. Also helpful, is the fact that the project is directly adjacent to the California Division of Forestry site, where wildfire fighting equipment and personnel are housed during the fire season.

### **23.03 PROPOSED SAFETY/HAZARDOUS MATERIALS MITIGATIONS:**

- A. No occupant of the project shall store, use, or dispose of hazardous materials, except upon approval of a use permit by the Planning Commission.
- B. No direct access shall be permitted to the project from Zion Street.

## **N A T U R A L   R E S O U R C E S**

### **Section 24**

#### **24.01 NATURAL RESOURCE SETTING:**

Currently, the site exhibits the potential to produce merchantable timber, as evidenced by heavy conifer growth. The fact that the property was originally transferred from government ownership as a patented mining claim indicates that the site has the potential to produce gold, and possibly other minerals. The site is currently a part of a large, 147.5 acre parcel, which would have similar potential. Both timber and gold have historically been sustaining industries for Nevada City and the surrounding areas.

#### **24.02 POTENTIAL NATURAL RESOURCE IMPACTS:**

Once the property is separated from the large parcel, and becomes a 2.5 acre parcel, it will lose most of its potential to produce merchantable timber. The California Division of Forestry generally indicates that properties under 3 acres in size are not practical for timber sale and management. Implementation of the project would eliminate the parcel from timber production.

Mining once flourished in this area, but most old mines have been inactive for 30 years or more. Since the deregulation of the price of gold, it has become more practical for some mines to reopen. Mining activity requires proper zoning and a use permit under the County's jurisdiction, and is not clearly addressed by the City's ordinances.

Most proposed mining operations, especially in populated areas, face heavy neighbor

opposition, due to noise, truck traffic, dust, and other impacts associated with mining. Under current public opinion, it may be improbable to expect that any jurisdiction would issue the necessary permits to allow mining activity, on this site.

Due to the size of the proposed parcel and the proximity of the parcel to the City of Nevada City, the impacts of the proposal on natural resources are insignificant.

#### **24.03 PROPOSED NATURAL RESOURCE MITIGATIONS:**

No mitigation measures are proposed to offset impacts on natural resources.

## **R E C R E A T I O N**

### **Section 25**

#### **25.01 RECREATION SETTING:**

The subject property is not currently available for recreational use by the public, since it is privately owned. Occasionally, private property is used, illegally, by members of the public, for recreation such as walking, jogging, hunting, and camping.

The site is served by public and private recreational facilities in western Nevada County, including area parks, raquet clubs, golf courses and country clubs, camp grounds, and so on.

Existing parks are funded from the general funds of the County and cities. All jurisdictions collect park and recreation fees at the time of residential subdivision, under the provisions of the State Quimby Act. Consideration is now being given to an effort to form a recreation district, where additional funding would be obtained from increase property taxes. The formation of the district and subsequent tax increase would have to be approved by a two-thirds majority of the voters, under Proposition 13.

#### **25.02 POTENTIAL RECREATION IMPACTS:**

The project would not have any direct effect on impacting recreational facilities and would not eliminate an existing recreational area. Implementation of the project may encourage a minor increase in population, by providing additional office opportunities.

The project would not generate any revenue which could be directly applied to parks and recreation. To date, Nevada City has not undertaken any major effort to require hiking, biking, or equestrian trail networks. The County of Nevada has installed bicycle paths in several scattered locations, including portions of Mount Olive Road, Lower Colfax Road, and McCourtney Road.

#### **25.03 PROPOSED RECREATION MITIGATION MEASURES:**

No specific mitigation measures are proposed for recreation considerations. Sidewalk improvements along Zion Street may be required, if deemed necessary by the City Engineer. A pedestrian sidewalk or pathway will be constructed along Lone Pine Road. Please see Section 8 for these mitigation measures.

**S O L I D    W A S T E****Section 26****26.01 SOLID WASTE SETTING:**

Solid waste for western Nevada County, including Nevada City, is collected and disposed of at the McCourtney Road Sanitary Landfill, which is operated by the County.

The available life of the McCourtney site is estimated to be approximately 10 more years, after which a new site will be needed. The land fill is operated by the Nevada County Public Works Department.

Funding for solid waste collection and disposal comes from property taxes and users fees. Once land is annexed, the solid waste tax is distributed to the City, which in turn, pays for a proportionate share of the cost of operating the landfill. No funding mechanisms have been set up at this time, for new site acquisition.

**26.02 POTENTIAL SOLID WASTE IMPACTS:**

Collection service is provided in Nevada City, and to the project area after annexation, by Nevada City Garbage Service. Dumpsters would be provided on the project for the use of the occupants. Collection fees would be paid by the occupants to the collection service, who would in turn, pay user or dumping fees at the McCourtney site.

During construction of the project, some of the debris may also be transported to the landfill.

The project would likely generate about 1.0 to 1.7 of solid waste, per occupant, per day. Based on a likely occupancy of 120-136 persons, the project would generate between 120 and 231 pounds of solid waste per day. Assuming that a cubic yard of solid waste consists of about 4000 pounds, the project could generate between 11 and 21 cubic yards of solid waste per year.

**26.03 PROPOSED SOLID WASTE MITIGATION MEASURES:**

A. Prior to construction, the sponsor shall provide a letter from Nevada City Garbage Service, or the current hauler, indicating that the size and location of proposed dumpster points is sufficient to serve the project.

## A L T E R N A T I V E S   T O   T H E   P R O J E C T

## Section 27

**27.01 INTRODUCTION TO THE ALTERNATIVES:**

The California Environmental Quality Act (CEQA) requires that every EIR consider a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project sponsor.

**27.02 NO PROJECT:**

In the case of this proposal, the no project alternative could result in several alternative land uses, depending on whether the land remained in the County or was annexed to the City. Obviously, the no project alternative would not meet the objectives of the sponsor, unless an alternate, similar site were found for the project.

**No Project under County Jurisdiction:** If the property were not annexed to Nevada City, use of the site would be governed by the Nevada County General Plan and zoning. The General Plan designates the property as rs-residential, requiring a minimum of 1.5 acres per residential dwelling unit. The County General Plan also requires either public water or public sewer for any new parcel under three acres in size. Under this alternative, the property could be used for one single family dwelling, served by Nevada Irrigation District treated domestic water. Public sewer would not be available to the site without annexation.

Obviously, the impacts of one single family dwelling would be considerably less than those of the proposed project. Considering the surrounding land uses and the proximity of the site to Zion Street traffic and noise, however, the use of the site for an estate size residence may be undesirable. This alternative would lead to a large residential parcel surrounded on three sides by more intensive uses. Pressure would continue on the Planning jurisdictions to utilize the site for a higher use.

**No Project under City Jurisdiction:** If the property were annexed, but not rezoned to Professional Office or other use, Nevada City's zoning ordinance provides that the zoning be R-1 single family residential. City lots could be developed, served by public water and sewer collection. Based on the City's lot standards, and the size of the parcel, the property could result in about 6 to 8 lots of 10,000 square feet or more. The number of lots may be limited by the findings of a soils report, which may allow parking, but not structures, over the old Perserverance Mine shaft. This alternative would have fewer traffic impacts than the proposed project. Many impacts, such as plant life, wildlife, light and glare, public services, financial considerations, schools, utilities and energy may be greater. When the development of individual lots is left to individuals, the City loses some control over grading, drainage, tree removal, and so on. The R-1 zone, however, would initiate the permit requirement for removal of more than 20% of the trees that are 8" and larger.

Due to the potential for surrounding land uses to consist of offices and possible commercial, coupled with the noise potential from Zion Street and Lone Pine Road, this residential use of the site may be undesirable. The local swales through the property would be difficult for individual home owners to deal with. Please review

Section 15, for additional discussions of land use considerations.

### **27.03 ENVIRONMENTALLY SUPERIOR ALTERNATIVE:**

Several considerations discussed in this EIR lead to the desirability of the proposed project with a reduction in size. Among those considerations are the need for slightly larger parking aisles along with the requirement to maintain at least 15% interior parking landscaping. Other factors are the desire to save as many trees as possible, and the marginal ability of available fire flow to be sufficient for the project.

The concept of three separate buildings is desirable, in order to allow phasing of the project, to reduce fire flow requirements while allowing wood frame construction. The site plan concept is well designed, and no major changes are recommended.

The environmentally superior alternative would appear to be the proposed project, with a reduction in floor area to deal with the above constraints. The exact amount of the reduction would have to be determined by further study and site plan layout considering these factors, as well as coordination with the Fire Department.

### **27.04 ALTERNATE PROJECT LOCATION:**

It can probably be assumed that the project sponsor searched for other available vacant land in Nevada City for the project, prior to electing to proceed with the somewhat complex process of annexation and related approvals. Few if any vacant parcels appear to be available in Nevada City which are zoned specifically for professional office use.

## **C U M U L A T I V E     I M P A C T S**

### **Section 28**

#### **28.01 INTRODUCTION TO CUMULATIVE IMPACTS:**

Cumulative impacts and effects are those, which are small or insignificant for the project under consideration, but can become significant for the area as a whole, over time, as many projects are implemented. The proposed project was not found to compound any cumulative effect to the level of significance, with the proposed mitigation measures as conditions of approval.

With the exception of traffic considerations, the body of this EIR discusses only direct project impacts. The suggested mitigation measures, however, would have the effect of reducing cumulative impacts as well, especially if similar conditions are applied to all new projects, whether an EIR is required or not.

Many times, the mitigation of cumulative impacts is beyond the scope of what an individual project can mitigate, and the lead agency must take responsibility for controlling cumulative impacts. Lead agency control is generally through the use of the General Plan, zoning, performance standards for projects, policies, standard mitigations, and development fees to fund regional or neighborhood improvements. The Working Draft of the General Plan<sup>10</sup> contains policies which will be helpful in mitigation cumulative impacts.

**28.02 OVERVIEW OF CUMULATIVE IMPACTS:**

**Traffic** impacts are considered in the body of this EIR, as they relate to intersections in the project area. However, the City of Nevada City should also consider traffic impacts in neighboring jurisdictions, including Glenbrook and the City of Grass Valley. As growth continues, traffic will continue to be a major complaint of residents, as levels of service decline.

**Soil Erosion** can be significant on a City wide basis, unless measures are incorporated in all construction projects requiring erosion protection. Construction on steep slopes should also be avoided in consideration of slide potential, earthquake hazards, and the need for large cut and fill slopes.

**Public services and utilities** have limitations which can be reached through continued growth. Personnel must soon be added to the Police Department and Public Works staffs. Sewer treatment is one area that will continue to require expansion if City growth is to continue.

**Drainage** considerations are usually minor on a project by project basis, but can result in significant cumulative effects downstream, as more and more impervious surfaces are constructed.

**Plant Life** is an obvious asset to Nevada City. Continued growth and project implementation could result in significant loss of trees and vegetation, if individual projects are not reviewed and conditioned carefully.

**Historical considerations** abound in Nevada City, because of its mining background. Care should be taken to avoid obliteration of historical or archeological resources, and to maintain the flavor of the gold rush.

**Housing** opportunities seem to become more and more limited, through inflation of prices and high interest rates. The Nevada City and surrounding areas have generally lower per capita incomes than many urban areas, which complicates the problem further.

**Energy** is an issue which is important on a world wide basis. Fossil fuels are a non-renewable, limited resource. Solar potential is usually good in the foothill areas.

**Wildlife** is an important asset that must continually be considered on an area wide basis. Continual growth reduces wildlife habitat, with corresponding reductions in the numbers of wildlife.

**Aesthetics** is perhaps the most important general asset of the City and surrounding areas. Continual growth poses a threat to aesthetics, if not carefully considered on every individual project.

**Schools** are faced with a rapidly expanding enrollment, requiring additional class rooms, related facilities, personnel and land for expansion. Residential projects have a direct impact on all school services.

**Recreation** facilities will need continued expansion, not only with the growth of Nevada City, but with the growth of the County as a whole.

**Fiscal Considerations** are extremely important for the City of Nevada City. After Proposition 13, funding local government and services is difficult. The implementation of projects that do not pay their own way, will worsen this situation.

### **28.03 EXISTING CUMULATIVE IMPACT MITIGATIONS:**

Several of the cumulative impacts mentioned above are currently being mitigated by routine requirements, or by policies existing now or being developed. The following is a summary of those mitigations:

- \* The City is developing a new General Plan, which will consider land use on a City wide basis, in consideration of land capabilities and constraints. The General Plan will contain a housing element, outlining steps to encourage affordable housing.
- \* The City currently requires the developers of residential projects to work out mitigation with the elementary and high school districts. This mitigation usually consists of the payment of mitigation fees. Mitigation fees are also assessed to individual building permits.
- \* The City requires open space in the amount of 25% of the land area for light industrial projects.
- \* The City currently collects park and recreation fees from new residential projects.
- \* Energy requirements for new building permits are in place by virtue of state law, and are likely sufficient to require or encourage energy conservation.
- \* The City currently requires street side and interior landscaping in new project parking areas.
- \* The City requires grading, utility, and drainage plans for most new projects.
- \* The City currently considers wildlife and historical impacts on a case by case basis, and issues conditions of approval that seem appropriate.
- \* The City applies hookup fees for sewer and water services to a special reserve fund for future expansion or for major, unexpected repairs. The monthly user fees are calculated to cover the daily operation and maintenance of these facilities.

### **28.04 PROPOSED CUMULATIVE IMPACT MITIGATIONS:**

In addition to the above measures, the City may wish to consider the following actions, to address cumulative impacts:

- A. Amend the zoning ordinance to require open space in all new projects, with the possible exception of single family projects. This policy could extend the open space requirement by requiring a fixed per centage of open space, or could be based on site dependent, variable conditions, as is the current County ordinance.
- B. Amend the zoning ordinance to specify the required number and types of plants in landscaped areas, as does the County ordinance, to improve the overall quality of landscaping.

- C. Consider a zoning amendment or application review policy that would prohibit or discourage the development of steep slopes of over 30%, regardless of zoning.
- D. Require will-serve letters from all utility providers, prior to the approval, or as a condition of approval, for all projects.
- E. Amend the zoning ordinance to require approval and implementation of temporary and permanent soil erosion control plans for all new projects.
- F. Require a brief fiscal analysis of all proposed annexations, both to the City and County, to avoid projects which could undermine the fragile fiscal condition of the City.
- G. Develop an ordinance requiring development fees for new annexations, similar to the recent ordinance in Grass Valley, to assist funding of future utility and infrastructure requirements.
- H. Adopt an ordinance joining the County road mitigation fee schedule, as outlined in the Nevada County Regional Transportation Plan. This would require collection of road mitigation fees from new projects, and would entitle the City to a portion of the fees collected by the County, all to be used for regional roadway improvements.
- I. Develop architectural guidelines, to assist developers, and to be used as a basis for design review of all new projects.
- J. Identify scenic roadway corridors, and develop special landscaping and buffer yard requirements for new projects along these corridors.
- K. Add additional personnel to the Police Department and Public Works staffs to maintain the current level of service, as growth occurs in the City.
- L. Plan a future fire station into the new General Plan, and adopt an ordinance to require monetary contributions for completing and equipping the fire station, from new development.

## G R O W T H   I N D U C I N G   I M P A C T S

### Section 29

#### **29.01 GROWTH INDUCING IMPACTS:**

All new projects, large and small, have some potential for growth inducement. Naturally, the larger a proposed project, the more likely that it will be growth inducing. For instance, a large residential subdivision may create a need for additional commercial uses or public services.

Any project that expands utilities or creates additional development capability, clears the way for more growth to use the excess capacity created.

On the positive side, this project proposal is relatively small and is not the type of land use which would directly require expansion of other land uses to accommodate it. The project is in-fill, along Zion Street, where most services and infrastructure

are available. No major infrastructure improvements are intended, beyond the widening of Zion Street.

On the negative side, the project could create a small additional demand for housing and cause an insignificant increase in the City population. Any land use approval is somewhat precedent setting, showing that the lead agency will act favorably under certain circumstances. This could encourage additional annexation requests, and serve to somewhat establish guidelines for annexations.

Once the project is implemented, other proposals may use it as an adjacent land use to support additional growth. The primary areas affected by this application would be the additional Erickson Lumber Company lands to the north, west and east. The City and the law do provide for individual, discretionary review of all applications, which off-sets this condition. Also, it is seldom that any two applications demonstrate identical circumstances.

The project was not found to have any direct, growth inducing impact, which would require project or City mitigation.

## S H O R T   T E R M   V E R S U S   L O N G T E R M   I M P A C T S

### Section 30

#### 30.01 SHORT TERM VS. LONG TERM IMPACTS:

The short term and obvious immediate impacts of the proposed project have been discussed in depth in the previous sections. This section is intended to discuss the long term effects of implementing the proposed project.

Although the property is limited in size at 2.5 acres, it demonstrates the ability to produce timber for commercial purposes, especially since the land is currently a part of a larger parcel of about 147 acres. Implementation of the project would eliminate the 2.5 acres from timber production. Due to the size of the property, the proximity to other, existing land uses, and the desirability of retaining mature trees on the site, this long range impact is not viewed as being significant.

The property historically was the site of the Perserverance Mine, which used a shaft for gold ore extraction. The value of the mine, in terms of its potential to again operate as a feasible mining operation, has not been researched. Recent applications for mining in developed areas have typically met with stiff opposition from neighbors, due to the noise, dust, and traffic associated with mining operations. Operation of a stamp mill, for instance, would likely produce significant impacts on ambient noise levels. Implementation of the proposed project would eliminate the possibility of any mining on the site.

Implementation of the project would make a long term commitment for the professional office land use. Potentially, the structures could be converted to some form of retail use in the future, although a rezoning and new environmental review would be required. The average life of the structures would be 40-50 years, although, with proper maintenance, the structures could last much longer.

**I R R E V E R S I B L E      E N V I R O N M E N T A L  
C H A N G E S****Section 31****31.01 IRREVERSIBLE ENVIRONMENTAL CHANGES:**

Implementation of the project makes a long term commitment to the land use and its associated effects. Once committed to, the changes in the environment are irreversible.

The project would result in the loss of trees and vegetation, which currently comprise water shed and wildlife habitat. About 54% of the site would be covered with impervious roof and paving surfaces, which would increase drainage runoff and alter absorption rates.

The project would generate traffic to area roadways, compounding present and future traffic flows.

The project would have a minor effect on the micro climate, causing heating over impervious areas and rising warm air. Trees would be removed which currently form wind breaks. Air quality would be affected slightly by the generation of additional traffic, and the use of fossil fuels for heating.

The appearance of the site would remain, over time, regardless of future architectural or design control standards.

The project implementation would represent a commitment on the part of utility suppliers, public services, local government, and other agencies, to accept and serve the facility.

The project area would be eliminated from other land uses, including multi-family residential, which might provide housing for Nevada City.

Once implemented, the project would eliminate any existing potential that the land has to yield merchantable timber, gold, or other mineral resources.

The project would result in a minor increase in ambient noise levels on, and adjacent to the site.

## A P P E N D I X

1. Lead Agency Initial Study.
2. CEQA Appendix G: Significant Effects.

**ENVIRONMENTAL CHECKLIST FORM**  
(To be completed by Lead Agency)

**I. BACKGROUND.**

1. Name of Proponent Rees Enterprises
2. Address and Phone Number of Proponent: 305 Railroad Ave  
C/O John O'Dell & Associates
3. Date of Checklist Submitted 10/11/83
4. Agency Requiring Checklist ARC
5. Name of Proposal, if applicable Providence Park - Application  
for Prezone & Annexation - Site Plan Appr., GP Amend.

**II. ENVIRONMENTAL IMPACTS**

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

1. **Earth.** Will the proposal result in: YES    MAYBE    NO

- a. Unstable earth conditions or in changes in geologic structures? XX
- b. Disruptions, displacements, compaction or overcovering of the soil? XX
- c. Change in topography or ground surface relief features? XX
- d. The destruction, covering or modification of any unique geologic or physical features? XX
- e. Any increase in wind or water erosion of soils, either on or off the site? XX
- f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? XX
- g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? XX

2. **Air.** Will the proposal result in: XX

- a. Substantial air emissions or deterioration of ambient air quality? XX
- b. The creation of objectionable odors? XX
- c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? XX

3. **Water.** Will the proposal result in: XX

- a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters? XX
- b. Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff? XX
- c. Alterations to the course or flow of flood waters? XX
- d. Change in the amount of surface water in any water body? XX

YES    MAYBE    NO

- e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? XX
  - f. Alteration of the direction or rate of flow of ground waters? XX
  - g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? XX
  - h. Substantial reduction in the amount of water otherwise available for public water supplies? XX
  - i. Exposure of people or property to water related hazards such as flooding or tidal waves? XX
4. **Plant Life.** Will the proposal result in:
- a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)? XX
  - b. Reduction of the numbers of any unique, rare or endangered species of plants? XX
  - c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? XX
  - d. Reduction in acreage of any agricultural crop? XX
5. **Animal Life.** Will the proposal result in:
- a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)? XX
  - b. Reduction of the numbers of any unique, rare or endangered species of animals? XX
  - c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? XX
  - d. Deterioration to existing fish or wildlife habitat? XX
6. **Noise.** Will the proposal result in:
- a. Increases in existing noise levels? XX
  - b. Exposure of people to severe noise levels? XX
7. **Light and Glare.** Will the proposal produce new light or glare? XX
8. **Land Use.** Will the proposal result in a substantial alteration of the present or planned land use of an area? XX
9. **Natural Resources.** Will the proposal result in:
- a. Increase in the rate of use of any natural resources? XX
  - b. Substantial depletion of any nonrenewable natural resource? XX
10. **Risk of Upset.** Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? XX

(To be completed by Lead Agency)

	YES	MAYBE	NO
11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	—	—	XX
12. Housing. Will the proposal affect existing housing, or create a demand for additional housing?	—	XX	—
13. Transportation/Circulation. Will the proposal result in:	XX	—	—
a. Generation of substantial additional vehicular movement?	XX	—	—
b. Effects on existing parking facilities, or demand for new parking?	—	XX	—
c. Substantial impact upon existing transportation systems?	XX	—	—
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	XX
e. Alterations to waterborne, rail or air traffic?	—	—	XX
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	XX	—	—
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:	XX	—	—
a. Fire protection?	XX	—	—
b. Police protection?	—	—	XX
c. Schools?	—	XX	—
d. Parks or other recreational facilities?	—	—	XX
e. Maintenance of public facilities, including roads?	—	—	XX
f. Other governmental services?	—	—	XX
15. Energy. Will the proposal result in:	—	—	XX
a. Use of substantial amounts of fuel or energy?	—	—	XX
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	XX
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:	—	—	XX
a. Power or natural gas?	—	—	XX
b. Communications systems?	—	XX	—
c. Water?	XX	—	—
d. Sewer or septic tanks?	XX	—	—
e. Storm water drainage?	XX	—	—
f. Solid waste and disposal?	XX	—	—
17. Human Health. Will the proposal result in:	—	—	XX
a. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	XX
b. Exposure of people to potential health hazards?	—	—	XX
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	—	—	XX

	YES	MAYBE	NO
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	—	—	XX
20. Archaeological/Historical. Will the proposal result in an alteration of a significant archaeological or historical site, structure, object or building?	—	XX	—

21. Mandatory Findings of Significance.

(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	—	—	XX
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	—	—	XX
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)	—	—	XX
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	XX

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

See Attached Sheet for Mitigation Measures

IV. DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NECA/TIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NECA/TIVE DECLARATION WILL BE PREPARED.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date October 11, 1983

*W. A. ...*  
(Signature)

Environmental Checklist Form

October 11, 1983

Project: Providence Park

Proponent: Rees Enterprises, c/o John O'Dell

1. (a)(b)(c)(e) - Require extensive soil/geological report
3. (b) - Erosion Control Plan and drainage study required
4. (a) - Site plan requested by certified landscape architect with reference to existing trees on site.
7. (a) - Light design requested that minimizes light and glare (for parking area)
6. (a)(b) - Noise levels during construction and accumulation of noise at complete buildout requested
8. Presently zoned RA/PPD - Change to Commercial (Office & Professional)
12. Address increase in housing demand.
13. (a)(b)(c)(d) - Full traffic report by certified traffic engineer.
14. (a)(b) - Fire and Police Department reports requested
16. (c)(d) - Report of affected agencies re: water & sewer
20. Letter from Historical Society regarding Providence ("Live Yankee") Mine site.



CONTINUATION SHEET  
**FOR FILING ADMINISTRATIVE REGULATIONS  
 WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11320.1)

APPENDIX G

SIGNIFICANT EFFECTS

A project will normally have a significant effect on the environment if it will:

(a) Conflict with adopted environmental plans and goals of the community where it is located;

(b) Have a substantial, demonstrable negative aesthetic effect;

(c) Substantially affect a rare or endangered species of animal or plant or the habitat of the species;

(d) Interfere substantially with the movement of any resident or migratory fish or wildlife species;

(e) Breach published national, state, or local standards relating to solid waste or litter control;

(f) Substantially degrade water quality;

(g) Contaminate a public water supply;

(h) Substantially degrade or deplete ground water resources;

(i) Interfere substantially with ground water recharge;

(j) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study.

Note: Authority: Section 21083, Public Resources Code;  
 Reference: Sections 21068 and 21001, Public Resources Code.

(k) Induce substantial growth or concentration of population;

(l) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system;

(m) Displace a large number of people;

(n) Encourage activities which result in the use of large amounts of fuel, water, or energy.

(o) Use fuel, water, or energy in a wasteful manner.

(p) Increase substantially the ambient noise levels for adjoining areas;

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET  
**FOR FILING ADMINISTRATIVE REGULATIONS  
 WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11300.1)

- (g) Cause substantial flooding, erosion or siltation;
- (r) Expose people or structures to major geologic hazards;
- (s) Extend a sewer trunk line with capacity to serve new development;
- (t) Substantially diminish habitat for fish, wildlife or plants;
- (u) Disrupt or divide the physical arrangement of an established community;
- (v) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected;

NOTE: Authority cited: Section 21083, Public Resources Code;  
 Reference: Sections 21068 and 21001, Public Resources Code.

- (w) Conflict with established recreational, education, religious or scientific uses of the area.;
- (X) Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.
- (y) Convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land.

NOTE: Authority cited: Section 21083, Public Resources Code;  
 Reference: Section 21068, Public Resources Code.

- (z) Interfere with emergency response plans or emergency evacuation plans.

NOTE: Authority cited: Section 21083, Public Resources Code;  
 Reference: Sections 21083 and 21068, Public Resources Code.

DO NOT WRITE IN THIS SPACE

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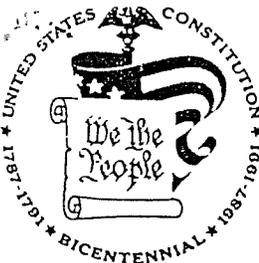
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*file*



# CITY OF NEVADA CITY

## CALIFORNIA

AMENDED LETTER REFLECTING  
CORRECTION IN CITY PLANNER CONDITION #20  
OCTOBER 29, 1993

Nevada City  
A Bicentennial  
Community

October 26, 1993

Mr. Richard Malott  
Providence Park Ltd  
P. O. Box 250  
Nevada City, CA 95959

RE: **Application** for a commercial site plan known as Providence Plaza, located on Providence Mine Road. The site plan proposes 43,750 square feet of office and professional space on 3.84 acres. The project includes: (1) construction of five buildings in phases and 179 parking spaces, (2) tree removal request for 135 trees or 49 percent of the site, (3) a tentative parcel map application accompanies the application which proposes to subdivide the project area into three parcels and (4) architectural review is a part of this project. The property is Assessor's Parcel No. 05-220-06.

Dear Mr. Malott:

At their regular meeting of October 25, 1993, the City Council heard the appeal of Neilson Locke and John Parent regarding the Planning Commission's approval of your above referenced project. By copy of this letter we are also informing the appellant of the City Council's action.

After reviewing the file documentation and receiving input from the appellant, applicant, public and staff, the City Council voted to deny the appeal and uphold the Planning Commission's approval with the addition of five conditions which are designated on the enclosure with asterisks.

In taking this action, the City Council reaffirmed the findings of the Planning Commission with respect to the project approval, as outlined in the Planning Commission's approval letter dated September 23, 1993, including all attachments. Please note that one of the conditions will require your filing an abandonment application for a ten-foot strip along the front of the project site plan.

Please contact me with any questions regarding the Council's action.

Sincerely,

Andrew R. Cassano  
City Planner

cc: Ken Baker  
Neil Locke

PROVIDENCE PLAZA  
CONDITIONS OF APPROVAL

A. CITY PLANNER

1. Project development must comply with all zoning standards including landscaping, unless otherwise noted by the conditions of approval. (Zoning Ord.).
2. Development of the site must be in strict compliance with approved plans. The approval will expire in two years, unless extended by the Planning Commission in one year increments, up to a total of five years. In order to obtain an extension, the applicant must apply in writing prior to the expiration date of the approval. Project vesting will occur with the completion of the subfloor for the first building phase. Subfloor completion of the final phase shall occur no more than 10 years from the date of project approval. (Municipal Code).  
  
Project clearing, grubbing, tree removal and grading shall be completed in two steps, with the details to be approved by the City Engineer.
3. The applicant is advised that the City of Nevada City has an ordinance governing noise generation. This ordinance must be adhered to as a conditions of project occupancy and operation. A copy of the ordinance may be obtained from City Hall for the cost of reproduction. (Current Noise Ordinance).
4. All sheet metal surfaces, including heating and air conditioning components, shall be painted with a matt finish, or enclosed in wood framing. (Municipal Code).
3. Project lighting shall be designed and constructed to minimize light glare or spill to neighboring properties and public streets, by shading the filament from the surroundings. (Municipal Code).
6. Prior to the issuance of a building permit, a final landscaping plan (prepared by a licensed landscape architect or licensed landscape contractor) shall be approved by the Planning Commission. Prior to the issuance of a Certificate of Occupancy, all landscaping must be installed along with an automatic irrigation system, as evidenced by a written certification from a licensed landscape

architect or landscape contractor. (Municipal Code).

7. The landscaping plan outlined above shall include a bufferyard between the project site and the surrounding residential area. (Municipal Code).
8. Prior to the filing of the final or parcel map, or the issuance of a Certificate of Occupancy, if the timber removed will be sold, the applicant shall process a Timberland Conversion Permit through the Calif. Dept. of Forestry, if required under their current regulations (CDF).
9. Prior to occupancy, provide off-street, paved parking in accordance with the approved site plan for 179 spaces. Each project phase shall include parking landscaping, and other improvements as required by the Zoning Ordinance. (Municipal Code)
10. The applicant is advised that the area schools, Nevada Joint Union High School District and Nevada City School District, require mitigation of project impacts. Our current understanding is that this will entail paying mitigation fees to the District(s) prior to the issuance of a building permit on any resulting parcel, under their prevailing fee schedules. (It is currently estimated that these fees are approximately \$2.65 per square foot for residential buildings and \$0.27 per square foot for commercial/industrial buildings). (State law).
11. All refuse areas shall be screened from public view through the use of an approved enclosure, consisting of a masonry structure with solid wood gates, or other screening approved by the Planning Commission. The design of the enclosure shall be approved by the Planning Commission as a part of the final landscaping plan. Final screening shall be approved by the City prior to occupancy. (Municipal Code and 16).
12. Prior to the issuance of a building permit, the applicant shall coordinate with Nevada City Garbage Service, to make sure that proposed refuse areas are adequate for pickup service. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide a memo from Nevada City Garbage Service, indicating that the refuse areas have been installed to their satisfaction. (Municipal Code and 16).
13. The parcel map shall establish reciprocal easements for parking, utilities and access.
14. Prior to filing of the parcel map, provide a signed maintenance agreement for common improvements and maintenance, and snow removal.

15. The project must meet the requirement of the State mandated recycling areas in effect at the time the building permit is issued.

16. No general or construction vehicular access shall be permitted from Lindley Avenue.

17. The final site plan and landscaping plans shall relocate three parking spaces near the Dalpez property. Attention shall be given to screening this area and the area where project parking is adjacent to school ground improvements.

\*18. The project sign shall be constructed using real native stone rather than architectural stone veneer.

\*19. The open space areas designated on the project site plan shall be kept natural without limbing and grooming of the forested areas except that the following improvements may be installed in accordance with subsequent approvals by the Planning Commission and City Engineer:

- a. Additional landscape planting.
- b. Drainage and utility installations.
- c. Pedestrian pathways.

20. The site plan shall be shifted south 10' following successful abandonment of City right-of-way (see City Engineer No. 18). The final site design shall provide a 15' buffer between the parking lot and school property.

## B. CITY ENGINEER

1. Prior to site disturbance or the issuance of a building permit, an engineered improvement plan for grading, drainage, utilities, and tree protection must be approved by the City. (Municipal Code, Subd. Ordinance and UBC).
2. Fees for plan check and inspection of required project improvements will be required at the time of submitting improvement plans. Plan check fees are estimated at 1.5% and inspection is estimated at 4.5% percent of the estimated project site improvement cost, calculated using prevailing unit prices. (Current Fee Schedule Resolution).

Inspection fees are only collected on improvements that will be or may be accepted by the City upon completion. For private improvements, the developer must submit a certification from a registered civil engineer that the improvements have been installed in accordance with the approved plans, prior to occupancy. (City Policy).

3. Prior to map recording, all required improvements must be installed meeting the City's standards. In the event that the work is delayed through a secured improvement agreement with the City, the final work must be approved by the City prior to the release of the security. (Municipal Code and Subd. Ord.).
4. The site is to remain stabilized at all times during construction and completion, through the application of temporary and permanent erosion control techniques. (Municipal Code and UBC).
5. Grading or site disturbance may only occur during the dry season of the year. Any grading to occur outside of the period between May 1st and October 15th, must first be approved by the City, with emphasis toward erosion control readiness. (Municipal Code and UBC).
6. Prior to the issuance of a building permit or any site disturbance, a soils report shall be prepared by a registered soils engineer and approved by the City Engineer. The applicant is advised that limitations or construction techniques identified in the soils report will further become conditions of constructing and occupying the project. (Municipal Code, Subd. Ord. and UBC).
7. Dust from construction shall be controlled at all times, through the regular application of water to exposed areas. City streets shall be kept free of mud and debris at all times. (Northern Sierra Air Quality Management District, Streets and Highways code, UBC).
8. Prior to any grading, site disturbance, or the issuance of a building or grading permit, natural areas and trees to be saved shall be temporarily fenced for their protection during construction, to the satisfaction of the City Engineer. Fencing shall consist of 6' steel fence posts and a minimum of 4 strands of single wire or more. Such fencing shall remain in place until completion of the site rough and final grading. Fencing shall be at the drip line except where the approved site plan shows construction within the drip line. (Mitigation Measure).
9. Construction hours shall be limited to weekdays, 7:00 AM to 6:00 PM, and Saturdays 8:00 AM to 1:00 PM. (Current Noise Ordinance and City Policy).
10. The project is in the NID service area for domestic water. Please contact Nevada Irrigation District for information on connection, fire flow, check valves, and related requirements.
11. Prior to occupancy or map recording, dedicate, or offer to dedicate, right-of-way for City street and general utility purposes over the following areas:

Any required utility easements. Municipal Code, Subd. Ordinance).

12. Prior to occupancy or map recording, provide frontage improvements consisting of street widening and other related improvements as required by the City Engineer, to the following standard:

- Minimum 24' of paving on Providence Mine Road.
- Pedestrian pathway along project frontage.

Improvement plans will be required for this work, as required above. (Municipal Code and Subd. Ordinance).

13. Prior to occupancy, all requirements for utility providers shall be met. Telephone, electrical power, natural gas, and water in the NID service areas should be coordinated directly with the utility provider. (Provider regulations and PUC requirements).
14. Prior to occupancy or map recording, all easements required by utility providers shall be provided. In the case of land divisions, these dedications may be shown on the parcel or final map. (Municipal Code and Subd. Ordinance).
15. The following on or off-site improvements must be made to the City sewer collection system, prior to occupancy or map recording:
  - Extensions as required by the City Engineer.These improvements must be included in the improvement plans required above. (Municipal Code and Subd. Ordinance).
16. At any time during the construction or occupancy of the project, any burning shall comply with current requirements for Burning Permits and no-burn-day limitations. Burning shall be limited to weekdays and Saturday mornings. (Northern Sierra Air Quality Management District regulations).
17. Prior to any work associated with the City's street, sewer system, or water system, a fee for encroachment permit must be paid under the then-current fee schedule, and the City Engineer or Public Works Foreman must approve any such work. The City must be notified at least 24 hours before any work is commenced. (City policy).
- \*18. Prior to the issuance of a building permit or any site disturbance, the applicant shall file for and obtain approval of an abandonment of 10 feet of City right-of-

way along Providence Mine Road. The application for abandonment shall include a legal description and sketch of the area to be abandoned and shall be accompanied by an offer of dedication for a pedestrian easement across the subject property connecting Providence Mine Road to the school and/or Lindley Avenue area for the Council's consideration. The Council, in taking its final action, made a motion of intent to grant the abandonment subject to the receipt of the pedestrian right-of-way and appropriate restrictions on the abandonment area, limiting its use to grading, landscaping, natural area and utilities.

- \*19. Should any archeological artifacts be discovered such as signs of Native American activity, human bones or other artifacts, all work shall be stopped until a qualified archeologist is consulted regarding the extent of the resources and the treatment required by law.

#### C. FIRE MARSHAL

1. Prior to the filing of the parcel map, the applicant shall meet with the City Fire Marshal to determine if any on and off-site improvements are needed to meet consumptive and fire flow needs. Improvement plans may be required for any such improvements and the final construction shall be approved by the City Engineer in the City's service area, (or by Nevada Irrigation District (NID) in the NID service area). (Uniform Fire Code).
2. All hazardous materials shall be reported, stored, and handled in accordance with the Nevada County hazardous waste ordinance and applicable State law. (Applicable Federal, State, and County law).
3. Prior to the issuance of a building permit, the applicant shall coordinate with the City Fire Department to ascertain all fire protection related requirements, including fire flow, hydrant locations, sprinkler system requirements, and so on. Fire flow must be provided prior to any framing on the project. Prior to occupancy, the Fire Marshal shall inspect and approve all such requirements, before signing the occupancy permit. The Fire Department's inspection may require hydrant testing under the City's current fee schedule (Municipal Code and Uniform Fire Code).
4. Prior to map recording, the applicant shall secure a three digit address for the properties from the City Clerk. The purpose of this condition is to provide for emergency response. (General Police Power).

#### D. CITY ADMINISTRATOR

1. The applicant is advised that prior to the issuance of a building permit, fees for sewer service must be paid to City Hall under the then-current fee schedule.
2. The applicant is advised that the City requires that all contractors, vendors, and consultants providing services within the City limits of Nevada City must have a city business license. Business licenses may be obtained at City Hall, 317 Broad Street, Nevada City. The applicant must provide a list of the businesses working on the project to City Hall prior to commencing work. (Current Business License Ord.).
3. Prior to the issuance of a building permit, the applicant shall pay all AB1600 fees for the project, as required under the latest current enacting resolution. (AB1600 and City Codes).

#### **E. AIR QUALITY MANAGEMENT**

1. Chip all cleared vegetation unless it can be demonstrated to the Air Pollution Control Officer that it is not feasible for this project.

#### **F. POLICE CHIEF**

1. Prior to the issuance of a building permit, the applicant shall coordinate with the City Police Chief to ascertain any requirements for the construction stages or occupancy. If there are any requirements, a memo shall be provided from the Police Department indicating that their requirements have been met, prior to the issuance of a Certificate of Occupancy. (Mitigation Measure).



# City of Nevada City

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**TO:** Planning Commission

**FROM:** Amy Wolfson, City Planner

**SPECIAL MEETING DATE:** September 1, 2020

**RE:** Tree Removal by PG&E– 103 City trees along West Broad Street and Orchard Street

**ATTACHMENTS:**

1. PG&E Wildfire Project Safety Explanation Spreadsheet-City trees only (staff modified version)
2. PG&E Arborist Letter
3. Tree Recommendations from Commissioner Oberholtzer
4. City trees staff is requesting for re-consideration by PG&E

**APPLICATION:** As discussed at the August 26, 2020 meeting PG&E is proposing to remove a total of 263 trees within Nevada City around and beneath a power line system along West Broad Street and Orchard Street, including 103 on City property within the right-of-way or within Pioneer Cemetery and 160 trees on private properties. The tree removal is proposed as part of PG&E's Wildfire Safety Plan and to improve chances of keeping the line energized during high-winds triggering Public Safety Power Shut off (PSPS) events. The goal of the project is to create a safe environment for PG&E to keep our General Business district energized during PSPS events.

At the prior meeting, PG&E representative JoAnne Drummond indicated that they have a legal obligation to remove all of the trees outlined in their spreadsheet. After considering public comment and further discussion with Drummond, the Planning Commission continued to communicate concerns about the number of trees being removed. The commission scheduled a special meeting to be held on September 1, 2020 at 1:30 in order to consider mitigation measures for the loss of the trees and also directed staff to verify and report on the legal authority asserted by PG&E. The City Attorney is continuing to research PG&E's authority. Staff will provide an update at the meeting. Because private property owners need to assess their own liability, the City's purview is limited to City trees only.

**MITIGATION CONSIDERATION:** Pursuant to Section 18.01.070 of the City Municipal Code, the Planning Commission may impose mitigation on the loss of any protected tree(s). The total replacement requirement shall be based on the number of tree(s) removed. Mitigation replanting or seedling protection shall be provided with the intent to reflect the character of the site prior to tree removal. Due to the number of trees and the wide area being covered, staff suggests that mitigation be prescribed by category of area, though the Felix Gillet Atlas Maple may warrant a specific mitigation focus. PG&E has indicated a preference for trees that are relatively small to prevent future vegetation management actions and the City's Public Works Department has expressed a preference for low maintenance and low water-usage species planted in locations that will not interfere with sewer lines. Mitigation outlined in the Ordinance specific to the Tree Preservation Fund is as follows:

*Tree Preservation Fund. A tree preservation fund is established for the city. The moneys received in lieu of replacement of illegally removed trees or trees removed through the permit process approved for in lieu mitigation shall be forwarded to the city clerk for deposit in the tree preservation fund. Under no circumstances shall the funds collected by the city clerk for the tree preservation fund be directed to any other fund to be used for any other purposes other than that described in Section 18.01.020 "tree preservation fund." Upon approval of the city council, funds may be expended for the inspection and assistance in preservation of additionally protected trees on public or private properties.*

**ENVIRONMENTAL:** Since PG&E is not an agency, PG&E has not completed a CEQA review for this project. The vegetation removal activities will achieve a reduction in Planned Safety Power Shutoff events by removing or trimming hazard trees to allow for safe operation of electrical facilities during high wind events. The project is in support of the Pacific Gas and Electric Company Wildfire Mitigation Plan, which is mandated by the State to reduce the risk of wildfires.

Since the City does not have the discretion to approve or deny the tree removal, as asserted by PG&E staff, the City is not issuing a discretionary permit. However, if a discretionary permit were to apply to the project, PG&E would encourage the lead agency to consider the Statutory Exemption (CEQA Guidelines, §§ 15269(b) or (c)) for actions necessary to prevent or mitigate an emergency. Section 15269(b) applies to emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. These repairs include those that require a reasonable amount of planning to address an anticipated emergency. Additionally, section 15269(c) applies to specific actions necessary to prevent or mitigate an emergency. This subsection directly addresses wildfire mitigation projects, noting that while the section does not generally apply to long term projects undertaken to prevent an emergency, the exemption does apply "if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility."

**RECOMMENDATION:** Pursuant to Section 18.01.070 of the City Municipal Code, the planning commission imposes mitigation measures for the loss of trees as shall be determined at the special planning commission meeting on September 1, 2020 at 1:30.

1	VEG_POINT_	SPECIES	DEAD_	DIAMET	TAT_RESULT	PRESCRIP	WOOD_MAN	PI_COMMENT	WM_COMMENT	SITE_ADDRE
14	Work Identified CITY TREE	Maple	No	9	Do Not ABATE	R1B_Rmv 1-B	Haul offsite	0.8 of span from pole 228 to 9357. 5 feet northeast of lines. Overhanging lines, trim would take more than 1/3 of canopy. Poor taper. Arborist ISA # 12836A	Remove all wood, chip chips.	128 ORCHARD ST
15	Work Identified CITY TREE	Cedar	No	17	ABATE	R2B_Rmv 2-B	Haul offsite	0.8 of span from pole 226 to 9357. Directly northeast of lines. Previously topped. Codominant. Can strike pole 9357. Arborist ISA # 12836A	Remove all wood and chip and pile brush.	128 ORCHARD ST
18	Work Identified CITY TREE	Cedar	No	7	ABATE	R1B_Rmv 1-B	Haul offsite	5 feet north of pole 670. 2 stems at DBH. Previously topped tree, co-dominant base, declining canopy. Can strike pole 670. Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
19	Work Identified CITY TREE	Cedar	No	6	ABATE	R1A_Rmv 1-A	Haul offsite	4 feet north of pole 670. Previously topped. Under the lines. Declining canopy, slight lean towards pole. Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
20	Work Identified CITY TREE	Brush (misc)	No	3	ABATE	BC_Br Rmv	Not Needed	Brush unit within 10ft of pole 670 and within 4ft ground to sky of west guy wire. Arborist ISA # 12836A	Chip and pile slash in designated location.	656W BROAD ST
21	Work Identified CITY TREE	Black Oak	No	6	ABATE	R1B_Rmv 1-B	Haul offsite	Tree 14ft west of pole 670. Tree leans towards facilities and overhangs guy wire. Trim to scope would remove more than 1/3 canopy. Arborist ISA # 12836A	Remove wood, chip and pile slash	656W BROAD ST
22	Work Identified CITY TREE	Cedar	No	8	ABATE	R1B_Rmv 1-B	Haul offsite	Tree 14ft west of pole 670. Dying tree connected to black oak at base. Within 4ft to sky of guy, trim would kill. Arborist ISA # 12836A	Remove wood, chip and pile slash	656W BROAD ST
23	Work Identified CITY TREE	Brush (misc)	No	3	ABATE	BC_Br Rmv	Not Needed	Brush unit within 10ft of pole 670 and within 4ft ground to sky of north guy wire. Arborist ISA # 12836A	Chip and pile slash in designated location.	656W BROAD ST
24	Work Identified CITY TREE	Brush (misc)	No	3	ABATE	BC_Br Rmv	Not Needed	Brush unit within 10ft of pole 670 and within 4ft ground to sky of north guy wire. Arborist ISA # 12836A	Chip and pile slash in designated location.	656W BROAD ST
25	Work Identified CITY TREE	Ponderosa Pine	No	5	ABATE	R1A_Rmv 1-A	Haul offsite	0.9 of span from pole to pole 670. Directly west of lines. Leaning slightly towards lines, previously topped, small canopy. Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
26	Work Identified CITY TREE	Ponderosa Pine	No	15	ABATE	R2B_Rmv 2-B	Haul offsite	0.9 of span from pole to 670. 6 feet west of lines near roadway. Previously topped tree, declining canopy. Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
27	Work Identified CITY TREE	Brush (misc)	No	3	ABATE	BC_Br Rmv	Not Needed	0.9 of span from pole to 670. Directly under lines. Growing around guy wire and pole. Arborist ISA # 12836A	Included in unit pricing.	656W BROAD ST
28	Work Identified CITY TREE	Ponderosa Pine	No	3	Do Not ABATE	BC_Br Rmv	Haul offsite	Tree 19ft north of pole 670. Tree is strike height for for guy and future strike for pole. Suppressed tree would be left in elements alone. Arborist ISA # 12836A	Remove wood, chip and pile slash	656W BROAD ST
29	Work Identified CITY TREE	Ponderosa Pine	No	8	ABATE	F1B_FP-Rmv1 B	Haul offsite	Tree 21ft north of pole 670. Tree is strike height for for guy and future pole. Wound on base, overhangs guy. Arborist ISA # 12836A	Remove wood, chip and pile slash	656W BROAD ST
31	Work Identified CITY TREE	Black Oak	No	9	ABATE	R1A_Rmv 1-A	Haul offsite	Tree 48ft west of pole 670. Strike for guy only. Heavy lean to guy wire. Arborist ISA # 12836A	Remove wood, chip and pile slash	656W BROAD ST
32	Work Identified CITY TREE	Cedar	No	10	Do Not ABATE	R1B_Rmv 1-B	Haul offsite	Tree 48ft west of pole 670. Strike for guy only. Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
35	Work Identified CITY TREE	Ponderosa Pine	No	13	ABATE	R2B_Rmv 2-B	Cut and Leave	0.6 of span from pole to pole 670. 30 feet west of lines. Poor taper, exposed roots, lean to facilities, county tree. Arborist ISA # 12836A	Cut into 16 inches and chip and pile brush	641W BROAD ST
36	Work Identified CITY TREE	Ponderosa Pine	No	12	ABATE	R2B_Rmv 2-B	Cut and Leave	County Tree .6 of span from poles 645 to pole 670, 35ft south of lines. Tree leans and weighted to lines. Tree has rubbing wounds where canopies touch. Arborist ISA # 12836A	Cut wood into 16 inches and chip and pile brush	641W BROAD ST
37	Work Identified CITY TREE	Ponderosa Pine	No	6	Do Not ABATE	R1B_Rmv 1-B	Haul offsite	0.8 of span from pole to pole 670. Directly west of lines. Growing within 4 feet of lines, will need to be topped. Can strike guy wire. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
38	Work Identified CITY TREE	Ponderosa Pine	No	4	Do Not ABATE	R1B_Rmv 1-B	Haul offsite	0.8 of span from pole 645 to pole 670. Directly west of lines. Poor taper, can strike guy wires, sparse canopy, topping not recommended. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
39	Work Identified CITY TREE	Ponderosa Pine	No	7	ABATE	R1B_Rmv 1-B	Haul offsite	0.5 of span from pole 645 to 670. Directly East of lines. Poor taper, will need to be topped, continuous topping likely to weaken and kill tree. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
40	Work Identified CITY TREE	Ponderosa Pine	No	39	ABATE	R4B_Rmv 4-B	Haul offsite	0.5 of span from pole 645 to 670. 8 feet East of lines. Overhanging limbs, trim would remove 1/3 of canopy. Declining canopy. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
41	Work Identified CITY TREE	Ponderosa Pine	No	4	ABATE	R1B_Rmv 1-B	Haul offsite	0.5 of span from pole 645 to 670. Directly East of lines. Poor taper, will need to be topped. Continuous topping likely to weaken and kill tree. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
42	Work Identified CITY TREE	Ponderosa Pine	No	4	ABATE	R1A_Rmv 1-A	Haul offsite	0.4 of span from pole 645 to 670. 3 feet East of lines. Will need to be topped. Poor taper, weak canopy. Topping of tree is likely to weaken or kill tree. Arborist ISA # 12836A.	Remove all wood	656W BROAD ST
43	Work Identified CITY TREE	Ponderosa Pine	No	9	ABATE	R1B_Rmv 1-B	Haul offsite	0.4 of span from pole 645 to 670. 5 feet East of lines. Trim would remove more than 1/3 of canopy. Forked top. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
44	Work Identified CITY TREE	Ponderosa Pine	No	6	ABATE	R1B_Rmv 1-B	Haul offsite	0.3 of span from pole 645 to 670. 16 feet East of lines. Poor taper, sparse canopy. Arborist ISA # 12836A	Remove all wood	656W BROAD ST
45	Work Identified CITY TREE	Cedar	No	40	ABATE	F4B_FP-Rmv4 B	Haul offsite	0.3 of span from pole 645 to 670. 36 feet East of lines. On far side of driveway. Declining canopy, leaning parallel to lines. Dead top.	Remove all wood and chip and pile brush	656W BROAD ST
48	Work Identified CITY TREE	Ponderosa Pine	No	29	ABATE	R3B_Rmv 3-B	Cut and Leave	Tree .3 of span from poles 645 to 670, 23ft south of lines. Tree likely to break 4ft conductor to sky zone within 18months. Trim to scope would remove more than 1/3 canopy. Tree has 2 large wounds from x stem removals on main stem. Arborist ISA # 12836A	Cut into 16 inches, chip and pile brush near driveway under madrone	641W BROAD ST
49	Work Identified CITY TREE	Locust, Black	No	9	Do Not ABATE	R1B_Rmv 1-B	Haul offsite	City Tree .1 of span from poles 645 to 670, under lines. Strike for pole only. 3x stem. Fuel reduction under lines. Continuous topping would be needed, but is likely to weaken and kill tree	Remove all wood and slash	641W BROAD ST
52	Work Identified CITY TREE	Ponderosa Pine	No	43	ABATE	F4B_FP-Rmv4 B	Not Needed	50 ft North of guyline for End Pole. Woodpecker sign, heavily weighted towards facility, dieback on back side. Arborist ISA # 12836A	TBD pending	NO ADDRESS LISTED
52	Work Identified CITY TREE	Ponderosa Pine	No	14	ABATE	F2A_FP-Rmv2 A	Haul offsite	61 ft North of End Pole. Considerable dieback, slight lean to line. Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED

84	Work Identified	CITY TREE	Ponderosa Pine	No	44	ABATE	F4B_FP-Rmv4 B	Haul offsite	Tree .4 of span from unmarked pole to 198, 30ft east of lines. Tree has poor canopy with blight and rust. Appears to be in decline. Reviewed by Arborist ISA # 12836A	TBD	NO ADDRESS LISTED
85	Work Identified	CITY TREE	Ponderosa Pine	No	0		F4B_FP-Rmv4 B	Haul offsite	Tree .5 of span from unmarked pole to 198, 67ft east of lines. Tree has poor canopy with blight and rust. Appears to be in decline. Reviewed by Arborist ISA # 12836A	TBD	NO ADDRESS LISTED
86	Work Identified	CITY TREE	Ponderosa Pine	No	42	ABATE	F4B_FP-Rmv4 B	Haul offsite	Tree .5 of span from poles to , 67ft east of lines. Poor canopy health with rust and needle blight. Tree appears to be in decline. Reviewed by Arborist ISA # 12836A	TBD	NO ADDRESS LISTED
87	Work Identified	CITY TREE	Brush (misc)	No	2	Not a Strike Tree	BC_Br Rmv	Not Needed	Pole clearance for pole 198. Reviewed by Arborist ISA # 12836A	Remove all wood and debris	NO ADDRESS LISTED
88	Work Identified	CITY TREE	Ponderosa Pine	No	47	ABATE	F4B_FP-Rmv4 B	Haul offsite	13 feet East of pole 198. Overhanging lines. Outside of cemetery fence. Trim would take more than 1/3 of canopy, overmature tree, on slope leaning towards lines. County tree Reviewed by Arborist ISA # 12836A	Remove all wood and debris	NO ADDRESS LISTED
89	Work Identified	CITY TREE	Ponderosa Pine	No	38	ABATE	R4B_Rmv 4-B	Not Needed	15 feet East of pole 198. Previously trimmed, poor needle retention, overmature, leaning slightly away. Trim would kill tree. Reviewed by Arborist ISA # 12836A	Remove all	NO ADDRESS LISTED
90	Work Identified	CITY TREE	Ponderosa Pine	No	39	ABATE	F4B_FP-Rmv4 B	Haul offsite	70 feet East of pole 198. Slight lean towards line, sparse canopy, overmature, gall rust, possible beetle. County tree. Reviewed by Arborist ISA # 12836A	Remove all wood and brush	NO ADDRESS LISTED
96	Work Identified	CITY TREE	Ponderosa Pine	No	11	Not a Strike Tree	R1B_Rmv 1-B	Cut and Leave	Tree .9 of span from poles 33167 to 645, directly under lines. Tree previously topped and would need continuous topping in the future. Arborist ISA # 12836A	Cut wood to 16in rounds, chip and pile slash in designated location	641W BROAD ST
97	Work Identified	CITY TREE	Ponderosa Pine	No	12	Not a Strike Tree	R1B_Rmv 1-B	Cut and Leave	Tree .9 of span from poles 33167 to 645, directly under lines. Tree previously topped and would need continuous topping in the future. Arborist ISA # 12836A	Cut wood to 16in rounds, chip and pile slash in designated location	641W BROAD ST
98	Work Identified	CITY TREE	Manzanita	No	2	Not a Strike Tree	BC_Br Rmv	Cut and Leave	Brush clearance around pole 645 guy wire. Manzanita growing around it. Arborist ISA # 12836A	Chip and pile	641W BROAD ST
100	Work Identified	CITY TREE	Ponderosa Pine	No	11	Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	0.6 of span from pole to 645. Directly under lines. Previously topped, hardly any canopy, dying tree, fuel under lines. Arborist ISA # 12836A	Remove all wood and brush	639W BROAD ST
101	Work Identified	CITY TREE	Ponderosa Pine	No	11	Do Not ABATE	R2B_Rmv 2-B	Haul offsite	0.6 of span from pole 33167 to pole 645. 10 feet south of lines. Tree is overhanging, trim would take more than 1/3 of canopy. Arborist ISA # 12836A	Remove all wood and brush	639W BROAD ST
102	Work Identified	CITY TREE	Ponderosa Pine	No	4	ABATE	R1B_Rmv 1-B	Haul offsite	0.6 of span from pole 33167 to pole 645. 10 feet south of lines, poor taper, wind sway, sparse canopy. Arborist ISA # 12836A	Remove all wood and brush	639W BROAD ST
103	Work Identified	CITY TREE	Ponderosa Pine	No	7	ABATE	R1B_Rmv 1-B	Haul offsite	0.5 of span from pole 33167 to pole 645. 8 feet south of lines. Poor taper, sparse canopy, wind sway. Arborist ISA # 12836A	Remove all wood and brush	639W BROAD ST
104	Work Identified	CITY TREE	Ponderosa Pine	No	17	Do Not ABATE	R2B_Rmv 2-B	Haul offsite	0.5 of span from pole 33167 to pole 645. 8 feet south of lines. Tree is within 4 feet of overhanging lines. Trim would take half of canopy leaving it weak and vulnerable to disease. Reviewd by Arborist ISA # 12836A	Remove all wood and brush	639W BROAD ST
109	Work Identified	CITY TREE	Ponderosa Pine	No	21	ABATE	R2B_Rmv 2-B	Haul offsite	County tree. Tree .6 of span from poles to , 36ft north of lines. Tree has wound in upper half of tree and sign of beetle. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
110	Work Identified	CITY TREE	Ponderosa Pine	No	9	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .5 of span from poles 627 to 12, 36ft north of lines. Tree has wound at base and weighted and sloped towards lines. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
111	Work Identified	CITY TREE	Ponderosa Pine	No	7	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .5 of span from poles 627 to 12, 37ft north of lines. Suppressed poor taper tree sloped towards lines. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
112	Work Identified	CITY TREE	Ponderosa Pine	No	5	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .4 of span from poles 627 to 12, 38ft north of lines. Suppressed, poor taper tree sloped towards lines. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
113	Work Identified	CITY TREE	Ponderosa Pine	No	10	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .4 of span from poles 627 to 12, 36ft north of lines. Tree sloped and weighted towards lines with exposed roots and sign of bark beetles present. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
114	Work Identified	CITY TREE	Ponderosa Pine	No	9	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .3 of span from poles 627 to 12, 37ft north of lines. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
115	Work Identified	CITY TREE	Ponderosa Pine	No	10	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .2 of span from poles 627 to 12, 38ft north of lines. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
117	Work Identified	CITY TREE	Ponderosa Pine	No	5	Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	Tree .2 of span from poles 627 to 12, 39ft north of lines. Non-striking, suppressed, poor taper tree. Removal of trees around it likely to cause failure. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
118	Work Identified	CITY TREE	Ponderosa Pine	No	7	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .1 of span from poles 627 to 12, 37ft north of lines. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
119	Work Identified	CITY TREE	Ponderosa Pine	No	7	ABATE	R1B_Rmv 1-B	Not Needed	Tree .1 of span from poles 627 to 12, 38ft north of lines. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
120	Work Identified	CITY TREE	Ponderosa Pine	No	8	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .1 of span from poles 627 to 12, 37ft north of lines. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
121	Work Identified	CITY TREE	Ponderosa Pine	No	8	ABATE	R1B_Rmv 1-B	Haul offsite	Tree 41ft north of pole 627. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
122	Work Identified	CITY TREE	Ponderosa Pine	No	10	ABATE	R1B_Rmv 1-B	Haul offsite	Tree 41ft north of pole 627. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
123	Work Identified	CITY TREE	Ponderosa Pine	No	6	Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	Tree .9 of span from poles 611 to 627, 37ft north of lines. Suppressed, poor taper tree with exposed roots, likely fail after removal of trees around it. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
124	Work Identified	CITY TREE	Ponderosa Pine	No	8	ABATE	R1B_Rmv 1-B	Haul offsite	Tree .9 of span from poles 611 to 627, 37ft north of lines. Poor taper tree, sloped and weighted towards lines with exposed roots. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
125	Work Identified	CITY TREE	Brush (misc)	No	2	Not a Strike Tree	BC_Br Rmv	Not Needed	Brush unit around guyline for pole 198. City brush Reviewed by Arborist ISA # 12836A	Remove all slash per unit pricing	NO ADDRESS LISTED

128	Work Identified	CITY TREE	Ponderosa Pine	No	50 ABATE	R4B_Rmv 4-B	Haul offsite	0.7 span from Pole 627 to Pole 12. 131 ft north of lines. Overmature. Codom top. Crown leans to line. Reviewed by Arborist ISA # 12836A	Remove wood and brush.	NO ADDRESS LISTED
134	Work Identified	CITY TREE	Ponderosa Pine	No	45 ABATE	R4B_Rmv 4-B	Haul offsite	0.5 of span from pole 33167 to pole 645. 35 feet East of lines on edge of roadway. Tree has some branch die back. Trim will take more than 1/3 of canopy, overmature. Arborist ISA # 12836A	Remove all wood and brush	656W BROAD ST
135	Work Identified	CITY TREE	Black Oak	No	6 ABATE	F1B_FP-Rmv1 B	Haul offsite	0.6 of span from pole 33167 to pole 645. 40 feet East of lines. Leaning towards lines. Poor taper. Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
136	Work Identified	CITY TREE	Cedar	No	24 ABATE	F3B_FP-Rmv3 B	Haul offsite	0.3 of span from pole 33167 to pole 645. 28 feet East of lines. Leaning towards lines and struggling to get light. Declining canopy. Reviewed by Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
137	Work Identified	CITY TREE	Cedar	No	9 ABATE	F1B_FP-Rmv1 B	Haul offsite	0.2 of span from pole 33167 to pole 645. 15 feet East of lines. Just tall enough to strike. Shaded by large cedar that will be removed. Declining canopy, weighted towards lines, best to remove now. Reviewed by Arborist ISA # 12836A	Remove all wood and chip and pile brush on property	656W BROAD ST
140	Work Identified	CITY TREE	Ponderosa Pine	No	41 ABATE	F4B_FP-Rmv4 B	Haul offsite	0.4 span from 611 to 627. 58 ft Northeast of line. Uphill, lean and weight to line. Large defect in back side, woodpecker forage sign present. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
141	Work Identified	CITY TREE	Ponderosa Pine	No	34 ABATE	R3B_Rmv 3-B	Haul offsite	0.4 span from 611 to 627. 66 ft Northeast of line. Uphill, trunk leans slightly away but canopy is leaning and weighted towards line. Woodpecker forage sign present. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
142	Work Identified	CITY TREE	Ponderosa Pine	No	58 ABATE	R4B_Rmv 4-B	Haul offsite	114 ft north of Pole 627. Codom from base. Dead top. On slope to facilities. Signs of infestation. Reviewed by Arborist ISA # 12836A	Remove wood and brush	NO ADDRESS LISTED
143	Work Identified	CITY TREE	Ponderosa Pine	No	21 ABATE	R2B_Rmv 2-B	Haul offsite	0.5 span from 611 to 627. 56 ft Northeast of line. Uphill, sloped, lean and weight towards pole 611. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
144	Work Identified	CITY TREE	Ponderosa Pine	No	43 ABATE	F4B_FP-Rmv4 B	Haul offsite	115 ft Northeast of pole 611. Slight lean parallel to lines. Small codominant top in decline. Base has defects and apparent beginnings of rot.	Remove all wood and slash	NO ADDRESS LISTED
145	Work Identified	CITY TREE	Ponderosa Pine	No	48 ABATE	R4B_Rmv 4-B	Haul offsite	112 ft north of Pole 611. Overmature. Weight to line. Upslope of facilities. Multiple wounds and leaning to line. Reviewed by Arborist ISA # 12836A	Remove wood and brush	NO ADDRESS LISTED
146	Work Identified	CITY TREE	Ponderosa Pine	No	29 ABATE	F3A_FP-Rmv3 A	Haul offsite	0.4 span from unmarked pole (120851472) to 611. 55 ft North of line. Woodpecker forage sign present, weighted towards line. Beginning erosion and root exposure. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
147	Work Identified	CITY TREE	Ponderosa Pine	No	49 ABATE	F4B_FP-Rmv4 B	Haul offsite	0.2 span from unmarked pole to 611. 90 ft North of line. Massive wound at base, branch dieback, and lumpy defects all way up	Remove all wood and slash	NO ADDRESS LISTED
148	Work Identified	CITY TREE	Ponderosa Pine	No	27 ABATE	F3A_FP-Rmv3 A	Haul offsite	0.3 span from unmarked pole (120851472) to 611. 55 ft North of line. Woodpecker forage sign and beetle sign present. Beginning erosion and root exposure. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	NO ADDRESS LISTED
155	Work Identified	CITY TREE	Locust, Black	No	4 Do Not ABATE	R1A_Rmv 1-A	Haul offsite	Tree .9 of span from poles 33167 to unmarked, 3ft east of lines. Strike for guy and pole. Tree leans away but is fuel under lines	Remove all wood and chip and pile brush	NO ADDRESS LISTED
161	Work Identified	CITY TREE	Cedar	No	4 ABATE	F1B_FP-Rmv1 B	Haul offsite	0.1 of span from unmarked pole to pole 198. Directly under lines. Tree has poor taper, will need to be topped in future. Reviewed by Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
162	Work Identified	CITY TREE	Ponderosa Pine	No	19 Not a Strike Tree	R2B_Rmv 2-B	Haul offsite	Tree .2 of span from unmarked pole to pole 198, under lines. Previously topped and would need continuous topping in the future. Reviewed by Arborist ISA # 12836A	Remove all wood and slash	656W BROAD ST
163	Work Identified	CITY TREE	Ponderosa Pine	No	30 ABATE	F3B_FP-Rmv3 B	Haul offsite	0.9 span from Pole 120851472 to Unmarked Pole. 71 ft north of line. Beetle sign present and defect ~12 ft up	Remove all wood and slash	NO ADDRESS LISTED
164	Work Identified	CITY TREE	Ponderosa Pine	No	27 ABATE	R3B_Rmv 3-B	Haul offsite	0.6 span from Pole 120851472 to Unmarked Pole. 41 north of line. Lean to line, diplodia, wounds on trunk. Exposed roots undercut by erosion. Reviewed by Arborist ISA # 12836A	Remove wood and brush	NO ADDRESS LISTED
172	Work Identified	CITY TREE	Black Oak	No	20 ABATE	TO_Top	Haul offsite	0.7 of span from pole 648 to pole 158. 30 feet East of lines. Tree is leaning towards lines but not the lines that we are patrolling for PSPS events. Strike potential to pole 158.	Top to below lines	528E BROAD ST
177	Work Identified	CITY TREE	Ponderosa Pine	No	44 ABATE	R4B_Rmv 4-B	Cut and Leave	22 ft West of pole 198. Overhanging lines. Beetles present. Trim would remove >1/2 of canopy and warrants removal. Has service drop attached to it. Reviewed by Arborist ISA # 12836A	Cut into and leave as 16 inch firewood rounds. Remove all slash	121 ORCHARD ST
185	Work Identified	CITY TREE	Ponderosa Pine	No	24 Do Not ABATE	R3B_Rmv 3-B	Cut and Leave	0.8 span from unmarked pole to 198. 8 ft West of line. Overhanging lines and leaning towards line. Trim would remove >1/3 of canopy and warrants removal. Reviewed by Arborist ISA # 12836A	Cut into and leave as 16 inch firewood rounds. Remove all slash	121 ORCHARD ST
186	Work Identified	CITY TREE	Ponderosa Pine	Yes	13 ABATE	F2A_FP-Rmv2 A	Cut and Leave	0.8 span from unmarked pole to 198. 9 ft West of line. Almost dead. Reviewed by Arborist ISA # 12836A	Cut into and leave as 16 inch firewood rounds. Remove all slash	121 ORCHARD ST
187	Work Identified	CITY TREE	Ponderosa Pine	No	34 ABATE	R3B_Rmv 3-B	Cut and Leave	0.7 span from unmarked pole to 198. 5 ft West of line. Overhanging lines. Trim would remove >1/3 of canopy and warrants removal. Old sappy basal wound that looks like beetle sign present. Reviewed by Arborist ISA # 12836A	Cut into and leave as 16 inch firewood rounds. Remove all slash	121 ORCHARD ST
188	Work Identified	CITY TREE	Ponderosa Pine	No	27 ABATE	R3B_Rmv 3-B	Cut and Leave	0.7 span from unmarked pole to 198. 4 ft West of line. Codominant top. Overhanging lines, very weak canopy on back side. Trim would remove >1/3 of canopy and warrants removal. Slight lean to line, trunk is ~2 ft from conductor. Reviewed by Arborist ISA #	Cut into and leave as 16 inch firewood rounds. Remove all slash	121 ORCHARD ST
189	Work Identified	CITY TREE	Ponderosa Pine	No	50 ABATE	R4B_Rmv 4-B	Cut and Leave	0.6 span from unmarked pole to 198. 7 ft West of line. Codominant top. Overhanging lines, has second codominant stump ~25 ft up with signs of rot and beetles on back side. Old wounds near top third of main trunk. Reviewed by Arborist ISA # 12836A	Cut into and leave as 16 inch firewood rounds. Remove all slash	121 ORCHARD ST

190	Work Identified	CITY TREE	Atlas Cedar	No	52 Do Not ABATE	R4B_Rmv 4-B	Haul offsite	City tree. Walking tour tree #41. Tree is 6ft southwest of pole 137. Tree within 10ft of pole, tree overhangs lines and 2 guy wires. Multiple limbs actively straining guy wires. Trim to scope would remove more than 1/3 canopy. Due to proximity, continuou	Remove all wood and slash	517W BROAD ST
195	Work Identified	CITY TREE	Ponderosa Pine	No	26 Not a Strike Tree	R3B_Rmv 3-B	Haul offsite	0.3 span from 670 to (). Under line. Previously topped and dying. Arborist ISA # 12836A	Remove all wood. Chip and pile slash	656W BROAD ST
205	Work Identified	CITY TREE	Brush (misc)	No	3 Not a Strike Tree	BC_Br Rmv	Not Needed	Brush unit .5 of span from pole 670 to unmarked, under lines. Fuel load reduction. Arborist ISA # 12836A	Remove all wood, chip and pile slash	656W BROAD ST
207	Work Identified	CITY TREE	Black Oak	No	4 Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	Tree .5 of span from pole 670 to unmarked, under lines. Tree likely to break 4ft compliance zone within 18months. Trim to scope would remove more than 1/3 canopy. Fuel load reduction. Arborist ISA # 12836A	Remove all wood, chip and pile slash	656W BROAD ST
208	Work Identified	CITY TREE	Cedar	No	6 Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	Tree .5 of span from pole 670 to unmarked, 11ft west of lines. Tree previously topped. Fuel load reduction. Arborist ISA # 12836A	Remove all wood, chip and pile slash	656W BROAD ST
210	Work Identified	CITY TREE	Black Oak	No	8 Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	0.3 of span from pole 33167 to pole 645. 23 feet East of lines. Tree has been trimmed in past, growing heavily towards lines, continuous topping not recommended. Reviewed by Arborist ISA # 12836A	Remove all wood and chip and pile brush	656W BROAD ST
212	Work Identified	CITY TREE	Ponderosa Pine	No	34 ABATE	F3B_FP-Rmv3 B	Haul offsite	Tree .4 of span from unmarked pole to endpole, 38ft west of lines. Tree has wound at base and near where comm lines are attached. Large amount of gall rust. Arborist ISA # 12836A	Remove all wood, chip and pile slash	656W BROAD ST
224	Work Identified	CITY TREE	Ponderosa Pine	Yes	29 ABATE	F3B_FP-Rmv3 B	Haul offsite	County tree, .9 of span from unmarked to endpole, 64ft west of lines. Tree has dead top with sign of gall rust and needle blight. Arborist ISA # 12836A	Remove all wood and slash	656W BROAD ST
259	Work Identified	CITY TREE	Locust, Black	No	4 Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	City Tree .3 of span from poles 645 to 670, under lines. Fuel reduction under lines. Continuous topping would be needed in the future, likely to weaken and kill tree.	Remove all wood and slash	641W BROAD ST
260	Work Identified	CITY TREE	Cedar	No	5 Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	Tree .3 of span from poles 33167 to 645, 22ft north of lines. Leans towards lines. Fuel reduction under lines	Remove wood, chip and pile slash	656W BROAD ST
261	Work Identified	CITY TREE	Cedar	No	7 Not a Strike Tree	R1B_Rmv 1-B	Haul offsite	0.5 of span from pole 33167 to pole 645. 18 feet north of line. Remove for fuel reduction under the lines.	Remove all wood and chip and pile brush	656W BROAD ST
262	Work Identified	CITY TREE	Brush (misc)	No	3 Do Not ABATE	BC_Br Rmv	Not Needed	Tree .9 of span from poles 12 to 33167, under lines. Strike height for guy . Fuel reduction under lines. Inside cemetery fence	Remove all wood and slash	NO ADDRESS LISTED
263	Work Identified	CITY TREE	Juniper	No	1 Not a Strike Tree	BCS_Br Rmv+Trt	Not Needed	0.1 span from Pole 167 to Pole 120851472. Brush under line and in pole clearance. Clear 15 ft radius. City tree	Included in unit pricing	543W BROAD ST
264	Work Identified	CITY TREE	Juniper	No	1 Not a Strike Tree	BCS_Br Rmv+Trt	Not Needed	0.3 span from Pole 167 to Pole 120851472. Brush Directly under line. Fuel reduction. City tree	Included in unit pricing	543W BROAD ST
265	Work Identified	CITY TREE	Black Walnut	Yes	8 Not a Strike Tree	R2D_Rmv2-B+Trt	Haul offsite	0.3 span from Pole 167 to Pole 120851472. Directly under line. Fuel reduction under line	Remove wood and brush. City tree	543W BROAD ST



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August 5, 2020

Nevada City Department of Public Works  
317 Broad Street  
Nevada City, CA 95959

**RE: PG&E Tree Removal Permit Application**

To Whom It May Concern:

Jefferson Resource Company, contracted by PG&E, has identified trees that are deemed to be a significant public safety hazard and should be removed as proposed within the scope of this utility work. Each tree that has been signed up for removal has been inspected by an International Society of Arboriculture Certified Arborist. The certified arborists on staff are Alyson Stubbendick WE-12637A and Brian Hoy WE-12836A.

These trees exhibit defects including structural deformities, disease, and/or overhanging limbs or heavy lean and meet the definition of a danger tree ("hazard tree") in accordance with the Forest Practice Rules (14 CCR 895.1) pursuant to CA PRC 4292 and PRC 4293.

**Danger Tree** means any tree located on or adjacent to a utility right-of-way or facility that could damage utility facilities should it fall where: the tree leans toward the right-of-way, or (2) the tree is defective because of any cause, such as: heart or root rot, shallow roots, excavation, bad crotch, dead or with dead top, deformity, cracks or splits, or any other reason that could result in the tree or a main lateral of the tree falling. See Chapter VII, *Hazardous Tree Identification, Powerline Fire Prevention Field Guide-1977*, A Joint Publication of the California Department of Forestry and Fire Protection, U.S. Forest Service, and U.S. Bureau of Land Management.

Sincerely,

/s/ Alyson Stubbendick  
ISA Certified Arborist WE-12637A

CC: Joanne Drummond, Pacific Gas & Electric

Trees Recommended for Retention (partial list)

Address	Tree	Recommendation	Private (p) City (c)
126 Orchard	8" oak	Keep, far from line	P
126 Orchard	2- 47" ponderosa pines	Keep, far from line	p
517 W Broad	Atlas cedar	Keep, find alternative method to over trimming	c
519	17" Linden	Keep, limb up	P
	33" Cedar	Keep, trimmable	P
539	Maple, walnut, birch	Keep	p
543	Birch	Keep	p
639		Approx. 15 trees in cluster at Sierra View apts. Screens apts. 5 are in City. Take only 3 of these which are closest to street and line. Keep remaining grove.	p,c
Empty lot below 639 W Broad		2 of 4 trees ok to take to open up canopy	p
700 W Broad		Marked trees appear to be below 700 W. Broad though this address not shown on chart. See below.	p
"	19" and 2" together	Take one of these	p
"	46" pine	Keep	p
Pioneer Cemetary 656 W Broad		<p>Diameter locations do not match trees on PGE list readily so could not identify specifically on chart.</p> <p>However, in general most of these trees appear to be appropriate for retention with these exceptions: -If beetle infested -Dead, dying</p> <p>The first large (50") ponderosa pine as you reach hilltop entering the cemetary should be retained.</p> <p>The large pine as you enter from street should be retained. Visually prominent.</p> <p>The line of small pines fronting on street slope should be thinned by half. Taking all would give this frontage a denuded look. Needed to retain slope.</p>	c

		<p>The large pine and oak trees marked at front of cemetery hilltop are visually prominent and most need to be retained. Only a couple have forks that appear to be problematic or are too close to another tree. Very distant from line. Could not fall on homes.</p>	
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# Trees to Be Reviewed for Reconsideration



City Tree ID	OBJECTID	VEG_POINT_	SPECIES	DIAMETE	HEIGHT	PI_COMMENT	SITE_ADDRE	LAT	LON
14	3327300	Work Identified	CITY TREE	Maple	9	0.8 of span from pole 228 to 9357. 5 feet northeast of lines. Overhanging lines, trim would take more than 1/3 of canopy. Poor taper. Arborist ISA # 12836A	128 ORCHARD	39.26778467090	-121.02452877000
40	3329301	Work Identified	CITY TREE	Ponderosa Pine	39	0.5 of span from pole 645 to 670. 8 feet East of lines. Overhanging limbs, trim would remove 1/3 of canopy. Declining canopy. Arborist ISA # 12836A	656W BROAD S	39.26650997820	-121.02536941700
45	3329395	Work Identified	CITY TREE	Cedar	40	0.3 of span from pole 645 to 670. 36 feet East of lines. On far side of driveway. Declining canopy, leaning parallel to lines. Dead top.	656W BROAD S	39.26649538130	-121.02522869800
48	3329658	Work Identified	CITY TREE	Ponderosa Pine	29	Tree .3 of span from poles 645 to 670, 23ft south of lines. Tree likely to break 4ft conductor to sky zone within 18months. Trim to scope would remove more than 1/3 canopy. Tree has 2 large wounds from x stem removals on main stem. Arborist ISA # 12836A	641W BROAD S	39.26631321760	-121.02540697900
84	3332196	Work Identified	CITY TREE	Ponderosa Pine	44	Tree .4 of span from unmarked pole to 198, 30ft east of lines. Tree has poor canopy with blight and rust. Appears to be in decline. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26635287490	-121.02420857700
85	3332236	Work Identified	CITY TREE	Ponderosa Pine	0	Tree .5 of span from unmarked pole to 198, 67ft east of lines. Tree has poor canopy with blight and rust. Appears to be in decline. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26637787140	-121.02401205400
86	3332237	Work Identified	CITY TREE	Ponderosa Pine	42	Tree .5 of span from poles to , 67ft east of lines. Poor canopy health with rust and needle blight. Tree appears to be in decline. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26637787140	-121.02401205400
88	3332685	Work Identified	CITY TREE	Ponderosa Pine	47	13 feet East of pole 198. Overhanging lines. Outside of cemetery fence. Trim would take more than 1/3 of canopy, overmature tree, on slope leaning towards lines. County tree Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26675967910	-121.02392503100
89	3332700	Work Identified	CITY TREE	Ponderosa Pine	38	15 feet East of pole 198. Previously trimmed, poor needle retention, overmature, leaning slightly away. Trim would kill tree. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26671861780	-121.02394047000
90	3332752	Work Identified	CITY TREE	Ponderosa Pine	39	70 feet East of pole 198. Slight lean towards line, sparse canopy, overmature, gall rust, possible beetle. County tree. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26671421400	-121.02375108300
128	3335726	Work Identified	CITY TREE	Ponderosa Pine	50	0.7 span from Pole 627 to Pole 12. 131 ft north of lines. Overmature. Codom top. Crown leans to line. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26571435070	-121.02393966700
134	3336101	Work Identified	CITY TREE	Ponderosa Pine	45	0.5 of span from pole 33167 to pole 645. 35 feet East of lines on edge of roadway. Tree has some branch die back. Trim will take more than 1/3 of canopy, overmature. Arborist ISA # 12836A	656W BROAD S	39.26621510240	-121.02490003800
136	3336114	Work Identified	CITY TREE	Cedar	24	0.3 of span from pole 33167 to pole 645. 28 feet East of lines. Leaning towards lines and struggling to get light. Declining canopy. Reviewed by Arborist ISA # 12836A	656W BROAD S	39.26618033630	-121.02484766500
140	3336324	Work Identified	CITY TREE	Ponderosa Pine	41	0.4 span from 611 to 627. 58 ft Northeast of line. Uphill, lean and weight to line. Large defect in back side, woodpecker forage sign present. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26531629050	-121.02373796400
141	3336325	Work Identified	CITY TREE	Ponderosa Pine	34	0.4 span from 611 to 627. 66 ft Northeast of line. Uphill, trunk leans slightly away but canopy is leaning and weighted towards line. Woodpecker forage sign present. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26533779390	-121.02370662000
143	3336328	Work Identified	CITY TREE	Ponderosa Pine	21	0.5 span from 611 to 627. 56 ft Northeast of line. Uphill, sloped, lean and weight towards pole 611. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26534012730	-121.02379034400
144	3336335	Work Identified	CITY TREE	Ponderosa Pine	43	115 ft Northeast of pole 611. Slight lean parallel to lines. Small codominant top in decline. Base has defects and apparent beginnings of rot.	NO ADDRESS LI	39.26538155310	-121.02363567400
145	3336343	Work Identified	CITY TREE	Ponderosa Pine	48	112 ft north of Pole 611. Overmature. Weight to line. Upslope of facilities. Multiple wounds and leaning to line. Reviewed by Arborist ISA # 12836A	NO ADDRESS LI	39.26537329900	-121.02352136900
147	3336524	Work Identified	CITY TREE	Ponderosa Pine	49	0.2 span from unmarked pole to 611. 90 ft North of line. Massive wound at base, branch dieback, and lumpy defects all way up	NO ADDRESS LI	39.26525588940	-121.02340812400
190	3339228	Work Identified	CITY TREE	Atlas Cedar	52	City tree. Walking tour tree #41. Tree is 6ft southwest of pole 137. Tree within 10ft of pole, tree overhangs lines and 2 guy wires. Multiple limbs actively straining guy wires. Trim to scope would remove more than 1/3 canopy. Due to proximity, continuou	517W BROAD S	39.26411583890	-121.02177663700