Penn Valley Municipal Advisory Council (PVMAC)

PUBLIC NOTICE – MEETING AGENDA

Notice is now given that a regular meeting of the PVMAC of members has been called and will be held on **Thursday March 21, 2019 at 6:00 p.m.** in the Buttermaker’s Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.

Members:

- Michael Mastrodonato, Member & Chair
- Gordon Beatie, Member & Vice Chair
- Michael Sullivan, Member
- Stephanie Stevens, Member
- Bob Winters, Member
- Rick Nolle, Member
- Doug Moon, Member
- Andrew Burton, Member
- Nancy Peirce, Member

1. Call to Order, Roll Call and Pledge of Allegiance

2. Consent Agenda (Single Motion Needed)

   All matters listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a member of the PVMAC, audience, or staff requests a specific item to be removed from the Consent Agenda for separate action. Any item removed will be considered after the motion to approve the Consent Agenda.

   a. Approval of Agenda and Order of Business
   b. Approval of Minutes from February 21, 2019

3. Public Comment

   This time is set aside for persons wishing to address the PVMAC on any matter of interest that is not on the agenda. The PVMAC invites comments from the agenda items after discussion by the PVMAC members. Speakers will be limited to three (3) minutes, unless extended by the PVMAC Chair. The PVMAC Chair reserves the right to further limit or exclude repetitious or irrelevant presentations. If written material is included, 20 copies of all information to be distributed to PVMAC members should be given to the Secretary prior to the meeting. Action will not be taken at this meeting on citizen comments. The PVMAC, however, after hearing from interested citizens, may place items under new business on a future agenda so proper notice may be given to all interested parties. If no one wishes to comment, the next scheduled agenda item will be considered.

4. Application requesting a General Plan Amendment, Zone Change and Use Permit to allow use of the former Pleasant Valley Elementary School campus as a non-profit center by the Penn Valley Community Church (PLN19-0022; GPA19-001; RZN19-0001; CUP19-0002)

   Action
5. Update on PLN18-0023 (APN 051-110-004); CUP18-0009; MGT18-0018 & -0019; AAM18-0002; EIS18-0012; Applicant Maradalynne Caldwell

Information/Discussion

6. Report Out from Supervisor Sue Hoek

Information/Discussion

7. Communication/Marketing Subcommittee

Information/Discussion

8. Items for the good of the Order

Information/Discussion

9. Next PVMAC MEETING April 18, 2019 at 6:00 p.m. at the Buttermaker’s Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.

10. Adjournment estimated @ 7:30 p.m.

Times stated are approximate and subject to change. Agenda order is tentative and may be changed by PVMAC action without prior notice. This meeting will conform to the Open Meeting Act. Agenda discussions and report items are subject to action being taken on them during the meeting by the PVMAC at its discretion. The PVMAC provides the public the opportunity at meetings to address each agenda item during the PVMAC’s discussion or consideration of the item. Total time allocated for public comment on particular issues is limited. The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five (5) working days before the meeting to the PVMAC to be considered. Requests for further information should be directed to Mike Mastrodonato, Chair of the PVMAC at (530) 265-1480.

AFFIDAVIT OF POSTING

Meeting Notice/Agenda of the PVMAC regular meeting, scheduled for March 21, 2019, was posted per Open Meeting Law requirements at the following locations:

Eric W. Rood Administrative Center, 950 Maidu Avenue, Nevada City CA
Buttermaker’s Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.
Penn Valley True Value located at 17387 Penn Valley Drive, Penn Valley CA

AGENDA POSTED: Monday March 18, 2019
A regular meeting of the MAC was held on **Thursday February 21, 2019** at **6:00 p.m.** in the Buttermaker’s Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.

**Members:**
- Michael Mastrodonato, Member & Chair
- Gordon Beatie, Member & Vice Chair
- Michael Sullivan, Member
- Stephanie Stevens, Member
- Bob Winters, Member
- Rick Nolle, Member
- Doug Moon, Member
- Andrew Burton, Member
- Nancy Peirce, Member

1. **Call to Order, Roll Call and Pledge of Allegiance**

   Absent: Rick Nolle

   Present: Michal Mastrodonato, Gordon Beatie, Michael Sullivan, Stephanie Stevens, Bob Winters, Doug Moon, Andrew Burton, Nancy Peirce

   Pledge of Allegiance led by Doug Moon.

   New members Doug Moon and Bob Winters introduced themselves.

2. **Consent Agenda (Single Motion Needed)**

   a. Approval of Agenda and Order of Business
   b. Approval of Minutes from November 8, 2018
   c. Approval of Minutes from October 18, 2018

Motion and Second to approve consent agenda. Bob Winters and Doug Moon abstain. All Aye.

3. **Public Comment**

   Gladys spoke about the process of incorporating. Lincoln incorporated several years ago, Truckee incorporated 25 years ago. Documents provided to members.

   Gordon spoke about the Penn Valley Rotary dinner honoring former Supervisor Hank Weston. It was a fundraiser for a cause chosen by the Honoree.

   Mike says “Hi” from Hank. He was fishing near Crescent City and it snowed for three days.

4. **Penn Valley Area Plan Update – Coleen Shade**
Coleen provided a summary of the workshop, suggestions on land use and outlined the map of the current plan. Suggestions include:

- Show the boundary the community wants
- Link the two areas
- Rezone Penn Valley Drive and Rough and Ready Highway intersection (this might be a good place for lodging)
- Rezone the RDI areas to allow for RV Parks and Commercial use
- Include the Wildwood Center in the Area Plan
- Extend the Area Plan to include the Highway 20 Corridor
- Rezone some areas to Ag Tourism
- Extend Industrial uses
- Comments on Trails that connect areas and extend to other areas

What is the process for the list of items? Comments on Land Use will be the focus in March. Discussion regarding the process and timelines. Copies of the maps will be provided to the MAC.

Discussion regarding the location of the next Community Meeting. Discussion regarding communication related to the Community Meetings. Jeff will provide email addresses to Coleen. Discussion regarding financial analysis.

5. Update on PLN18-0023 (APN 051-110-004); CUP18-0009; MGT18-0018 & -0019; AAM18-0002; EIS18-0012; Applicant Maradalynne Caldwell

Recommendations were submitted to Planning Staff. Rob Woods from engineering provided a brief explanation of the project history and status.

Discussion regarding the project location and effects on the surrounding neighborhood including noise, traffic, compatibility with neighborhood, land use, farming, effect on the Park, economic development, quality of life. Discussion regarding attendance at the Planning Commission meeting or participating in discussions regarding the project. Motion and Second for Bob Winters to attend the Planning Commission meeting to read a written statement from the MAC. Vote: No: Andy Burton, Aye: all others.

6. Communication/Marketing Subcommittee

The County wants to control all social media posts. Discussion regarding the purpose of the MAC, the learning curve of being the first MAC, getting the word out the community.

7. Items for the good of the Order

Approve the 2019 schedule of meetings. Discussion regarding moving meeting to 5pm. Discussion regarding putting Incorporation on a future agenda. Motion and Second to approve the 2019 schedule of meetings. All Aye.

8. Next MAC MEETING March 21, 2019 at 6:00 p.m. at the Buttermaker’s Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.

9. Meeting adjourned.
COMMUNITY DEVELOPMENT AGENCY  
NEVADA COUNTY PLANNING DEPARTMENT  
950 Maidu Avenue, Suite 170, Nevada City, CA 95959-8617  

INITIAL DISTRIBUTION / PROJECT DESCRIPTION  

DATE: March 7, 2019  

TO:  
Building Department  
Department of Public Works – Engineering  
Department of Public Works – Surveyor  
Department of Public Works – Transit  
Environmental Health Department  
County Counsel  
Nevada County Transportation Commission  
Northern Sierra Air Quality Management  
Ag Commissioner  
Barbara Price, COB Office  
Jeff Thorsby, COB Office  
Penn Valley Fire District  
Superintendent of Schools  
Nevada Irrigation District  
Western Gateway Rec & Park District  
Nevada County Airport Land Use Commission  
Nevada County Economic Resource Council  
Penn Valley Chamber of Commerce  
Penn Valley MAC  
Penn Valley Community Foundation  
Federal Aviation Administration  
Sanctuary Ranch HOA  

Fire Protection Planner  
Native American Heritage Commission  
CA Native Plant Society Redbud  
Nevada County Association of Realtors  
Nevada County Contractors Association  
Greater GV Chamber of Commerce  
FREED  
Lake Wildwood HOA  
Sierra Nevada Group/Sierra Club  
Federation of Neighborhoods  
Nevada City Rancheria  
United Auburn Indian Community  
Bear Yuba Land Trust  
Alta Sierra POA – Bessee  
Friends of Nevada City  
General Plan Defense Fund  
Glenwood HOA  
Mountain Meadow Road Association  
PG&E  
Wildwood Heights HOA  
Commissioner Johansen, District IV  
Supervisor Hoek, District IV  
Tyler Barrington  

This project is being distributed to you for your review and comment. Your comments and/or conditions must be received in writing no later than March 28, 2019. In addition to sending a signed copy, please e-mail a digital copy to the Project Planner listed below. If you need additional information to complete your review, please contact the Project Planner before the comment deadline.  

PROJECT:  
An application to the Planning Commission requesting a General Plan Amendment, Zone Change and Use Permit to allow use of the former Pleasant Valley Elementary School campus as a non-profit center by the Penn Valley Community Church.  

APPLICANT: Penn Valley Community Church  

OWNER:  
Pleasant Valley Union Elementary School District  

REPR:  
Nevada City Engineering  

APN:  
050-020-032 & 050-020-072  

FILE NO:  
PLN19-0022; GPA19-0001; RZN19-0001; CUP19-0002
LOCATION: Located at the north side of the Lake Wildwood Community at 14685 Pleasant Valley Road.

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**Farmland Map Designation**: Urban & Built-Up

**PROJECT PLANNER**: Janeane Martin, Associate Planner, (530) 265-1610
Email: janeane.martin@co.nevada.ca.us
Penn Valley Community Church  
Project Description  
And Supplemental Information  

February 2019

Project Description:

This application proposes to amend the Nevada County General Plan and Zoning Maps to eliminate the “Public” zoning, and to obtain approval for a church and related facilities on Assessor’s Parcels 050-020-032 and 072 located at 14685 Pleasant Valley Road. Specifically, this application proposes to:

- Amend the General Plan from P (Public) to OP (Office and Professional)
- Rezone the property from P (Public) to OP-SP (Office and Professional with Site Performance Combining District)
- Use Permit for a church and related school and non-profit facilities.

Please see the associated site plan for additional information on the owner and applicant addresses, and existing and proposed building usage.

Background:

This property is currently owned by Penn Valley Union Elementary School District and this application is filed with their permission. The School District has a sales agreement with the applicant, Penn Valley Community Church, to sell the property to them, contingent on the County’s approval of the rezoning. This campus has been declared surplus and offered for sale due to the declining enrollment in the School District.

The Penn Valley Community Church is a long-standing Christian organization that operated for many years on Spenceville Road in Penn Valley. In September 2014, the church building was destroyed by fire. Since then, the church has been renting space from another church for their services.

A pre-application was filed for this project (County file number PRE18-0005) and interested departments provided feedback. This application has been prepared in an effort to address those comments.

A number of County zoning districts allow churches and schools by use permit. However, most are low density single family residential zones. Given the nature, magnitude, and quality of the existing buildings, we determined the office and professional zoning was most appropriate.
The Church's immediate need is to modify one building into a sanctuary suitable for worship with support space. See the floor plan and architectural information for more detail. The only hardscape improvement would be a drop-off lane to the sanctuary front entrance, two disabled parking spaces, and a canopy porte-cochere over the entry. They would also avail the gymnasium and play fields to existing church members and other non-profits.

For the buildings that do not have a declared use yet, future applications for tenant improvements or occupancy would be filed by the intended non-profit user and gravel parking would be added along with related landscaping to account for the additional usage. Because of the Church's need to maintain its welfare exemption for property taxes, only qualified non-profit tenants would be considered.

The access road from Lake Wildwood will be gated as an emergency only access, prohibiting general access from the gate-controlled subdivision. Internally, the parking ways will be opened so that all are accessible from Pleasant Valley Road. This arrangement will provide an important additional emergency access point for the subdivision, where a recent evacuation order during the Lobo Fire clearly demonstrated the merit of another exit point.

Environmental Review:

The application proposes only minor modifications to the site in the form of a drop off lane for the church, a covered entry, a through parking connection, and the addition of gravel parking spaces over time.

It appears that this application could be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) based on California Code of Regulations, Section 15301, which exempts, in part, minor changes to existing facilities.

Nevada County is the lead agency under CEQA and will independently determine the appropriate environmental review process for the project, which requires legislative action to amend the general plan and change the zoning.

General Plan Amendment Justification Statement:

Under Nevada County application guidelines, a general plan amendment justification statement is required in order to process a general plan amendment. For more complex projects, this can include a report that examines all of the policies of the general plan in depth.

In the case of this application, the justification seems simple, straight forward, and obvious. This facility and its accompanying general plan designation have become obsolete. No other public-zoning-allowed entity stepped forward to purchase the property. The general plan amendment and accompanying rezoning are necessary for this highly improved site to be put into use.
Under the provisions of the “public” zoning district, there is no ability for the facilities to be used, except by a public occupant. Therefore, without this general plan amendment and the accompanying zone change, there is no way to put this facility to a useful purpose. In this sense, the general plan amendment could be viewed as a form of recycling, allowing reuse of the facilities, which remain in very good repair.

**General Plan Amendment Fiscal Impact Analysis:**

Under Nevada County’s application guidelines, a fiscal impact study is required in order to process a general plan amendment. In more complex applications, this is typically a self standing study that delves into existing and future tax revenues and any indirect financial effects on construction, employment, retail sales, and any other aspect of the economy.

**Before Project: fiscal considerations as an active school site:**

The school district is exempt from paying property taxes. As an active school site, the property supported employment and vendor spending as it provided essential education services to the community. Beyond not paying property taxes, public schools are the beneficiary of local property taxes with roughly 50 percent of tax monies being directed to education by the State.

Essentially, the active school funneled property tax and other money back into the community in the form of teacher, administrative, and classified employee salaries. Supplies and services would have been purchased partly locally and partly through designated school suppliers. An active student population has indirect financial benefits, but also public service impacts on emergency services, traffic, social services, etc.

**Before Project: fiscal considerations as a vacated, inactive school site:**

The property remains exempt from paying property taxes. As an inactive site, there is no employment nor any vending spending. There are no student population benefits or public service impacts.

**After Project: fiscal consideration as a church and non-profit campus:**

As a church and other non-profit campus available for public and quasi-public access, the property will likely remain exempt from paying property taxes under welfare exemption rules. The site will likely support some paid employees, both full and part time. The site will result in local and non-local vendor purchases of supplies and services. To the extent that new uses are established on-site, the site could also result in assistance to public services in the form of worship, education, non-profit services, and recreation opportunities. As compared to the school, the negative impact to public services such as fire, police, traffic, etc., would appear to be less than significant.
Summary:

Accompanying this project description and study document there are plats that show the proposed general plan amendment, zone change, and more information about the property as it currently exists. For additional information, please contact:

Andy Cassano
Town and Regional Planner
Nevada City Engineering, Inc.
505-B Coyote Street
Nevada City, CA 95959
(530) 265-6911
Proposed General Plan Amendment
Penn Valley Community Church

January 15, 2019

Proposed PUB (Public) to OP (Office and Professional)