Penn Valley Municipal Advisory Council (PVMAC)
PUBLIC NOTICE – MEETING AGENDA

To receive an email notice when the Agenda is posted: www.mynevadacounty.com/list.aspx
(under Agenda Center select Penn Valley Area Municipal Advisory Council)

Pursuant to Governor Gavin Newsom’s Executive Order pertaining to the convening of public meetings in response to the COVID 19 pandemic, the PVMAC hereby provides notice that it will hold its regular meeting of the PVMAC members virtually per Zoom.

Date: Thursday, May 21, 2020
Time: 6:00 p.m.
Place: Join Zoom Meeting
https://zoom.us/j/99158250380?pwd=WDhneWdGOWhpYjBTVGxZSExYVTdxzd09
Meeting ID: 991 5825 0380, Password: 512672
Or participate by phone during the meeting at 1-669-900-6833, Meeting ID: 991 5825 0380

Members:
Michael Mastrodonato, Member & Chair
Gordon Beatie, Member & Vice Chair
Teresa Dietrich, Member
Ryan Everson, Member
Douglas Moon, Member
Rick Nolle, Member
Nancy Peirce, Member
Rob Tribble, Member
Bob Winters, 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 Meeting Agenda for May 21, 2020 Action
   b. Approval of Minutes from April 16, 2020 Action

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. Members of the public can provide general comments on items that are of interest to the public and are within the subject matter jurisdiction of the Board or on a particular agenda item via chat through zoom or by phone during the meeting using the information provided above. Action will not be taken at this meeting on citizen comments. The PVMAC, however, after hearing from interested citizens, may place items on a future agenda so proper notice may be given to all interested parties. This meeting is being recorded and will be made available to the public through the County’s website at mynevadacounty.com.
4. Amendments being considered to the Outdoor Event Ordinance
   1. Increase the number of allowed events from four to eight per year
   2. Modify the permit issuing agency to the Community Development Agency from the Nevada County Sheriff’s Office
   3. Provide clarification of sanitation requirements for portable toilets
   4. Remove the requirements for criminal record checks, security posting and proof of insurance
   5. Clarify the appeal and violation procedures

5. Penn Valley Area Plan
   Comments on Chapter 1 Introduction, Chapter 4 Public Services and Infrastructure, Chapter 5 Recreation and Chapter 6 Historic, Cultural & Natural Resources

6. Items for the Good of the Order
   Green Waste Collection
   Announce COVID-19 Testing Sites in Nevada County

7. 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. Agenda discussions and report items are subject to action being taken on them during the meeting by the PVMAC at its discretion. The meeting is accessible to people with disabilities. 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 the Chair of the PVMAC at (530) 265-1480.

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**AFFIDAVIT OF POSTING**

Meeting Notice/Agenda of the PVMAC regular meeting, scheduled for April 16, 2020, was posted per Open Meeting Law requirements at the following locations:

Eric W. Rood Administrative Center, 950 Maidu Avenue, Nevada City CA
Penn Valley True Value located at 17387 Penn Valley Drive, Penn Valley CA
Penn Valley Shopping Center located at 17464 Penn Valley Drive, Penn Valley CA
www.mynevadacounty.com

AGENDA POSTED: Monday, May 18, 2020
Members Present:
- Michael Mastrodonato, Member & Chair
- Gordon Beatie, Member & Vice Chair
- Teresa Dietrich, Member
- Ryan Everson, Member
- Douglas Moon, Member
- Rick Nolle, Member
- Nancy Peirce, Member
- Rob Tribble, Member
- Bob Winters, Member

Members Absent:
- None

1. Meeting called to order, Roll Call taken, and Pledge of Allegiance held

2. Consent Agenda
   a. Approval of Agenda and Order of Business  
   b. Approval of Minutes from February 20, 2020  
   Consent Agenda approved, all aye by Roll Call

3. Public Comment
   - None

4. COVID 19 Pandemic (Jeffrey Thorsby, Senior Analyst and Taylor Wolfe, Administrative Analyst, County Executive Office)  
   Taylor Wolfe provided an overview of County activities regarding COVID 19 Pandemic. County has been at 34 cases for over a week. Stay at home efforts may be having an impact. Website covidactnow.org shared with County data and projection modeling. Link will be provided to Members. The County is still open for business. County employees are helping with Disaster Service Work such as food distribution as well as County Operations. Jeffrey Thorsby provided information about an emergency relief fund established by the Board of Supervisors and other business resources in the County. Businesses have been severely impacted by the shelter in place order. County website has information about COVID 19 as well as small business resources. He highlighted programs available for business and workforce assistance. County released clarification regarding essential services and allowed recreational activities. Questions and discussion by members and public regarding COVID 19 data and projection models, economic impacts, public health and safety, data reporting to the public, active and recovered cases, hospital data reporting, availability of testing supplies, testing sites, information provided to the public, small business programs are no longer accepting applications, clarification on park closures.
5. Lone Oak Housing Project (Mike Dent, Director of Child Support Services) Update/Discussion
Project update provided. Construction is beginning, groundbreaking ceremony was cancelled due to COVID 19. Construction scheduled to be completed within one year.

6. Homelessness (Mike Dent, Director of Child Support Services) Update/Discussion
Update provided regarding Homelessness in Nevada County including impacts on Housing and Social Services. Emergency Rooms (ER) impacted by COVID 19, ER patients who are homeless, funding for medically fragile people who are homeless, housing and surplus property being identified as available for homeless shelters and affordable housing, State issuing requests for proposal to develop properties, properties identified in Western Nevada County not appropriate for development, property identified in Eastern Nevada County property may be appropriate.

Questions and discussion by members and public regarding items 5 and 6 regarding communication to the public regarding property development, PVMAC can assist with communication, applicable Press Releases to be provided to the PVMAC in the future, contact information for County provided.

7. 6:45 p.m., Scheduled Item Update/Action
Update on the Penn Valley Area Plan, including providing feedback to the Planning Department on the draft chapters completed to date (Tyler Barrington, Principal Planner)
Update provided. Four Chapters were provided in the agenda packet. Input can be provided by email. Plan will be released for public comment when all chapters are completed. Questions and discussion by members and public regarding due date for the plan, community meetings, role of the PVMAC in gathering community information, meeting notifications, public input opportunities, housing density, land use, notice of meetings, public services, street lights in the Village Center, design guidelines for the Village Center, scheduling a special meeting of the PVMAC regarding the Area Plan and Land Use Chapter.

Motion and Second to schedule a Special Meeting of the PVMAC date and time to be scheduled by email communication. All Aye by Roll Call Vote.

8. Update on 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) (Tyler Barrington, Principal Planner)
Applicant representatives present. Update provided by County, the project is complete, Public Hearing will be scheduled. Applicant provided update regarding the project. Public outreach will be conducted by the Applicant regarding the project, zoning regulations, current issues with site, conditions of approval, building use. Questions and discussion by members and public regarding the site and timeline. The project will have public comment period for CEQA and public hearing, PVMAC can provide input during those two times. Discussion regarding vandalism and need for on-site security while the site is vacant. Discussion regarding open space, recreation, possible dog park, ball fields, gymnasium, senior housing, business tenants and occupancy, zoning.

9. Next regular PVMAC MEETING May 21, 2020 6:00 p.m. via Zoom
Special PVMAC MEETING at a date to be determined via Zoom
10. Items for the Good of the Order

South Yuba River State Park Bridge is under construction, the project is going forward. Can view the progress from the concrete bridge.
Penn Valley Rodeo Grounds will be used by the Fire Safe Council for Green Waste Collection and Chipping in May. Dates will be provided for collection and wood chip distribution.
The Penn Valley Rodeo Association Board rescheduled the Rodeo to August 21 and 22, 2020.
Western Gateway Park will host Tasty Thursday Farmer’s Market every Thursday from 9 am – 1 pm starting May 14. Twelve stalls are available, six have been filled. Farmer’s Markets are essential business, parking will be available.
Board of Supervisors will be discussing the Nevada County Event Ordinance at their meeting on April 28, 2020. The number of events allowed per year may be increased.
Supervisor Hoek produces a newsletter for Lake Wildwood bi-monthly where information is shared. It is also online at mynevadacounty.com. Social Distancing is a must. The County is working hard to move forward to economic sustainability. Thank you for coming tonight.

11. Meeting adjourned
MEETING DATE: April 28, 2020

TO: Board of Supervisors

FROM: Brian Foss, Planning Director

SUBJECT: Ordinance Amending Article 2 of Chapter V of the Nevada County General Code: Outdoor Events

RECOMMENDATION: Introduce/Waive further reading and adopt the Ordinance.

FUNDING: Not applicable.

ATTACHMENTS:

1. Ordinance to amend Article 2 of Chapter V of the General Code: Outdoor Events
2. Draft ordinance with proposed amendments highlighted
3. Background Information: August 6, 2014 Outdoor Event Ordinance Staff Report and Ordinance
4. August 14, 2014 Board of Supervisors Meeting minutes

BACKGROUND: The existing Outdoor Event Ordinance standards contained in Article 2 of Chapter V of the General Code were adopted in 2014 which allowed up to four events per year on private property at locations that were not previously permitted for outdoor events. The ordinance established standards for operating special events on private property and excluded non-profit events from the standards. Numerous public hearings were held and a subcommittee worked to create the ordinance standards. The ordinance was passed at the August 26, 2014 Board of Supervisors hearing. Please see the attached staff report and meeting minutes of that hearing for additional information.

The ordinance has been in place for approximately 5 years. During this time there have been 12 permits issued at 12 locations for events to be held, primarily weddings. There have been no complaints regarding the events that have been permitted under the ordinance. Over the last few years the event community has expressed concerns that the ordinance is too limiting and does not
allow the industry to survive with so few events. The Community Development Agency has met with the Grass Valley Chamber of Commerce on multiple occasions to discuss the concerns and improve the ordinance to meet industry needs.

This issue including the discussions and concerns from the event community was discussed at the January 2020 Board of Supervisors workshop. Potential amendments to the ordinance were discussed including increasing the number of allowed events per year, modifying the issuing agency to the Community Development Agency for permits rather than the Sheriff’s office and providing clarification of toilet facility requirements.

The Nevada County Board of Supervisors has directed the Community Development Agency to amend the County’s Outdoor Event Ordinance (Article 2 of Chapter V of the General Code: Outdoor Events) to allow additional events and provide clarifications to the permit requirements. The draft ordinance proposes to achieve the following:

1. Increase the number of allowed events from four (4) to eight (8) per year.
2. Modify the permit issuing agency to the Community Development Agency from the Nevada County Sheriff’s Office.
3. Provide clarification of sanitation requirements for portable toilets.
4. Remove the requirements for criminal record checks, security posting and proof of insurance.
5. Clarify the appeal and violation procedures.

The changes only modify the existing ordinance and do not substantially change the function or the applicability of the ordinance. No changes have been made to the locations, parcel sizes or locations that the events could occur. No changes are proposed to the site plan requirements, attendance limitations, or any health and safety regulations. All building codes, fire codes, lighting standards and noise standards remain the same and in place. The Community Development Agency will be the issuing Agency, however, the applications for permits will be routed to the Sheriff’s Office for review and comment. The Sheriff’s Office will retain enforcement abilities for any safety violations or public disturbance impacts. The Community Development Agency will take over the authority to issue permits and enforce fines.

The draft ordinance has been discussed with the Grass Valley Chamber of Commerce working group which included members of the wedding industry, agricultural community and other business interests. The working group established by the Grass Valley Chamber of Commerce is in support of the proposed amendments. The draft ordinance was circulated for public review between March 1st and March 31st no comments have been received at the time of this report.

**Summary:** The proposed ordinance amendments would provide additional flexibility and allowances for more events on private property to address the industry’s concerns. The amended ordinance will provide clarifications and streamlining to the existing ordinance and permitting process. Staff recommends adoption of the amended Outdoor Event Ordinance.

This action requires a public hearing and the ordinance will become effective on May 14, 2020.
ORDINANCE NO.__________

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER V OF THE NEVADA COUNTY GENERAL CODE REGARDING OUTDOOR EVENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Article 2 of Chapter V of the Nevada County General Code is hereby amended to read as shown in Exhibit A attached hereto and incorporated herein by this reference.

SECTION II:

The County finds that this Article is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemptions apply: Sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including by direct referral to the County Counsel as appropriate for judicial enforcement).

SECTION III:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION IV:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the 28th day of May, 2020, and before the expiration of
fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.
Sec. G-V 2.1 Findings

A. The County encourages and supports responsible planning, management and operation of Outdoor Events held in the County’s unincorporated area.

B. The Board of Supervisors finds that there have been increased demands upon County resources and infrastructure and increasing concerns related to the operation of Outdoor Events on private property. In order to adequately protect the public health, safety and welfare of event participants, neighboring property owners, other residents and the community at large, and to mitigate the special impacts created by these events, it is necessary to provide greater guidance and oversight regarding Outdoor Events, especially in connection with Commercial Outdoor Events that are conducted “for profit” on property that has not been fully permitted and constructed to accommodate such a use.

C. The intent of this Article is to ensure that the County will have adequate advance notice of Outdoor Events and the ability to plan and allocate County resources and services that may be needed to support such events, to mitigate the special impacts created by Outdoor Events in rural areas, and to ensure that Outdoor Events are planned, managed and operated in a safe and responsible manner.

D. The proximity of neighboring properties, difficult topography and terrains, and limited usable area footprints on small rural properties create physical constraints which interfere with the ability to adequately mitigate noise, parking, light and glare, and other special health and safety impacts associated with Commercial Outdoor events. Therefore, the Board of Supervisors finds and determines that it is not appropriate or feasible to allow Commercial Outdoor Events on small rural parcels of less than five (5) acres.

E. It is the intent of the Board of Supervisors in adopting this Chapter to mitigate the special impacts created by Outdoor Events without infringing upon the rights of speech and assembly as guaranteed under the federal and state constitutions. This Chapter shall be interpreted in light of such constitutional provisions and interpreted consistently therewith. In no event shall the content of such proposed speech be considered a basis for approval or denial of an application or the imposition of conditions on an Outdoor Event Permit.

Sec. G-V 2.2 Definitions

As used herein, the following definitions shall apply:

A. “Camping” means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit overnight use.
B. “Commercial Outdoor Event” means an Outdoor Event at which any fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event.

C. “Community Development Agency” or “CDA” means the Community Development Agency of the County of Nevada, California.

D. “County” means the County of Nevada, California.

E. “Emergency Services and Fire Safety Plan” means a plan submitted by the applicant setting forth its plans for providing emergency services and evacuation, including fire prevention and fire suppression on any property used for an Outdoor Event, and including emergency medical services to attendees, performers, exhibitors, or other persons at the Outdoor Event.

F. “Local Fire Official” shall mean the CALFIRE unit chief or the Fire Chief of any local fire protection district located in whole or in part within the County of Nevada, and all chief officers, engineers and trained, professional prevention staff as may be designated by them to enforce the provisions of this Article.

G. “Noise Mitigation Plan” means a plan submitted by the applicant setting forth its plans for addressing noise impacts on surrounding residences, campgrounds and businesses if the Outdoor Event includes amplified sound.

H. “Outdoor Event” means any outdoor gathering, including but not limited to festivals, concerts, carnivals, fairs, ceremonies, cultural celebrations, block parties, weddings or other outdoor event, activity or entertainment which is held at any place other than a permanent building which has been permitted, designed and constructed or customarily used for the purpose of housing such activities.

I. “Parking and Traffic Circulation Plan” means a plan submitted by the applicant setting forth its plans to address anticipated parking demands and traffic circulation and control, including provisions for emergency vehicle access before, during and after an Outdoor Event, for each day of the event.

J. “Property” means any parcel or group of contiguous parcels of real property that may be separately sold in compliance with the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the California Government Code) which are held in whole or in part by the same owner or owners, as reflected on the latest equalized Assessor’s roll.
K. “Sheriff” means the Nevada County Sheriff or Undersheriff, or any Captain within the Nevada County Sheriff’s Office as may be designated by the Sheriff to review permit applications in accordance with this Article.

L. “Sponsors” and “Promoters” means all persons, business entities or organizations having a direct financial interest in the proceeds to be derived from the outdoor event, whether such proceeds arise from ticket sales, sales of food, goods or services, use or rental of the property or facility (or any portion thereof), sales of film, radio, television or sound recording rights, or otherwise.

Sec. G-V 2.3 Permit Required; Prohibited Activities

A. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on Property with a gross area of more than 5 acres in the unincorporated area of the County of Nevada without first obtaining a permit to do so from the County.

B. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on a Property with a gross area of 5 acres or less in the unincorporated area of the County of Nevada.

Sec. G-V 2.4 Exemptions

A. No permit shall be required for any Commercial Outdoor Event if the event is held at a public or private facility which meets the following requirements:

1. The facility is permitted for large Commercial Outdoor Events in accordance with the County’s Land Use and Development Code; and,

2. The facility is constructed for, and customarily and lawfully used for large Outdoor Events, including open air stadiums, ski resort areas, public parks, fair grounds, etc.; and,

3. The facility has permanently installed water, sanitation, access and parking facilities in accordance with County codes and which are adequate to accommodate the number of people in attendance.

B. No permit shall be required for any Outdoor Event sponsored, promoted and conducted by a tax exempt 501(c)(3) or 501(c)(4) organization or a state registered campaign committee, provided: (a) no financial consideration or other compensation is provided to the property owner for use of the property, (b) all proceeds from the event shall be for the sole benefit of the tax exempt organization or registered campaign committee, and (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with any Outdoor Event held at the event location or
at any Outdoor Event sponsored, promoted or conducted by the organization or committee.

C. No permit shall be required for a private “by-invitation-only” Outdoor Event such as a wedding, memorial service, family reunion, birthday party, or similar private event, if no fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event.

Sec. G-V 2.5 Outdoor Events For Which No Permit is Required

A. For any Outdoor Event which is not required to obtain a permit under this Article:

1. At least fifteen (15) days prior to the date of the Outdoor Event, the event sponsors and promoters, and/or the property owner are encouraged to provide the Community Development Agency, Sheriff and the local agency responsible for fire protection with the following information:

   a. Written notice of the Outdoor Event, including the date or dates and hours during which the Outdoor Event is to be conducted, an estimate of the maximum number of people who will attend the event, and the name, age, telephone number and mailing address of the primary contact person(s) responsible for managing the event.


2. All Outdoor Events which are not required to obtain a permit, shall comply with the following health and safety requirements:


   b. All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

   c. No overnight Camping shall be allowed in residential areas.

   d. Vehicles shall not be parked in any manner that would create a traffic hazard or impede the ingress or egress of emergency response vehicles, as determined by Community Development Agency, the Sheriff or the Local Fire Official. Vehicles may be parked on private property other than the event property with written permission from the property owner.
e. Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for collection of waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

f. In addition to the above, the Outdoor Event host and property owner shall generally conduct the event in a manner that minimizes impacts on the surrounding neighborhood.

g. Failure to comply with above requirements may result in enforcement action as provided in this Article, including summary closure of the event and penalties as provided in Sections G-V 2.12 and G-V 2.13.

Sec. G-V 2.6 Application for Permit - Time Requirement

An application for a Commercial Outdoor Event permit shall be made in writing to the Community Development Agency and shall be accompanied by a non-refundable application fee in an amount approved by resolution of the Board of Supervisors. The application shall be signed by the owner of the property on which the Outdoor Event will occur and all Sponsors and Promoters of the Outdoor Event. The application shall be filed with the Community Development Agency at least sixty (60) days prior to the date upon which the proposed Outdoor Event is to commence. Incomplete applications and those submitted less than sixty (60) days prior to the date of the proposed Outdoor Event may, at the discretion of the Community Development Agency, be summarily denied. One application may be used to request up to eight (8) Outdoor Event permits per Property per calendar year.

Sec. G-V 2.7 Application for Permit - Content

A. The application for a Commercial Outdoor Event shall include the following information:

1. Identification of Applicants and Owners. The name(s), age(s), residence(s) and mailing address(es), and twenty-four hour telephone number of each person making the application and the owner(s) of any property on which the proposed Outdoor Event (including vehicle parking) will be held. If the Outdoor Event is to be held for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the
organization and the name and address of the authorized responsible representatives of the organization.

2. **Primary Contact Information.** The name and cellular or other twenty-four hour telephone number for the primary contact person(s) responsible for organizing the Outdoor Event and on-site management on the day(s) of the event.

3. **Description of the Outdoor Event.** A description of the proposed Outdoor Event, including any historical or promotional information, the date or dates of the event and the hours during which the applicant proposed to conduct the event.

4. **Identification of the Premises.** The exact location, legal description, and area of the premises on which the Outdoor Event and all related activities, including parking, will be held.

5. **Prior Experience of Applicants.** For each applicant, a brief explanation of his or her experience planning, managing and/or operating Outdoor Events, with particular emphasis on experience handling events which are of a similar size and nature as the proposed event for which a permit is requested. The Community Development Agency may require applicants to provide a list of references related to the applicant’s prior experience with Outdoor Events.

6. **Statement of Maximum Attendance.** A statement regarding the maximum number of persons to be allowed in attendance at the Outdoor Event on each day. The Community Development Agency may use discretion in determining whether or not the proposed Outdoor Event is likely to attract more than the stated number of attendees and may modify permit conditions accordingly. The maximum number of people in attendance at the event shall not exceed the number approved under the permit.

7. **Provisions for Public Health and Safety.** An Emergency Services and Fire Safety Plan, a Noise Mitigation Plan, a Parking and Traffic Control Plan and detailed statements regarding the applicant’s plans to supply emergency communications, policing and security protection, food and water, sanitation facilities, sound and lighting equipment, medical facilities and medical services, fire protection, vehicle parking, vehicle access and on-site traffic control, garbage, trash and litter cleanup, and proof that the applicant possesses or is able to obtain all licenses and permits required by the County or by state law for the Outdoor Event. Applicants may be required to hire, at the applicant’s expense, security from a licensed, bonded security company and/or law enforcement, medical, fire or other emergency services personnel for the Outdoor Event. If alcohol will be served at the event, the applicant will provide a copy of the appropriate
permit issued by the Department of Alcoholic Beverage Control prior to commencement of the Outdoor Event.

8. **Contingency Plan.** A detailed statement of the applicant’s plans in the event that the number of persons in attendance exceeds the maximum attendance.

9. **Event Site Plan.** An event site plan or diagram showing:
   
a. The location of the property on which the proposed Outdoor Event and all related activities will be held.

   b. The location of adjacent roads, lots, and residences, and the location and time that any roads are to be blocked or closed.

   c. The parking and traffic flow and control plan, including all access ways to and from the property and all interior access ways on the property.

   d. The location of all buildings and structures on the property or to be erected thereon, including but not limited to, all bandstands, stages, tents or other facilities for performers, and bleachers, tents, or seats for those attending.

   e. The location, time and type of any entertainment, whether amplification will be used and the location and orientation of loudspeakers.

   f. The location, style, wattage and orientation of all temporary lighting.

   g. The location of all toilets, medical facilities, emergency communications, generators, drinking facilities, fire pits or barbecues, and solid waste receptacles.

10. **Statement of Responsibility.** A statement by the applicant and the property owner agreeing to comply with all federal, state and local laws and Outdoor Event permit conditions, and to assume financial responsibility for all fines, penalties or other monetary sanctions imposed for violations of this Article. If the Outdoor Event is to be held for, on the behalf of, or by an organization, the authorized responsible representatives of the organization shall also sign this statement.

11. **Consent to Enter.** A consent for any peace officer, fire official, health officer, or other County official to enter the Outdoor Event area and the property on which the event will be located at any time, in the course and scope of his or her duties.
12. **Additional Information.** Any additional information related to health and safety which the Community Development Agency determines is reasonably necessary to make a determination as to whether an Outdoor Event permit should be issued.

13. **Notice to Neighbors.** Within five days after an application has been filed with the Community Development Agency, the applicant shall send or personally deliver written notices of the Outdoor Event to all property owners within five hundred (500) feet of the premises on which the event will be held. Notices shall include a brief description of the event, the dates, times, locations and types of activities that will take place during the event, and any additional information required by the Community Development Agency. The applicant shall prepare and submit with the application a copy of the written notice to be mailed to the neighbors, together with the list of properties, property owners and addresses to whom the notice will be sent.

**Sec. G-V 2.8 Regulations for Outdoor Events**

All Commercial Outdoor Events for which a permit is required shall comply with the following minimum conditions:

A. **Hours.** Outdoor Events shall not open prior to 9 a.m. and shall close by 10 p.m.; provided, however, that Outdoor Events in non-residential areas shall close by 11 p.m. on Fridays and Saturdays. Permitted hours of operation may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended hours will not adversely impact owners or users of, or allowed uses on, surrounding properties.

B. **Toilet Facilities.** Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

C. **Solid Waste Disposal.** The applicant and property owner shall provide for the collection of solid waste and litter. Separate containers shall be provided for the collection of recyclable materials. All solid waste, litter and recyclable materials shall be removed from the site within twenty-four (24) hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on-site accumulations which would create a nuisance or pose a health hazard. All solid waste must be deposited at the County transfer station by a County approved garbage hauler.
and all recyclable materials conveyed to an approved recycling center. Event-related litter, posters and other signage and debris shall be removed from surrounding lands and roads within twenty-four (24) hours following the event.

D. Compliance with County Building Codes and Fire Codes. All structures, including tents and other temporary structures, and electrical work shall be permitted and installed in compliance with the County Building Code and shall comply with the setback requirements in the County Land Use and Development Code.

E. Lighting. All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

F. Overnight Camping Facilities. No overnight camping or campfires are allowed in association with Outdoor Events.

G. Parking and Traffic Circulation. Outdoor Events shall comply with the approved Parking and Traffic Circulation Plan. Vehicles shall not be parked in any manner that would create a traffic hazard or interfere with the ingress or egress of emergency vehicles as determined by the Community Development Agency, Sheriff or the Local Fire Official.

H. Noise. Outdoor Events shall comply with the approved Noise Mitigation Plan. Noise levels generated by Outdoor Events shall not exceed the standards set forth in Table L-II 4.1.7 (Exterior Noise Limits) of the Nevada County Zoning Ordinance applicable to the Land Use Category and Zoning District for the premises on which the outdoor event will be held.

| Table L-II 4.1.7
| Exterior Noise Limits

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I. **Days.** Outdoor Events shall have a maximum length of two (2) days, or 48 hours, per event. The maximum length of the event may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended days will not adversely impact owners or users of, or allowed uses on, surrounding properties.

Sec. G-V 2.9 Processing Application; Bonds; Appeals

A. Upon receipt of a complete application and application fee, the Community Development Agency shall distribute copies of the application to all other affected public agencies and County departments, together with a request for their input and comments. If administratively possible, all responses shall be due within eighteen (18) days from the date the application is deemed complete. Thereafter, the Community Development Agency shall promptly issue a permit for an Outdoor Event if the Community Development Agency determines based on the comments received and any other relevant evidence, that the Outdoor Event can be conducted in a manner which will not jeopardize the public’s health, safety and welfare.

B. The Community Development Agency shall impose conditions on the issuance of any permit consistent with the requirements in Section G-V 2.8, together with any such conditions as the Community Development Agency, Sheriff and/or Local Fire Official determines are reasonably necessary to protect the public health, safety and welfare.

C. The Community Development Agency shall notify the applicant in writing of the issuance or denial of a permit. If the Community Development Agency denies an application for a permit, the written notification shall include the basis for the decision. Whenever administratively possible, the Community Development Agency shall make the notification no later than thirty (30) days after the date the application was determined to be complete.

Sec. G-V 2.10 Effective Date of Permit; Separate Permit Required for Each Day; Permit Non-Transferable

A. An Outdoor Event permit shall be valid only for the date or dates stated on the permit. A permit licensing fee in accordance with the fee adopted by Resolution by the Board of Supervisors shall be due prior to issuance of the permit. The Community Development Agency may authorize a maximum of eight (8) separate Outdoor Events per property per 12-month period.

B. The Community Development Agency may renew an Outdoor Event permit for an event that is held on an annual basis without following the procedures of this Article
if: (a) the permit holder, the location of the Outdoor Event and the owner of the property on which the Outdoor Event will be held remain the same; (b) the Outdoor Event will be substantially the same as it was in prior years; (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with the prior Outdoor Events or the location at which the Outdoor Event is being held; and (d) the permit holder provides a Primary Contact Person, Statement of Responsibility and Consent to Enter in accordance with Section G-V 2.7, in conjunction with a request to renew the permit. A request to renew an Outdoor Event permit shall be made in writing at least thirty (30) days prior to the event and shall be accompanied by a renewal permit fee in an amount approved by resolution of the Board of Supervisors.

C. No Outdoor Event permit shall be transferable to another person or entity, or removable to another location, date or time.

Sec. G-V 2.11 Commencement of Event; Inspection Required; Re-inspection Fee

Prior to commencement of the Outdoor Event, the applicant shall call the Community Development Agency and the Local Fire Official for an inspection of the event site to assure compliance with all permitting conditions. If the Community Development Agency, Sheriff, the Local Fire Official or other County official find that any conditions of the Outdoor Event permit or this Article have not been met, said official shall notify the applicant indicating the correction(s) to be made. If it is determined that additional inspections are required, the applicant shall pay a re-inspection fee in accordance with the County’s adopted fee schedules for each such additional inspection. The Outdoor Event may not commence until the applicant has submitted all required documentation, complied with any pre-conditions and paid all sums as required by this Article.

Sec. G-V 2.12 Revocation of Permits and Denial of Future Permits; Failure to Comply with Permit Conditions; Closure of Events

A. The Community Development Agency shall have the right to modify or revoke any permit or permits for any of the following causes:

1. The applicant fails, neglects or refuses to fulfill any of the requirements and/or conditions imposed upon the granting of an Outdoor Event permit or as otherwise required by this Article.

2. The applicant permits the Outdoor Event to be conducted in a disorderly manner.

3. The Outdoor Event is being held for an unlawful purpose and/or the applicant violates or attempts to violate any Federal or State law or County code.

4. If the Community Development Agency, Sheriff and/or the Local Fire Official determine that due to the scope of the Outdoor Event and the
number of safety personnel required to provide protection and traffic control, it is more likely than not that normal public safety protection elsewhere in the County or the local fire protection district cannot be provided continuously and safely for the duration of the Outdoor Event.

5. Upon request of the applicant, if the applicant demonstrates that the modification will not adversely impact owners or users of, or allowed uses on, surrounding properties, and either:

a. The applicant demonstrates good cause for the modification; and/or
b. The modification is necessary due to an unforeseen emergency or act of nature which is outside the applicant’s control.

B. The Community Development Agency shall have the right to modify, deny or revoke any Outdoor Event permit if it appears, based on competent evidence, that the applicant has made a false, misleading or fraudulent statement of material fact in the permit application, or in any other document required pursuant to this Article. Prior to such denial or revocation, the Community Development Agency shall notify the applicant of the evidence and provide applicant with two (2) business days to rebut said evidence in writing.

C. A finding that an applicant has materially violated or defaulted in the performance of any of the provisions in this Section G-V 2.12, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future Outdoor Events by that applicant. The finding that a parcel or property has a history of materially violating, or defaulting in the performance of, such provisions, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future events at that location.

D. Written notice of a permit revocation or a change in permit conditions shall be personally delivered or sent by the Community Development Agency to the applicant and the property owner at their respective addresses given in the application. Such revocation shall become effective immediately after being ordered by the Community Development Agency.

E. The Community Development Agency, Sheriff or Local Fire Official may suspend operation and close any Outdoor Event prior to the expiration of an Outdoor Event permit when, a shutdown becomes necessary to prevent injury to person or persons and/or damage to property, or the continued operation of the Outdoor Event constitutes an immediate and serious threat to the health or safety of persons or property. For purposes of this section, “an immediate and serious threat to health or safety” includes, but is not limited to, the occurrence of a riot, major disorder or serious breach of the peace; the occurrence of a public disaster, calamity, fire or other emergency; excessive calls for service related to assaults, battery, disorderly conduct and the like; overcrowding or allowing significantly more attendees at the event than approved under the Outdoor Event permit; or other gross or willful violations of federal, state or local law
which create an immediate and serious risk of damage, injury or death to event participants, surrounding properties, or emergency services personnel.

F. The Community Development Agency or Sheriff may immediately terminate, suspend and close any Outdoor Event which fails to obtain or maintain a valid permit in accordance with this Article, or which commences in violation of Section G-V 2.11, above.

Sec. G-V 2.13 Penalties

Violations of this Article shall be enforced in accordance with Section L-II 5.21 Enforcement and Penalty for Violations of Chapter II: Zoning Regulations of the Land Use and Development Code.

Sec. G-V 2.14 Appeal Process

An appeal of the determination of the Community Development Agency shall be conducted in accordance with Section L-II 5.12 Appeals of Chapter II: Zoning Regulations of the Land Use and Development Code. The appeal shall not be valid and shall not be processed unless accompanied by an appeal fee in an amount established by resolution of the Board of Supervisors, which may be amended from time to time.

Sec. G-V 2.15 Other Requirements Not Waived

Nothing in this Article shall be deemed to waive any other local, state or federal requirements which may apply to the Outdoor Event.
EXHIBIT A
ARTICLE 2. OUTDOOR EVENTS

Sec. G-V 2.1 Findings

A. The County encourages and supports responsible planning, management and operation of Outdoor Events held in the County’s unincorporated area.

B. The Board of Supervisors finds that there have been increased demands upon County resources and infrastructure and increasing concerns related to the operation of Outdoor Events on private property. In order to adequately protect the public health, safety and welfare of event participants, neighboring property owners, other residents and the community at large, and to mitigate the special impacts created by these events, it is necessary to provide greater guidance and oversight regarding Outdoor Events, especially in connection with Commercial Outdoor Events that are conducted “for profit” on property that has not been fully permitted and constructed to accommodate such a use.

C. The intent of this Article is to ensure that the County will have adequate advance notice of Outdoor Events and the ability to plan and allocate County resources and services that may be needed to support such events, to mitigate the special impacts created by Outdoor Events in rural areas, and to ensure that Outdoor Events are planned, managed and operated in a safe and responsible manner.

D. The proximity of neighboring properties, difficult topography and terrains, and limited usable area footprints on small rural properties create physical constraints which interfere with the ability to adequately mitigate noise, parking, light and glare, and other special health and safety impacts associated with Commercial Outdoor events. Therefore, the Board of Supervisors finds and determines that it is not appropriate or feasible to allow Commercial Outdoor Events on small rural parcels of less than five (5) acres or less.

E. It is the intent of the Board of Supervisors in adopting this Chapter to mitigate the special impacts created by Outdoor Events without infringing upon the rights of speech and assembly as guaranteed under the federal and state constitutions. This Chapter shall be interpreted in light of such constitutional provisions and interpreted consistently therewith. In no event shall the content of such proposed speech be considered a basis for approval or denial of an application or the imposition of conditions on an Outdoor Event Permit.

Sec. G-V 2.2 Definitions

As used herein, the following definitions shall apply:
A. “Camping” means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit overnight use.

B. “Commercial Outdoor Event” means an Outdoor Event at which any fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event.

B.C. “Community Development Agency” or “CDA” means the Community Development Agency of the County of Nevada, California.

G.D. “County” means the County of Nevada, California.

D.E. “Emergency Services and Fire Safety Plan” means a plan submitted by the applicant setting forth its plans for providing emergency services and evacuation, including fire prevention and fire suppression on any property used for an Outdoor Event, and including emergency medical services to attendees, performers, exhibitors, or other persons at the Outdoor Event.

E.F. “Local Fire Official” shall mean the CALFIRE unit chief or the Fire Chief of any local fire protection district located in whole or in part within the County of Nevada, and all chief officers, engineers and trained, professional prevention staff as may be designated by them to enforce the provisions of this Article.

F.G. “Noise Mitigation Plan” means a plan submitted by the applicant setting forth its plans for addressing noise impacts on surrounding residences, campgrounds and businesses if the Outdoor Event includes amplified sound.

G.H. “Outdoor Event” means any outdoor gathering, including but not limited to festivals, concerts, carnivals, fairs, ceremonies, cultural celebrations, block parties, weddings or other outdoor event, activity or entertainment which is held at any place other than a permanent building which has been permitted, designed and constructed or customarily used for the purpose of housing such activities.

H.I. “Parking and Traffic Circulation Plan” means a plan submitted by the applicant setting forth its plans to address anticipated parking demands and traffic circulation and control, including provisions for emergency vehicle access before, during and after an Outdoor Event, for each day of the event.

I.J. “Property” means any parcel or group of contiguous parcels of real property that may be separately sold in compliance with the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the California Government Code) which are held in whole or in part by the same owner or owners, as reflected on the latest equalized Assessor’s roll.
“Sheriff” means the Nevada County Sheriff or Undersheriff, or any Captain within the Nevada County Sheriff’s Office as may be designated by the Sheriff to review issue permit applications in accordance with this Article.

“Sponsors” and “Promoters” means all persons, business entities or organizations having a direct financial interest in the proceeds to be derived from the outdoor event, whether such proceeds arise from ticket sales, sales of food, goods or services, use or rental of the property or facility (or any portion thereof), sales of film, radio, television or sound recording rights, or otherwise.

Sec. G-V 2.3 Permit Required; Prohibited Activities

A. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on Property with a gross area of more than 5 acres in the unincorporated area of the County of Nevada without first obtaining a permit to do so from the County.

B. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on a Property with a gross area of 5 acres or less in the unincorporated area of the County of Nevada.

Sec. G-V 2.4 Exemptions

A. No permit shall be required for any Commercial Outdoor Event if the event is held at a public or private facility which meets the following requirements:

1. The facility is permitted for large Commercial Outdoor Events in accordance with the County’s Land Use and Development Code; and,

2. The facility is constructed for, and customarily and lawfully used for large Outdoor Events, including open air stadiums, ski resort areas, public parks, fair grounds, etc.; and,

3. The facility has permanently installed water, sanitation, access and parking facilities in accordance with County codes and which are adequate to accommodate the number of people in attendance.

B. No permit shall be required for any Outdoor Event sponsored, promoted and conducted by a tax exempt 501(c)(3) or 501(c)(4) organization or a state registered campaign committee, provided: (a) no financial consideration or other compensation is provided to the property owner for use of the property, (b) all proceeds from the event...
shall be for the sole benefit of the tax exempt organization or registered campaign committee, and (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with any Outdoor Event held at the event location or at any Outdoor Event sponsored, promoted or conducted by the organization or committee.

C. No permit shall be required for a private “by-invitation-only” Outdoor Event such as a wedding, memorial service, family reunion, birthday party, or similar private event, if no fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event. (Ord. 2383, 8/26/14)

Sec. G-V 2.5 Outdoor Events For Which No Permit is Required

A. For any Outdoor Event which is not required to obtain a permit under this Article:

1. At least fifteen (15) days prior to the date of the Outdoor Event, the event sponsors and promoters, and/or the property owner are encouraged to provide the Community Development Agency, Sheriff and the local agency responsible for fire protection with the following information:

   a. Written notice of the Outdoor Event, including the date or dates and hours during which the Outdoor Event is to be conducted, an estimate of the maximum number of people who will attend the event, and the name, age, telephone number and mailing address of the primary contact person(s) responsible for managing the event.


2. All Outdoor Events which are not required to obtain a permit, shall comply with the following health and safety requirements:


   b. All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

   c. No overnight Camping shall be allowed in residential areas.

   d. Vehicles shall not be parked in any manner that would create a traffic hazard or impede the ingress or egress of emergency response vehicles, as determined by Community Development Agency, the
Sheriff or the Local Fire Official. Vehicles may not be parked on private property other than the event property without written permission from the property owner.

e. Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for collection of waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

f. In addition to the above, the Outdoor Event host and property owner shall generally conduct the event in a manner that minimizes impacts on the surrounding neighborhood.

g. Failure to comply with above requirements may result in enforcement action as provided in this Article, including summary closure of the event and penalties as provided in Sections G-V 2.12 and G-V 2.13.

Sec. G-V 2.6 Application for Permit - Time Requirement

An application for a Commercial Outdoor Event permit shall be made in writing to the Sheriff’s Office - Community Development Agency and shall be accompanied by a non-refundable application fee in an amount approved by resolution of the Board of Supervisors. The application shall be signed by the owner of the property on which the Outdoor Event will occur and all Sponsors and Promoters of the Outdoor Event. The application shall be filed with the Sheriff - Community Development Agency at least sixty (60) days prior to the date upon which the proposed Outdoor Event is to commence. Incomplete applications and those submitted less than sixty (60) days prior to the date of the proposed Outdoor Event may, at the discretion of the Community Development Agency - Sheriff, be summarily denied. One application may be used to request up to four eight (8) Outdoor Event permits per Property per calendar year.

Sec. G-V 2.7 Application for Permit - Content

A. The application for a Commercial Outdoor Event shall include the following information:

1. Identification of Applicants and Owners. The name(s), age(s), residence(s) and mailing address(es), and twenty-four hour telephone number of each person making the application and the owner(s) of any
property on which the proposed Outdoor Event (including vehicle parking) will be held. If the Outdoor Event is to be held for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and the name and address of the authorized responsible representatives of the organization.

2. **Primary Contact Information.** The name and cellular or other twenty-four hour telephone number for the primary contact person(s) responsible for organizing the Outdoor Event and on-site management on the day(s) of the event.

3. **Description of the Outdoor Event.** A description of the proposed Outdoor Event, including any historical or promotional information, the date or dates of the event and the hours during which the applicant proposed to conduct the event.

4. **Identification of the Premises.** The exact location, legal description, and area of the premises on which the Outdoor Event and all related activities, including parking, will be held.

5. **Prior Experience of Applicants.** For each applicant, a brief explanation of his or her experience planning, managing and/or operating Outdoor Events, with particular emphasis on experience handling events which are of a similar size and nature as the proposed event for which a permit is requested. The Sheriff-Community Development Agency may require applicants to provide a list of references related to the applicant’s prior experience with Outdoor Events.

6. **Statement of Maximum Attendance.** A statement regarding the maximum number of persons to be allowed in attendance at the Outdoor Event on each day. The Community Development Agency Sheriff may use discretion in determining whether or not the proposed Outdoor Event is likely to attract more than the stated number of attendees and may modify permit conditions accordingly. The maximum number of people in attendance at the event shall not exceed the number approved under the permit.

7. **Provisions for Public Health and Safety.** An Emergency Services and Fire Safety Plan, a Noise Mitigation Plan, a Parking and Traffic Control Plan and detailed statements regarding the applicant’s plans to supply emergency communications, policing and security protection, food and water, sanitation facilities, sound and lighting equipment, medical facilities and medical services, fire protection, vehicle parking, vehicle access and on-site traffic control, garbage, trash and litter cleanup, and proof that the applicant possesses or is able to obtain all licenses and permits required by the County or by state law for the Outdoor Event. Applicants may be
required to hire, at the applicant’s expense, security from a licensed, bonded security company and/or law enforcement, medical, fire or other emergency services personnel for the Outdoor Event. If alcohol will be served at the event, the applicant will provide a copy of the appropriate permit issued by the Department of Alcoholic Beverage Control prior to commencement of the Outdoor Event.

8. **Contingency Plan.** A detailed statement of the applicant’s plans in the event that the number of persons in attendance exceeds the maximum attendance.

9. **Event Site Plan.** An event site plan or diagram showing:

   a. The location of the property on which the proposed Outdoor Event and all related activities will be held.

   b. The location of adjacent roads, lots, and residences, and the location and time that any roads are to be blocked or closed.

   c. The parking and traffic flow and control plan, including all access ways to and from the property and all interior access ways on the property.

   d. The location of all buildings and structures on the property or to be erected thereon, including but not limited to, all bandstands, stages, tents or other facilities for performers, and bleachers, tents, or seats for those attending.

   e. The location, time and type of any entertainment, whether amplification will be used and the location and orientation of loudspeakers.

   f. The location, style, wattage and orientation of all temporary lighting.

   g. The location of Camping or other overnight areas.

   gh. The location of all toilets, medical facilities, emergency communications, generators, drinking facilities, fire pits or barbecues, and solid waste receptacles.

10. **Statement of Responsibility.** A statement by the applicant and the property owner agreeing to comply with all federal, state and local laws and Outdoor Event permit conditions, and to assume financial responsibility for all fines, penalties or other monetary sanctions imposed for violations of this Article. If the Outdoor Event is to be held for, on the behalf of, or by an
organization, the authorized responsible representatives of the organization shall also sign this statement.

11. **Insurance.** Prior to issuance of a permit for any Outdoor Event, but not less than twenty-one (21) days before the date of the event, the applicant shall provide: (a) a commercial liability insurance policy in the minimum amount of one million dollars ($1,000,000.00) and (b) an executed release and waiver of liability in favor of the County, in the forms and on terms acceptable to the County Risk Manager. The Risk Manager may impose additional insurance requirements depending on the size, nature and risk associated with the proposed Outdoor Event. The insurance shall name the County of Nevada, the Outdoor Event, the event sponsors and promoters, the property owners and their respective officers, agents and employees, as additionally insured parties to the event.

12. **Consent to Enter.** A consent for any peace officer, fire official, health officer, or other County official to enter the Outdoor Event area and the property on which the event will be located at any time, in the course and scope of his or her duties.

13. **Statements of Criminal Record.** A statement by each applicant indicating whether he or she has been convicted within the last five years in any court of competent jurisdiction of:

   a. Any offense requiring registration under Section 290 of the California Penal Code; or

   b. Any violation of Chapter 7.5 (beginning with Section 311) of Title 9, Part 1, of the California Penal Code; or

   c. Any violation of subdivision (a), (b), or (d), of Section 647 of the California Penal Code; or

   d. Any violation of Section 315, 316, or 318 of the California Penal Code; or

   e. Any offense involving the use of force or violence upon the person or another; or

   f. Any offense involving maintenance of a nuisance in connection with the same or similar business operation.

14. **Additional Information.** Any additional information related to health and safety which the Community Development Agency determined is reasonably necessary to make a determination as to whether an Outdoor Event permit should be issued.
135. Notice to Neighbors. Within five days after an application has been filed with the Sheriff/Community Development Agency, the applicant shall send or personally deliver written notices of the Outdoor Event to all property owners within five hundred (500) feet of the premises on which the event will be held. Notices shall include a brief description of the event, the dates, times, locations and types of activities that will take place during the event, and any additional information required by the Community Development Agency/Sheriff or the Planning Director. The applicant shall prepare and submit with the application a copy of the written notice to be mailed to the neighbors, together with the list of properties, property owners and addresses to whom the notice will be sent. (Ord. 2383, 8/26/14)

Sec. G-V 2.8 Regulations for Outdoor Events

All Commercial Outdoor Events for which a permit is required shall comply with the following minimum conditions:

   A. Hours. Outdoor Events shall not open prior to 9 a.m. and shall close by 10 p.m.; provided, however, that Outdoor Events in non-residential areas shall close by 11 p.m. on Fridays and Saturdays. Permitted hours of operation may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended hours will not adversely impact owners or users of, or allowed uses on, surrounding properties.

   B. Toilet Facilities. Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

   C. Solid Waste Disposal. The applicant and property owner shall provide for the collection of solid waste and litter. Separate containers shall be provided for the collection of recyclable materials. All solid waste, litter and recyclable materials shall be removed from the site within twenty-four (24) hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on-site accumulations which would create a nuisance or pose a health hazard. All solid waste must be deposited at the County transfer station by a County approved garbage hauler and all recyclable materials conveyed to an approved recycling center. Event-related litter, posters and other signage and debris shall be removed from surrounding lands and roads within twenty-four (24) hours following the event.
D. Compliance with County Building Codes. All structures, including tents and other temporary structures, and electrical work shall be permitted and installed in compliance with the County Building Code and shall comply with the setback requirements in the County Land Use and Development Code.

E. Lighting. All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

F. Overnight Camping Facilities. No overnight camping or campfires are allowed in association with Outdoor Events. For any Outdoor Event which will last more than one day or at which persons will remain overnight on the premises, applicants shall provide or make available firewood and appropriate overnight areas; provided, however, that the use of campfires and barbecues shall only be allowed on the premises with the prior, written permission of the Local Fire Official.

G. Parking and Traffic Circulation. Outdoor Events shall comply with the approved Parking and Traffic Circulation Plan. Vehicles shall not be parked in any manner that would create a traffic hazard or interfere with the ingress or egress of emergency vehicles as determined by the Community Development Agency, Sheriff or the Local Fire Official.

H. Noise. Outdoor Events shall comply with the approved Noise Mitigation Plan. Noise levels generated by Outdoor Events shall not exceed the standards set forth in Table L-II 4.1.7 (Exterior Noise Limits) of the Nevada County Zoning Ordinance applicable to the Land Use Category and Zoning District for the premises on which the outdoor event will be held.

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<td>Commercial and Recreation</td>
<td>C1, CH, CS, C2, C3, OP, REC</td>
<td>7 am</td>
<td>7 pm</td>
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<td>7 pm</td>
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</tbody>
</table>
I. **Days.** Outdoor Events shall have a maximum length of two (2) days, or 48 hours, per event. The maximum length of the event may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended days will not adversely impact owners or users of, or allowed uses on, surrounding properties. *(Ord. 2383, 8/26/14)*

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**Sec. G-V 2.9 Processing Application; Bonds; Appeals**

A. Upon receipt of a complete application and application fee, the **Community Development Agency** will promptly distribute copies of the application to all other affected public agencies and County departments, together with a request for their input and comments. If administratively possible, all responses shall be due within eighteen (18) days from the date the application is deemed complete. Thereafter, the **Sheriff** shall promptly issue a permit for an Outdoor Event if the **Community Development Agency** determines, based on his or her own investigation, the comments received and any other relevant evidence, that the Outdoor Event can be conducted in a manner which will not jeopardize the public’s health, safety and welfare.

B. The **Community Development Agency** shall impose conditions on the issuance of any permit consistent with the requirements in Section G-V 2.8, together with any such conditions as the **Community Development Agency or Sheriff** determines are reasonably necessary to protect the public health, safety and welfare. The **Sheriff** may also require that the applicant post reasonable security in order to guarantee that the conditions of the permit are met. Any security required shall be in a form satisfactory to the Nevada County Counsel or designee and shall be posted before the earlier of: (a) any tickets for admission are offered for sale, or (b) three weeks before the event. The security shall be subject to attachment should the applicant fail to comply with any condition of its permit or any provision in this Article. The costs of any remedial steps undertaken by the County and/or any of its agents, contractors, officers, and/or employees as a result of any violation of this Article, together with any penalties which may occur as a result of such actions, shall be proper charges against the security. The applicant and its surety shall be required to indemnify and to defend the County of Nevada, its agents, officers, and/or employees against any and all loss, injury and damage of any nature whatsoever arising out of, or in any way connected with, the Outdoor Event.

C. The **Community Development Agency** shall notify the applicant in writing of the issuance or denial of a permit. If the **Community Development Agency** denies an application for a permit, the written notification shall include the
basis for the decision. Whenever administratively possible, the Community Development Agency Sheriff shall make the notification no later than thirty (30) days after the date the application was determined to be complete. (Ord. 2383, 8/26/14)

Sec. G-V 2.10 Effective Date of Permit; Separate Permit Required for Each Day; Permit Non-Transferable

A. An Outdoor Event permit shall be valid only for the date or dates stated on the permit. A permit licensing fee in accordance with the fee adopted by Resolution by the Board of Supervisors of one hundred dollars ($100.00) for each day of an approved Outdoor Event shall be due prior to issuance of the permit. The Community Development Agency Sheriff may authorize a maximum of eight (8) four (4) separate Outdoor Events per property per 12-month period.

B. The Community Development Agency Sheriff may renew an Outdoor Event permit for an event that is held on an annual basis without following the procedures of this Article if: (a) the permit holder, the location of the Outdoor Event and the owner of the property on which the Outdoor Event will be held remain the same; (b) the Outdoor Event will be substantially the same as it was in prior years; (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with the prior Outdoor Events or the location at which the Outdoor Event is being held; and (d) the permit holder provides a Primary Contact Person, Insurance Policy, Statement of Responsibility and Consent to Enter in accordance with Section G-V 2.7, in conjunction with a request to renew the permit. A request to renew an Outdoor Event permit shall be made in writing at least thirty (30) days prior to the event and shall be accompanied by a renewal permit fee in an amount approved by resolution of the Board of Supervisors.

C. No Outdoor Event permit shall be transferable to another person or entity, or removable to another location, date or time. (Ord. 2383, 8/26/14)

Sec. G-V 2.11 Commencement of Event; Inspection Required; Re-inspection Fee

Prior to commencement of the Outdoor Event, the applicant shall call the Community Development Agency Sheriff and the Local Fire Official for an inspection of the event site to assure compliance with all permitting conditions. If the Community Development Agency Sheriff, the Local Fire Official or other County official find that any conditions of the Outdoor Event permit or this Article have not been met, said official shall notify the applicant indicating the correction(s) to be made. If it is determined that additional inspections are required, the applicant shall pay a re-inspection fee in accordance with the County’s adopted fee schedules for each such additional inspection. The Outdoor Event may not commence until the applicant has submitted all required documentation, complied with any pre-conditions and paid all sums as required by this Article. (Ord. 2383, 8/26/14)

Sec. G-V 2.12 Revocation of Permits and Denial of Future Permits; Failure to Comply with Permit Conditions; Closure of Events
A. The Community Development Agency Sheriff shall have the right to modify or revoke any permit or permits for any of the following causes:

1. The applicant fails, neglects or refuses to fulfill any of the requirements and/or conditions imposed upon the granting of an Outdoor Event permit or as otherwise required by this Article.

2. The applicant permits the Outdoor Event to be conducted in a disorderly manner.

3. The Outdoor Event is being held for an unlawful purpose and/or the applicant violates or attempts to violate any Federal or State law or County code.

4. If the Community Development Agency, Sheriff and/or the Local Fire Official determine that due to the scope of the Outdoor Event and the number of safety personnel required to provide protection and traffic control, it is more likely than not that normal public safety protection elsewhere in the County or the local fire protection district cannot be provided continuously and safely for the duration of the Outdoor Event.

5. Upon request of the applicant, if the applicant demonstrates that the modification will not adversely impact owners or users of, or allowed uses on, surrounding properties, and either:

   (a) The applicant demonstrates good cause for the modification; and/or
   (b) The modification is necessary due to an unforeseen emergency or act of nature which is outside the applicant’s control.

B. The Community Development Agency Sheriff shall have the right to modify, deny or revoke any Outdoor Event permit if it appears, based on competent evidence, that the applicant has made a false, misleading or fraudulent statement of material fact in the permit application, or in any other document required pursuant to this Article. Prior to such denial or revocation, the Community Development Agency Sheriff shall notify the applicant of the evidence and provide applicant with two (2) business days to rebut said evidence in writing.

C. A finding that an applicant has materially violated or defaulted in the performance of any of the provisions in this Section G-V 2.12, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future Outdoor Events by that applicant. The finding that a parcel or property has a history of materially violating, or defaulting in the performance of, such provisions, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future events at that location.
D. Written notice of a permit revocation or a change in permit conditions shall be personally delivered or sent by the Community Development Agency Sheriff to the applicant and the property owner at their respective addresses given in the application. Such revocation shall become effective immediately after being ordered by the Community Development Agency Sheriff.

E. The Community Development Agency or Sheriff may suspend operation and close any Outdoor Event prior to the expiration of an Outdoor Event permit when, in his or her opinion, a shutdown becomes necessary to prevent injury to person or persons and/or damage to property, or the continued operation of the Outdoor Event constitutes an immediate and serious threat to the health or safety of persons or property. For purposes of this section, “an immediate and serious threat to health or safety” includes, but is not limited to, the occurrence of a riot, major disorder or serious breach of the peace; the occurrence of a public disaster, calamity, fire or other emergency; excessive calls for service related to assaults, battery, disorderly conduct and the like; overcrowding or allowing significantly more attendees at the event than approved under the Outdoor Event permit; or other gross or willful violations of federal, state or local law which create an immediate and serious risk of damage, injury or death to event participants, surrounding properties, or emergency services personnel.

F. The Community Development Agency or Sheriff may immediately terminate, suspend and close any Outdoor Event which fails to obtain or maintain a valid permit in accordance with this Article, or which commences in violation of Section G-V 2.11, above. (Ord. 2383, 8/26/14)

Sec. G-V 2.13 Penalties

A. Violations of this Article shall be enforced in accordance with Section L-II 5.21 Enforcement and Penalty for Violations of Chapter II: Zoning Regulations of the Land Use and Development Code. a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00), or by imprisonment in the County jail for not more than six months, or by both such fine and imprisonment. For each such violation, a separate offense shall be deemed to have been committed for each day that such violation continues.

B. In addition to the criminal penalties provided for herein, any violation of or failure to comply with any provision of this Article is hereby declared to be a nuisance. Any person who violates or fails to comply with any provision of this Article, shall be liable for a civil penalty, which may be affixed and levied by the Sheriff, of up to five thousand dollars ($5,000.00) per violation for each day that a violation exists. The Sheriff and/or the County may also take any other legal action as may be authorized under State or local law to abate or enforce the provisions of this Article, including but not limited to commencement of a civil action to redress, enjoin or abate any violation of this Article.

Sec. G-V 2.14 Appeal Process
An appeal of the determination of the Community Development Agency shall be conducted in accordance with Section L-II 5.12 Appeals of Chapter II: Zoning Regulations of the Land Use and Development Code. The applicant may appeal the denial of a permit or the imposition of any condition on a permit to the County Executive Officer or designee (“CEO”) by filing a notice of appeal with the Clerk of the Board of Supervisors. This appeal shall be filed by the later of: (a) seven (7) days after issuance of the Sheriff’s decision on the permit, or (b) twenty (20) days prior to the date of the proposed Outdoor Event. The Clerk of the Board of Supervisors shall schedule an appeal hearing with the CEO. The appeal shall not be valid and shall not be processed unless accompanied by an appeal fee in an amount established by resolution of the Board of Supervisors, which may be amended from time to time. Upon scheduling the hearing the Clerk shall promptly notify all affected public agencies and County Departments of the hearing date. At the hearing, the CEO may uphold, modify or overturn the action of the Sheriff if the CEO finds that, in taking such action, the public health, safety and welfare has been adequately protected. (Ord. 2383, 8/26/14)

Sec. G-V 2.15 Other Requirements Not Waived

Nothing in this Article shall be deemed to waive any other local, state or federal requirements which may apply to the Outdoor Event. (Ord. 2383, 8/26/14)
OUTDOOR EVENT
ORDINANCE

BOARD OF SUPERVISORS HEARING

APRIL 28, 2020
BACKGROUND - CURRENT ORDINANCE

• Outdoor Event Ordinance contained in Title 2 of the General Code
• Adopted in 2014
  • Multiple Board meetings and issues discussed: neighborhood protection, industry concerns
• 5+ years of operating
  • Issued 12 permits total
  • Minimal complaints of impacts on neighborhoods
  • Concern from the event community too limiting
    • Met with Grass Valley Chamber of Commerce (Ag. Community, other stakeholders) to discuss concerns
REQUEST FROM EVENT INDUSTRY, CHAMBERS AND STAKEHOLDERS

- Increase number of allowed events from 4 to 8 per year
  - Clarify offsite parking and sanitation requirements
- Board Workshop - January 2020
  - Board Direction to work with Chamber’s Committee on proposed changes
  - Bring amendments to Board before event season
ORDINANCE AMENDMENTS

• Amendments
  • Increase number of allowed events from 4 to 8 per year
  • Removed Sheriff Office and replaced with CDA as permit issuing agency
    • Sheriff’s Office and Local Fire Departments still have review and enforcement abilities
  • Removed Commercial Insurance Policy and criminal record information
  • Clarified offsite parking provisions and onsite sanitation requirements
  • Prohibited Camping/Fires
  • Permit Fees in Ordinance – removed from ordinance, rely on fee schedule
  • Penalties and Appeal process changed to follow Land Use and Development Code
PROPOSED ORDINANCE

• Did **NOT** Change:
  • Minimum Parcel Size of 5 acres
  • Allowed Zoning Districts
  • Noise Limits
  • Hours of Operation
  • Event Sizes
  • Health/Safety/Fire Requirements
    • Traffic, Fire Safety, Compliance with Fire and Building Codes
COMMENT PERIOD

- Consulted with Grass Valley Chamber of Commerce Working Group
- Circulated the Draft Ordinance for Public Comment for 30 days
  - Comments from Consolidated Fire Department and Department of Public Works
  - Revisions made based on comments
RECOMMENDATION

• Approve Ordinance to amend Article 2 of Chapter V of the General Code: Outdoor Events
Penn Valley Area Plan

County of Nevada

An Area Plan for:
The community of Penn Valley
In unincorporated Nevada County

Prepared By:
Nevada County Planning Department
In coordination with the citizens of the greater Penn Valley Area.
Chapter 1
Introduction

Purpose of the Area Plan

The Penn Valley Area Plan (Area Plan) serves as the comprehensive land use and zoning plan for the Penn Valley region and community of Penn Valley and embodies the expressed goals of residents, business owners, and elected officials and establishes concrete and achievable actions. The drafting of the Penn Valley Area Plan is a tool to advance the goals and policies for the Nevada County General Plan while benefitting the local community. The Area Plan provides long-term guidance that is intended to improve the prosperity of Penn Valley in a way that supports a healthy economy, environment, protects the rural quality of life and social fabric for the residents and general public.

Plan Preparation

Nevada County has prepared this Area Plan with collaboration from the community of Penn Valley. The foundation of this plan is based on the 2000 Penn Valley Area Plan, the 2000 Penn Valley Focused Economic Development Study and more recent information where available. This Area Plan will build upon and supersede the 2000 Penn Valley Area Plan and augment the countywide General Plan for the purposes of land use regulation to provide management direction for all projects proposed within the Penn Valley Area Plan boundaries. To help guide development of the Area Plan, the Nevada County Planning Department conducted several interviews with local officials and residents prior to hosting five public workshops between November 2018 and August 2019 with the goal of developing key strategies to be implemented to maintain a rural quality of life while encouraging investment and sensible growth of the area.

Background and Area History

The Area Plan seeks to provide a blueprint for the ultimate development of the area derived from an assessment of current land use issues and potential solutions drawn from collaborative discussions and a careful analysis of what is needed to preserve and improve the functionality of the area. With recent upgrades to some of the area’s critical infrastructure, Penn Valley is poised to build upon its rich history as a place to live, work and recreate.

Penn Valley has a long history. The territory was occupied by the Hill Nisenan, Native American peoples who are also referred to as “Southern Maidu”. Economic life for the Nisenan revolved around hunting and fishing and collecting of plant foods. The first trace of Caucasian people in the area is found in a letter written by Jonas Spect in 1848, in which he “went prospecting up Deer Creek, and just remember that I came to the finest kind of valley, which I think they afterwards called Penn Valley...” The Penn Valley area is situated within the Rough and Ready Mining District and the drainages of both Squirrel and Deer Creeks, which were extensively placer-mined between 1850 and 1870. Some drift, or hard rock mining occurred in the area but most of the gold was
extracted from gravels of the Tertiary Yuba River. Ranchers and farmers moved into the Penn Valley area shortly after the beginning of the Gold Rush.

The first settlement in Nevada County was made by John Rose who was engaged in trading with the miners and Indians. Rose built a large cattle corral at Pleasant Valley between Bridgeport and the Anthony House, early in 1849. Later he established a trading post there. Gradually, stock raisers and farmers came into the valley and built additional corrals for their livestock. ‘Pen Valley’ was so named from the fact that these pens or corrals were there, indicating that it was a valley of pens. The 1867 Bean’s History and Directory of Nevada County describes the topography of the foothills saying there are “but few arable valleys of any considerable extent...the most extensive being Penn Valley lying three miles west of the village of Rough & Ready, containing nearly 2,000 acres of good soil, well-watered, and originally timbered with magnificently grand and giant oaks, which have been almost entirely destroyed by the vandalism of a mistaken husbandry.” The valley was frequently called the “Pantry of the Northern Mines.” Rich in agriculture, beef and dairy cattle, and lying on the main road from the Sacramento-Marysville area to the Henness Pass Road, to the mines of the Comstock in Virginia City, Penn Valley pioneers supplied the freighters with fresh vegetables, fruit, and meat upon their stop-over up the grade from Marysville. A natural rest stop with livery and blacksmithing available, Penn Valley survived even the closing of the vast hydraulic mining operations to the northeast. It wasn’t until the second half of the 20th century, however, that the surrounding residential development began, bringing more people and the need for services.

Community spirit has always been strong in Penn Valley, and this brought about the early founding of schools and a volunteer fire department. In 1917, the farmers of Penn Valley met to organize a “Farm Center,” which later became the Nevada County Farm Bureau. In 1978, the citizens of Penn Valley formed the Penn Valley Chamber of Commerce with over one-hundred charter members. In January of 1994, the Penn Valley Community Association formed for the purpose of providing a non-partisan forum for open discussions that benefit the health and welfare of community. In 2017, the Penn Valley Municipal Advisory Council was formed to help engage the community and help advise and inform the District Supervisors on issues in Penn Valley. Today, Penn Valley remains a vital community whose heart remains in its early agricultural beginnings. The community strives to retain its rural beauty and sense of place while providing the services needed to support its population.

**Legal Authority**

The Penn Valley Area Plan is designed to meet State of California requirements for specific plans and to facilitate the implementation of development goals and policies by establishing zoning districts, standards and criteria for development, and to set the distribution, location and extent of planned land uses consistent with the adopted Nevada County General Plan. The authority for preparing Area Plans is founded in California Government Code §65301(b) which allows the general plan to be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area, and in Government Code §65303 which allows the general plan to include any other elements or address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county. Local authority is founded in the goals and policies of the 1995 Nevada County General Plan. The existing 2000 Penn Valley Area Plan is outlived its lifespan and as a result direction to prepare the Penn Valley Area Plan was provided by County Board of Supervisors.
This update to the Penn Valley Area Plan was developed consistent with California State law which permits cities and counties to adopt specific plans for the “systematic implementation of the general plan” (Government Code Section 65450 et. Seq.). The law requires the following:

- A specific plan shall include a text and diagram or diagrams which specify all the following in detail:
  - The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
  - The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
  - Standards and criteria by which development will proceed and standards for the conservation, development, and utilization of natural resources where applicable.
  - A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above referenced requirements.

- The specific plan shall include a statement of the relationship of the specific plan to the general plan.

California Government Code Section 65452 provides that the specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for the implementation of the general plan.

**Relationship to the General Plan**

As a policy document, the Penn Valley Area Plan supplements and becomes part of the General Plan, providing a comprehensive framework for making land use decisions within the Penn Valley Rural Center and influencing decisions in the surrounding geographic area. The goals, policies and building and site development standards contained within this plan reflect Penn Valley unique characteristics, support the local community’s vision, and are consistent with the overall themes and goals of the General Plan. The County's General Plan land use maps designate Penn Valley as a Village Center contained within a Community Region, which is intended to provide for a mix of uses which may include residential, commercial, office, business park, industrial and public or institutional uses, grouped together and interrelated to form a functional and vibrant commercial center, and to create a visual identity related to the rural agricultural character of the region. The Penn Valley Community Region is surrounded by a larger rural region of predominately rural residential and agricultural uses. The existing 2000 Penn Valley Area Plan applies to land use and development within the Village Center only. This Penn Valley Area Plan, once adopted, will revise the applicable official maps of Nevada County and expand the limits of the area plan boundaries using a “district” concept to establish development criteria specific to the applicable district (See Figure 1.3).

The Nevada County General Plan has several Goals that are directly applicable to the Penn Valley...
Village Center, Community and Rural Region. These Goals are supported and implemented through a series of Policies and Programs that are contained with the individual chapters of the General Plan. While the General Plan applies countywide, below is a list of General Plan Goals that have been identified to clearly apply to the Penn Valley region and will help guide this policy document. This list is not meant to be all encompassing; please refer to the General Plan for other applicable Goals, Policies, and Programs.

**Goal 1.2** allows for a range of land uses that preserve the qualities of each Community region.

**Goal 1.4** provides for an adequate supply and broad range of residential, employment generating, and cultural, public and quasi-public uses located for convenience, efficiency, and affordability while protecting and enhancing communities and neighborhoods.

**Goal 1.5** ensures that development reflects a small-town character.

**Goal 1.6** allows for growth while protecting, maintaining and enhancing communities and neighborhoods.

**Goal 1.9** identifies and recognizes public facility and service needs in Legacy Communities.

**Goal 2.1** provides for a strong economic base while protecting communities and neighborhoods.

**Goal 3.1** provides for public facilities and services commensurate with development type and intensities.

**Goal LU-4.1** coordinates existing and future circulation systems with existing and future land use patterns.

**Goal LU-4.4** balances development of the circulation system with land use and development.

**Goal LU-4.7** provides for road and street systems that are consistent and compatible with local land use patterns and street networks.

**Goal MV-4.1** provides for the safe and efficient movement of people and goods that respects the regions rural character.

**Goal 6.1** encourages land use patterns and site development to reflect open space values.

**Goal AH-8.1** encourages retaining of existing affordable housing.

**Goal EJ-8.1** encourages healthy and affordable housing opportunities for all residents of Nevada County.

**Goal 16.2** promotes a strong and sustainable local agricultural economy.

**Goal 18.1** promotes aesthetic design in new development that reflects existing character.
Organization of the Area Plan

The Area Plan is organized into seven chapters. Each chapter and attachment is summarized below.

Chapter 1 – Introduction
The Introduction summarizes the Area Plan’s purpose, preparation, legal authority, relationship to the General Plan, organization, description of the plan area, and the plan’s vision and guiding principles.

Chapter 2 – Land Use
The Land Use goals and policies balance the preservation and enhancement of Penn Valley’s rural agricultural identity, natural and built environments and promote appropriate development. This chapter includes the Area Plan Goals and Policies related to land use and community design and establishes land use and zoning regulations for the Penn Valley Area Plan boundaries.

Chapter 3 – Economic Development
The Economic Development chapter includes the plan’s Goals and Policies for economic prosperity and sustainability of the local economy.

Chapter 4 – Public Services and Infrastructure
The Public Services and Infrastructure chapter addresses the public services and facilities that serve development within the Penn Valley Area Plan boundaries.

Chapter 5 – Recreation
The Recreation chapter includes a framework and strategy to improve existing facilities and develop new facilities to meet the needs of the community.

Chapter 6 – Historic, Cultural & Natural Resources
The Historic, Cultural and Natural Resources chapter sets forth goals and policies for the Area Plan and lists strategies to achieve environmental improvements in the area’s diverse natural and cultural resources that promote public enjoyment of the area.

Chapter 7 – Implementation
The Implementation chapter describes the Goals & Policies to incrementally implement the Area Plan objectives.

Description of the Plan Area

At the base of the Sierra Nevada foothills, at an elevation of 1,400 feet, Penn Valley is an unincorporated community in Western Nevada County. The Penn Valley Village Center is located south of State Route 20, six miles west of Grass Valley and five miles east of the Nevada-Yuba County line. The Village Center is an area slightly greater than one-half square mile in size, encompassing 219 parcels. The Village Center boundaries are specifically mapped by the Nevada County General Plan land use map and served as the extent of the 2000 Penn Valley Area Plan (Figure 1.1).
The Plan area is a relatively flat basin, bounded on the north by State Route 20. Two perennial creeks, Squirrel Creek and Clear Creek, traverse the Plan area from east to west, converging near the northeast boundary of the Village Center. Woodlands, riparian vegetation, pastureland and floodplains occur within the boundaries of the Plan area.

In addition to individual business sites and residential sites, the Village Center contains a 125-unit mobile home park, a community shopping center, a business park, Ready Springs Elementary School, and the Penn Valley Fire Protection District headquarters. The Village Center is the cultural and functional center of the larger Community Region, containing the principal commercial uses serving the community. Adjacent to the Village Center boundaries is one of Nevada County’s treasures, the 85-acre Western Gateway Park, a recreational park serving the entire region. The 2000 Penn Valley Area Plan was specific to the Village Center only (Figure 1.2), however as a result of public input, this Area Plan will expand the applicability of the Plan boundaries, establishing unique districts for the Village Core, Western Gateway Recreation District, West and East Portals, West and East Industrial/Commercial Districts, the Highway 20 and Pleasant Valley Road Rural Corridor Districts and the Lake Wildwood Commercial Center (Figure1.3).

The Village Center is currently divided into primarily commercial, medium to high density residential land uses with a few parcels zoned Public, Business Park, Residential Agriculture and Interim Development Reserve. This updated Area Plan intends to expand the influence and boundary of the Area Plan by adding key portals or entry points, local/regional assets such as Western Gateway Park, existing industrial and commercial business centers and the rural corridors that serve residents and visitors alike. In total 136 parcels* are proposed to be added into the Area Plan Boundaries intended to provide a more integrated community as it relates to the future of the greater Penn Valley region; (*8 parcels include only the Pleasant Valley Road frontage portion of the larger parcel being added to the Plan Area).

**Vision and Guiding Principles**

The Penn Valley community has taken the lead in collaborating on a vision for the area with the support of the Penn Valley Chamber of Commerce, Community Association and the Penn Valley Area Municipal Advisory Council, who have invested time and energy in developing planning principles for future development. The Area Plan can build upon the principles and values
presented in their work products. The County’s General Plan comports with many of the values of the Penn Valley area, but the existing Area Plan is focused solely on the Village Center and portions of the Plan are woefully out-of-date.

**Vision Statement**

The Penn Valley area and particularly the Penn Valley community looks to this Area Plan to create physical, social, and economic links and policies that will improve the region’s vitality and sustainability. The Area Plan seeks to guide development that embraces the sense of community while providing a healthy balance of commerce, employment, recreation, and livability. Penn Valley is a modern rural community providing quality of life for its residents. The community is welcoming to day-visitors to enjoy the year-round “down-home” attractions such as music in the park, rodeo competitions, farmers market and holiday events. This vision was created through input from the community which also supported by following Area Plan guiding principles.

**Guiding Principles**

Nevada County, in response to key issues affecting the quality of life and future prosperity of the Penn Valley area, has established the following central guiding principles with input and guidance of the community to provide the foundation for a more sustainable, economically prosperous, inclusive and environment-friendly future for Penn Valley:

- Develop a year-round economy that will foster local business
- Preserve community character
- Protect and restore natural resources
- Value historic resources
- Create community gathering places
- Preserve the legacy of the Penn Valley Rodeo
- Connect Penn Valley and the Lake Wildwood areas through multi-use trail systems
- Provide unique lodging and camping opportunities so day-visitors can stay longer

These principles articulate the vision for Penn Valley and are the standard by which the appropriateness of the Area Plan’s goals, objectives and policies are tested.
Placeholder for Chapter 2. Land Use and Chapter 3. Economic Development (In Progress)
Chapter 4
Public Services and Infrastructure

Existing residential, commercial, industrial, and other development on Penn Valley requires supporting infrastructure including water, sewer, and public health and safety programs. The Public Services chapter describes the transportation and circulation system, and the public and quasi-public facilities and services located in and around the Penn Valley Village Center.

Existing Public Services

Roadways

State Highway 20 is the major east-west highway that provides regional access to Penn Valley, connecting communities like Lake Wildwood, Rough and Ready, Grass Valley and Marysville to the village core. Pleasant Valley Road at Highway 20 serves as the western access point to the village core and also connects Penn Valley to Lake Wildwood. The eastern access into the village core off of Highway 20 is provided by Penn Valley Drive which also connects the community to Rough and Ready. At the intersection with Spenceville Road, which enters the village core from the south, Penn Valley Drive runs in a east-west direction and provides access to commercial, residential and recreational (Western Gateway Park) amenities to the point where it intersects with Pleasant Valley Drive. Adjacent to Penn Valley Drive is the Penn Valley pedestrian and bike trail that serves the community. Located throughout the village core and the Plan area are several local roads that provide access to business and residences and help make up the roadway infrastructure for the greater Penn Valley region.

Transit Service

Nevada County Transit (Gold Country Stage) provides fixed route bus service to the Penn Valley area six days per week with six runs per day Monday – Friday and four runs on Saturday. Service is provided along Penn Valley Drive from CA20 and Rough & Ready Highway in the east to Pleasant Valley Dr. and CA20 in the west. The first departure from Penn Valley towards Grass Valley is 7:01 AM and the last departure is 6:30 PM Monday – Friday.

Pedestrian Improvements

County Zoning Regulations and the existing 2000 Penn Valley Area Plan encourage the development of pedestrian walkways and paths to link adjacent uses and reduce dependency on the automobile. The County General Plan Circulation Element also encourage development that supports walkability, encouraging streets to accommodate pedestrians as well as automobiles by providing safe sidewalks. While the overall community lacks an integrated sidewalk system, the Penn Valley
pedestrian and bike trail serves this purpose to some degree and has the potential to be extended to connect other parts of the community.

Community-identified solutions to improve pedestrian and bicycle access to the village core to and from Lake Wildwood include supporting the development of a future extension of the Penn Valley Drive pedestrian and bike trail along Pleasant Valley Drive. This community feedback was the primary impetus for adding areas along Pleasant Valley Drive property frontage to the Area Plan boundaries as a Rural Corridor.

**Sewage Disposal/Wastewater**

The Penn Valley community is located in the Nevada County Sanitation District #1 (NCSD-1) Zone 6. The Nevada County Public Works Department, Wastewater Division administers and maintains sewage collection systems and treatment facilities for NCSD-1, which provides sewer service to approximately 5,230 accounts in western Nevada County with a total population of 14,000. Currently, there are ten zones in NCSD-1 with facilities that collect and treat approximately 1,245,000 gallons of wastewater each day.

Zone 6 is currently served by the Lake Wildwood Wastewater Treatment Plant (LWW WWTP) located northwest of the Penn Valley community on Pleasant Valley Road. The Penn Valley collection system conveys septic tank effluent from individual septic tanks through a network of force mains to Lift Station 51A near the corner of Penn Valley Dr. and Spenceville Rd in Penn Valley. The sewage is then pumped to the LWW WWTP. The zone currently serves 347 active connections. The sewer force main also provides service to Zone 12 (Valley Oak Court), which is expected to merge into the Penn Valley Zone in 2021. The Penn Valley WWTP located south of the village center is no longer in use and is planned to be decommissioned in 2021.

The Lake Wildwood WWTP is located at 12622 Pleasant Valley Road in Penn Valley and currently provides treatment services to a population of approximately 8,100. Treated wastewater from the plant is discharged to Deer Creek, a tributary to the Yuba River. The Lake Wildwood WWTP has a design capacity of 1.12 mgd during wet weather and 0.69 mgd during dry weather. Average dry weather flows are 0.46 mgd, well under the design capacity. A flow study conducted by Kennedy/Jenks Consultants in 2011 determined that the Lake Wildwood WWTP is sized to meet anticipated growth for the next 5 to 10 years in the Lake Wildwood and Penn Valley communities (Nevada LAFCO 2015). Growth within the zone has been much slower than what was anticipated in the Kennedy/Jenks study according to the County Wastewater Operations Manager. Should current growth rates continue, and without any sizable development, it is anticipated that, as of the writing of this Area Plan (2020), the LWW WWTP has capacity for another 5-7 years.

**Water Supply**

Nevada Irrigation District (NID) and private individual wells provide domestic, fire flow and agricultural water for the Penn Valley Area. The Lake Wildwood Treated Water System supplies 3,206 service connections (2.83 customers per connection) in and around the Lake Wildwood/Penn Valley area. The water treatment plant has a maximum rated capacity of 4 Million Gallons Day. The historic maximum day demand at the facility was 3,952 in
Through conservation, consumption has decreased since that date, but the plant is nearing its total capacity. The District is currently exploring options to increase capacity. The two options include expansion of the existing water treatment plant, or an interconnection with the treated water system in Grass Valley (e. George), or some form of both.

The District has multiple irrigation water canals in the Penn Valley area that support the agricultural community. A majority of the District’s irrigation water customers utilize NID waters for irrigated pasture, family gardens, and hay. The District is in the midst of developing a Raw Water Master Plan that will provide guidance on projected water demands and infrastructure projects District wide for the next 50 years.

The Quincy Pipe, Squirrel Creek and the Riffle Box Canals are in the vicinity, and at the time of preparing of this Area Plan, NID had the following water accounts within the 2020 Area Plan Boundary:

- 102 Treated Water
- 11 Irrigations
- 2 Pumps

Improvements were completed in Fall of 2019 to improve fire flow to a minimum of 1000 gpm in Penn Valley. The boundary evaluated included NID’s existing system and areas that may be served in the future.

**Solid Waste**

Waste Management provides for the collection and transportation of solid waste to the dump/transfer station located at the McCourtney Road Transfer Station. This includes waste from all residential, commercial, and industrial properties, including recycling material and green waste.

**Penn Valley Post Office**

Penn Valley Post Office located at 17612 Penn Valley Drive provides post office boxes for the 95946 zip code and full postal services to customers. A small portion of the proposed Area Plan boundaries that is north of Highway 20 within the “rural corridor” district west to just past Gray Oak Drive are within the Rough and Ready 95975 zip code and a small post office is located near the town center of Rough and Ready that provides post office boxes to residents within this zip code.
Emergency Services

The Penn Valley Fire Protection District (PVFPD) was officially formed in 1974 succeeding the Penn Valley Volunteer Fire Department. The District serves 92 square miles in Western Nevada County, including the Penn Valley, Lake Wildwood, Kentucky Flat, Mooney Flat and Big Oak areas. The District is governed by a five-member Board of Directors elected by the citizens of the District. Fire administration consists of a Fire Chief, one Finance Administrator and an Office Manager. The District employs twelve full time career fire personnel and relies on part time firefighters to augment the full-time staff.

The PVFPD has three fire stations: Station 43 located at 10513 Spenceville Road, Station 44 located at 18989 Lake Forest Drive, and Station 45 located at 12370 Bitney Springs Road. Stations 43 and 44 are staffed 24 hours a day with a minimum of two personnel, while Station 45 relies on off-duty personnel for staffing. The PVFPD is equipped with two frontline fire engines, two reserve fire engines, two frontline ambulances, one reserve ambulance, one water tender, two staff vehicles, one rescue vehicle, and one utility vehicle. The PVFPD provides paramedic and ambulance service to the entire Penn Valley Area extending well beyond the Area Plan boundaries.

Law enforcement services are provided in the Penn Valley Area by the Nevada County Sheriff’s Department, who in 2018 in coordination with local Penn Valley Merchants opened the West County Service Center substation in the Penn Valley Shopping Center located within the Village Center at 17422 Penn Valley Drive.

Electricity and Propane

Electricity is provided by Pacific Gas & Electric Company (PG&E). Electrical service is primarily transmitted over existing overhead lines along collector and local streets. Propane is supplied by multiple providers to the Penn Valley Area.

Schools

The Penn Valley Union School District formed in 2014 as a result of the consolidation of the Ready Springs and Pleasant Valley School Districts. Three schools make up the school district, including Ready Springs School which houses Transitional Kindergarten through 8th grade students, Vantage Point Charter School an independent study school, serving K-12 students, both located at 10862 Spenceville Road which is within the Area Plan Boundaries, and Williams Ranch School which housing Kindergarten to 5th grade students located at 14804 Pleasant Valley Road which is outside of the boundaries of the Area Plan.
Library

The Penn Valley Library is the newest branch of the Nevada County Community
Library system and is located on Pleasant Valley Road across from the main entrance
to Lake Wildwood. Opened in 2002, this station operates in the Lake Wildwood
Shopping Center at 11336 Pleasant Valley Road in the northern extent of the Area
Plan boundaries within the Lake Wildwood Commercial Center District as
designated by this Area Plan.

Public Services Goals & Policies

PUBLIC SERVICES AND FACILITIES VISION

The Penn Valley community’s infrastructure, emergency services, along with its roads and trail
systems are recognized as a model for small-rural community best practices.

GOAL PS-1: PROVIDE SAFE AND EFFICIENT MULTI-MODAL CIRCULATION

Policy PS-1.1: Safe Connectivity
Provide for safe movement of vehicles, pedestrians, bicyclists and equestrians, as well as to
accommodate various transportation modes’ safe highway, street and road crossings throughout
the Penn Valley and Lake Wildwood area.

Policy PS-1.2: Multi-Purpose Paths
Commercial and Multi-residential development within the Penn Valley Area Plan with frontage
along Penn Valley Drive, Pleasant Valley Road or Spenceville Road, both public and
development-related road improvements should include the construction of multi-purpose
paths.

Policy PS-1.3: Path System
Develop an integrated path and trail system that considers pedestrians, bicyclists, equestrians
and, where appropriate, golf carts to provide access from the surrounding Penn Valley and Lake
Wildwood communities to the Village Core promoting safe-routes to school, connectivity and
healthy lifestyles.

Policy PS-1.4: Co-Locate Public Facilities
Locate appropriate public service facilities in commercial areas so as to add pedestrian/bicycle
traffic and serve as a catalyst for private development, provided they do not detract from
commercial activity.

Policy PS-1.4: Way-Finding
Design and implement an integrated way-finding signage program throughout the Penn Valley
Area Plan and to other attractions in the valley to support businesses and efficiently direct
residents and visitors on foot, bike, horse or vehicle to recreation, commercial, lodging, public
services, transit and parking.
Policy PS-1.5: Circulation
Access within the area plan to neighboring commercial sites should occur easily and safely without the need to re-enter the street. Encourage shared-use parking facilities with agreements between businesses to support this policy.

Policy PS-1.3: Bicycle Racks
Commercial and services located within the Penn Valley Area Plan are encouraged to install bike racks to support their cyclist patrons.

GOAL PS-2: PROMOTE ENERGY EFFICIENCY

Policy PS-2.1: Alternative Energy
Encourage new and remodeled structures to incorporate design techniques to reduce energy consumption and or produce power through alternative renewable sources.

GOAL PS-3: PROVIDE COMMUNICATIONS AND INFORMATION INFRASTRUCTURE UTILIZING THE BEST AVAILABLE TECHNOLOGY

Policy PS-3.1: Broadband
Promote readily accessible distributed broadband internet service through the developed portion of the Plan Area.

GOAL PS-4: PROTECT THE PUBLIC HEALTH AND SAFETY BY MAINTAINING INFRASTRUCTURE AND FACILITIES THAT SERVE PENN VALLEY

Policy PS-4.1: Sanitary Sewer
Ensure sanitary sewer facilities, both collection and treatment, which are sufficient to serve the Plan Area’s proposed density of residential, commercial, industrial and public uses protect both the public and the environment.

Policy PS-4.2: Fire Protection
Consider public safety issues, including defensible space to reduce fire risk in all aspects of development design in the Penn Valley Area Plan.

Policy PS-4.3: Fire Protection
Maintain and grow the Penn Valley Fire Protection District services and capacity to meet the needs of the Penn Valley Area Plan improvements and the district as a whole over time.

Public Services Implementation

1. Support efforts to explore the feasibility of providing a pedestrian, bike, and potentially golf cart path along Pleasant Valley Road to provide a non-automotive connection between the Village Center to Lake Wildwood.

2. Support efforts to explore the feasibility of extending the Penn Valley pedestrian and bike trail to the region’s rural and agricultural outlying areas, including providing soft surfacing along rural
roads such as Spenceville Road where feasible for the purpose of improving equestrian access to and from the Village Center.

3. Support efforts being undertaken by the Nevada Irrigation District to improve domestic, agricultural and fire flow water service to the Plan area.

4. During updates to the County Capital Improvement Plan and through the review of discretionary development permit applications, utilize existing and applicable Non-motorized Trail, Pedestrian Improvement, Bicycle or Active Transportation Plans to help guide the future development of long-range non-motorized connectivity improvements.
The Recreation chapter identifies existing recreation activities and provides guidance for the preservation and enhancement of high quality recreation experiences around Penn Valley. The approximately 88-acre Western Gateway Park is a local and regional draw for recreationists in western Nevada County. The Park hosts a myriad of amenities that provide the primary recreational outlet for locals and tourists alike. Both passive and active recreational activities exist at the park, including but not limited to hiking and biking trails, lawns and picnic areas, tennis courts, the hanging oaks disc golf course, a dog park, a bike park, softball and little league fields, children’s play areas, as well several other typical park amenities. Squirrel creek traverses through the park, which creates a natural environment within this developed setting. For a full list of amenities at the Park, please see the most current adopted version of the Park’s Master Plan. In addition to the Western Gateway Park, Lake Wildwood provides a great deal of recreational opportunities and facilities that are available to residents and their guests. While, these amenities are generally private, recently the Lake Wildwood Association has been researching the potential of allowing the public into use the Golf Course and potentially other recreational facilities within the gated community. The Rodeo Grounds provides an additional area for recreational events such as the popular annual Penn Valley Rodeo that draws in hundreds to thousands of visitors and is a source of local pride that reflects the western roots of the community.

It’s been long proven that having a range of recreational activities available in a community promotes economic development and supports a sustainable vibrant local economy. In addition to supporting the local economy by drawing in visitors and serving the local and regional communities recreational needs, recreation can have important non-economic benefits as well. Having safe, fun and accessible physical activities available locally helps improve not only physical and mental health of individuals but also provides social benefits in support of a community’s sense of place and overall has been proven to strengthen a community (California State Parks, 2005). A number of documents help guide recreation in this region of Nevada County, including the Western Gateway Park Master Plan (2018), the Nevada County Non-Motorized Trails Master Plan (2014), the Nevada County Bicycle Master Plan- Amendment 1 (2016), and the Nevada County Pedestrian Improvement Plan (2011, Amended 2014).

Existing Recreation Activities

Trails and Paths

There are a handful of non-motorized recreation trails in Penn Valley that serve the public. A brief description of the most popular trails is given below.
Western Gateway Park- Fitness and Bike Trails- there are many trails that weave through Western Gateway Park. One of the more popular trails in the Park is the approximately 1-mile loop trail which connects to many of the other amenities throughout the park.

Penn Valley Pedestrian and Bike Trail- traverses the Village Center and runs approximately 1.7-miles from the park and ride at Highway 20 and Penn Valley Drive to the shopping center at the intersection of Penn Valley Drive and Spenceville Road.

South Yuba State Park- Buttermilk Bend Trail- located approximately 17 miles from the Penn Valley Village Center, the South Yuba State Park- Bridgeport’s Buttermilk Bend trail is a popular destination for wildflower viewing and passive recreation for the region.

Spenceville Wildlife Management and Recreation Area- an abundance of trails exist in the Spenceville Wildlife Area for hikers, bikers and equestrians. Located approximately 30 minutes from the Penn Valley Village Center, one of the most popular trails is an approximately 5 mile loop trail from Fairy Falls to Beale Falls.

Equestrian Trails- while there isn’t a recognized public equestrian trail system in the Penn Valley Area Plan Area, the community is surrounded by large rural parcels with several horse boarding facilities that provide areas to ride. The most prominent public horse-riding trails in the area are located within the Spenceville Wildlife Management and Recreation Area.

Developed Facilities

Developed recreational facilities in the Penn Valley Area provide recreational opportunities to residents and visitors.

Western Gateway Park- is an approximately 88-acre regional park that serves both the local community as well as regional recreational enthusiasts and visitors to the Penn Valley Area. Known as the recreational gem of western Nevada County, the Park has a long list of recreational amenities for both the active and passive recreationalist, including playing host to several community gatherings throughout the year.

Lake Wildwood Private Recreational Amenities- serving approximately 3,000 homes, the Lake Wildwood Gated Community hosts several recreational amenities and facilities that are available to residents and their guests. In addition, the Lake Wildwood Association is exploring options for allowing the public to utilize some recreational amenities such as the golf course.
Penn Valley Rodeo Grounds—while not specifically a public recreational destination in a traditional sense, the Penn Valley Rodeo Grounds provide an area for the community to gather around similar agricultural interests and the Rodeo reflects the rural character and history of the community.

Recreation Goals & Policies

It is important that future development and growth in the community consider recreation facilities and opportunities. Land use patterns and development should be compatible and provide connections to new and existing facilities, as feasible, with the purpose of creating an integrated and connected recreational system in Penn Valley. The following policies reflect the importance of incorporating and maintaining recreational opportunities in Penn Valley.

COMMUNITY RECREATION VISION

Penn Valley is a healthy community supported by recreational facilities providing diverse recreation opportunities for a population of multi-ages, different capabilities and aptitudes. Western Gateway Park continues to be a highly valued and dynamic recreational asset to the community.

GOAL REC-1: PROVIDE OPPORTUNITIES FOR A RANGE OF DISPERSED AND DEVELOPED OUTDOOR RECREATION ACTIVITIES

Policy REC-1.1: Trail Network
Prepare a Trails Master Plan that includes the preserve existing path and trail networks and expand with the purpose to connect the Area Plan to residential areas, Western Gateway Park, Lake Wildwood and other recreation opportunities.

Policy REC-1.2: Special Events
Promote special events in Penn Valley that highlight recreational opportunities and natural, historical or cultural heritage including those that honor the agricultural values of the community. Support the development of a Penn Valley Community Center to accommodate indoor activities.

Policy REC-1.3: Western Gateway Park
Promote the year-round recreational opportunities found within Western Gateway Park. Support the maintenance, expansion and improvements of the facilities that assist the park in achieving its Master Plan objectives.

Policy REC-1.4: Future Trends
Anticipate and accommodate future trends in outdoor recreation.
**Policy REC-1.5: Campgrounds and Camping**
To support existing recreational events and opportunities and accommodate visitors whom would like to experience Penn Valley beyond a day-trip, develop a campground which compliments Penn Valley’s character and natural landscapes in close proximity to existing recreational amenities.

**Policy REC-1.6: Rodeo Grounds and Events**
Continue to support the rodeo grounds and the events conducted there as both recreational and cultural activities that support the ranching history of Penn Valley.

**Policy REC-1.7: Funding for Recreation**
Identify and secure adequate and equitable funding to maintain and operate public recreation.

**Policy REC-1.8: Developer-Built Recreational Amenities**
Where legally appropriate and efficient, encourage developer-built recreation amenities.

**Policy REC-1.9: Partnerships in Recreation**
Work with sports leagues, the school district, other public agencies, non-profits and the private sector as partners in the provision of shared recreational facilities and team sports fields.

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**Recreation Implementation Actions**

The following action will accelerate implementation of the goals and policies listed above.

1. Coordinate with the Western Gateway Park District and the Lake Wildwood Association, to improve public recreation opportunities in the greater Penn Valley Region.

2. Amend the land use designation/zoning of the Park District owned approximately 7.00-acre parcel (APN: 051-220-015) from Residential (RES)/Residential Agriculture (RA) to Recreation (REC/REC) to support ongoing passive and active recreational use of this parcel.

3. Support development of a connector pedestrian/bike/equestrian trail between the Penn Valley Village Center and Lake Wildwood.
Penn Valley has a rich historical background and is surrounded by rural development and open range lands that are reflective of quintessential California oak woodlands and rolling hills of the northern Sierra Nevada foothills. The small-town feel, and sense of community is identified as one of the main reasons most residents have chosen to live in the Penn Valley area. The Penn Valley Rodeo has long been a gathering place for the community to come together and celebrate its rural roots. Historically accounts of the rodeo by longtime residents, express the overall sense of civic pride that the rodeo brought and how the community came together as one large family. Over time the rural ranches have given way to residential and commercial development, but as you move farther away from the village core, the rural and agricultural nature of Penn Valley still dominates the landscape. The most predominate changes to the landscape in more recent history that has helped shape the Penn Valley region was the development of the Lake Wildwood Subdivision and the subsequently donation of land by the developer to create Western Gateway Park, known to many as the “Gem of Western Nevada County” and home to the historic Buttermaker’s Cottage.

The treasured oak studded landscape hosts an incredible array of wildlife habitat, including creeks and ponds, wetlands and vast areas of open grass lands weaved into areas of Landmark Oak Groves and Woodlands. The region boasts some of the most significantly sized Landmark or Heritage Oak trees in Western Nevada County. The primary water feature in Penn Valley is Squirrel Creek which runs generally in an east/west orientation through the village core conjoining with Clear Creek, through Western Gateway Park where is meets up with Deer Creek west of Lake Wildwood and ultimately into the South Fork of the Yuba River. A relatively robust floodplain with areas of wetlands and significant riparian vegetation serves as a natural open space area and scenic buffer between the village core and State Highway 20. Lake Wildwood, while manmade, provides a large water body in the area for recreation (to residents of Lake Wildwood and their guests), but also habitat value for migratory birds and other aquatic species.

Penn Valley maintains the rural values that were established by its rich agricultural and ranching history that is still evident in the community today. Penn Valley is home to some of the larger farms and ranches in the County and that heritage remains important to the residents of Penn Valley. Some of the most fertile agricultural lands in Nevada County exist around Penn Valley, as evident by the USDA Important Farmlands Mapping program which maps significant areas of Farmlands of Local Importance both within and just outside of the Penn Valley Area Plan Boundaries and the region is home to some of the few areas of the County that are mapped as Prime, Unique and Farmlands of Statewide Importance. Other areas in the region that are not mapped as Farmlands, Urban Built Up or Other Lands are designated as Grazing Lands on the Important Farmlands Map, which reflect the agricultural and ranching history and help support the communities desire to remain rural in the future.

Many other areas and features within proximity to the Penn Valley Area Plan Boundaries also form
the natural, cultural and historical character of the region. Areas like Pilot Peak and the Spenceville Wildlife Area to the south, Horton Ridge to the west and many unnamed hills and ridge lines provide a natural backdrop. Rough and Ready, Indian Springs, Bridgeport, French Corral and Bitney Springs amongst other smaller enclaves, historical farmhouses, barns and ranches, irrigation canals and remanences of hand stacked walls help build the cultural and historical identity of the region. The introduction setting provides a more detailed depiction of the history of Penn Valley. Other historical accounts from longtime residences can also be found on the Penn Valley Chamber of Commerce’s website. Penn Valley’s natural and historic landmarks are valuable features of the area’s past and should be preserved and promoted. Informational signage for historical and cultural resources is encouraged.

## Existing Historic, Cultural and Natural Resources

The following highlights some of the more well know historic, cultural and natural resources in the Penn Valley Region and is not meant to be an all-inclusive list of these resources.

### Natural Resources

<table>
<thead>
<tr>
<th>Streams, Ponds, Riparian Areas and Wetlands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Penn Valley is home to many streams and tributaries, ponds, wetlands and riparian areas that provide excellent habitat for several plant and animals specifies as well as contributes to the natural bucolic setting that has led to residents to plant their roots in Penn Valley.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Oak Woodlands/Native Grasslands</th>
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</thead>
<tbody>
<tr>
<td>One of the true treasures of the Penn Valley Region is the vast areas of open grasslands and fields that support a uniquely Californian landscape filled with heritage oaks and oak woodlands.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Agricultural Heritage/Important Farmlands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Penn Valley has a long history as a hard-working ranching and farming community going back to its origin’s as a stagecoach stop between Sacramento and the gold fields of the foothills. Today, Penn Valley is home to many of the larger ranches and farms in Nevada County and hosts some of the most robust important farmlands found in the County.</td>
</tr>
</tbody>
</table>

### Historic/Cultural Resources and Landmarks

<table>
<thead>
<tr>
<th>Native Americans</th>
</tr>
</thead>
</table>
| Native Americans left evidence of their habitation in the form of townsites, kitchen mittens, and lithic scatter. The territory was occupied by the Hill Nisenan, Native American peoples who are also referred to as “Southern Maidu”.

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Farming/Ranching
Penn Valley has long been a farming and ranching community. Early settlers to the area found the rolling hills full of grasslands as an inviting area to raise cattle, horses and food and fiber and ultimately their families.

Rodeo Grounds
While there are many historic farmhouses and amenities in Penn Valley, none are more iconic and provide the sense of pride and community as the Penn Valley Rodeo, which has long been a place where the community gathers and become family.

Buttermaker’s Cottage
Located in Western Gateway Park is Buttermaker’s Cottage, which as the home to one of the first agricultural co-op facilities in Penn Valley. It represents the community collaboration that has long been weaved into the fabric that is Penn Valley.

Bridgeport/South Yuba State Park
While not within the Penn Valley Area Plan Boundaries, the Bridgeport Covered Bridge and South Yuba State Park is one of the more recognizable historic amenities in the area. In the 1860’s the Bridgeport covered bridge was constantly a bustle day and night, with passenger and commercial traffic beating a path to the silver mines of Virginia City via the Henness Pass. Today at 229 feet, the bridge is the longest single-span wooden covered bridge still in existence in the United States. As a result of grass roots efforts of the Community, this bridge is in the process of being rebuilt to its historic form, to be enjoyed and appreciated by generations to come.

Historic, Cultural and Natural Resources Goals & Policies

The County’s General Plan and Zoning Regulations provide a platform for the protection of the County’s treasured historic, cultural and natural resources. The County’s Comprehensive Site Development and Resource Standards further refine the General Plan and act as the vehicle for implementing the General Plan. The Goals and Policies provided below are intended to enhance the General Plan Goals and Policies providing specific guidance for future development focused on what is important to the community of Penn Valley.

COMMUNITY HISTORIC, CULTURAL AND NATURAL RESOURCES VISION

The Penn Valley community values their natural resources and celebrates their cultural and historical assets that define the community character.

GOAL RP-1: PROTECT PENN VALLEY’S NATURAL RESOURCES

Policy PR-1.1: Natural Drainage Patterns & Wetlands
Project development should not change natural drainage patterns nor reduce the area of wetlands.

**Policy PR-1.2: Preserving Natural Landscapes**
Development should be sited in a manner that preserves significant views, vegetation and surrounding natural landscapes.

**Policy PR-1.3: Riparian Corridors**
Riparian corridors shall be maintained in their natural state as much as possible to protect their natural resource values including watershed and floodplain functions and as a wildlife habitat corridor.

**Policy PR-1.4: Biological Resources – Squirrel Creek**
Avoid development impacts to Squirrel Creek and its floodplain where landmark oak groves of valley oak riparian forest create a sensitive natural community.

**Policy PR-1.5: Biological Resources – Hardwood Tree Groves and Landmark Oak Trees**
Avoid, minimize or compensate the loss of Hardwood Tree Groves containing a minimum or greater than 33% canopy and landmark oak trees of 36”dbh or greater as a result of development within the area plan.

**Policy PR-1.6: Water Quality**
Develop Best Management Practices program for stormwater runoff from public and private properties in the Area Plan.

**GOAL RP-2: PROTECT PENN VALLEY’S SIGNIFICANT CULTURAL & HISTORICAL RESOURCES TO THE MAXIMUM EXTENT POSSIBLE**

**Policy RP-2.1: Cultural Resources**
Emphasize protection and stabilization of existing cultural resource sites and features or removal.

**Policy RP-2.2: Historical Resources**
Encourage retention, integration and adaptive reuse of significant historical resources.

**Policy RP-2.3: Historic Landmarks**
Encourage the listing of historical sites or structures on the Nevada County, State Register of Historic Landmarks, and/or National Register of Historic Landmarks.

**Policy RP-2.4: Places of Interest**
Encourage informational signage in the Penn Valley Area for educational purposes regarding specific cultural and historical places of interest.

**Historical, Cultural and Natural Resource Strategies**

The following actions or improvements are necessary to implement the goals and policies listed above.
1. Identify areas for wildlife observation and nature appreciation with supporting improvements such as viewing platforms and trails.

2. Support community grass roots efforts to preserve, protect and enhance the historic and cultural amenities of the Penn Valley Region for the enjoyment of future generations.
Placeholder for Chapter 7. Implementation (in progress)
FREE RESIDENTIAL GREEN WASTE DISPOSAL

MAY 17 THROUGH JUNE 27

FREE GREEN WASTE DISPOSAL

Sunday - Tuesday | 9am - 3pm
Acceptable green waste: Residential green waste, biomass consisting of all tree and plant trimmings, weeds, leaves, branches.
Unacceptable items: Commercial green waste, Scotch broom, poison oak, Himalayan blackberry, items with a diameter greater than six inches, tree stumps, and root balls. Absolutely no household waste or trash.

FREE WOOD CHIP PICK UP

Friday & Saturday | 9am - 3pm
Why Wood Chips? Wood chips aren’t safe within the first 30 ft of your home, but they can help with soil enrichment, erosion control, weed suppression, and water retention elsewhere on your property.

More info: ReadyNevadaCounty.org/greenwaste

LOCATIONS

ALTA SIERRA
NID Site
12057 & 12079 Francis Dr.
Grass Valley, CA

PENN VALLEY
Penn Valley Rodeo Grounds
10531 Spenceville Rd,
Grass Valley, CA

GRASS VALLEY
Rise Gold Site
12625 Brunswick Rd,
Grass Valley, CA

A special thanks goes to NID, Penn Valley Rodeo Grounds, Penn Valley Fire Protection District, and Rise Gold for lending their properties for this program!

VOLUNTEER

Support fire prevention
This program is fueled by the generosity of dozens of volunteers in our community. If you are interested in participating, please register to volunteer at:
volunteerhub.connectingpoint.org

Please note, we are implementing diligent safety measures to mitigate the spread of coronavirus.

Due to COVID-19, this event will be contact-free. Please stay in your vehicle and follow the cues of the staff and volunteers inspecting truck loads and directing traffic.