

1 **NEVADA COUNTY PLANNING COMMISSION**
2 **NEVADA COUNTY, CALIFORNIA**

3
4 **MINUTES** of the meeting of February 13, 2020, 1:30 p.m., Board Chambers, Eric Rood
5 Administration Center, 950 Maidu Avenue, Nevada City, California
6

7
8 **MEMBERS PRESENT** Chair Aguilar, Commissioners Coleman-Hunt, Duncan, Johansen
9

10 **MEMBERS ABSENT:**

11
12 **STAFF PRESENT:** Planning Director, Brian Foss; Principal Planner, Tyler Barrington; Deputy
13 County Counsel, Rhetta VanderPloeg; Principal Civil Engineer, Pat Perkins; Public Works Project
14 Manager, Jessica Hankins; Administrative Assistant, Shannon Paulus.
15

16
17 **PUBLIC HEARINGS:**

- 18
19 1. Nevada County Capital Improvement Plan Page 1, Line 44
20

21 **STANDING ORDERS:** Salute to the Flag - Roll Call - Corrections to Agenda.
22

23 **CALL MEETING TO ORDER:** The meeting was called to order at 1:30 p.m. Roll call was
24 taken.
25

26 **CHANGES TO AGENDA:** None
27

28 **PUBLIC COMMENT:** Members of the public shall be allowed to address the Commission on
29 items not appearing on the agenda which are of interest to the public and are within the subject
30 matter jurisdiction of the Planning Commission, provided that no action shall be taken unless
31 otherwise authorized by Subdivision (6) of Section 54954.2 of the Government Code. None.
32

33 **COMMISSION BUSINESS:** None.
34

35 **CONSENT ITEMS:**

- 36
37 1. Acceptance of 2020-01-09 Planning Commission Hearing Minutes.
38

39 **Motion** to approve Consent item by Commissioner Coleman-Hunt; **second** by Commissioner
40 Duncan. **Motion carried on a voice vote 4/0.**
41

42 **PUBLIC HEARING:**
43

44 **NEVADA COUNTY CAPITAL IMPROVEMENT PLAN.** The Department of Public Works is
45 requesting that the Planning Commission make a determination of General Plan conformity for the Nevada
46 County Capital Improvement Plan (CIP). The CIP is a five-year plan identifying road maintenance and
47 capital improvement projects, expenditures, and revenue projections for the County Public Works
48 Department. This year's CIP represents a five-year, \$115 million program for the Fiscal Years ending in
49 2020 to 2024. **PROJECT LOCATION:** Countywide. **RECOMMENDED ENVIRONMENTAL**
50 **DETERMINATION:** Exempt pursuant to Section 15378(b)(4) of the State CEQA Guidelines.

51 **RECOMMENDED PROJECT ACTION:** Find that the Five-Year Capital Improvement Plan for Fiscal
52 Years Ending 2020-2024 is in conformity with the adopted Nevada County General Plan. **STAFF:** Trisha
53 Tillotson, Director of Public Works
54

55 Principal Civil Engineer Pat Perkins introduced himself and Public Works Project Manager Jessica Hankins
56 to the Commission and began his presentation. He explained that a Capital Improvement Plan (CIP) was
57 meant to outline the expenditures and revenues projected over the next five years for capital improvement
58 projects. He explained that the Engineering Division generally oversaw the design and construction of
59 projects, however the CIP also included some projects for Transit, Solid Waste, and Wastewater. He
60 explained that it was primarily a budget document, and why the Commission was reviewing it. He reviewed
61 the CIP revenue sources, and the project types that Public Works intended to work on that year. He added
62 that the Donner Pass Road (FLAP) Project was primarily a federal project, however Nevada and Placer
63 Counties were participating financially.
64

65 Commissioner Duncan asked how much the County would be participating in that project.
66

67 Engineer Perkins answered that Nevada County would be participating \$310,000, while Placer County was
68 adding an additional \$320,000. He added that the County also participated via Federal Toll Credits.
69

70 Commissioner Duncan stated that was pretty good leverage.
71

72 Engineer Perkins answered it was a good chunk of money. He said overall the project would be around \$20
73 million. He continued his presentation with a list of projects for 2021-2024 which included bridges.
74

75 Commissioner Duncan asked if the money for bridge projects came from federal grants.
76

77 Engineer Perkins answered that was correct.
78

79 Commissioner Duncan asked why the funding for bridges was included when the FLAP was not.
80

81 Engineer Perkins answered that the FLAP was different because the federal government was running that
82 project, whereas the bridge projects were run internally.
83

84 Commissioner Duncan clarified that the majority of the funding was federal.
85

86 Engineer Perkins answered that those projects were managed very differently, and that the County never
87 saw the money for the Donner Pass Road (FLAP) Project. He had included the project in the presentation
88 because it was a project happening within the County, although it was being done by someone else. He
89 answered that bridge projects were something that they actively went after funding for and ran themselves.
90

91 Commissioner Duncan asked if an option existed to have the federal government run the bridge projects.
92

93 Engineer Perkins answered no. He continued his presentation regarding other projects for 2021-2024 which
94 included road rehabilitation, striping, intersections, a bus wash facility, and the McCourtney Road Transfer
95 Station.
96

97 Chair Aguilar asked if the intersection project was where the Dollar General in Rough and Ready was going
98 to go.
99

100 Project Manager Hankins answered it was a different location. She believed that Dollar General had been
101 proposed further west.
102

103 Chair Aguilar said that he had thought that Dollar General was going to purchase the lot on the corner as
104 well.

105
106 Project Manager Hankins answered she was not aware of that.
107
108 Commissioner Coleman-Hunt asked if that was Hells Half Acre.
109
110 Chair Aguilar answered that it was across the street.
111
112 Engineer Perkins continued his presentation by discussing the bus wash center at La Barr Meadows, which
113 would include federal funding within the next few years. He added that the scope and details of work for
114 the McCourtney Road Transfer Station had not yet been identified.
115
116 Commissioner Duncan asked if those would be identified in subsequent years.
117
118 Engineers Perkins answered yes.
119
120 Commissioner Duncan asked if it was known which years those would be identified.
121
122 Engineer Perkins answered they had not yet been identified. He stated that the CIP was good for about 2
123 years, however after that things had the potential to change with new grants and new Board priorities.
124
125 Commissioner Duncan asked if the improvements to the transfer station were wish list items.
126
127 Engineer Perkins answered that some work was being done on it now, and he believed that Program
128 Manager David Garcia was working with Waste Management on some other projects as well. He then
129 turned the presentation over to Project Manager Hankins to discuss the environmental portion of the
130 document.
131
132 Manager Hankins stated that in terms of environmental review for the project, it was not subject to CEQA
133 because it is not considered a project under CEQA. She stated that it was a fiscal activity which did not
134 involve any commitment to any specific project. She stated that whenever they had a specific project, it
135 was brought before the Board of Supervisors for environmental review. She stated that it was the
136 recommendation of staff that the Planning Commission find that the CIP was not a project, and not subject
137 to CEQA review.
138
139 Engineer Perkins added that staff also sought the Planning Commissions concurrence that the CIP
140 conformed with the General Plan, and he listed the specific items that they were seeking concurrence on.
141
142 Chair Aguilar asked how the department decided which roads to work on.
143
144 Engineer Perkins answered that they had a two-pronged approach. The first being that people could write
145 in with specific issues to which road crews would be dispatched. The second being that all roads were rated
146 on an ongoing basis from an engineering standpoint and indexed by need.
147
148 Commissioner Johansen asked about roundabouts near Hills Flat.
149
150 Engineer Perkins answered that the only roundabout being considered within the jurisdiction of the County
151 was at Ridge Road, however the engineering analysis was not complete.
152
153 Commissioner Johansen stated that there were a lot of accidents along Highway 20 and Penn Valley Drive,
154 he believed they did not see the lights and blew through. He asked if any other areas in the County looked
155 like that.
156
157 Engineer Perkins answered none that he could think of.
158

159 Manager Hankins added that they received updated collision data from CHP on a regular basis. They used
160 a program that analyzes where collisions were occurring, and when a concentration of collisions were seen
161 they would go out and analyze the site to evaluate what could be done, such as surface treatments.

162
163 Commissioner Johansen said that the problem wasn't so much the entrance to Hills Flat, but the entrance
164 to the freeway.

165
166 Commissioner Duncan asked if they coordinated with the cities of Grass Valley and Nevada City.

167
168 Engineer Perkins answered yes, however it depended on the location of the project.

169
170 Commissioner Duncan said that sharing the CIP with them would help to improve impacts.

171
172 Engineer Perkins answered that they tried to work together whenever possible, stating that they had just
173 met with Brian McAllister of Nevada City regarding proposed projects on Boulder Street, and that meetings
174 were planned with the City of Grass Valley to discuss projects on La Barr Meadows.

175
176 Chair Aguilar asked if the intersection of Brunswick and Idaho Maryland used to have a high amount of
177 collisions, and if the new signage had helped that.

178
179 Engineer Perkins answered that he would be happy to send Chair Aguilar the collision rate data, however
180 that intersection was within City of Grass Valley limits.

181
182 Commissioner Johansen quipped that annexation was great.

183
184 Engineer Perkins stated that road went from county to city to county, and that there had been some
185 discussion with the city on how to improve that section.

186
187 Manager Hankins added that the intersection had a very high incidence of collisions, which was why those
188 changes had been made.

189
190 Chair Aguilar asked if it still had a high incidence of collisions.

191
192 Engineer Perkins answered they would need to look at the data.

193
194 Chair Aguilar asked staff to please continue their presentation.

195
196 Manager Hankins read Staff's first recommendation that the Planning Commission determine that the CIP
197 was not a project and was exempt from CEQA pursuant to Section 15378(b)4 of State CEQA Guidelines.

198
199 Engineer Perkins read Staff's second recommendation that the Planning Commission find that the Five-
200 Year CIP for Fiscal Years Ending 2020-2024 was in conformity with the adopted Nevada County General
201 Plan. This concluded their presentation and he offered to answer any questions that the Commission had.

202
203 Chair Aguilar asked for any questions.

204
205 Commissioner Coleman-Hunt asked if the gas tax (HUDA) would rise again or continue on a downward
206 trend because of the rise in electric vehicles, and if that was being accommodated in future planning.

207
208 Engineer Perkins answered that was something that had been discussed internally. He did say that it had
209 swung back up a little this year from last year, and that they had been fairly conservative in the budget in
210 the event that gas tax increased.

211

212 Commissioner Coleman-Hunt asked about emergency funds for things such as landslides, as she hadn't
213 seen it in the report. She also asked if they planned on increasing emergency funds because of climate
214 change.

215
216 Engineer Perkins stated that they did have some money set aside, however that fund had dropped in the last
217 few years. He said that with the passing of SB1, it would allow them to fix some roads as well as move
218 some funds around. He added that by the end of the year they hoped to have around \$1 million set aside
219 and grow that to \$3 million in order to be able to take care of emergencies. He said they were actively trying
220 to rebuild that fund.

221
222 Commissioner Coleman-Hunt asked if public transportation was part of the CIP, such as increasing public
223 transportation options and if any movement was being made toward the installation of more electric car
224 charging stations.

225
226 Engineer Perkins stated that the transit projects listed within the CIP were ones that Engineering was
227 working with Transit on, such as the bus wash. He stated it was his understanding that Transit had its own
228 budget and it was not necessarily part of the CIP.

229
230 Trisha Tillotson, Director of Public Works, introduced herself to the Commission and added that the Transit
231 budget was separate from the CIP, except for bus stop improvement projects. She also said that she was not
232 aware of any plans for the installation of electric charging stations countywide. She said if there were plans,
233 it would be from the Facilities Department of the County. She added that the County did have some charging
234 stations in the back of the building, which were installed by Facilities.

235
236 Commissioner Duncan asked if they had a rendering of the Lake Van Norden Sidewalk.

237
238 Engineer Perkins answered he did not.

239
240 Commissioner Duncan asked what the project was.

241
242 Engineer Perkins said they did not have a project slotted for the Lake Van Norden sidewalk.

243
244 Commissioner Duncan stated that she had read in the CIP that there was a Lake Van Norden sidewalk, and
245 she was curious as they had deliberated on Lake Van Norden previously.

246
247 Deputy County Counsel Rhetta VanderPloeg answered that had to do with the Soda Springs bridge
248 repair work.

249
250 Commissioner Duncan stated it had said something about taking advantage of the view of Lake Van
251 Norden.

252
253 Engineer Perkins stated that one of the projects they hoped to accomplish was the retrofitting and repair of
254 the Soda Springs bridge. He said that they would widen it out, so the bridge would have sidewalks, and that
255 the bridge had a 40-50-foot span.

256
257 Commissioner Duncan asked if it would be an urban sidewalk.

258
259 Engineer Perkins stated it was a very minor stretch.

260
261 Commissioner Duncan clarified it was not a path but a real sidewalk, that they eventually hoped to connect
262 to more sidewalk.

263

264 Engineer Perkins answered that they tried to put things in as best they could as they went through. The goal
265 on this particular project was for vehicular emphasis, not pedestrian. He added that because the bridge was
266 likely to be there for the next 40-50 years, they had thought it would be good to widen the bridge and add
267 the sidewalks.

268
269 Commissioner Duncan applauded them for including the pedestrian aspect, however she wondered if there
270 was a better technique in more rural areas instead of an urban sidewalk that led to nowhere.

271
272 Director Tillotson stated that the reason for the inclusion for the sidewalk was in response to community
273 requests who were focusing on improving pedestrian safety. She stated that they had many rural bridges
274 which did not include a sidewalk, such as Hirschdale. She stated that for the Soda Springs bridge, it was an
275 appropriate use of sidewalk, especially during the winter season.

276
277 Commissioner Duncan said she was not saying no to pedestrian access or making improvements for
278 pedestrian safety, however she felt that the application of urban design was not always appropriate for rural
279 areas.

280
281 Director Tillotson said she understood and agreed.

282
283 Commissioner Duncan stated that it was expensive and wondered if a longer path could be made if they did
284 not do a sidewalk.

285
286 Director Tillotson stated that they could not do that with highway bridge program funds. She said that with
287 highway bridge program projects, those funds could only be used at the bridge itself. She said that they did
288 look for other funding opportunities to extend pathways if possible.

289
290 Commissioner Duncan said she understood the communities concern with having a safe place to walk. She
291 said that her other concern was with brushing and asked what that entailed.

292
293 Engineer Perkins answered it entailed road crews going out on roads throughout the county, and pulling
294 back brush, limbs, etc... and widening the corridors so that in the event of an emergency, such as fire, it
295 allowed for safer emergency ingress and egress.

296
297 Commissioner Duncan asked if the brushing was new, and if it had been included in previous CIPs.

298
299 Engineer Perkins answered it was done every year, however with heightened awareness of fire danger they
300 were putting quite a bit more effort into brushing.

301
302 Commissioner Duncan said it was a great idea to put more effort into it. She asked if this would be in lieu
303 of the County spraying.

304
305 Director Tillotson answered that spraying was part of the vegetation management program.

306
307 Commissioner Duncan clarified that spraying was included in the brushing.

308
309 Director Tillotson answered that was correct.

310
311 Commissioner Duncan said she thought that was good, and that we were probably behind the times making
312 sure public safety was maximized. While not part of the CIP, she asked when the light was going in at
313 Combie and Higgins.

314
315 Counsel VanderPloeg cautioned that they were straying from what was on the agenda for the day.

316

317 Chair Aguilar stated it was public comment.

318

319 Counsel VanderPloeg stated that if the public wanted to remark on it then yes, however we needed
320 to stay with what was on the agenda, which was CEQA exemption and conformity with the General
321 Plan. She added to please ask their questions but remember what was in front of them today.

322

323 Commissioner Duncan asked if expanding the office space area was part of the transfer station
324 improvements.

325

326 Director Tillotson answered yes.

327

328 Commissioner Duncan said good, she could carry good news back.

329

330 Commissioner Johansen stated that Nevada County had a high use of herbicides.

331

332 Director Tillotson said she wouldn't say that it was a high use, however they did use some.

333

334 Commissioner Johansen asked if she knew offhand how much was used.

335

336 Director Tillotson answered she did not know how much offhand, however they did about 50 miles per
337 year.

338

339 Commissioner Johansen stated that NID was doing a study on alternative uses to the current favorite
340 herbicide and asked if the County had collaborated with them.

341

342 Director Tillotson answered yes, they had been working with several community groups including NID and
343 others. She encouraged Commissioner Johansen to reach out to her after the meeting for other details. She
344 added that they were looking at other options, however those options were always more labor intensive.
345 She stated that what they were doing now was all that they could afford, and that they had also applied for
346 grants which would enable them to seek out more labor-intensive routes. She said that if NID came up with
347 a better way to manage vegetation on roadsides, they would be on board with that.

348

349 Commissioner Johansen said this third year should come out with good results. He added that they had
350 already identified some that were working.

351

352 Director Tillotson said yes, however the question was if it would work as well on a roadside.

353

354 Commissioner Johansen stated that farmers in the Valley were purchasing a particular herbicide in quantity,
355 and it was all organically approved. He said he had a friend who was recommending that it be used on Tyler
356 Foote Road.

357

358 Director Tillotson answered that there were a lot of pros and cons, and that she would be happy to go over
359 that with him at another time. She stated that they had meetings several times a year that she would be
360 happy to invite him to if he wanted to participate.

361

362 Commissioner Johansen said that Tyler Foote Road was quite a fire hazard, however residents did not want
363 them to spray. He asked if residents were participating and cleaning out their portions of the roadside or
364 letting it remain a fire hazard.

365

366 Director Tillotson stated that they had been working with a lot of people in the North San Juan area, and
367 particularly on Tyler Foote. She said that there were those who were helping, which was appreciated, and
368 others who were problematic properties which could do a lot more work. She said that they intended to

369 continue working with people in that area, and that she was aware of some residents obtaining grants on
370 their own for clearing.
371
372 Commissioner Johansen stated that was tough, and he didn't know if he could help but to let him know.
373
374 Director Tillotson said they welcomed his help.
375
376 Commissioner Johansen asked if they were replacing the Dog Bar bridge.
377
378 Engineer Perkins answered that they had the funds from the state, and they needed to be used before they
379 expired. He said their goal was to get through the preliminary stages and take it as far as they reasonably
380 could. He added that the Centennial Dam project did not appear to have much traction, if it was not going
381 to go further at that point then they would make the decision to rebuild the bridge. He stated that it really
382 needed to be rebuilt and was in sad shape. He said if the Centennial Dam project gained traction then they
383 would back off. He also said that they had been in contact with NID.
384
385 Commissioner Duncan asked if the Dog Bar bridge was in sad shape structurally, or just access.
386
387 Engineer Perkins said that the sufficiency rating of the bridge, which was rated 1-100, was down around
388 42. He said that structural members needed to be replaced as well as the bridge deck, and it was also too
389 narrow. He said a lot of work needed to be done, and it was at the point where it would cost as much to
390 repair as it would to replace it.
391
392 Commissioner Duncan clarified that it was too narrow as a one lane bridge.
393
394 Engineer Perkins answered they would put in a two-lane bridge.
395
396 Chair Aguilar asked when that would happen.
397
398 Engineer Perkins answered that they were in preliminary design now, he would like to see it go through in
399 2022 or 2023.
400
401 Chair Aguilar stated that was a great opportunity for recreation for the County. He said there was no good
402 parking down at the bridge and the roads were impacted. He mentioned that something similar had
403 happened at Edwards Crossing a few years ago where CHP had ticketed and towed some vehicles, which
404 ruins people's outings. He strongly recommended that be evaluated. He also asked when environmental
405 review on herbicide would occur. Staff was saying that it was exempt, however there were issues of using
406 herbicides on the side of the road.
407
408 Director Tillotson stated that they were not talking about environmental exemption for the projects. Each
409 one of the projects, unless it was standard road maintenance and exempt through a different code, had their
410 own environmental review. She stated what was before the Commission today was that the plan was not a
411 project and therefore environmentally exempt.
412
413 Chair Aguilar stated that as Planning Commissioners they wanted to make sure the plan was not a project.
414 He said that there was no environmental review on spraying the side of the road.
415
416 Director Tillotson answered that it was environmentally exempt per CEQA and was a maintenance activity.
417
418 Counsel VanderPloeg reiterated to the Commission that was not what was in front of the Commission
419 today. She added that in fairness to the public, if they wanted to discuss those items they needed to be on
420 the agenda so the public could make comment on it as well. She reminded the Commission that what was

421 in front of them today was an exemption for the CIP and General Plan conformity. The individual projects
422 listed within the CIP went through their own environmental review process.
423

424 Chair Aguilar disagreed with that. He said that if they voted yes on this item then they would be voting yes
425 to spraying on the side of the road.
426

427 Counsel VanderPloeg stated no, that was a different project, the Commission was only reviewing the CIP
428 which was the financial groundwork for future projects. She said this happens every year. She reiterated
429 that they were reviewing the CIP, not the projects underneath.
430

431 Chair Aguilar asked when spraying would come up. He asked if the County respected the No Spray signs
432 along the road.
433

434 Director Tillotson answered yes, they had a No Spray program which people could sign up for in which the
435 County put the No Spray signs in. It included an agreement that the property owner would maintain the
436 property and the vegetation. She added that the information was available on the website.
437

438 Chair Aguilar stated that he had been a Planning Commissioner for a long time, as had Commissioner
439 Duncan. He said he did not like having his questions shut down. He said it was really important to have an
440 open conversation about things, and that if this was something that hadn't been posted correctly then he
441 had to chastise staff for not making it more open. He said that the Commission only got together once every
442 few months, and it didn't feel like they were representing the public adequately if they were unable to ask
443 questions.
444

445 Commissioner Coleman-Hunt stated that they were looking at a funding plan, and that they were essentially
446 approving because they were approving the funding source. She said that if things were missing from that
447 list or included things they did not like then the Commission needed more information on how things were
448 being implemented. She said that they had no ability to have that conversation. She said that essentially the
449 projects were being approved because the funding was there for them.
450

451 Director Tillotson stated that the Commission was not approving funding in any way. She said that all the
452 Planning Commission was looking at was if the plan was in conformance with the General Plan, and that
453 the plan was exempt from CEQA pursuant to the section before them. She said it was not a funding
454 approval, which was the purview of the Board of Supervisors, it is only conformance with the General Plan.
455

456 Chair Aguilar asked about the Soda Springs sidewalk and what happens to the bicycle lane.
457

458 Director Tillotson said that the bridge also had a bicycle lane.
459

460 Chair Aguilar asked if that continued.
461

462 Director Tillotson answered yes. She said that the bridge was a good example of a project that would go
463 through design process as well as environmental review, and they generally had public meetings where they
464 would get into the details. She added that she was happy to answer questions, however the public meetings
465 were really where they got into the details.
466

467 Chair Aguilar stated that he believed it was a little naïve to not have a discussion beyond. He stated they
468 had learned from people who provided public comment, while they would like for them to focus in it
469 sometimes brought about other issues. He said it was easy to get off track, and he felt it was very important
470 to have some leeway in these discussions because they were representing the public. He said that when a
471 constituent asked them questions about why they voted a certain way they wanted to be able to answer
472 them.
473

474
475 **Motion by Commissioner Johansen** to, after reviewing and considering the proposed Five-Year
476 Capital Improvement Plan (CIP) for Fiscal Years Ending 2020-2024, determine that the Capital
477 Improvement Plan is not a project and is exempt from CEQA pursuant to Section 15378(b)(4) of
478 the State CEQA Guidelines. **Second by Commissioner Duncan. Motion carried on a roll call**
479 **vote 4/0.**

480
481 **Motion by Commissioner Johansen** to, after reviewing and considering the proposed Five-Year
482 Capital Improvement Plan (CIP) for Fiscal Years Ending 2020-2024, find that the CIP is in
483 conformity with the adopted Nevada County General Plan. **Second by Commissioner Duncan.**
484 **Motion carried on a roll call vote 4/0.**

485
486 Chair Aguilar opened public comment at 2:19 p.m.

487
488 Chair Aguilar closed the public hearing at 2:19 p.m.

489
490 Chair Aguilar thanked staff for their presentation.

491
492 Discussion ensued regarding upcoming Commission meetings and ongoing project statuses,
493 including Darkhouse and agendizing items for discussion.

494
495 **Motion by Commissioner Duncan; second by Commissioner Johansen to adjourn. Motion**
496 **carried on voice vote 4/0.**

497
498 There being no further business to come before the Commission, the meeting was adjourned at
499 2:38 p.m. to the next meeting *tentatively* scheduled for February 27, 2020, in the Board of
500 Supervisors Chambers, 950 Maidu Avenue, Nevada City.

501
502
503 Passed and accepted this 23 day of April 2020.

504
505 Brian Foss (by sp)
506 Brian Foss, Ex-Officio Secretary

507
508