

**NOTICE OF AVAILABILITY/NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
FOR A USE PERMIT TO ESTABLISH
ROOFTOP CELLULAR ANTENNAS, 109 NORTH PINE STREET**

This Notice of Availability/Notice of Intent serves as public notice that Nevada City has prepared and proposes to adopt a Mitigated Negative Declaration for the project identified below as recommended by the Advisory Review Committee at their meeting held on May 24, 2016. Pursuant to the State of California Public Resources Code and the “Guidelines for Implementation of the California Environmental Quality Act of 1970,” as amended to date, a Draft Mitigated Negative Declaration has been prepared because no substantial evidence exists, as indicated in the attached Initial Study, that the proposed project may have a significant environmental effect. This proposed Mitigated Negative Declaration does not signify approval or disapproval of this project by the City decision-making bodies. The final decision-making body will consider the proposed Mitigated Negative Declaration together with any comments received during the public review process to determine whether the project will have an unidentified significant impact on the environment

Project Description: Application to the Planning Commission for a Conditional Use Permit to install eight (8) cellular antennas mounted on four (4) pipe mounts, affixed to various points of the rooftop of 109 North Pine Street. The applicant is proposing to paint the antennas and any visible infrastructure gray as approved by the Planning Commission in their capacity as the Architectural Review Committee at the February 18, 2016 meeting. Other equipment associated with the antennas, including an HVAC condenser, are proposed with low enough profiles to be screened by the building’s existing parapet from most public view sheds. Back-up batteries will be located in the interior equipment room and are intended to provide power in the event of an electrical power outage.

The property is zoned General Business (GB) which allows for public and quasi-public uses with approval of a Conditional Use Permit. Public and quasi-public uses include communication equipment buildings and utility distribution stations in its definition. The project site is also designated within the City’s Historical Combining District (HD), in recognition of the area’s historical interest and aesthetic value. Any alteration to the exterior appearance of a structure within the Historical District may only be permitted if approved by the Planning Commission through an Architectural Review application. The Planning Commission approved an Architectural Review application at their February 18, 2016 meeting with conditions that required painting equipment gray and requiring relocation of two antennae in a westerly direction to break up the massing for the infrastructure proposed at the southeastern corner.

The top of the antennas and supporting infrastructure will reach 50-feet above the ground elevation which amounts to a range between 3.5-feet and 9.5-feet above the height of the building parapet. The antennae will be visible from several public vantage points within downtown Nevada City. Access to the lease area is proposed from the interior of the building. The equipment lease area is proposed within a third story room in the existing structure. The facility will be unmanned and will require only occasional trips for maintenance purposes.

As mandated by Public Resources Code § 21091, the minimum public review period for this document is 20 days. The public review period for the proposed project is from May 27, 2016 to June 15, 2016. **Comments must be received by 5 p.m. on the last day of the comment period, June 15, 2016.** Send comments to Amy Wolfson, City Planner, at amy.wolfson@nevadacityca.gov , or mail comments to:

Amy Wolfson, City Planner
317 Broad Street
Nevada City, CA 95959

Comments received on this Initial Study will be considered by the Planning Commission prior to approval of the project. The Planning Commission will hold a public hearing before it considers certification of the Initial Study and approval of the proposed project.

The Initial Study prepared for this Project and the documents used in preparation of this Initial Study can be reviewed at the Nevada City Planning Department, 317 Broad Street, Nevada City, California, or can be viewed online at NevadaCityCA.gov, on the Planning Page under "Current Projects."

FISH & WILDLIFE DETERMINATION: If approved, this project will be subject to State Department of Fish and Wildlife impact fees in the amount of \$2,210.25, unless a No Effect Determination from Fish & Wildlife is approved. State law requires payment of the fee at the time of filing the Notice of Determination (approximately 10 days after the approval by the Planning Agency).

Dated: May 27, 2016

Prepared by:

A handwritten signature in black ink, appearing to read 'Amy Wolfson', with a stylized, cursive script.

Amy Wolfson, City Planner
(530) 265-2496