

CITY OF NEVADA CITY, CALIFORNIA

PROPOSED NEGATIVE DECLARATION
NOTICE OF AVAILABILITY FOR PUBLIC REVIEW

Date: April 24, 2009

TO: Nevada City Staff: City Manager Gene Albaugh
Dept. of Public Works Director Verne Taylor
Police Chief Lou Trovato
Director of Parks and Recreation Dawn Zydonis
City Engineer William J. Falconi
Fire Chief Sam Goodspeed
City Attorney Jeff Massey
City Finance Director Catrina Andes
Calif Dept. of Fish & Game – Environmental Services
Nevada County Consolidated Fire Protection District
Nevada Irrigation District
Northern Sierra Air Quality Management District
Nevada County Environmental Health Department
Nevada County Department of Transportation
Nevada County Building Department
Nevada County Planning Department
Nevada County Housing Division
Pacific Gas & Electric Company
AT&T
FREED
Nevada Union High School District
Nevada County Superintendent of Schools office
Nevada County LAFCo
Waste Management
Jill Harvey, Native American Heritage Int.
Native American Heritage Commission
Friends of Deer Creek
Friends of Nevada City
Nevada County Supervisor Nate Beason, 1st District

Assessor's Parcel Number(s): NA

Applicant: City of Nevada City

Project Location: City of Nevada City

Project Description: The Draft Nevada City 2009-2014 Housing Element (the Project) is designed to address the projected housing needs of current and future City residents and comply with State law requiring amendment of the Housing Element by August 31, 2009. Amendment of the Housing Element is subject to the California Environmental Quality Act (CEQA).

The Draft amendment to the Housing Element of Nevada City's General Plan presents a comprehensive set of housing policies and actions for the years 2009-2014. It builds on the assessment of the housing needs, an evaluation of housing programs, available land and constraints on housing production for the City of Nevada City. It also includes new initiatives to address shortages of affordable and market rate housing which are intended to help the City meet its "fair share" allocation of regional housing needs. Furthermore, the project includes revisions to the General Plan, Zoning Code and amendments to the General Plan Land Use map and site rezoning to accommodate sites suitable for rental housing to meet

the City's regional housing need for Very Low and Low income households. All of these amendments are summarized below. Detailed project materials and descriptions are available in various exhibits.

The 2009 Housing Element uses the following income categories for the County of Nevada. These categories are established annually by the US Department of Housing and Urban Development (HUD).

Regional Housing Needs Plan (RHNP)	
Income Category (% MFI*)	Household Income Limit**
Very Low (0-50%)	\$32,550
Low (51-80% MFI)	\$52,100
Moderate (81-120%)	\$78,100
Above Moderate (>120%)	>\$78,100+
Source: HUD, 2002	

* MFI=Median Family Income. The 2008 MFI is \$65,100.

** Reflects upper range for four person household

The 2009-2014 Regional Housing Needs Plan (RHNP) allocations for the City of Nevada City is shown below as presented in Table 3.00-36 of Section 3, Housing Needs of the Draft Housing Element.

**RHNP ALLOCATIONS – NEVADA CITY
2009-2014**

	Extremely Low	Very Low	Low	Mod	Above	Total
Nevada City	13	13	23	27	55	131

Source: Sierra Planning Organization, June 2008

Additional discussion of housing and housing needs is contained in Appendix 1: Housing Needs Analysis. Section 4: Land Use Circulation and Infrastructure Analysis, of Volume 2 of the General Plan addresses land use needs related to housing and the jobs housing balance.

Revisions to the General Plan updating the Housing Element: The Draft Housing Element for the 2003-2008 State Housing and Community Development Housing Element Cycle (Housing Element) is the County's policy document for meeting all of the City's housing needs, including housing affordable to very low, low, moderate and above moderate-income families. Pursuant to State law, the Draft County Housing Element includes:

1. Review of the 2003 Housing Element and evaluation of existing programs and policies
2. Housing Needs Assessment, including a description of the Regional Housing Needs Determination
3. Inventory and description of existing and future housing opportunities and resources to meet the local housing need
4. Review of governmental and non-governmental housing constraints
5. Housing Goals, Policies, Objectives, and Implementation Programs
6. Statement of Quantified Objectives
7. General Plan Background Data Report that summarizes city infrastructure and services in a separate bound document.

In addition to the basic Housing Element, the following features are included as implementation programs and are included as part of the Initial Study:

1. Amendment to the Nevada City General Plan, as follows:
 - a. Creation of High Density Multiple Family Residential land use designation. This designation is intended to accommodate the Very Low and Low income household needs allocation assigned to Nevada City. It will accommodate multiple family housing withy arrange of 12 to 15 units per acre.
 - b. Inclusion of mixed use residential uses with retail and office developments to facilitate shorter commutes and promote pedestrian activity in the Service Commercial, General Commercial and Professional Office land use designation.
 - c. Encourage housing development in closer proximity to employment centers and light industrial land uses.
2. Amendments to the Municipal Code as follows:
 - a. Zoning Ordinance
 - i. Amend the R2 zone to establish the density at 8 dwelling units per acre to be consistent with the MF, Mixed Residential General Plan designation.
 - ii. Create a new R3, High Density Multiple Family Residential Zone to accommodate a maximum of 15 units per acre along with a variety of site development standards to enable project approval through a ministerial review process that is also subject to design review by the Architectural Review Committee.
 - iii. Allow land divisions of existing legal lots with two legal dwellings where the resultant parcels are smaller than the minimum lot size of the zoning district. This measure will require that one of the new lots be subject to a 30-year deed restriction for lower income households.
 - iv. Add homeless housing facilities as a permitted use in the LI, Light Industrial zoning district and subject to a ministerial review process.
 - Add definitions for Emergency Shelter, Transitional Housing and Supportive Housing.
 - v. Allow state licensed residential care homes with up to six residents to the AF, RR, R1 and R2 zoning districts consistent with state law requirements.
 - vi. Amend the definition of Public-Quasi Public on include emergency shelters, transitional housing supportive housing and state licensed large residential day care facilities.
 - vii. Amend the definition of single family dwelling to include manufactured homes as required by state law.
 - viii. Include mixed use residential uses within the Office and Professional, Local Business, and general Business zones.
 - ix. Add outdoor lighting standards to Section 17.80.210 of the Zoning Code
 - x. Codify and modify the existing Density Bonus Housing provisions previously enacted as Ordinance 90-10
 - b. Subdivision Ordinance
 - i. Clarify that 75 percent of the 1,500 maximum house sizes are to be restricted to Moderate Income households and the remaining 25 percent to be restricted to Low Income households.
3. General Plan amendment and rezone of one or more of the following sites to Urban High Density Residential and R3, High Density Multiple Family Residential for the following candidate sites:

Map Location ¹	APN	Address	Acreage
1	5-06-08	641 W. Broad Street	1.22
2	5-28-08	601 Searls Avenue	.82
3	5-270-38	646 Searls Avenue	1.0
4	5-290-22	726 Searls Avenue	1.7
5	5-290-26	170 Ridge Road	4.59
7	NA	210 Providence Mine Road	2.5
8	36-020-24	640 Nevada Street	1.13

¹ Site 6 was removed from consideration by the property owner

The above parcels are candidate sites for consideration. This Initial Study evaluates all of these sites for suitability. Ultimately, the City Council will select those sites that meet the City's needs based on the assigned 2009-2014 housing allocation numbers defined above. The selection of the needed site(s) will satisfy the City's obligation to accommodate Very Low and Low income households through a ministerial review process as provided in the new R3 zone district.

This Initial Study is a public document to be used by the City to determine whether the Project may have a significant effect on the environment.

This Notice of Availability serves as public notice that the City of Nevada City has prepared a Negative Declaration for the project identified above. 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 April 27, 2009 to May 27, 2009. **Comments must be received by 5 p.m. on the last day of the comment period, May 27, 2009.** Send comments to Cindy Siegfried, City Planner, cindy.siegfried@co.nevada.ca.us, or mail comments to:

Cindy Siegfried, City Planner
City of Nevada City
317 Broad Street
Nevada City, CA 95959

Comments received on this Initial Study will be considered by the Advisory Review Committee. Following the ARC's recommendation, the Planning Commission will hold a public hearing before it considers certification of the Initial Study and recommendation to City Council of the Housing Element update and related implementing revisions.

The Initial Study prepared for this project and the documents used in preparation of this study can be reviewed at the Nevada City Hall, 317 Broad Street, Nevada City, California. 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.

Prepared by:

Tom Parilo, Consultant/Contract Planner

Date

Reviewed by:

Cindy Siegfried, City Planner

Date