To: Grass Valley Planning Commission
From: Dan Chance, Associate Planner
Reviewed by: Tom Last, Planning Director
Approved By: Joe C. Heckel, Community Development Director
Application: Development Review 04DRC-26, Annexation 05PLN-23, Prezone 05PLN-24 and General Plan Amendment 05PLN-25
Subject: Construction of a 22,400 square foot, one story building for a recreational vehicle dealership, including retail and service space, and related improvements

Data Summary
Location: Southerly of Idaho Maryland Road
Assessor's Parcel No.: 09-550-14 & 33
Applicant/Owner: Timothy and Margie DeMartini
Representative: Andy Cassano, Nevada City Engineering
Zoning: CBP (Corporate Business Park) Zoning District, County
General Plan: Business Park
Environmental Status: This is a project subject to CEQA review. A Negative Declaration has been prepared and circulated.

I. Recommendation: Staff recommends that the Planning Commission recommend to the City Council adopt the Negative Declaration and approve Development Review 04DRC-26, Annexation 05PLN-23, Prezone 05PLN-24 and General Plan Amendment 05PLN-25, subject to the Findings and Conditions of Approval listed on pages 7-19

II. Project Description: The applicant proposes construction of a 22,400 square foot, one story building located southerly of Idaho Maryland Road. The intent of the structure is to provide retail and service space for a Recreational Vehicle dealership. The tenant would be “DeMartini RV Sales” which includes an indoor showroom, service bays, RV parts, offices and outdoor storage/display of recreational vehicles. The site is 13.80 acres in size. Building materials consist of the following: stucco walls and accent trim colors, slate tiles for accent, and standing seam metal roof. The colors of the structure include light tan for the body, and shades of teal and blue/green for the cornice cap, cornice and roof. The project includes two wall signs, with one over the east parapet and the other on the north parapet. Both signs would be externally illuminated. Additionally, other signs may located on the building (i.e. parts and service) as well as along
Idaho Maryland Road. The project is conditioned to provide an overall sign program with this project.

The development utilizes the flat terrain, and does not require a significant amount of grading. The project includes 42 parking spaces. Under the Parking Ordinance, 38 parking spaces are required. Access to the project would use an existing roadway which crosses Wolf Creek over a neighboring property from Idaho Maryland Road. The proposed improvements would include a 25-foot wide roadway extending from Idaho Maryland Road and terminating at the site. The roadway access would remain in the County. The applicant recently received approval from the Nevada County Planning Commission for a replacement bridge over Wolf Creek. That bridge has been installed.

The project consists of the relocation of an existing business currently operating at two locations in Grass Valley. The development of the project identified 267,330 square feet of impervious surfaces (building area at 22,400 square feet, canopy coverage area at 7,355 square feet, and surfaced area at 237,575 square feet) and 246,678 square feet of pervious surfaces (landscaping, open space and natural areas). The development of the project would not require the removal of any trees.

The project includes annexation into the City of Grass Valley. The property is adjacent to the City limits of Grass Valley, and is identified on the City’s Sphere of Influence as being located in the 2000-2005 time horizon for annexation. The annexation does not include the access roadway to the site. The project also includes a General Plan Amendment to change the land use designation from Business Park to Commercial, and Prezoning the property to the C-3 (Heavy Commercial) zoning district. The change of the land use designation and zoning is required to allow the recreational vehicle dealership on the property. The project includes the annexation and prezoning of three other properties along Idaho Maryland Road.

Water service for the project site would be proved by Nevada Irrigation District. The applicant is required to provide all water connections to NID, as well as annexation to NID. Sewer connection to the City of Grass Valley is required with this project, and will be extended from Idaho Maryland Road.

III. Site Description and Environmental Setting:  The 13.80 acre site is located on the south side of Idaho Maryland Road. The site is currently vacant. The site was previously the Northstar rock quarry, which operated from the 1980’s to its closure in 1999. The site was significantly impacted by the quarry operations and subsequent reclamation that took place on the site. The reclamation included a substantial amount of fill brought to the site. The reclamation created several large, level benches; with one of the benches on the project site. The site surface consists of non-native weeds and grasses over a majority of the site, with trees (consisting of pines and oaks) along the northern,
down slope area near the Wolf Creek riparian area. The lot generally slopes downward to the north, to Wolf Creek. Slope gradients range two percent atop the benches to thirty percent at the north and south. Elevations range from 2,540 feet above mean sea level (MSL) on the southern property boundary, to approximately 2,470 MSL at the northern property boundary. The drainage of a majority of the site flows to the east to a detention area/settling pond located on a neighboring property.

The General Plan identifies the land use designation of the site as Business Park. The property is currently zoned CBP (Corporate Business Park) Zoning District in Nevada County. The proposed recreational vehicle dealership is inconsistent with the City of Grass Valley General Plan Land Use Designation and the Zoning Ordinance. A General Plan Amendment and Prezoning would be required as part of this project.

Access to the site is from an existing roadway from Idaho Maryland Road. The roadway includes a bridge over Wolf Creek. The roadway to the site is currently in the County, and for the time being remain in the County. The County approval for the bridge, the County addressed potential impacts to the riparian habitat for Wolf Creek, as well as potential wetland habitat along the roadway.

Surrounding uses consist of undeveloped land to the east, south and west, Wolf Creek and light industrial uses to the north. The land use designation to the west and south of the site is Commercial, to the north is Light Industrial, and to the east is Business Park. The project site is located adjacent to the City limits of Grass Valley. The project site is located in the City’s Sphere of Influence, in the 2000 to 2005 annexation time horizon.

**IV. Environmental Status:** The City prepared an Initial Study for the project in accordance with the California Environmental Quality Act (CEQA) Guidelines. The study revealed the project may result in significant impacts on the environment, but mitigation measures have been provided to reduce these impacts to a level that is less than significant. Therefore, a Mitigated Negative Declaration is proposed to be adopted. The Initial Study and proposed Mitigated Negative Declaration were circulated for a 30-day public review period starting on September 2, 2005 and ending on October 3, 2005. The City did not receive any additional comments during the public comment period that require a change to the Mitigated Negative Declaration.

Based on the Traffic Study or Traffic Distribution Analysis (TDA) prepared for the project, it was determined that this project would generate 8 P.M. peak hour trips. Based on this trip generation and its distribution, the project would not create delays exceeding 2 seconds at any critical unsignalized intersections and 2% increase at critical signalized intersections over the City’s threshold policy. The project includes a condition requiring an agreement with the City that any change of tenants shall be of a similar use in traffic generation and shall require review.
by the Planning Department and City Engineer. The project would also be conditioned to provide payment of both regional and local traffic impact fees.

The Annexation includes three additional properties that have been added to the project at the request of LAFCO. The General Plan Designations for the three properties is Business Park, and this annexation requires Prezoning those properties to the CBP (Corporate Business Park) Zoning District. The properties are currently Zoned CBP (Corporate Business Park) in Nevada County. The Annexation for the three properties reflects the same use as allowed in the County, which does not represent a significant change of use or have significant impacts as identified under CEQA.

V. General Plan Analysis: The Grass Valley 2020 General Plan identifies the site as Business Park. The property is currently zoned CBP (Corporate Business Park) Zoning District in Nevada County. The proposed commercial recreational vehicle dealership would be inconsistent with the General Plan and Zoning Ordinance. The General Plan describes the intent of the Business Park designation to accommodate a variety of employment-generating land uses in a master-planned, campus-type setting, designed to preserve and enhance the natural environment and to be full integrated into the larger community. However, it does state employment types include a full range of commercial lands uses. The main reason for the conflict with the General Plan designation is that the zoning district does not allow the proposed use. Amending the land use to Commercial would make the property consistent with a large number of properties located immediately to the west. The Commercial designation is intended to encompass all types of retail commercial and commercial service establishments in a variety of locations that include a vehicle dealership. The change in the land use designation is required to allow the proposed recreational vehicle dealership.

A General Plan Amendment shall consider a land use change upon a finding that the change is consistent with all of the elements of the General Plan. Staff review and the environmental documentation prepared for the proposed General Plan Amendment determined the change of land use is consistent with the intent of City’s General Plan. The vision the General Plan includes diversity of the economy and the location of industry and business to avoid undue traffic impacts. The vision statement also concludes that over the twenty year life span of the General Plan, fine tuning shall take place that enhance the goals of the City. The goals of the Grass Valley General Plan encourages maintaining a healthy economic base with the retention, promotion, and expansion of existing businesses, as well as, encouraging diversity of land uses, as well as identifying areas for new clustered commercial uses to fill “niches” not otherwise filled. The Land Use Element includes several policies related to supporting commercial uses. Land Use Objectives 18-21 discuss supporting the expansion and retention of existing businesses, expanding the local tax base, and improving employment opportunities. Review of the proposed use at this location, has
determined that the change in land use would have no significant impacts on those elements listed above.

The change in land use from Business Park to Commercial provides a transition and an extension of the existing neighboring commercial land uses to the west and south of the site. The Commercial land use designation would extend and be compatible with the commercially designated properties to the west of the site. The location of this site lends itself to the commercial use rather than the business park land use. The intent of the business park land use is to provide master-planned, campus-type setting, designed to preserve and enhance the natural environment. In this case, the site has been significantly altered or impacted, with little natural environment remaining that would lend itself to a business park setting. Rather than preserve and enhance the natural environment, this site should be developed with good design and adequate screening as required for commercial land uses with the City’s Design Guidelines.

VI. Zoning Analysis: The project includes Prezoning the property to C-3 (Heavy Commercial) Zoning District. The C-3 Zoning District is intended to be applied to properties suitable where general commercial facilities are necessary for public service and convenience. As stated in the General Plan Analysis the commercial project would consistent with the properties to the west. In addition, the C-3 zoning would be in conformance with those neighboring properties.

The project meets the City of Grass Valley's development standards for the C-3 (Zoning District relative to lot size, setbacks, height and other development standards in the zoning district. The proposed signage is consistent with the sign ordinance. The design of the dealership has been reviewed with the City of Grass Valley Design Guidelines, and although the design changes for the structure are more consistent with the design guidelines, the unique visual appearance of this structure and site require further design detail.

The City has evaluated the project for parking demand, which includes the retail and service and has determined the project as proposed is consistent with the Parking Ordinance.

Staff has determined the annexation is consistent with the following measures:
- The properties are within the 2000-2005 horizons in the Sphere of Influence.
- The properties are contiguous to the City limits.
- Consistent with the City’s Sphere of Influence Plan Policies.
- Consistent with LAFCO’s policies.

The Annexation includes three parcels located north of the project site (APN’s 09-220-04, 09-550-19 & 20). These parcels need to be included to avoid the creation of an unincorporated island. The three properties contain one developed property (APN 09-220-04), and two vacant properties. The City’s General Plan
designation for these properties is Business Park, and any annexation requires Prezoning to CBP (Corporate Business Park) Zoning District. The three properties are currently included with the Annexation and Prezoning applications associated with the Idaho Maryland Mine Project. Since the processing for of this project may supercede the timing for the Idaho Maryland Mine Project, the City needs to include the Annexation and Prezoning of those three properties at this time.

Although the project is not located in the “Idaho-Maryland Road Special Area” as defined in the City’s Design Guidelines, the project has been reviewed with the guidelines for that area. The guidelines encourage landscape buffers; trees and landscape screening in a “natural forest” to screen the views from Highway 49/20; building designs that are attractive, interesting and reflect the character of Grass Valley; and designed with the Wolf Creek trail system. The current design for the recreational vehicle dealership addresses these specific guidelines by establishing a “natural forest” area along the northern slope, directing development away from the Wolf Creek area, as well as, providing a design that is consistent with the character of Grass Valley.

VII. Development Review Considerations: On May 11, 2004, the Development Review Committee provided review of the proposed conceptual plan. The Development Review Committee has reviewed the formal project on October 11, 2005, December 13, 2005 and January 10, 2006. The Planning Commission reviewed the project on November 15, 2005. Following those meetings, the applicant has revised the building elevation and landscape plans reflecting some of the recommendations and comments from the DRC and the Planning Commission. The revised plans include the following:

- The landscape plans incorporate more trees along the north and northwest areas of the site providing additional screening, as well as additional trees along the slope.
- The landscape plans incorporate more landscaping areas adjacent to the entry gate.
- A rounded parapet wall has been added to the north and east elevations that provide additional articulation of the rooflines.
- Roof overhangs over each of the roll-up doors.
- Additional slate details have been added to the columns.
- Slate tile accent pieces have been added to the elevations on three sides.
- A two-inch groove line has been added around the service bay areas.
- Additional smaller windows have been added to the design.

On January 10, 2006, the DRC reviewed the revised elevations and landscape plan, and supported those design changes. The DRC noted the revised plans were more in keeping with character of Grass Valley.

The revised plans do not reflect the other issues of providing some larger “landscape islands” throughout the parking area; removal of one berm along the
western property line; creation of a small berm or rock wall along the northern boundary; and improvements along the entrance at Idaho Maryland Road. The Planning Commission may elect to add specific conditions requiring these elements be included in the final plans.

The City Engineer has recommended a condition requiring a final trip analysis to determine the AB1600 traffic fees related to PM peak hour trips including current off-site parking. In addition, a condition has been included that requires an engineer to determine the adequate length for the right turn deceleration lane, the right turn acceleration lane, and the two way left turn lane. Also, a condition has been added requiring a deed restriction on the property limiting the PM peak hour trips for the recreational vehicle dealership use and any future tenants and businesses.

VIII. Alternatives: The Planning Commission should review the application and either recommend approval or deny the applications. The Planning Commission can continue the items with direction to the applicant for design changes.

IX. Recommended Action: Staff recommends that the Planning Commission, by motion, take the following actions:
   A. Recommend the City Council adopt the Mitigated Negative Declaration;
   B. Recommend the City Council adopt the Findings; and,
   C. Recommend the City Council approve applications 04DRC-26, 05PLN-23 05PLN-24 and 05PLN-25 and adopt the appropriate resolution, subject to Findings and Conditions of Approval.

X. Findings:
1. Development Review 04DRC-26, Annexation 05PLN-23, Prezone 05PLN-24 and General Plan Amendment 05PLN-25 were received by the City on April 14, 2005. The project was reviewed by the City and with the submittal of subsequent information the applications were deemed complete by the City on August 9, 2005.

2. The City completed the Initial Study in compliance with the California Environmental Quality Act and concluded that the project may have potentially significant impacts on the environment. Mitigation measures were incorporated into the project to fully mitigate all potentially significant impacts on the environment. The City circulated the proposed Mitigated Negative Declaration for public review (from September 2, 2005 to October 3, 2005) and received no comments or substantial evidence that the project will have a significant effect on the environment.

3. The Planning Commission has independently reviewed, analyzed and considered the proposed Mitigated Negative Declaration prior to making
its recommendation on this project, and the Mitigated Negative Declaration reflects the independent judgment of the City of Grass Valley.

4. The property is located within the Planning Area for the currently adopted Grass Valley 2020 General Plan and within the 2000-2005 annexation time horizons and can therefore be considered for annexation.

5. The annexation is consistent with the City’s Sphere of Influence Plan since it is within the appropriate time horizon anticipated for annexation, it is contiguous to the City limits, and the property needs municipal services.

6. Section 1.08.010 of the Grass Valley Municipal Code requires all proposed annexations to the City to be rezoned or preplanned by the Planning Commission prior to City Council authorizing submittal of an application to the Local Agency Formation Commission.

7. The City of Grass Valley desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for annexation of 2 parcels.

8. The 2020/General Plan for the City designates the project site as Business Park land use designation. The project includes a General Plan Amendment to Commercial land use designation. The Commercial land use designation is consistent with the goals and policies of the 2020/General Plan for the City. The construction of the project, if properly mitigated as described in the Staff Report, is consistent with the General Plan designations and the zoning of C-3, Heavy Commercial District. The Commercial land use designation would extend and be compatible with the commercially designated properties to the west of the site. The location of this site lends itself to the commercial use rather than the business park land use. Development in the business park land use is to provide master-planned, campus-type setting, designed to preserve and enhance the natural environment. This site has been significantly altered or impacted, with little natural environment remaining that would lend itself to a business park setting. Rather than preserve and enhance the natural environment, this site should be developed with good design and adequate screening as required for commercial land uses with the City’s Design Guidelines.

9. The proposed prezonning to C-3 is consistent with the Grass Valley General Plan land use designation Commercial. The applicant’s proposal consists of development of a recreational vehicle dealership.

10. The project includes prezonning the property to C-3, Heavy Commercial Zoning District to reflect the Commercial land use designation. The project
is consistent with the City’s C-3, Heavy Commercial Zoning District and all other applicable sections and development standards in the Zoning Ordinance.

11. The site is physically suited for the proposed development. The project takes advantage of existing flat terrain, that would be required for the recreational vehicle sales. Very few sites exists in Grass Valley that provide this type of area.

12. The project is consistent with the Grass Valley Community Design Review Guidelines. The current design for the recreational vehicle dealership addresses these specific guidelines by establishing a “natural forest” area along the northern slope, directing development away from the Wolf Creek area, as well as, providing a design that is consistent with the character of Grass Valley, consistent with the intent of the “Idaho-Maryland Road Special Area” as defined in the City’s Design Guidelines.

13. The traffic analysis was prepared and is consistent with the City’s traffic threshold policy. The study concludes that this project generates P.M. peak hour trips at critical intersections that do not exceed the City’s thresholds policy and therefore relies on the payment of impact fees.


**XI. Conditions:**

1. All plans shall be implemented in accordance with the plans provided by the applicant and approved by the Grass Valley City Council for Development Review 04DRC-26, Annexation 05PLN-23, Prezoning 05PLN-24, and General Plan Amendment Applications 04PLN-25 unless changes are approved by the Commission prior to commencing such changes. Minor changes may be approved by the Community Development Department as determined appropriate by the Community Development Director.
2. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.

3. The applicant shall file a Notice of Determination, including payment of associated fees, in the office of the County Clerk within (5) days after the approval date of the project. The applicant shall provide a copy of the notice to the City.

Prior to the issuance of the Grading Permit, the following conditions shall apply:

4. Prior to issuance of a grading permit, the applicant shall submit for City review and approval, a perpetual easement for the access roadway on adjacent parcel.

5. The applicant shall submit to the City Engineer for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer; shall obtain an Encroachment and Grading Permit; and shall pay all appropriate fees for plan check and inspection at the time of permit issuance. The grading and improvement plans shall include roadway slopes and elevations, curb, gutters, sidewalks, street lights, striping and signing, paving, water and sewer pipelines, storm drains, and necessary easements, in accordance with City’s/County’s Standards.

6. The applicant shall submit to the City Engineer for review and approval, a detailed Soils Report certified by a Civil Engineer registered in the State of California and qualified to perform soils work. The report shall include a minimum of geotechnical investigation with regard to liquefaction, expansive soils, and seismic safety. Additionally, the report shall specify the pavement structural sections for the proposed roadways and existing roadway in relation to the proposed T.I.’s. The grading plan shall incorporate the recommendations of the approved Soils Report.

7. The developer shall post a cash bond or deposit in the amount of $5,000 with the City for erosion and temporary drainage and/or sedimentation control of the project site as determined appropriate by the City Engineer. A detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Engineering Department prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans. Any expenses made by the City to enforce the required erosion control measures will be paid by the deposit. Mitigation Measure #1

8. The applicant shall submit to the City Engineer for review and approval,
drainage plans, hydrologic, and hydraulic calculations prepared by a
Registered Civil Engineer. The drainage plans and calculations shall
indicate the following conditions before and after development:
Quantities of water, water flow rates, major watercourses, drainage
areas and patterns, diversions, collection systems, flood hazard areas,
sumps and drainage courses. Hydrology shall be in accordance with
the City of Grass Valley Improvement Standards and Specifications
and Master Plan Drainage Standards.

In order to preclude significant impact to downstream properties, the
applicant shall limit the storm water run-off after development to the pre-
development conditions. The site drainage system shall incorporate
sand/oil separators, or other approved methods to prevent site
contaminants from impacting downstream watersheds.

9. Prior to issuance of a grading permit, a detailed engineering plan shall be
prepared for the site to accommodate project development. Geotechnical
measures shall be incorporated into project grading and construction. The
detailed engineering plan shall be incorporated into project grading and
construction, which would provide further detailed review by the
gеоtесhnісаl engineer, consistent with the geotechnical report.
Mitigation Measures #2

10. Prior to issuance of a grading permit, a detailed engineered drainage plan
shall be submitted for the review and approval by the City Engineer. The
drainage plan shall be designed so that off-site concentrated storm water
flows will be less than or equal to pre-development conditions for a model
storm event as determined by the City Engineer. Drainage improvements
shall be constructed in accordance with the approved engineered
drainage plan. The site drainage system shall incorporate sand/oil
separators, or other approved methods to be determined by the City
Engineer to prevent site contaminants from impacting the Wolf Creek
watershed. Mitigation Measure #3

11. Prior to issuance of a grading permit, a detailed engineered drainage plan
shall incorporate “Best Management Practices” to address short-term and
long term impacts on water quality, including silt, sand, mud, vehicle
washing and maintenance issues flowing into the Wolf Creek drainage
through both temporary and permanent “Best Management Practices.”
This plan shall provide improvements to maintain water quality, as
approved by the City Engineer. Mitigation Measure #4

12. Prior to issuance of a grading permit, a Dust Mitigation Plan shall be
submitted for review and approval by the Northern Sierra Air Quality
Management District and City Engineer. Dust mitigation measures shall
be implemented in accordance with the approved Dust Mitigation Plan. The dust mitigation plan shall include the following:

- The applicant shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction.
- All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.
- All land clearing, grading, earth moving, or excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
- All inactive portions of the development site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying City approved non-toxic soil stabilizers (according to manufacturers specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.
- All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.
- Paved streets adjacent to the project shall be swept or washed at the end of each day, or as required to remove excessive accumulations of silt and/or mud which may have resulted from activities at the project site.
- No burning of waste material or vegetation shall take place on-site.

Mitigation Measure #5

13. Surveys shall be conducted by a qualified biologist for any nesting raptors within the proposed development area. All surveys shall be completed prior to issuance of a grading permit. Should any special status species or nesting raptors be found onsite, the project applicant shall work with the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service to establish appropriate mitigation measures to avoid or lessen any impacts to special status species. If necessary, the project applicant and the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service shall establish a mitigation program, which shall be submitted to the City of Grass Valley Planning Division for approval prior to issuance of a grading permit for the project site. If any nesting raptors are found onsite, the mitigation program shall include preservation of active nest trees. Mitigation Measure #6

14. If naturally occurring asbestos is located onsite, the project developer shall prepare an Asbestos Dust Mitigation Plan pursuant to CCR Title 17
Section 93105.  The Asbestos Dust Mitigation Plan shall include the provisions of the Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan. The Asbestos Dust Mitigation Plan shall also include any additional measures required by the State of California or the Northern Sierra Air Quality Management District. The Asbestos Dust Mitigation Plan shall be approved by the Northern Sierra Air Quality Management District prior to issuance of any grading permits. **Mitigation Measure #7**

15. The applicant shall submit to the City Engineer for review and approval, a traffic report identifying the T.I.’s for the developments roadways and for that portion of Idaho Maryland Road fronting the property. Those improvement plans shall include a traffic analysis prepared by an engineer to determine the adequate length of the right turn deceleration lane, the right turn acceleration lane, and the two-way left turn lane.

16. The applicant shall offer to dedicate to the City for public use, all the public streets right-of-way or easements necessary to install, maintain, and re-install all public improvements described on the Improvement Plans.

17. Final landscape and irrigation plans shall be submitted for review and approval by the Community Development Director. Landscape design shall comply with all provisions of Article 16C of the Grass Valley Zoning Ordinance regarding water efficiency and shall comply with Section 14-21(a) of the Grass Valley Zoning Ordinance which requires that a minimum of 20 percent of the improved project site area be devoted landscaping, as well as additional landscaping and trees along the north and northwest portions of the property as approved. Landscaping and irrigation shall be installed in accordance with the approved plans.

18. The applicant shall file a Notice of Intent with the California Water Quality Control Board, prepare a Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Plan, and comply with all provisions of the Clean Water Act.

19. The applicant shall provide an engineering study to determine the estimated amount of sewage generation of the project and obtain a sewer connection permit from the City Engineer, in accordance with the City’s Wastewater Ordinance.

20. The applicant shall install street light standards and luminaries of the design, spacing, and locations along Idaho-Maryland Road approved by the City Engineer.

21. Prior to the issuance of the Grading Permit, the Subdivider shall provide a 20-foot easement to the City for the purpose of a trail along Wolf Creek.
The City Engineer and Community Development Director shall review and approve the location of the trail easement.

22. The applicant shall submit to the City Engineer for review and approval, improvement plans prepared by a Registered Civil Engineer; shall enter into an agreement with the City Engineer to complete the public improvements; and shall post sufficient surety guaranteeing the construction of the improvements. Any necessary right-of-way required to complete the improvements will be acquired by the applicant at his/her expense.

The improvements shall include street and utility information including all concrete curb and gutter, street lights, striping and signing, paving, water lines, storm drain lines and sewer lines necessary. All improvements shall be in accordance with the City of Grass Valley Improvement Standard.

23. If any of the improvements which the applicant is required to construct or install is to be constructed or installed upon land in which the applicant does not have title or interest sufficient for such purposes, the applicant shall obtain approval in writing prior to the issuance of the grading permit. Such approval shall be filed with the County Recorder.

24. Handicap ramps and parking shall be provided as required by State of California Title 24.

25. The applicant shall be responsible for constructing street improvements for the property frontage along Idaho Maryland Road. Street improvements shall be constructed per City Standards and shall be constructed to provide for and ultimate cross section of 84-feet of right-of-way with a 64-foot curb-to-curb street, curb, gutter and sidewalk, a 10-foot area for utilities between the face of curb and the right-of-way line in accordance with the City’s arterial road standard, or as otherwise approved by the City Engineer.

26. All driveways shall be per City standards for commercial developments.

27. If onsite detention is necessary, applicant shall submit a proposed program to ensure that facilities are maintained and that the detention facilities work properly.

28. Prior to initiating grading and/or construction of the site improvements for the project, the developer shall initiate the following:
   a. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer’s contractor shall notify both the Community Development and Engineering Departments of the intent to begin grading operations. Prior to notification, all grade
stake shall be in place identifying limits of all cut and fill activities. After notification, Community Development and Engineering staff shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.

b. Submit for review and approval by the Fire Department, a Fire Safety Plan.

c. Pay all development impact fees in accordance with the City’s Fee Schedule.

d. Sewer connection clearances shall be secured from the Engineering Department.

e. Submit a drainage improvement plan for review and approval by the Engineering Department.

f. Submittal of evidence to the Engineering and Community Development Department that appropriate clearances have been secured, such as an NPDES General Permit for Storm Water Discharges, from the California Regional Water Quality Control Board.

g. Submittal of evidence to the Engineering and Community Development Department that appropriate clearances have been secured from the Nevada County Resource Conservation District and the Northern Sierra Air Quality Management District.

29. Applicant shall submit a CD with an AutoCAD drawing of all public improvements shown on the Grading and Improvement plans.

30. Prior to issuance of the Grading Permit, the applicant shall address all necessary water connections to Nevada Irrigation District. The connection shall include the water service line and meters for each unit.

31. Prior to issuance of the grading permit, the applicant shall provide evidence that water, soap, oil, and other contaminants from washing vehicles on a regular basis will not enter the storm drain system without treatment, to the satisfaction of the City Engineer and Regional Water Control Board, or that all discharge will enter the proposed holding tank (RV dump station) or the City’s sewer system (additional fees may apply).

Prior to the Issuance of the Building Permit, the following conditions shall apply:

32. Pay all development impact fees including Regional Transportation Mitigation Fees, Local Circulation Fees, Sewer and Water Connection Fees (NID), Drainage, Fire, Police, Administrative, School Fees in accordance with the City’s Fee Schedule. The applicant shall prepare a
final PM peak hour trip analysis which includes any off-site parking associated with the use to determine the AB1600 traffic fees.

33. The applicant shall submit fire flow calculations for all onsite facilities to the City Fire Department to ensure that adequate flows will be provided for the project.

34. The following items shall be submitted as part of the Building Permit Application package and be subject to the review and approval of the Planning Department:

   A) Building and appurtenant structure exterior colors and materials. Paint chips of the proposed color scheme shall be submitted.
   B) Signage including all graphics or lettering proposed and color scheme.
   C) Final Landscape and Irrigation Plans
   D) Final Exterior Photo-metric Lighting Plans including detail on light fixtures and illumination. All pole and wall lights shall reflect a historic design.
   E) Utility meter, transformer, irrigation control unit location and screening

   All of the aforementioned plans shall incorporate all of the design specifications and criteria as shown on the site plan approved and modified by the City Council on ______________, unless otherwise modified as specified by Condition #1.

35. Prior to the issuance of a building permit, the applicant shall pay the appropriate amount to the City of Grass Valley Traffic Impact Fee Program and the Nevada County Regional Transportation Mitigation Fee Program.

36. A final photo-metric lighting plan, overlaid onto the project site plan shall be submitted for review and approval by the Planning Division. Consistent with the City’s Community Design Guidelines, lighting spill over shall not exceed 0.5 foot candles along the property boundaries, the residential uses on the property, and all environmentally sensitive open space. Use of bollard lighting, rather than pole lights, shall be optimized within the entry and exit driveways into the parking lot and for walkway areas. All pole lights set within the interior of the parking lot shall not exceed 20’ feet in height.

37. Prior to issuance of building permits, Waste Management of Grass Valley (WMGV) shall approve the plan for the trash/recycling container. The trash/recycling container shall be of adequate size to accommodate the trash and recycling needs of proposed use. The plan shall also be
designed for adequate access and servicing by WMGV. The applicant shall provide verification to the Community Services Department that the trash/recycling container has been approved by WMGV. The trash/recycling container shall be installed in accordance with the approved plan prior to occupancy of the building.

38. Prior to issuance of building permit, the applicant shall prepare for City review and approval, a conveant, deed restriction or other instrument that is recorded against the properties (APN 09-550-14 & 33) and establishes restrictions on the future tenant or user of tenant space (i.e. 22,400 sq. ft. structure and immediate outdoor area) as described in application 04DRC-26. The convenant or other instrument shall include the following provisions:

- A verification of the PM Peak Hour trips for the “DeMartini Recreational Vehicle Dealership” (per condition #32);
- Any future tenant of this building and/or property shall either be the “DeMartini Recreational Vehicle Dealership” or a tenant that has similar traffic generation and operational characteristics;
- Any restrictions required of the “DeMartini Recreational Vehicle Dealership” business or future tenant to minimize traffic generation; and,
- A process for confirming any future change of a tenant or business with the City and evaluating their level of traffic generation.

Prior to the issuance of the building permit, the applicant shall record this convenant or other instrument with the County Recorder Office and provide a copy to the City.

39. A sign program to be reviewed and approved by the Development Review Committee.

**During Construction, the following Conditions shall apply:**

40. That prior to any work being conducted within the State, County or City right-of-way, the applicant shall obtain an Encroachment Permit from the appropriate Agency.

41. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Nevada County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.

42. Prior to final preparation of the subgrade and placement of pavement base materials, all underground utilities shall be installed and service connections stubbed out behind the hardscape improvement. Public utilities, Cable TV, sanitary sewers, and water lines, shall be installed in a
manner which will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.

43. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control plans shall be submitted for review and approval along with the grading plan. Permanent erosion control measures shall include hydroteering of all graded slopes within 60 days of completion of grading. Erosion control measures shall be installed prior to October 15.

44. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period.

45. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.

46. Prior to placing the initial lift of asphalt and after all aggregate base is placed, all public sewer pipelines and storm drain pipelines shall be video inspected at the expense of the contractor/developer. All videotapes shall be submitted to the City. If any inadequacies are found, they shall be repaired prior to the placement of the final lift of asphalt.

Prior to the Acceptance of Public Improvements and exoneration of Bonds, or other forms of Security, the following Conditions shall be satisfied:

47. Sufficient surety (Maintenance Bond) guaranteeing the public improvements for a period of one year shall be provided.

48. If substantial changes in the size, alignment, grades, etc. during construction, original "as-built" plans on the standard size sheets will be certified by the Civil Engineer and returned to the City Engineer's office.

49. If any existing city streets are damaged during construction, the contractor/developer shall be responsible for repair at no cost to the City.

Prior to Issuance of Final Building Inspection and Issuance of Final Certificate of Building Occupancy, the Following Conditions shall be satisfied:
50. Prior to issuance of a certificate of final occupancy, install street light standard and luminaries of the design, spacing, and locations approved by the City Engineer.

51. Prior to issuance of a certificate of final occupancy, pursuant to sections 16C-06 through 16C-09 of the Zoning Ordinance, the applicant shall provide the following:
   a. A letter signed by a licensed landscape architect that the landscaping and irrigation have been installed in accordance with the approved plans.
   b. Provide a copy of the landscape maintenance contract, or the bond or cash security guaranteeing the maintenance of the landscaping and irrigation for one year.

52. The building will need to be provided with a monitored fire sprinkler system.

53. An on-site system of fire hydrants will need to be installed every 300 feet around the roadway access to all areas. Locations of same will be determined at the final building plan review.

54. Access and level ladder footing shall be provided around the building.

55. All ladder fuels on the property within 100 feet of any structure shall be removed.

56. Roadway access width shall be 20 (twenty) feet unobstructed to the gate and 24 (twenty-four) feet in the interior access roadway. These width areas will be determined at the final building plan review. All roadway accesses exceeding 10% shall be rough surfaced concrete. “Turnout” location as shown on sheet A-1.1 is adequate.

57. An attached roof access ladder shall be provided at a location approved by this department.

**Ongoing Conditions:**

58. The applicant or landowner shall maintain the landscaping, signage, buildings, and grounds of the property in good condition. Once a deterioration of the quality of such items is noted and documented by the City, the Development Review approval (04DR-26) on this project may be brought before the Planning Commission for enforcement action.

59. The Applicant shall provide evidence that the Mitigation Measures and Conditions of approval by Nevada County (U04-020 & EIS05-051) have been complied with.
60. All mitigation measures as referenced in the Initial Study and the Mitigated Negative Declaration and as modified by the City Council shall be complied with.

XII. Attachments:
1. Location Map
2. Site (APN) Map
3. General Plan 2020 Map
4. Site Plan and Elevations
5. Initial Study and Negative Declaration

cc: Applicant
    Andy Cassano, Nevada City Engineering, Inc
    Brent Daggett, Daggett Design
    Randy Wilson, Planning Director Nevada County
    File