



Grass Valley City Council Special Council Meeting

Monday, September 28, 2026 at 6:00 PM

Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California

Telephone: (530) 274-4310 – Fax: (530) 274-4399

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

AGENDA

Any person with a disability who requires accommodations to participate in this meeting should telephone the City Clerk's office at (530)274-4390, at least 48 hours prior to the meeting to make a request for a disability related modification or accommodation.

Mayor Hilary Hodge, Vice Mayor Haven Caravelli, Councilmember Jan Arbuckle,
Councilmember Joe Bonomolo, Councilmember Tom Ivy

Meeting Notice

City Council welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 6:00 p.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

This meeting is being broadcast "live" on Comcast Channel 17 & 18 by Nevada County Media, on the internet at City of Grass Valley Website, or on the City of Grass Valley YouTube channel.

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to Public Comments Email. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after that will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.

Agenda materials, staff reports, and background information related to regular agenda items are available on the City's website: Website Link. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Grass Valley website at City of Grass Valley Website, subject to City staff's ability to post the documents before the meeting.

Please note, individuals who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting will receive one warning that, if they do not cease such behavior, they may be removed from the meeting. The chair has authority to order individuals removed if they do not cease their disruptive behavior following this warning. No warning is required before an individual is removed if that individual engages in a use of force or makes a true threat of force. (Gov. Code, § 54957.95.)

Council Chambers are wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting by calling (530) 274-4390, we are happy to accommodate.

Call to Order

Pledge of Allegiance

Roll Call

Agenda Approval

The City Council reserves the right to hear items in a different order to accomplish business in the most efficient manner.

Public Hearing

1. Appeal Application in contest for Planning Commission Approval of a 2-Lot Tentative Parcel Map application (26PLN-0024). PROJECT LOCATION: 134 South Church Street, Grass Valley, CA 95945 (APN: 008-370-010). APPELLANT: Steve Enos

Adjourn

Posting Notice

This is to certify that the above notice of a meeting of The Special City Council, scheduled for Monday, September 28, 2026, at 6:00 p.m., was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, September 24, 2026.

Taylor Whittingslow, City Clerk



City of Grass Valley City Council Agenda Action Sheet

SUBJECT: Appeal of Planning Commission's Approval of a 2-Lot Tentative Parcel Map application (26PLN-0024).

PROJECT LOCATION/APPLICANT: 134 South Church Street, Grass Valley, CA 95945 (APN: 008-370-010). Project Applicant: Cameron Brady/Authorized Representative: Kevin Nelson.

ENVIRONMENTAL: Exemption Section 15301, Existing Facilities and Section 15332, In-fill Development Projects, and Section 15315, Minor Land Division, per Article 19 - Categorical Exemptions, of the California Environmental Quality Act (CEQA).

APPELLANT: Steve Enos, on the behalf of the South School Street Neighbors (includes the Historic Coleman House, the Historic Donation Day Parade House and the Earl Covey House).

STAFF RECOMMENDATION:

- Based on evidence provided and the Planning Commission's unanimous approval, Planning Staff recommend that the City Council approve with modifications Tentative Parcel Map application (26PLN-0024), which includes the request for the consideration of a resultant two-lot, Tentative Parcel Map, which includes the following actions:
 - a. Deny the appeal and uphold the Planning Commission's approval of the Tentative Parcel Map;
 - b. Determine the Tentative Parcel Map project Categorically Exempt, pursuant to Exemption Section 15301, Existing Facilities, Section 15332 In-Fill Development Projects, and Section 15315, Minor Land Division, of the California Environmental Quality Act Guidelines (CEQA) and Guidelines, as presented in the Staff Report (Attachment 3);
 - c. Adopt the Findings of Fact, for approval of the Tentative Parcel Map, as modified and presented in the Staff Report (Attachment 3); and,
 - d. Approve the Tentative Parcel Map, in accordance with the updated Conditions of Approval (Attachment 2) including a limitation on certain uses of Parcel 1 that require discretionary land use entitlements.

Prepared by: Vanessa Franken, Associate Planner

Agenda: Public Hearing

APPEAL DESCRIPTION:

- The appellant describes the basis for the appeal as follows (1-8), below. The complete submitted appeal application, consisting of thirty-three pages, may be viewed on Attachment 4.
- On multiple dates within the month of September (September 8th, 9th, 11th, 14th, 22nd and the 24th) the appellant provided additional appeal documentation via email to the Planning Division.
 - The additional provided documents fall outside of the original appeal application submittal.
 - The additional documents have been included as Attachments 5 through 10 and are not included in the numbered list below. A response to the additional documents have not been provided because they were not part of the original submitted appeal application; City Council may still consider them in its review of the appeal if it finds the appellant demonstrates the issues presented in the additional documents addresses issues within the scope of the appeal, that is, issues raised at the public hearing, or in writing before the hearing, or information that was not known at the time of the decision that is being appealed, per Grass Valley Municipal Code (GVMC) [Section 17.91.030\(C\) - Filing and Processing of Appeals](#).
 - The original appeal application request cites the following issues:
 1. Request to return project to Planning Commission for review and revisions
 2. South School Street Commercial Driveway Access, Clear Sight Distance, Pedestrian Life Safety, and ADA Accessibility
 3. Parking Lot Landscaping, Residential Buffers, and Screening - Failure to Evaluate Existing Conditions and Demonstrate Compliance
 4. Outdoor Parking Lot Lighting
 5. General Plan Circulation Consistency
 6. Change in Land Use - Failure to Require Use Permit Review for Public Parking Facility
 7. Adjoining Property Rights, Access and Operational Concerns, Historic Coleman House, and Elks Lodge
 8. Staff report is not limited to approval of a Tentative Map, request for refund of appeal fees.

STAFF RESPONSE TO APPEAL:

- Each numbered item below is a response that corresponds with the appellant description for appeal, as described with the corresponding number in the above subsection.
 1. Staff recommends that City Council take the appropriate actions during this hearing to approve the project. Staff does not recommend that the application be returned to Planning Commission.
 - Staff recommends the addition of Condition of Approval (“COA #7”) on resultant “Parcel 1”, detailed in red cloud highlight on Attachment 2.

- “COA #7” reads: “As of date of approval, any use of the property, including both resultant “Parcel 1” and “Parcel 2”, that would otherwise require a planning permit, land use entitlement, or be subject to specific development standards shall require such permit or appropriate authorization and comply with standards, as applicable.
 - Staff recommend that the modified findings be adopted.
2. Existing conditions and requirements for improvements will be further evaluated at time of a formal development proposal. Appellant’s concerns are acknowledged.
 - A formal development proposal for resultant “Parcel 1” has not been received.
 - The subject map application is solely to accommodate a commercial condominium and 2-parcel land split.
 - No discretionary land use entitlement is associated with the application.
 3. Existing conditions and requirements for parking lot landscape, residential buffer, and screening improvements will be evaluated at time of a formal development proposal. Appellant’s concerns are acknowledged.
 - A formal development proposal for resultant “Parcel 1” has not been received. Were the applicant to seek to use Parcel 1 for a parking lot in the future, it would require a Use Permit approved by the Planning Commission.
 - The subject map application is solely to accommodate a commercial condominium for office professional/administrative land use and a resultant 2-parcel map.
 - No discretionary land use entitlement is associated with the application.
 4. The detailed concerns for lighting are valid, acknowledged, and will be considered and evaluated further at time of formal development proposal.
 - The commercial building was constructed in 1973 and the site was previously zoned “Central Commercial” (C-2).
 - Earliest record of approved lighting are dated 1992, per Design Review application (DR92-0066); “Lighting Option A”. No development plans or specifications are on file.
 5. Appellant’s concerns regarding traffic circulation are understood to be based upon the potential and speculative, future use of “Parcel 1”. Appellant’s concerns are acknowledged as valid points by Planning staff and will be considered and evaluated at such time a formal development or land use is proposed.
 - A formal development proposal for resultant “Parcel 1” has not been received.
 - The subject map application is solely to accommodate a commercial condominium and 2-parcel land split.
 - No discretionary land use entitlement is associated with the application.
 6. Should the City purchase “Parcel 1” and pursue a new land use, the appropriate land use authorization will occur at that time.
 7. The potential Coleman house easement and access to the Elks Lodge are intended to be honored if determined to be legal.

- Marc Mason, property owner of the historic Coleman house and member of appellant, has repeatedly refused to provide alleged easement documentation for formal evaluation.
 - The Project Applicant has met with the Elks Lodge attorney prior to the August Planning Commission hearing to discuss access and would like to honor and ensure the community organization's access needs are met. The City is similarly open to discussions on maintaining access needs in the event "Parcel 1" is acquired.
8. The map application is limited to a "Tentative Parcel Map" application, solely to accommodate a commercial condominium and 2-parcel land split. A clerical error of "Use Permit" within the "Findings" subsection of the Staff Report (dated 8/18/2026) has been corrected to refer to "Tentative Map" findings. Required Use Permit findings, [per Section 17.72.060.F - Use Permits and Minor Use Permits](#), were not detailed nor adopted in the application approval by Planning Commission.
- Staff acknowledges a clerical error ("Use Permit" is quoted instead of "Tentative Map", twice) on Page 7 of the Staff Report in the "Findings" subsection.
 - Staff requests City Council to correct the findings approval record, as stated within Staff Recommendation Action "c" subsection (Page 1).
 - A callout of the clerical error is depicted in Figure 1, below.
 - The corrected findings record, may be reviewed in Attachment 3.
 - It should be acknowledged that the Staff Report "Findings" subsection details the required Tentative Map findings.
 - *No required findings for a Use Permit (Attachment 11) were detailed nor adopted with Planning Commission approval, see quoted Development Code Tentative Map "Required Findings" sections indicated in blue font, Figure 1*
 - Per [Section 17.91.030\(B\)\(2\) - Filing and Processing of Appeals](#), The appeal fee may be refunded if the appeal of the applicant is sustained by the council.

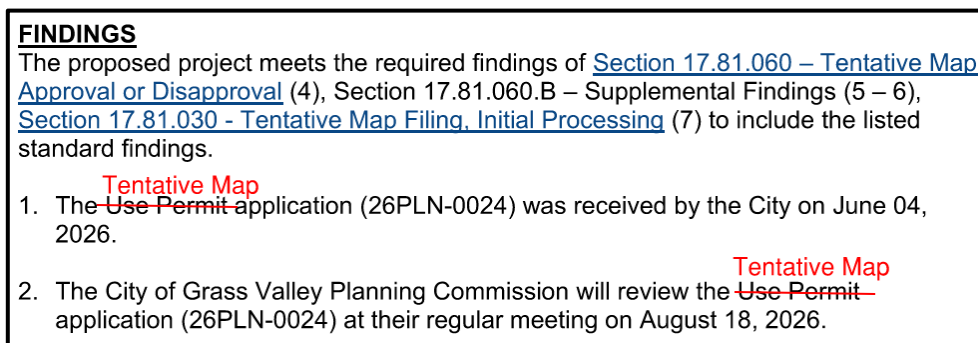


Figure 1

PROJECT BACKGROUND:

- At their regular meeting on August 18, 2026, Planning Commission unanimously approved the "Tentative Parcel Map" application (26PLN-0024).
 - A Tentative Parcel Map application, as defined by the Subdivision Map Act, Section 66424.5(a), is "a map made for the purposes of showing design and improvement of a proposed subdivision."

- The subject application is a formal *preliminary* review; the application is required to file a secondary application for the formal/final “Parcel Map” to be approved and recorded.
 - The application does not include an all-inclusive review of proposed land uses. *Proposed land uses are evaluated at time of formal development proposal.*
 - The proposed land use of a future/potential public parking lot on resultant “Parcel 1” has been shared on the application as a part of transparency for future intentions.
 - Land uses and property owner intentions are subject to change, regardless of map approval.
 - There is currently no formalized contract for the proposed parking lot.
- Application Details: A proposal to subdivide the land located at 134 South Church Street (APN: 008-370-010) into two (2) parcels and to create two (2) commercial condominiums for office professional/administrative use, from the existing building on site.
- Parcel 1: Is proposed at (12,439± SF) and will facilitate solely (17) existing parking stalls.
 - The resultant parcel is under consideration by the City for potential purchase.
 - Parcel 2: Is proposed at (23,422± SF) and will facilitate the existing building and (24) parking stalls.
 - Condominium 1: “Building Unit Number 1” is proposed at (4,830 SF) total and may be occupied by a single tenant.
 - Condominium 2: “Building Unit Number 2” is proposed at (5,775 SF) total and may be occupied by a single tenant.
- Project Zoning and General Plan Designation:
- The zoning designation of the property is “Town Core” (“TC”) with a “Historic District” (“H”) zoning overlay; (“TC-H”).
 - The General Plan designation of the property is “Commercial” (“C”).

PROJECT TIMELINE:

- On June 04, 2026, the Tentative Parcel Map application and fee amount of (\$4,100.00) is received.
- On July 09, 2026, a “Notice of Hearing - Public Notification” letters are mailed to property owners within a 300-foot radius of project parcel for the upcoming July, 21, 2026, Planning Commission hearing.
- On July 14, 2026, Marc Mason, owner of Coleman House and member of appellant party, visits the Community Development Agency for a second time; brings in alleged easement paperwork, that is physically in his hands, Planning staff request paperwork to copy; Marc Mason refuses to provide paperwork.
- On July, 21, 2026, Planning Commission hearing is scheduled; during the hearing, the hearing is cancelled due to absence of a quorum for a final decision.
 - Re-scheduled hearing (August 18, 2026) is announced as a date certain during the meeting.
- Planning Commission hearing was held on August 18, 2026. *The application was approved by an unanimous vote amongst (3) Commissioners; (1) Commissioner abstained due to living within close proximity of the project property.*

- Property owner and appellant party person, Marc Mason, physically brings alleged easement paperwork. Commission and applicant's licensed surveyor request to review easement paperwork during the hearing, Marc Mason refuses to provide paperwork.
- On August 31, 2026, an appeal application and fee of (\$820.00) is received by appellant.
 - Per current adopted [City of Grass Valley, Community Development Agency, Fee Schedule \(2025-2026\)](#), "Planning" section (D)(2), Page "Fee 17" (PDF Page 17) states: "All Others to City Council - \$445.00 or 20% of Application, whichever is greater; appeal fees are refunded if ruling is in favor of the appellant.", see Attachment 13.
 - GVMC [Section 17.91.030\(B\)\(2\) - Filing and Processing of Appeals](#), states "An appeal shall be accompanied by the filing fee identified in the city's planning fee schedule.".

D. Appeals		
1. Planning Commission		\$490.00
2. All Others to City Council	\$445.00 or 20% of Application whichever is greater	
Appeal fees are refunded if ruling is in favor of the appellant.		

Figure 2

- On multiple dates within the month of September (September 8th, 9th, 11th, 14th, 22nd and the 24th) appellant provides additional appeal documentation via email to the Planning Division.
 - The additional provided documents fall outside of the original appeal application submittal.
 - The additional documents have been included as Attachments 5 through 10.

STANDARDS FOR COUNCIL REVIEW:

The Council's consideration of the appeal is governed by section 17.91.030 of the Grass Valley Municipal Code.

- The Council reviews the matter "de novo," meaning it is not required to defer to the Planning Commission.
- The Council may affirm, affirm in part, or reverse the action, decision, or determination that is the subject of the appeal, based upon findings of fact about the particular case.
 - It may also adopt additional conditions of approval that may address issues or concerns other than the subject of the appeal (e.g., additional mitigation measures identified during the CEQA review by the review authority).
 - The Council may also deny the planning permit approved by the Planning Commission, even where the appellant only requested a modification or elimination of one or more conditions of approval.
- The Council may refer the matter back to the Planning Commission if new or different evidence is presented on appeal, to determine if the new or different evidence would alter the action of the original review authority.

REQUIRED FINDINGS FOR DENIAL:

- To make a decision on the appeal, City Council is to evaluate the Tentative Parcel Map proposal under Municipal Code Section 17.81.060, "Findings Required for Approval," "Supplemental Findings," and "Required Findings for Denial."

- Approval of the Tentative Parcel Map (and denial of the appeal) requires the Council to concur with the Planning Commission's findings of approval, either as presented in the corrected findings and/or as modified per staff's recommendation with the addition of Condition of Approval #7.
 - Denial of the Tentative Parcel Map (and approval of the appeal) would require the Council to make any one of the eight (8) of the "Required Findings for Denial," per [Section 17.81.060.C - Tentative Map Approval or Disapproval](#).
 - The Findings Required for Denial are listed below (1 - 8) followed by Staff's evaluation of each finding. Staff concludes that *none* of the required findings can be made, which support's staff's recommendation not to deny the Tentative Parcel Map.
1. The proposed map, and/or subdivision design or improvements are not consistent with the general plan or any applicable specific plan;
 - The proposed subdivision is consistent with the "Commercial" General Plan designation and "Town Core" zoning designation. The project supports orderly infill development by subdividing an existing fully developed commercial property while utilizing existing infrastructure, access, parking, utilities, and public services. Any proposed land use will be evaluated accordingly to local and overarching State laws, at time of a formal proposal.
 2. The site is not physically suitable for the type or proposed density of development;
 - The 0.83-acre site is physically suitable for the subject land division application. The proposed resultant parcels conform to applicable Town Core parcel development standards. There is no formal land use proposal for "Parcel 1" (existing parking lot), at this time.
 3. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - The site is completely developed, paved, and surrounded by urban uses and has no identified habitat value for endangered, rare, or threatened species. No trees are proposed for removal at this point in time, existing landscaped areas consist of man made parking-lot landscaping.
 4. The design of the subdivision or type of improvements is likely to cause serious public health or safety problems;
 - The project will continue to utilize existing access, roadways, utilities, and public services that were previously reviewed and approved. The Fire Marshal identified no required changes for adequate fire safety and the Engineering Division determined the existing commercial driveway access points as satisfactory. Any change in land use will require a formal evaluation through a building permit or other formal process, as appropriate, to determine compliance with requirements regarding health, safety, and human welfare, as applicable.
 5. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the review authority finds that

alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgement of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision.

- No conflict with existing public access or use easements has been identified through project review, utilizing the most current Preliminary Title Report for the property. Existing site access will be maintained and any easement information provided will be honored, based upon review and validity of any provided documents.
 - There is a claim of an easement conflict, however, the easement is purported to be a private easement (not public) and paperwork has not been provided for evaluation. The owner of the easement information has refused to provide documentation of this easement for evaluation. Any legal easement is required to be honored.
 - All persons involved in application processing intend to honor the property owner's easement, if valid. Without documentation being provided for evaluation, the Preliminary Title Report is the formal document required to base easements and encumbrances to the map. *Furthermore, this finding only requires evaluation of easements of record, or to easements established by judgement of a court, both of which should appear on a Preliminary Title Report.*
 - A Preliminary Title Report is a formal document intended to identify recorded matters affecting title to a property, including recorded easements and other encumbrances.
 - In California, title insurance companies are regulated by the California Department of Insurance. "First American" title company produced the title report used for reviewing the application.
6. The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Council.
- The property is already developed and served by the City of Grass Valley's existing water and wastewater systems. No reviewing agency identified an inability to provide required utilities or public services to the proposed resultant parcels. Any new land uses will be evaluated at time of formal proposal for conformance with utility criteria.
7. The action will not appropriately balance the housing needs of the region against the public service needs of city residents and available fiscal and environmental resources.
- The project is the subdivision of an existing developed commercial property and does not propose residential development or affect the existing supply of housing. The project utilizes existing infrastructure, utilities, roadways, and public services and does not require peripheral expansion of the City.
8. The design of the subdivision does not provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

- The project is a proposal to subdivide an already fully developed site and existing commercial building, with no expansion of the building footprint proposed. Any required opportunities for passive or natural heating and cooling, associated with future improvements, will be determined upon formal application (building permit or Certificate of Occupancy permit) at time of new land use establishment, as required by the CA Building Code/CA Green Code, if applicable.

A decision by the Council of the appeal is final and shall be effective on the date the decision is rendered.

Council Goals/Objectives:

- A City Council decision on an appeal of a Planning Commission decision, on a Tentative Parcel Map application received by a private party, supports the [2022 City of Grass Valley Strategic Plan Update](#) values to work in an open, ethical, and truthful manner and mission to exemplify an innovative, efficient, effective, open and collaborative city government.

Fiscal Impact: None

Funds Available: N/A **Account #:** N/A **Reviewed by:** City Manager

Attachments:

1. Approved Tentative Map
2. Updated Final Conditions of Approval (“COA #7”, detailed by red cloud) - Extracted Page 2 of complete document
3. Corrected Staff Report (Corrections added detailed by yellow highlight)
4. Appellant Submitted Appeal Application (Submitted 8/28/2026)
5. “Appeal Safe Routes to School 2.0” (Received 9/8/2026)
6. “GV Appeal Pedestrian Bicycle Safety Collision History 6.0” (Received 9/9/2026)
7. “GV Appeal Public Parking Lots CFS 2.1” (Received 9/14/2026)
8. “GV Appeal Staff Report Use Permit Whole of Project 2.0” (Received 9/11/2026)
9. “GV Appeal Staff Report Questions 6.0” (Received 9/22/2026)
10. “GV Appeal Staff Report Questions 7.0” (Received 9/24/2026)
11. Planning Commission Staff Report (Dated 8/18/26) - Clerical errors indicated with red strike through, Page 7
12. Section 17.72.060.F.(1-4) - Use Permits and Minor Use Permits - Required Findings detailed by yellow highlight
13. “Planning” section (D)(2), Page “Fee 17” - Extracted Page of complete document, current adopted City of Grass Valley, Community Development Agency, Fee Schedule (2025-2026)



TENTATIVE PARCEL MAP
FOR
CAMERON BRADY

BEING A PORTION OF LOTS 6, 7, 8 & 9, BLOCK 24 OF THE GRASS VALLEY TOWNSITE AND WITHIN SECTION 27, TOWNSHIP 16 NORTH, RANGE 8 EAST, M.D.B&M OF THE INCORPORATED CITY OF GRASS VALLEY, CALIFORNIA.
A.P.N.: 008-370-010

SCALE: 1" = 20'
JUNE 2026

ENGINEER OF WORK:

NELSON ENGINEERING
14028 CAMAS COURT
PENN VALLEY, CA 95946
(530) 432-4818
CONTACT PERSON: KEVIN J. NELSON, PE, PLS

OWNER/APPLICANT:

CAMERON BRADY
110 Bank Street
Grass Valley, CA 95945
(530) 559-2614

ASSESSOR'S PARCEL NUMBER:
008-370-010

EXISTING & PROPOSED ZONING:
TC - TOWN CORE

PROJECT DESCRIPTION:

A TENTATIVE PARCEL MAP TO SUBDIVIDE THE LAND INTO TWO PARCELS AND THE EXISTING BUILDING INTO TWO UNITS.

FIRE PROTECTION:

CITY OF GRASS VALLEY

WATER:

CITY OF GRASS VALLEY

SEWER DISPOSAL:

CITY OF GRASS VALLEY

ELECTRICAL UTILITIES:

PACIFIC GAS & ELECTRIC

LAND AREA:

TOTAL AREA = 082± Acres

SITE STATISTICS:

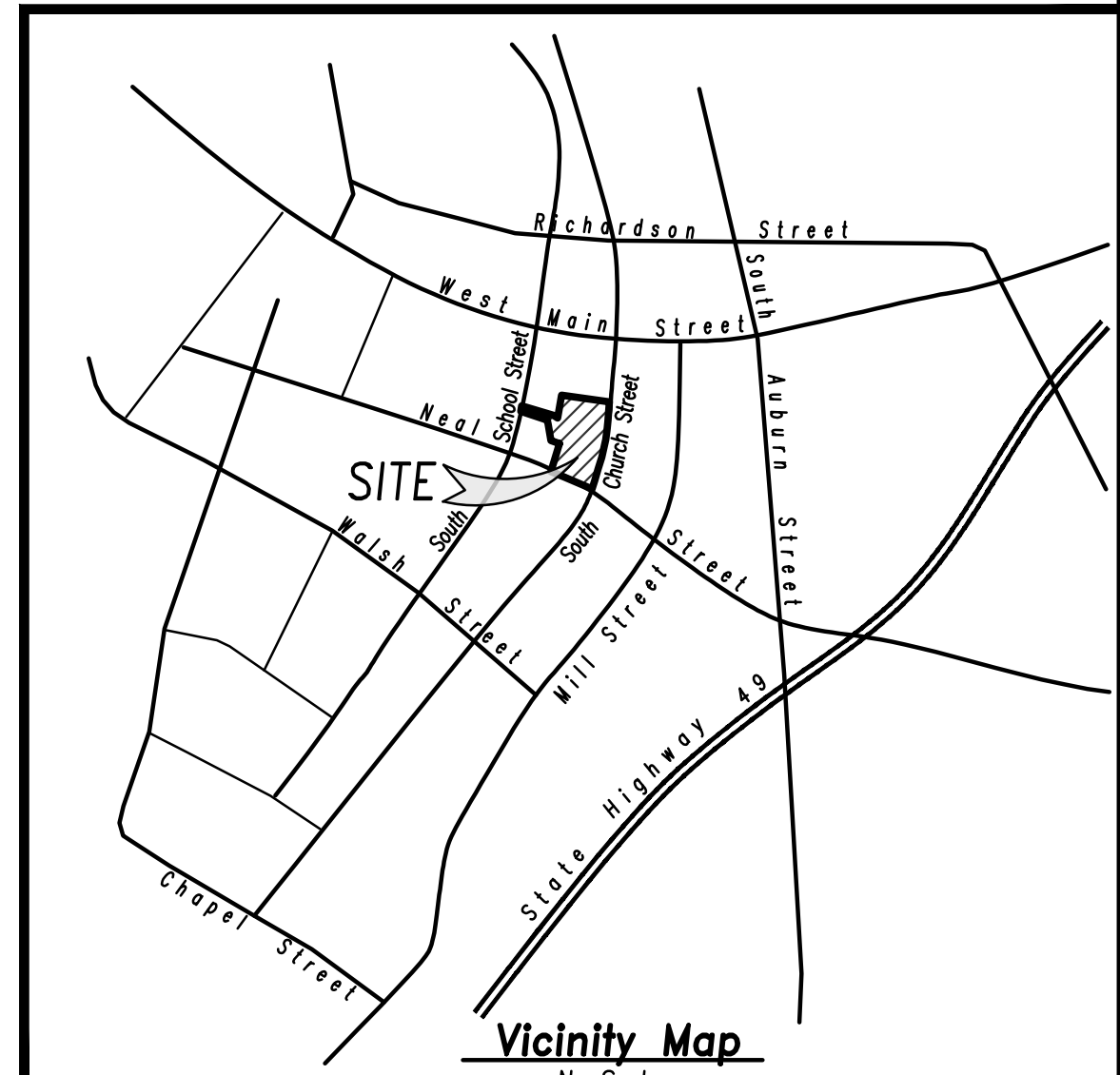
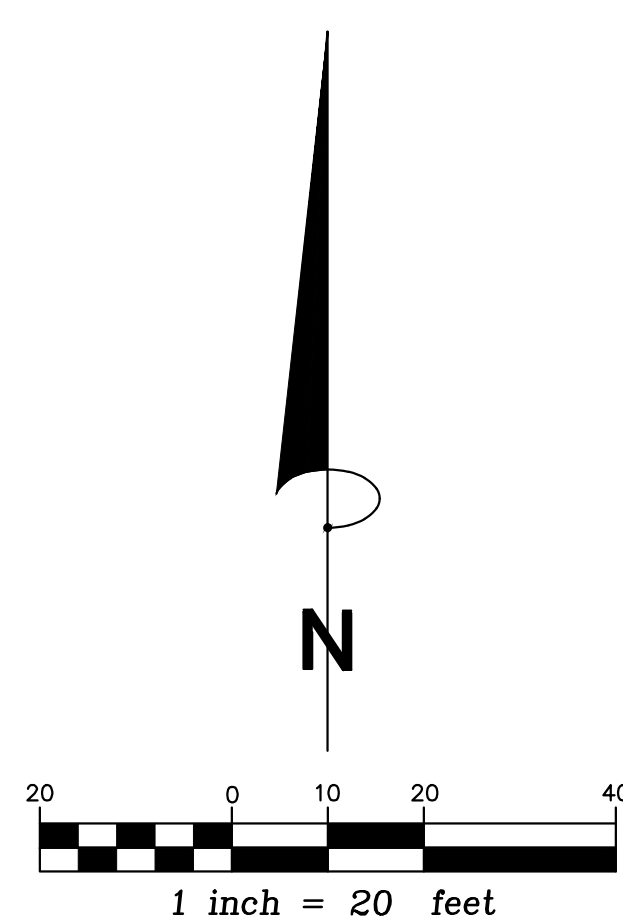
DESCRIPTION	SQUARE FOOTAGE	PERCENTAGE
BUILDING COVERAGE	7,815 s.f.	21.8%
PAVEMENT AREA	20,260 s.f.	56.5%
CONCRETE, CURBS & WALKWAYS	3,088 s.f.	8.6%
LANDSCAPE AREAS:		
INTERIOR PARKING	1,610 s.f.	4.5%
RESIDENTIAL BUFFER	2,327 s.f.	6.5%
STREET BUFFER	760 s.f.	2.1%
NATURAL AREA/OPEN SPACE	0 s.f.	0.0%
TOTALS:	35,860 s.f.	100.0%

PARKING STATISTICS:

Parcel 1	
FULL SIZE PARKING STALLS	17
COMPACT PARKING STALLS	0
HANDICAP STALLS	0
TOTALS:	17
Parcel 2	
FULL SIZE PARKING STALLS	21
COMPACT PARKING STALLS	0
HANDICAP STALLS	3
TOTALS:	24

LEGEND

- PROPERTY LINE
- EXIST. EDGE OF PAVEMENT
- PAVEMENT AREA
- 4" CONCRETE AREA
- PROPOSED LANDSCAPE AREA



DESIGNED: KJN

DRAWN: KJN

CHECKED BY: KJN

DATE: June 3, 2026

PROJECT No.: 26-168

DWG. NAME: 26-168 Tentative Map.dwg

DATE

REVISIONS

NO.

TENTATIVE PARCEL MAP FOR:

CAMERON BRADY

134 South Church Street

COUNTY OF NEVADA.

CALIFORNIA

NELSON ENGINEERING

Civil Engineering, Surveying & Land Planning

14028 Camas Court

Penn Valley, CA 95946

(530) 432-4818

www.nelsonengineering.com

PROFESSIONAL LAND SURVEYOR

KEVIN J. NELSON

No. 4425

Expires 12/31/26

STATE OF CALIFORNIA

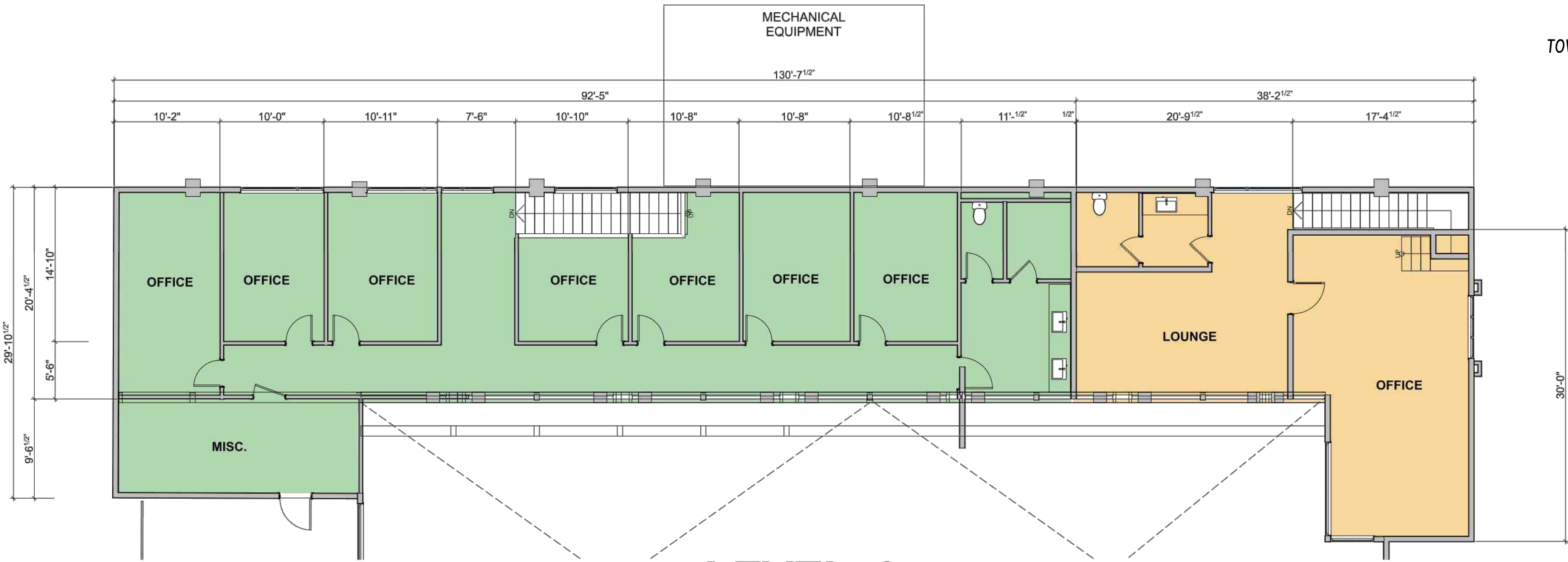
1 OF 2

TENTATIVE PARCEL MAP

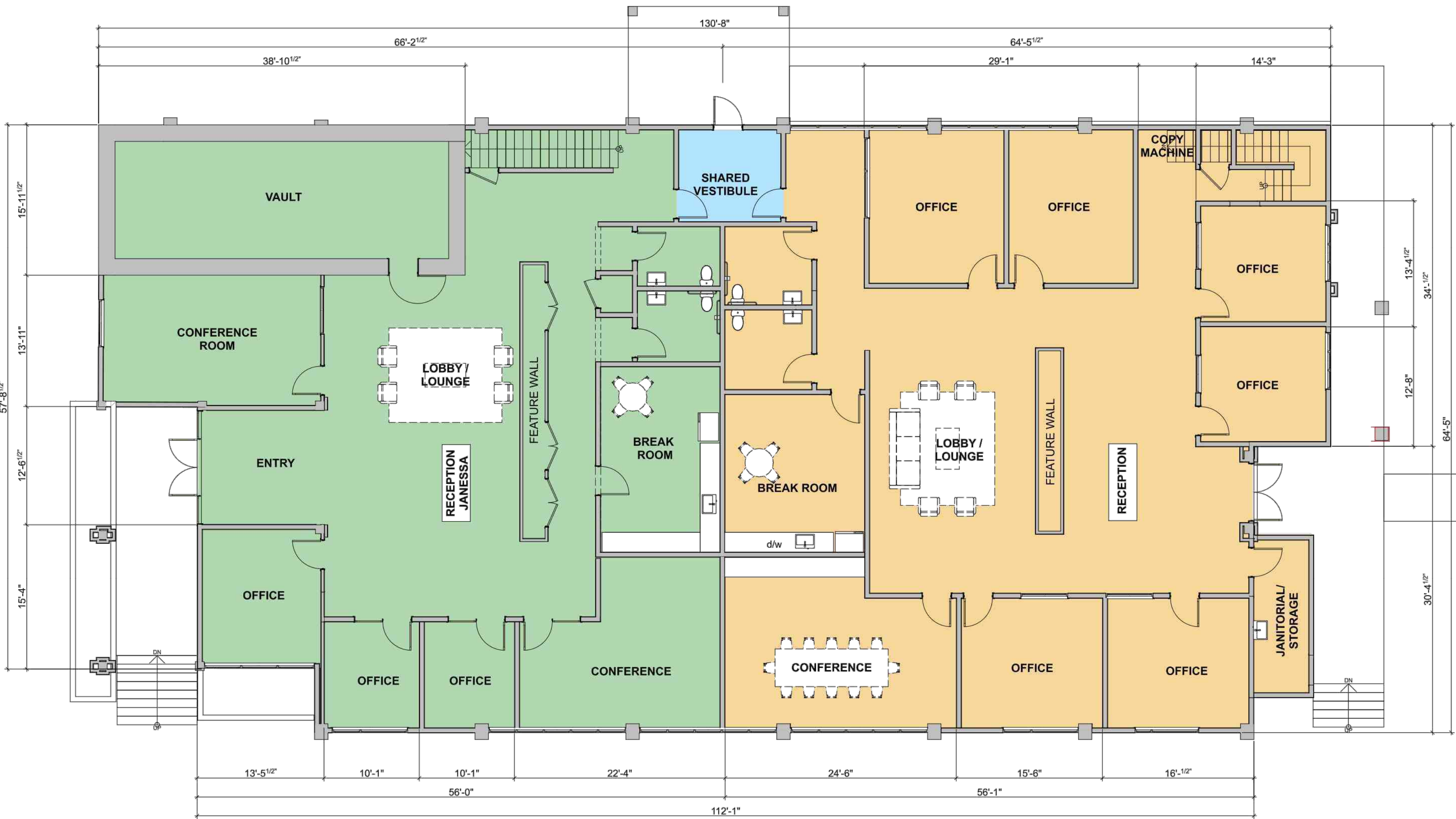
FOR
CAMERON BRADY

BEING A PORTION OF LOTS 6, 7, 8 & 9, BLOCK 24 OF THE GRASS VALLEY
TOWNSITE AND WITHIN SECTION 27, TOWNSHIP 16 NORTH, RANGE 8 EAST, M.D.B&M
OF THE INCORPORATED CITY OF GRASS VALLEY, CALIFORNIA.

A.P.N.: 008-370-010
SCALE: 1" = 8' JUNE 2026



LEVEL 2
Scale: 1/8" = 1'-0"



LEVEL 1
Scale: 1/8" = 1'-0"

UNIT 1
Level 1 - 3,920 SF
Level 2 - 910 SF
4,830 SF - Total

UNIT 2
Level 1 - 3,745 SF
Level 2 - 2,030 SF
5,775 SF - Total

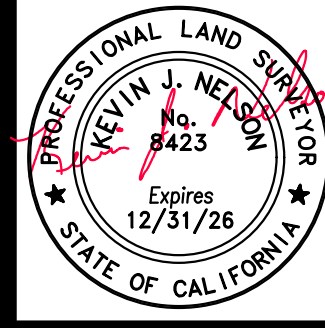
SHARED SPACE
VESTIBULE 113 SF

TENTATIVE BUILDING CONDOMINIUM MAP FOR:

CAMERON BRADY
134 South Church Street

COUNTY OF NEVADA

NELSON
ENGINEERING
Civil Engineering, Surveying & Land Planning
14028 Camas Court
Palm Valley, CA 95946
(530) 432-4818
www.nelsonengineering.com





FINAL CONDITIONS OF APPROVAL

Application Number: 26PLN-0024
Applicant: Cameron Brady (Applicant/Operator)/ Nelson Engineering (Representative)
Location/APNs: 134 South Church Street, Grass Valley, CA 95945 (APN: 008-370-010)
Prepared by: Vanessa Franken, Associate Planner

STANDARD CONDITIONS

1. The approval date for Planning Commission review of the proposed project is 8/18/2026, with an effective date of 9/03/2026, pursuant to [Section 17.74.020 – Effective Date of Permit](#). This project is approved for a period of (36) months and shall expire on 8/18/2029, per [Section 17.81.130 – Tentative Map Time Limits and Expiration](#), unless the project has been effectuated or the applicant requests a time extension that is approved by the hearing body pursuant to the Development Code, per [Section 17.74.060 – Time Limits and Extensions](#).
2. The final design shall be consistent with the Development Review application, plans provided by the applicant, and as approved by Planning Commission, unless modified at time of hearing. The project is approved subject to plans on file with the Community Development Department. The Community Development Director may approve minor changes as determined appropriate.
3. The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval.

BUILDING DIVISION

1. Apply for a building permit for the proposed future development. Any framing, plumbing, mechanical, or electrical work that occurs requires a separate submittal for a building permit.
2. One of the two following options for condominium/parcel separation are required:
 - a. Condominium conversions are required to meet the California Building Code (CBC) requirements for exterior walls on property lines per table 601 and 705.5. These tables require (minimum) 1-hour walls on both sides of the new property line(s) including all applicable separation requirements.

- b. Dedicated access easements and contractual agreements that permit the owners of portions of the building located on either side of the lot line to access the other side(s) for the purposes of maintaining fire and life safety systems necessary for the operation of the building shall be provided for review and approval prior to the recordation of the condominium map.

PLANNING DIVISION

1. All new signs associated with the facility shall be designed to meet the City Sign Ordinance ([Chapter 17.38 – Signs](#)).
2. New signs shall conform with Section [17.38.030 – Sign Permit Requirements](#), a Master Sign Program application is required for any site that has (2) or more tenants.
3. All business tenants are to obtain a Business License.
4. A reciprocal parking agreement between appropriate owners is required to be recorded prior to recordation of the Parcel Map, to ensure shared parking agreement between condominium tenants and Parcel 2 is executed. A final agreement is required prior to final occupancy of existing building.
5. Exterior modifications to the building exterior may require a Development Review application. Project proponent of applicable construction work shall consult with the Planning Division.
6. Future tenants shall consult with the Planning Division about the required parking stalls required per condominium tenant space.
7. As of date of approval, any use of the property, including both resultant “Parcel 1” and “Parcel 2”, that would otherwise require a planning permit, land use entitlement, or be subject to specific development standards shall require such permit or appropriate authorization and comply with standards, as applicable.



Corrective language and new edits may be viewed in yellow highlighted areas.

PLANNING
COMMISSION
STAFF REPORT
August 18, 2026

(Corrected 9/22/2026 for City Council)

PROJECT SUMMARY

Application Number: 26PLN-0024
Subject: Tentative Parcel Map Application
Applicant: Cameron Brady (Applicant/Operator)/ Nelson Engineering (Representative)
Location/APNs: 134 South Church Street, Grass Valley, CA 95945 (APN: 008-370-010)
Current Zoning/General Plan: Town Core (TC) / Commercial (C)
Entitlements: Tentative Map
Environmental Status: Exemption Section 15301 Existing Facilities, 15332 In-Fill Development Projects, and Section 15315, Minor Land Division.
Prepared by: Vanessa Franken, Associate Planner

RECOMMENDATION

1. Planning staff recommend that the Planning Commission approve application (26PLN-0024), which includes the request for the consideration of a Tentative Parcel Map, which includes the following actions:
 - a. Determine the Tentative Parcel Map project Categorically Exempt, pursuant to Exemption Section 15315, Existing Facilities, Section 15332 In-Fill Development Projects, and Section 15315, Minor Land Division, of the California Environmental Quality Act Guidelines (CEQA) and Guidelines, as detailed in the Staff Report;
 - b. Adopt the Findings of Fact, for approval of the project, as presented in the Staff Report; and,
 - c. Approve the Tentative Parcel Map, in accordance with the Conditions of Approval as presented in the Staff Report.

BACKGROUND

The project parcel is zoned as Town Core (TC). The Grass Valley 2020 General Plan identifies the site as Commercial (C). The site is within the City's adopted Historic District, although retains no historic significance. No specific plans, special designations, historic overlays, or adopted conservation plans apply to the site. The project site falls within a mixed-use corridor along a portion of Church Street that facilitates both commercial and residential uses. The immediate area neighbors include: The Brett Harte senior

residential facility, the Elks Lodge community hall, a Tri-Counties and Chase banking institution, and small locally owned retail shops. Most recently, the site was a Bank of America and closed in April, 2025. The site is currently vacant.

The property exists as a completely developed site, consisting of:

- The project parcel is 0.83-acres in size.
- Developed with a single 10,400 SF commercial building, made of a single story and (2) interior levels, and a drive through bank kiosk, formal landscape areas, and a paved asphalt parking lot.
- Access via (3) driveways; a commercial encroachment from frontage along South Church Street and along rear on Neal Street for ingress/egress, to include an exit/“out” only driveway off of the side of the property on South School Street.

Immediate neighbors to the project property are described below.

Surrounding Land Uses:

- North: Brett Harte senior residential facility.
 - Town Core with a combining Historic zoning overlay (TC-H) with a General Plan designation of Commercial (C).
- South: El Barrio grocery store and Tri-Counties bank.
 - Town Core (TC) with a General Plan designation of Commercial (C).
- East: City owned public parking lot.
 - Town Core with a combining Historic zoning overlay (TC-H) with a General Plan designation of Public (P).
- West: Single Family residential home and the Elks Lodge community hall.
 - Town Core with a combining Historic zoning overlay (TC-H) with a General Plan designation of Commercial (C).

PROJECT PROPOSAL

The project consists of a Tentative Map application that details a request to subdivide the property into (2) parcels and to subdivide the existing building into (2) office/commercial condominiums.

The proposed map consists of:

- Parcel 1: A parcel that will result in a parking lot, with (17) parking stalls. Parcel size is proposed as (12,439± SF).
 - The City of Grass Valley is in contract with the property owner of the project property to purchase the parking lot for public parking use.
- Parcel 2: A parcel that will retain the entire building and remaining portion of parking lot, (24) parking stalls.
- Building Unit 1: Condominium size is proposed at (4,830 SF) total and may be occupied by a single tenant.
 - Level 1: (3,920 SF)
 - Level 2: (910 SF)
- Building Unit 2: Condominium size is proposed at (5,775 SF) total and may be occupied by a single tenant.
 - Level 1: (3,745 SF)
 - Level 2: (2,030 SF)

Future construction is anticipated and will include: minor site reconfiguration of parking stalls and removal of existing “portico” structure (drive-through ATM). No major exterior alterations, additions, or expansion of building footprint are proposed.

Access: Access to the project site is from (3) driveways; a commercial encroachment from the frontage along South Church Street and along rear on Neal Street for both ingress/egress, to include an exit/ “out” only driveway off of the side of the property on South School Street. Driveway encroachments have been reviewed and deemed sufficient, there are no requirements imposed on the applicant to improve the existing driveways or roadways for the proposed use from the Community Development Department, Engineering Division. Sidewalks exist along the property perimeter which front a City roadway, Neal Street and South Church Street.

Parking: Parking stalls per resultant parcel are indicated below. Future tenants of the building will be subject to Table 3 – 3, [Section 17.36.040 – Number of Parking Spaces Required](#), for required parking stall standards. Future tenants will share parking on Parcel 1 and 2 via Shared Parking Agreement/Reciprocal Parking Agreement between property owners; see Planning COA #4.

- Parcel 1: A parcel that will result in a parking lot, with (17) parking stalls. Parcel size is proposed as (12,439± SF).
 - The City of Grass Valley is in contract with the property owner of the project property to purchase the parking lot for public parking use.
- Parcel 2: A parcel that will retain the entire building and remaining portion of parking lot, (24) parking stalls.

Landscape/Screening, Trash Enclosure, and Lighting: There are existing formal landscape areas that exists as manmade landscape planters within the parking lot and interspersed along the project site perimeter. No trees are proposed to be removed as part of this project. A site inspection was conducted, there is no standard waste receptacle storage area that exists within Parcel 1 or 2. A Condition of Approval will be discussed to be added or not at time of hearing, regarding a dedicated location and screening for the waste storage area. Planning staff is currently working with the applicant on the matter. Light fixtures exists and are shielded/directed downward to minimize light pollution; no new lights are required nor proposed.

Utilities: The City of Grass Valley currently provides water/wastewater services. The electricity provider is PG&E. The site is and will continue to be served by the City of Grass Valley Fire and Police Departments.

ZONING AND GENERAL PLAN CONSISTENCY

The following discussion evaluates the project’s consistency with the Grass Valley 2020 General Plan. The intent of this section is to demonstrate that the proposed map and future use of the site will maintain the overall integrity of the City’s adopted land use plan, support applicable goals and policies, and further the City’s long-term vision for sustainable and balanced development.

The Grass Valley 2020 General Plan identifies the site as Commercial (C). The Commercial (C) General Plan designation is a broad category, intended to encompass all types of retail commercial/commercial service establishments. The project parcel is zoned as Town Core (TC). The intent of the “TC” designation is intended to strengthen the mixed-use and pedestrian-oriented nature of the existing historic downtown. The secondary intent is to provide a mix of residential, commercial, civic, and institutional uses, per [Section 17.21.030 – Purposes of the Traditional Community Development Zones](#).

The proposed tentative map, subdivision of a single parcel into two parcels, results in newly created parcels that conform to parcel development standards of the TC zone. The resultant parcel configurations are consistent with standards regarding lot size, corner lot size, lot width and depth. The proposed condominiums will be further evaluated at time of Parcel Map formal application, prior to recordation. Respective land uses associated with future tenants will be evaluated at time of building permit and/or business license application for appropriate processing.

Regarding General Plan Consistency, the project supports and is consistent with multiple goals and objectives of the Grass Valley 2020 General Plan. A “goal” expresses a general community value, while an “objective” represents a specific outcome or intermediate step toward achieving that goal. The applicable goals and objectives and the project’s consistency with each are discussed below.

- Land Use Goal (1-LUG): Promote balanced community growth and development in a planned and orderly way.
 - Land Use Objective (1-LUO): Availability of sufficient building sites properly zoned to accommodate projected growth.
 - Consistency: The project supports the utilization of land already zoned for intended purposes, processing and review of Tentative Map with condominiums will allow the land to be utilized as intended. Anticipated new tenants will continue to be supported through existing infrastructure (sewer/water), parking and road circulation, public services (fire/police), and utilities.
- Land Use Goal (2-LUG): Promote infill as an alternative to peripheral expansion where feasible.
 - Land Use Objective (4-LUO): Reduction in environmental impacts associated with peripheral growth.
 - Consistency: The building and roadways are existing, the project utilizes existing infill development versus new construction of a building.
- Circulation Goal (3-CG): Provide for the safe and efficient movements of people and goods in a manner that respects existing neighborhoods and the natural environment.
 - Circulation Objective (8-CO): Routing of through-traffic around neighborhoods to collector streets.

- Consistency: South Church is a local street that leads to a collector road with access to a major highway interchange. Traffic from the establishment will use the existing collector street that exists within the downtown district and avoid being significantly routed through neighborhoods or residential roads, traffic may then be directed to the highway interchange.
- Circulation Goal (4-CG): Maintain adequate emergency access.
 - Circulation Objective (14-CO): Improvements and maintenance of adequate emergency access throughout the city.
 - Consistency: The project property has an existing parking lot/access into the site that is suitable for a fire engine apparatus. The Fire Marshal provided review and concluded with no changes to the land use. The Engineering Division reviewed the existing commercial driveway encroachment and deemed it satisfactory for the proposed land use to utilize.

ENVIRONMENTAL DETERMINATION

The proposed project qualifies for the use of Categorical Exemption Section 15315, Minor Land Division. The proposed project also qualifies for a Categorical Exemption pursuant to Section 15301, Existing Facilities and 15332 In-Fill Development Projects, of the California Environmental Quality Act (CEQA) and Guidelines. The subject Class 1 Categorical Exemption details the appropriate application when “a – c” has been evaluated and Class 32 requires assessment of “a – d”. The proposed project qualifies for the aforementioned Categorical Exemptions due to the following.

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies, as well as applicable zoning designation and regulations.
 - Consistency: The Grass Valley 2020 General Plan identifies the site as Commercial (C). The Commercial (C) General Plan designation is a broad category, intended to encompass all types of retail commercial/commercial service establishments. The project parcel is zoned as Town Core (TC). The intent of the “TC” designation is intended to strengthen the mixed-use and pedestrian-oriented nature of the existing historic downtown. The secondary intent is to provide a mix of residential, commercial, civic, and institutional uses. The project is consistent with the applicable zoning standards and General Plan land use designation and policies, as analyzed in subsection “Zoning and General Plan Consistency” above, and complies with the applicable zoning designation and development regulations.
- b. The proposed development occurs within City limits on a project site of no more than five-acres substantially surrounded by urban uses.
 - Consistency: The proposed project occurs within City limits on a site that 0.83-acres in size, within a mixed use corridor along a portion of South Church Street that is substantially surrounded by urban uses, as described in the *Surrounding Land Uses* subsection in this staff report.
- c. The project site has no value as habitat for endangered, rare or threatened species.

- The project site is a completely developed site within an existing building and parking lot that was originally developed and is surrounded by a substantial amount of urban uses. The project site has no value as habitat for endangered, rare, or threatened species, due to the site and surrounding area, being heavily trafficked, paved, and heavily used. Landscape areas within the property are man-made parking lot landscape planters.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- Consistency: The proposed project would not result in significant traffic impacts. Traffic associated with the project would be typical to the general area. Engineering reviewed the project and deemed the existing roadways capable of facilitating anticipated traffic, based on collector roadways and direction to a major highway interchange.

Operational noise generated from the project will be compatible to the area – building door opening, car doors being shut, outdoor conversations, etc. Noise associated with vehicular traffic/traffic that enters/exits the site is typical to the existing use and surrounding residential/nearby commercial uses. No significant external noise generation is anticipated from the facility, as tenants are indoors. Any noise associated with the facility will be subject to City noise standards, [Chapter 8.28 - Noise](#).

Anticipated effects to air quality, associated with anticipated traffic, may be deemed as negligible in that emissions from anticipated traffic may be deemed as a less than significant effect to overall air quality. Operational emissions would be minimal and comparable to the previous institutional use, and would not result in a substantial increase in vehicle trips or stationary emission sources.

The project would not result in significant water quality impacts. The site is fully developed and served by existing utilities and stormwater infrastructure. The project does not propose expansion of the building footprint or new impervious surface areas that would adversely affect drainage or runoff patterns. All existing developments comply with applicable stormwater and water quality requirements. Approval of the project would not result in significant effects related to traffic, noise, air quality, or water quality.

- e. The site can be adequately served by all required utilities and public services.
- Consistency: The site is developed and the building is existing, the building is currently served by all required utilities and public services. The project has the ability to be served by all existing utilities and public services as well. The project was routed to applicable agencies for review of the proposed use, comments have been provided and incorporated into the project. No comments stating required utilities/public services will be unable to be accommodated.

Pursuant to CEQA Guidelines Section 15300.2, Exceptions, staff evaluated whether any exceptions to the use of the categorical exemption apply and determined that none of the applicable exceptions would preclude use of the exemption. Specifically:

- a. Location: The project site is not located within an environmentally sensitive area where the proposed activity would impact a designated hazardous or critical environmental resource. Therefore, this exception does not apply.
- b. Cumulative Impact: The project consists of a tentative parcel map for an existing developed commercial site and would not contribute to significant cumulative environmental impacts. No successive projects of the same type in the same place are anticipated to result in a significant cumulative effect.
- c. Unusual Circumstance: The project involves the subdivision of an existing developed commercial property within an urbanized area. No unusual circumstances exist that would create a reasonable possibility of a significant environmental effect.
- d. Scenic Highways: The project site is not located within the viewshed of, or adjacent to, an officially designated State Scenic Highway. The project would not damage scenic resources visible from a designated State Scenic Highway.
- e. Hazardous Waste Sites: The project site is not identified on any list compiled pursuant to Government Code Section 65962.5 (Cortese List). Therefore, this exception does not apply.
- f. Historical Resources: Although the project site is located within the City's Historic District, the subject property has been determined to have no historic significance. The project does not propose demolition or alteration of a historical resource and would not result in a substantial adverse change to a historical resource. Therefore, this exception does not apply.

The project was routed to internal Community Development Departments and external agencies for review and comments. Comments received have been incorporated into the project as Conditions of Approval. A Notice of Public Hearing for the project was prepared and posted pursuant to the CEQA Guidelines and State law.

FINDINGS

The proposed project meets the required findings of [Section 17.81.060 – Tentative Map Approval or Disapproval](#) (4), [Section 17.81.060.B – Supplemental Findings](#) (5 – 6), [Section 17.81.030 - Tentative Map Filing, Initial Processing](#) (7) to include the listed standard findings.

1. The **Tentative Map** application (26PLN-0024) was received by the City on June 04, 2026.
2. The City of Grass Valley Planning Commission will review the **Tentative Map** application (26PLN-0024) at their regular meeting on August 18, 2026.
3. The review authority may approve a tentative map only after first finding that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, and any applicable specific plan, and that none of

the findings for denial in Subsection C. can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6.

4. Construction of Improvements. In the case of a tentative map for a subdivision that will require a subsequent parcel map, it is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of road improvements within a specified time after recordation of the parcel map.
5. Condominiums. Any applicable findings required by [Section 17.84.030 - Condominiums and Condominium Conversions](#) for condominium conversions.
6. Time Limit, Stock Cooperatives. The approval or disapproval of the conversion of an existing building to a stock cooperative shall occur within one hundred twenty days of the application being found complete in compliance with [Section 17.81.030 - Tentative Map Filing, Initial Processing](#). The one hundred twenty-day time limit may be extended by mutual consent of the subdivider and the city, per [Section 17.84.030.B.6.a - Condominiums and Condominium Conversion](#).

The Development Review Committee and Planning Commission has reviewed the project in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and recommends that the Planning Commission find the project qualifies for the Class 1 and 32, Categorical Exemption (Section 15301, Existing Facilities and Section 15332 In-Fill Development Projects), **to include Class 15, Section 15315, Minor Land Division**, in accordance with the California Environmental Quality Act and CEQA Guidelines. A Notice of Public Hearing for the project was prepared and posted pursuant to the CEQA Guidelines and State law

ATTACHMENTS

1. Vicinity Map
2. Universal Application – Provided Upon Request
3. Site Inspection – Photos (Existing Building, Parking Lot, Office)
4. Tentative Parcel Map
5. Draft Conditions of Approval



**CITY OF GRASS VALLEY
APPEAL FORM**

City Clerk's Office
125 East Main Street
Grass Valley, CA 95945

You may use this form, or provide a letter that includes the following information, to appeal a decision made by the Community Development Director, Development Review Committee or Planning Commission. All appeals shall be filed with the Community Development Department, or to the City Clerk's Office to appeal a Planning Commission action, within fifteen (15) calendar days following the date of the decision. The appeal shall include the specific action or decision, and describe the reasons for the appeal. Provide this form or a letter, along with the current appeal fee to initiate the appeal.

I, Steve Enos (Printed Name of Appellant) Hereby appeal the below noted action(s):

Date of City Action: August 18, 2026

Project Name/Application No. (s): Project 26PLN-0024

Permit Type (Use Permit, Subdivision map, etc.): Project Approval

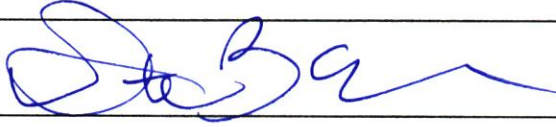
Mailing Address: 207 South School Street, Grass Valley, Ca 95945

Phone: 530-273-0788 Email: senos@localnet.com

Purpose of the Appeal (List Specific Issue): _____

Return the project back to the Planning Commission for additional review and revisions.

The specific appeal issues are attached along with photo exhibits.

Signature of Appellant  Date: August 28, 2026

For City Staff Use Only

Date: 8/31/26 Receipt No.: R0014132 Received by: Kelsey Lasalle Fee Paid: \$820.00

August 30, 2026

Mayor and Members of the Grass Valley City Council
City of Grass Valley
125 East Main Street
Grass Valley, CA 95945

Re: Appeal — Project 26PLN-0024

Dear Mayor and Members of the City Council:

On behalf of the South School Street Neighbors, thank you for taking the time to consider our appeal and our issues raised.

We want to emphasize something that can sometimes get lost in an appeal: we are not opposed to this project. We support the productive reuse of the former Bank of America building, we recognize the need for additional downtown public/municipal parking, and we want the project to succeed.

We are the neighbors most directly affected by the project and what we are asking is straightforward: that the whole of the project be properly reviewed, that applicable development and public-safety standards be met, and that we have an opportunity to work with the City and applicant to address the issues before they become permanent impacts on our residential neighborhood.

All the issues we have raised should be and can be corrected. We are appealing to have the project returned to the Planning Commission for the opportunity to do this.

We would also greatly appreciate the opportunity to meet each of you individually, consistent with the Brown Act, here in our neighborhood, where we live, where our homes are.

We invite you to come meet us and “walk the block” with us.

An appeal necessarily reduces a neighborhood, its people and its concerns to words, photographs and exhibits on pieces of paper. We would much rather introduce ourselves as people, listen to one another, and show you firsthand the conditions we are describing, particularly the S. School Street commercial driveway, sidewalk, sight-distance and pedestrian life-safety concerns.

Please accept our neighborhood's invitation to meet, share, discuss and experience firsthand the issues we have raised. And there is some really great Mexican food on our block tour!

Thank you for your consideration and for your service to our community. We look forward to meeting you and “walking the block” together.

Most Sincerely,



Steve Enos

On behalf of the **South School Street Neighbors**

Including Neighbors of the Historic Coleman House, Historic Donation Day Parade House, Earl Covey House, and the surrounding South School Street Neighborhood

(h) 530-273-0788

senos@localnet.com

EXECUTIVE SUMMARY AND REQUESTED ACTIONS

Purpose of the Appeal

This appeal is not an effort by the surrounding neighbors to stop redevelopment of the property.

We support the productive reuse of the former Bank of America building. We recognize the need for additional public/municipal parking serving downtown Grass Valley. We want the project to succeed.

The residents most directly affected by the project are not approaching this as NIMBYs. We are the immediate neighbors and therefore will experience the project's day-to-day effects more directly than almost anyone else. We are also YIMBYs when development is thoughtfully designed, properly reviewed, and compatible with the neighborhood in which it is located.

Our request is simple:

Review the whole project properly, give the affected neighbors a meaningful opportunity to discuss the identified issues, and work with us and the applicant to revise the project as necessary so that it meets applicable development, accessibility and public-safety standards without unnecessarily shifting new impacts into the surrounding residential neighborhood.

Why We Appealed

The appeal raises substantive issues that we believe were not adequately evaluated or resolved before the Planning Commission approved the project.

The clearest example is the proposed commercial parking lot exit onto S. School Street.

This is not simply an existing driveway opening through which vehicles can physically pass. It is a proposed commercial driveway serving the project's circulation system and two parking facilities, including public/municipal parking.

The exit crosses an already constrained and impaired public sidewalk before vehicles enter a narrow residential street. At the driveway, a utility pole reduces the 4-foot-6-inch sidewalk to approximately 3 feet of effective pedestrian travel width. The 14-foot commercial driveway is bordered by opaque fencing and substantial landscaping that greatly restrict visibility. On-street parking is permitted on both sides of the approximately 28-foot-wide street. Parking is also allowed directly adjoining the exit driveway and does not have a red/no park safety zone.

The first potential conflict encountered by a vehicle exiting this parking facility is therefore a pedestrian on the public sidewalk—not another vehicle in the street.

That deserves careful, objective review before the project is approved. This is a genuine life-safety issue, an accident waiting to happen. This is a risk and significant liability that can be avoided by returning the project to the Planning Commission to properly address these issues.

These issues are especially important because this pedestrian route is used by neighborhood residents, seniors and persons with mobility limitations from the adjacent Bret Harte Retirement Inn, schoolchildren and parents, and members of the public traveling between the neighborhood and downtown.

We are not asking the City Council to assume that an accident will occur. We are asking the City to take reasonable steps now to identify and correct foreseeable design and life-safety problems so that another preventable vehicle-versus-pedestrian tragedy does not occur.

The appeal also raises related questions concerning accessibility, the two parking facilities and their accessible routes, parking-lot design and landscaping, residential buffering and screening, lighting, project circulation, the required land-use approvals, and the scope and adequacy of environmental and project review.

These issues should be resolved through objective review of the actual project and existing conditions—not left to assumptions or deferred to later permits where correction could require material changes to an already-approved site plan.

What the Neighbors Are Asking the City Council to Do

We respectfully ask the City Council to:

- 1. Grant the appeal and return the project to the Planning Commission** for further review and modification as necessary before final project approval.
- 2. Direct Staff and Public Works/Engineering to conduct and document a site-specific review of the proposed S. School Street commercial driveway**, including commercial-driveway design, clear sight distance, pedestrian visibility and conflict points, sidewalk conditions, accessibility, on-street parking, physical obstructions and the actual existing conditions at the driveway.
- 3. Determine whether changes to the S. School Street access are necessary before approval**, including possible driveway modification or relocation, removal or modification of sight obstructions, sidewalk improvements, parking restrictions/red-curb areas, circulation changes, or other appropriate measures. The neighbors are not prescribing the engineering solution; we are asking that the appropriate solution be determined through competent technical review.
- 4. Require a documented accessibility review of the project as a whole**, including the S. School Street pedestrian route and the accessible parking spaces, access aisles, curb ramps, transitions and continuous accessible routes associated with both parking facilities. Consult with FREED.
- 5. Review the project's parking lots, landscaping, residential buffers, screening and lighting against the applicable Development Code and design standards**, particularly where commercial/public parking directly adjoins existing residential uses.
- 6. Determine that all required land-use approvals and environmental review address the whole project**, including the proposed public/municipal parking facilities, shared parking arrangement, circulation system, commercial driveway connections and other components that function together as part of the project.
- 7. Provide the affected neighbors a meaningful opportunity to participate in the review and redesign process.** We would welcome the opportunity to meet with City

Staff, Public Works/Engineering, the applicant and other appropriate participants at the site, walk the S. School Street conditions together, discuss the concerns identified in this appeal, and work constructively toward practical solutions.

8. **Bring the revised project back through the appropriate public review process** with the necessary technical information available so that the Planning Commission, the public and ultimately the City can make an informed decision based upon the actual project and actual site conditions.
9. **Refund the \$820 appeal fee paid by the neighbors to obtain City Council review of the Planning Commission approval.** If the Council determines that the appeal identifies material project-review, development-standard, accessibility, public-safety, procedural, or other issues that require additional review, correction, or reconsideration, the neighbors respectfully request reimbursement of the \$820 fee they were required to pay to bring those issues before the City Council.

The neighbors should not have to bear the financial cost of obtaining corrective review of material issues that should have been adequately evaluated and resolved as part of the City's review before project approval.

A Reasonable Path Forward

The neighbors are not asking the City Council to reject the redevelopment of this property or abandon the creation of needed downtown public parking.

We are asking for something considerably more modest:

Take a step back. Review the issues that were not adequately addressed. Look at the actual conditions on the ground. Apply the City's development, accessibility and public-safety standards.

Give the affected neighbors an opportunity to participate. Then revise the project where necessary and bring forward a project that the City, the applicant and the neighborhood can have confidence in.

Good development and neighborhood protection do not have to be competing objectives.

The purpose of this appeal is to help achieve both.

Thank you for your consideration,



Steve Enos,

On the behalf of the South School Street Neighbors

(includes the Historic Coleman House, the Historic Donation Day Parade House and the Earl Covey House)

LEAD APPEAL ISSUE

S. SCHOOL STREET COMMERCIAL DRIVEWAY ACCESS, CLEAR SIGHT DISTANCE, PEDESTRIAN LIFE-SAFETY AND ADA ACCESSIBILITY

The Proposed S. School Street Commercial Driveway Has Not Been Demonstrated to Comply With the City's Site Access, Driveway, Clear-Sight, Sidewalk, Pedestrian, and Accessibility Standards Under the Existing Physical Conditions

1. SUMMARY OF THE LEAD APPEAL ISSUE

The proposed project includes a commercial driveway connection to S. School Street serving the project circulation system and two parking facilities, including a proposed City-owned public/municipal parking lot. The remaining parking lot will also be used for public/municipal parking under a shared parking/reciprocal use agreement.

The Planning Commission approved parking lot design funnels the vast majority of all exiting vehicles out and onto S. School Street, at it's most impaired and congested road segment. Vehicles enter the parking lot from S. Church Street, where there are two "in only" driveways. There is driveway connection to Neal Street with both in and out lanes.

The S. School Street parking lot exit driveway crosses a substandard and impaired public sidewalk and connects to a very constrained residential street. The Staff Report does not demonstrate that the proposed access was evaluated under the actual existing conditions and shown to comply with applicable City and State commercial-driveway, clear-sight, pedestrian-safety, sidewalk, and accessibility standards before approval.

The issue is not merely whether a vehicle can physically pass through the exit driveway opening. The City must determine whether this particular commercial driveway can safely and lawfully function at this particular location under the actual existing conditions. If compliance has not been demonstrated, the project must be returned to the Planning Commission for further technical review and redesign before approval.

2. EXISTING CONDITIONS AT THE PROPOSED S. SCHOOL STREET EXIT

- S. School Street roadway width between Neal Street and W. Main Street: approximately 28 feet.
- On-street parking: permitted on both sides.
- Sidewalk width: approximately 4 feet 6 inches.
- Telephone/utility pole in sidewalk at the exit driveway: reduces usable pedestrian width by approximately 1.5 feet, leaving approximately 3 feet of effective travel width.
- Commercial driveway width: approximately 14 feet.
- Elks Lodge side of exit driveway: approximately 6-foot-5-inch opaque fence extending along the driveway to the sidewalk.
- Coleman House side: approximately 4-foot fence and dense landscaping exceeding approximately 12 feet in height extending to the sidewalk.

These conditions operate together to create a narrow and visually obstructed vehicle vs. pedestrian conflict point precisely where exiting vehicles must enter and cross over the public sidewalk before entering S. School Street. Parking on both sides of S. School Street further reduces the effective operating width of the roadway and greatly restricts sight lines.

This segment of S. School Street effectively operates as a one lane road when vehicles are parked on both sides of the street. Oncoming, opposing vehicles are required to slow, stop, back up, yield and manage to pass one at a time. Parked vehicles also further restrict sight lines at and near the proposed commercial exit driveway.

3. COMMERCIAL DRIVEWAY, CLEAR-SIGHT AND PEDESTRIAN-CONFLICT ISSUES

The S. School Street connection must be evaluated as a commercial driveway, not as an ordinary residential driveway. Its review should address driveway width and configuration, entering and exiting movements, required sight distance and clear-sight areas, pedestrian visibility, sidewalk crossings, accessible travel, adjoining on-street parking, utility and physical obstructions and the relationship of the driveway to the overall circulation system.

At this location, the narrow exit driveway, telephone pole, opaque fencing, landscaping and parked vehicles substantially restrict visibility. An exiting driver may not have an adequate view of a pedestrian approaching along the sidewalk, while the pedestrian may not have an adequate view of the exiting vehicle. The first conflict encountered by an exiting vehicle is therefore the public sidewalk, not the street itself.

Sight distance and clear sight are objective physical conditions that can be measured and compared with applicable standards. Any analysis must account for the actual fences, landscaping, pole, sidewalk, driveway geometry, roadway width, parked vehicles, and the location where pedestrians actually cross the driveway.

4. PEDESTRIAN USERS AND VULNERABLE POPULATIONS

The project is immediately adjacent to the Bret Harte Retirement Inn and this sidewalk is used daily by seniors and persons with mobility limitations. A school is also located on S. School Street, and schoolchildren and parents use this pedestrian route a number of times a day. Neighborhood residents, their visitors, downtown/Mill Street and event visitors and other members of the public also use this sidewalk and route and travel through the neighborhood. For these users, adequate clear width, predictable vehicle movements, visibility and reaction time are particularly important.

The proposed commercial driveway therefore presents both a traffic-safety issue and a pedestrian-accessibility issue. These existing users heighten the practical importance of compliance, but the applicable commercial-driveway, pedestrian-safety and accessibility standards apply independently of the identity of individual sidewalk users.

5. SIDEWALK AND ADA ACCESSIBLE ROUTE

The nominal sidewalk width is approximately 4 feet 6 inches, but the telephone pole reduces the usable pedestrian travel width to approximately 3 feet at the exit driveway. The relevant issue is the actual clear, usable and continuous pedestrian route through the access area, not simply the nominal sidewalk width away from the conflict point.

The project review should account for the pole, driveway crossing and transitions, grades and cross-slopes, curb conditions, fencing and landscaping, other obstructions and the needs of persons using wheelchairs, walkers, canes or other mobility devices. The project should not create a new accessibility barrier, worsen an existing barrier, or make correction of an existing deficiency more difficult.

Grass Valley's ADA Self-Evaluation and Transition Plan also makes accessibility in the public right-of-way relevant. The administrative record should demonstrate what accessibility review was performed for this portion of the S. School Street pedestrian network before project approval.

6. ACCESSIBILITY OF THE TWO PARKING FACILITIES

The project involves two separate parking facilities, including one intended to become a City-owned public/municipal parking lot; the other is also proposed for public/municipal parking use under a shared parking arrangement. Accessibility should therefore be evaluated as a project-wide system rather than by the presence of an ADA symbol on a site plan.

The review should establish the applicable accessible-parking requirements for each facility, including accessible and van-accessible spaces where required, access aisles, slopes and cross-slopes, signage, curb ramps and transitions, and continuous accessible routes connecting the parking facilities to the public sidewalk and the buildings or destinations they are intended to serve.

7. S. CHURCH STREET AND NEAL STREET PROVIDE DIRECT COMPARISONS

The project's other access points demonstrate how materially different the S. School Street environment is. S. Church Street is approximately 33 feet wide; its commercial driveways are approximately 20 and 24 feet wide; its sidewalk is approximately 7 to 8 feet wide; and red-zone/no-parking areas protect the driveway approaches. There are no comparable tall opaque fences or dense landscaping immediately adjacent to those connections.

The Neal Street driveway is approximately 32 feet wide, its sidewalk is approximately 5 feet 6 inches wide, red/no-parking safety zones are located on both sides of the driveway, and there are no comparable visual barriers.

By contrast, S. School Street has the narrowest roadway, impaired sidewalk, narrow 14 foot driveway, substantial visual obstructions, and parking permitted on both sides.

These comparisons do not by themselves establish noncompliance, but they demonstrate why the S. School Street commercial driveway required a specific, objective and site-specific engineering review before approval.

8. EXISTING NEIGHBORHOOD TRAFFIC CONTROLS

Existing posted traffic controls provide additional context regarding the constrained residential character of the S. School Street neighborhood. At Neal Street/S. School Street, signs include a yellow "Neighborhood 15 MPH" posting and "No Parking Any Time" control. Neal Street leading into the S. School Street neighborhood is posted "No Trucks Over Two Axles".

These controls do not independently determine whether the project access complies with applicable standards. They do, however, reinforce the need to evaluate the project's commercial-driveway and parking-lot traffic in the context of the actual neighborhood street environment.

9. LACK OF DEMONSTRATED PRE-APPROVAL TECHNICAL REVIEW

The Staff Report does not demonstrate that Staff performed field measurements, a site-specific sight-distance or clear-sight analysis, commercial-driveway analysis, pedestrian/vehicle conflict analysis, ADA/accessibility analysis, or other objective engineering review of the actual S. School Street conditions before recommending approval.

The critical question is what review occurred before the Staff Report was prepared, before Staff recommended approval, and before the Planning Commission exercised its discretionary authority.

Fundamental access or accessibility deficiencies should not be deferred to later construction drawings, an encroachment permit, building permits, or another future review if correction could require relocation or redesign of a driveway, parking facility, sidewalk, pedestrian route, parking restriction, or other site-plan element.

If compliance requires widening or relocating the commercial driveway, removing or relocating physical obstructions, modifying the sidewalk, establishing no-parking/red-curb areas, altering landscaping or fencing, or changing parking-lot circulation, those changes may materially affect the approved site plan and therefore should be resolved as part of discretionary project review rather than assumed to be solvable through later permit review.

10. ADMINISTRATIVE RECORD AND ACCESSIBILITY REVIEW

The administrative record should identify the technical documentation that existed before Planning Commission approval, including, as applicable, Public Works/Engineering comments, field inspection notes and photographs, roadway/driveway/sidewalk measurements, sight-distance and clear-sight analysis, turning and parking analysis, pedestrian-conflict analysis, ADA/accessibility and accessible-route review, and parking-facility accessibility analysis.

The record should also establish whether the application was routed to FREED Center for Independent Living for disability-access review and, if so, identify any comments. This appeal does not assume that a FREED referral was legally mandatory. The relevant question is what substantive accessibility review actually occurred, by whom, and what documentation supported Staff's recommendation.

11. REQUIRED DETERMINATION AND REQUESTED REMEDY

Before approval, the City should determine through documented, site-specific review whether the S. School Street commercial driveway complies with applicable commercial-driveway and access standards; provides required clear sight distance and adequate pedestrian visibility; safely crosses the public sidewalk; maintains a continuous accessible pedestrian route; accounts for the telephone pole, fencing, landscaping and parked vehicles; and requires parking restrictions or other physical changes to achieve compliance.

The City should also demonstrate that both parking facilities and their accessible routes function as an integrated, safe and compliant accessibility system.

The present record does not adequately demonstrate that the S. School Street commercial driveway can safely and lawfully operate at this particular location under the actual existing conditions.

The appropriate remedy is to grant the appeal and return the project to the Planning Commission for further review and redesign as necessary before project approval. This remedy does not presume the final project design. It requires an informed, documented and objective evaluation of the actual site conditions and applicable design, accessibility and public-safety standards before discretionary approval.

EXHIBIT - SOUTH SCHOOL STREET
Driveway Connection, Sidewalk and Sight Distance Conditions
an accident waiting to happen



Photo 1 - South School Street. Sidewalk at the exit driveway, looking west towards Neal Street.

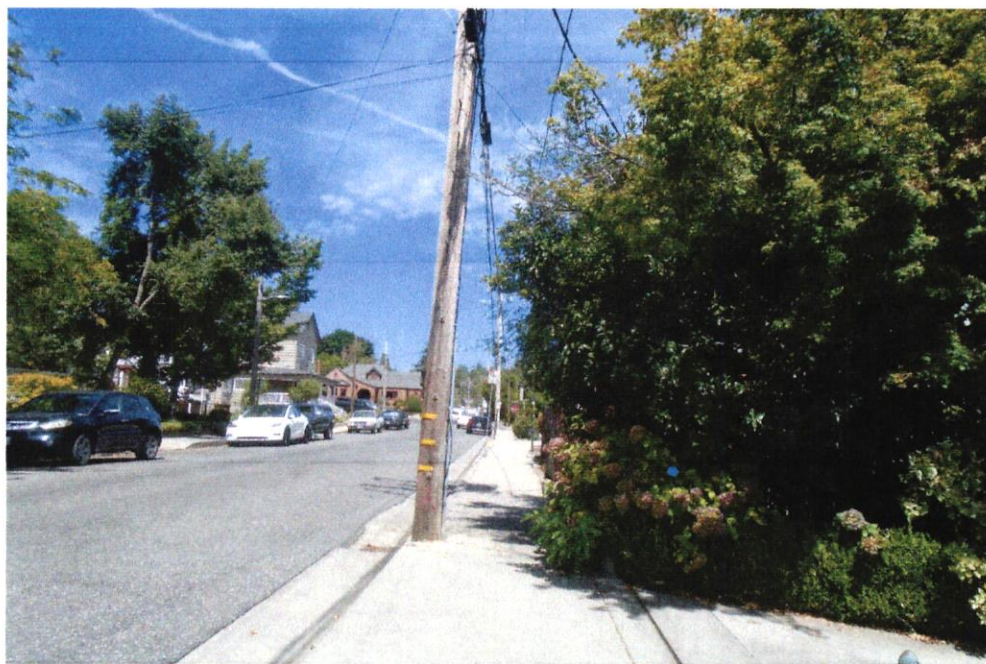


Photo 2 - South School Street. Sidewalk at the exit driveway, looking east towards Main Street.

EXHIBIT - SOUTH SCHOOL STREET AND NEAL STREET

Comparison of Commercial Driveway Connections and Sight-Distance Conditions



Photo 1 - South School Street. No red/no-parking safety zones flank this constrained commercial driveway. A utility pole occupies a portion of the sidewalk, the Elks fence and Coleman House landscaping substantially obstruct the clear sight distance.

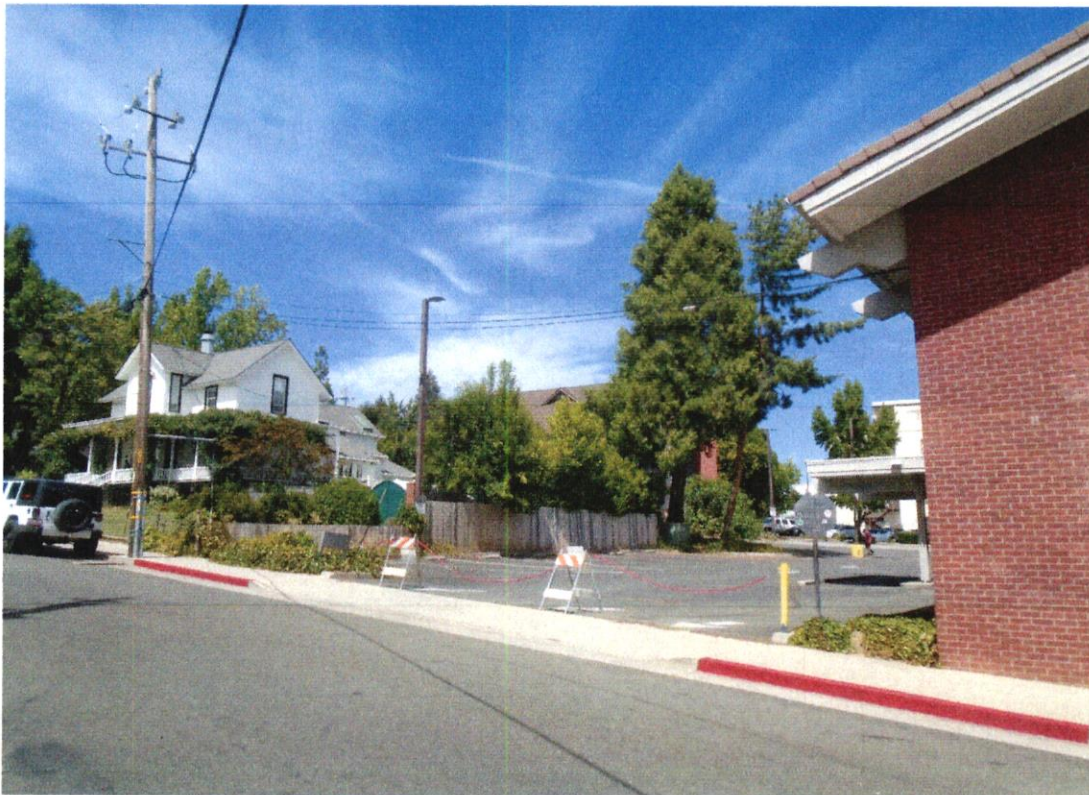


Photo 2 - Neal Street. Red/no-parking safety zones on both sides of the driveway and open sight distance. The contrast illustrates the materially different access and sight-distance conditions.

EXHIBIT - SOUTH SCHOOL STREET
South School Street, Neal Street to Main Street View



Photo 1 - South School Street with single side parking

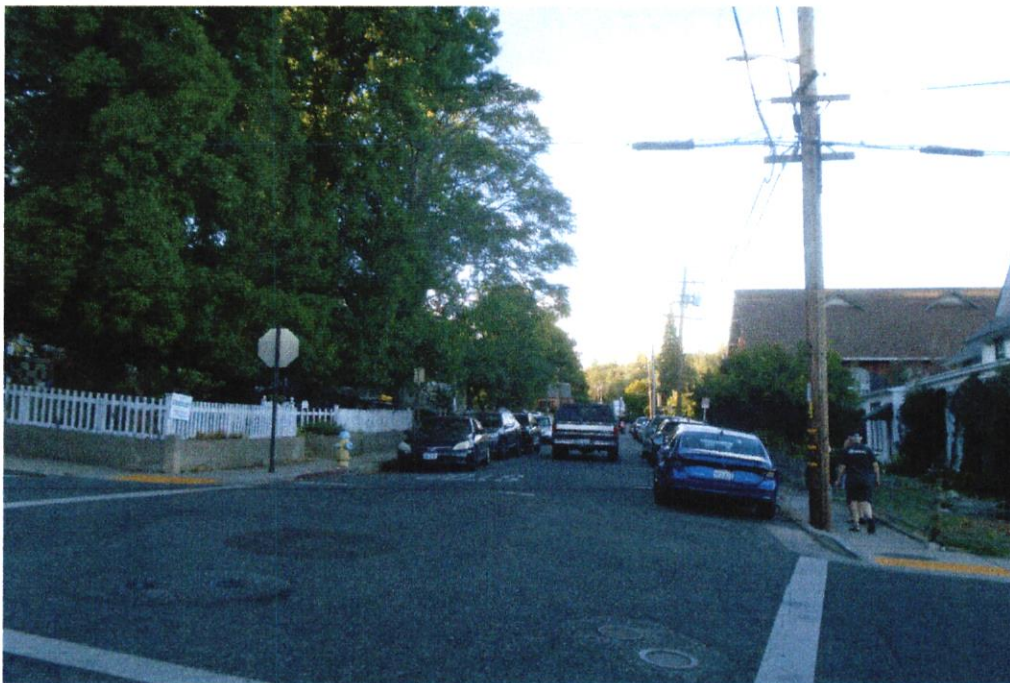


Photo 2 - South School Street with parking on both sides

EXHIBIT - NEAL STREET- SOUTH SCHOOL STREET

The streets in the S. School Street residential neighborhood are constricted and impaired



Photo 1 - Neal Street and South School Street



Photo 2 - Neal Street leading into the S. School Street Neighborhood

APPEAL ISSUE - PARKING LOT LANDSCAPING, RESIDENTIAL BUFFERS AND SCREENING

Failure to Evaluate Existing Conditions and Demonstrate Compliance With Mandatory Parking-Lot Landscaping, Residential Buffer and Screening Standards

A. Summary of the Appeal Issue

The Staff Report and project approval do not adequately demonstrate that the existing and approved parking facilities comply with the City of Grass Valley standards for parking-lot landscaping, residential buffers, screening, planting area dimensions, trees and internal landscape islands.

This issue is particularly important because the project divides the former Bank of America property and parking area into separate parcels and parking facilities, including a proposed City public/municipal parking directly adjoining residential uses.

The City's standards do not treat landscaping and screening at these boundaries as merely decorative. They are intended to address compatibility between parking/nonresidential uses and adjoining residences, including impacts from light and glare, nuisance noise, visual impacts, parking-lot screening and shade.

The existing and approved conditions raise objective questions that can be answered by measurements, counts and plans: the distance between parking and residential property lines; the width and composition of landscaped buffers; the type and height of walls or fences; the number and spacing of trees; the number of stalls in uninterrupted parking runs; the dimensions of landscape islands; and the distribution of landscaping throughout each parking facility.

The Staff Report does not adequately document those measurements or demonstrate compliance. Nor does it identify the review-authority determinations or findings that would support a reduction, waiver or substitute where the prescribed standards are not provided.

The appeal issue is therefore not simply whether some landscaping and fencing already exist. It is whether the parking facilities that will serve the approved project have been objectively evaluated against the City's applicable landscaping, buffer and screening standards.

B. Parking-Lot Landscaping Requirements Apply to Changes in Use and New Uses

Development Code §17.34.030 states that each required parking area of more than six spaces shall be landscaped under that section when there is an expansion of a structure, a change in use related to an existing parking lot, or establishment of a new structure and/or use.

The Development Code therefore connects parking-lot landscaping review to changes in use and new uses, not only to construction of an entirely new parking lot. That is directly relevant here because the approval involves subdivision of the property, changes in the parking configuration and flow, creation of separate parking facilities, including a City public/municipal parking use. The remaining parking lot will also be used for public/municipal parking under a shared parking/reciprocal use agreement.

§17.34.030(A): Landscaping SHALL be provided throughout the parking lot as a combination of ground cover, shrubs and trees.

§17.34.030(B): Areas containing plant materials SHALL be bordered by concrete curb in compliance with the protective-curbing standards.

§17.34.030(C): Surface parking areas SHALL be screened from streets and adjoining properties, and applicable open areas between the property line and public street right-of-way SHALL be landscaped.

Accordingly, the existing pavement, stalls, landscaping and perimeter conditions cannot simply be carried forward without determining whether the parking facilities serving the approved uses satisfy the applicable development standards.

C. Parking Adjoining Residential Uses Requires Heightened Buffers and Screening

The Development Code imposes heightened requirements where nonresidential parking directly abuts residential uses.

Under §17.34.030, a nonresidential parking area abutting a residential use SHALL provide a landscaped buffer setback with a minimum of 10 feet between the parking area and the residential property line, subject to a possible reduction where the review authority determines that site area is severely constrained.

The same provision requires a 6 foot high solid decorative masonry wall or qualifying fence, except for approved pedestrian access, together with a landscape buffer along the property line to address compatibility issues such as light/glare and nuisance noise, as determined by the review authority.

Trees are required at a rate of one for each 25 linear feet of landscaped area, unless the review authority determines other spacing is appropriate.

Development Code §17.30.040(F) separately establishes screening and separation standards for adjoining residential and nonresidential uses and surface parking areas. Where applicable, the screen consists of plant materials and a solid decorative masonry or similar durable wall six feet in height, with a landscaping strip adjacent to the wall and 10 feet of landscaping between a parking lot and the screening wall.

These provisions allow specified reductions, waivers or substitute screening only when the review authority makes the required review and determination. A departure from the prescribed buffer, screening or landscaping is therefore not automatic. If the approved configuration does not provide the stated standard, the administrative record should identify the provision relied upon and the determination supporting the alternative.

D. Internal Parking-Lot Landscaping, Finger Islands and Minimum Dimensions

The City's standards address the internal design of parking lots as well as perimeter buffers. Landscaping is to be dispersed throughout the parking area, and the Community Design Guidelines establish a specific design expectation for parking runs.

Design Guidelines §4.4(e): Parking runs SHALL be limited to a maximum of six spaces separated by a "finger island" planter six feet in width, measured inside curb face, by the depth of the stall, to allow for the root zone of a large-canopy shade tree. Planters are to be protected from vehicles by raised curbs.

Development Code §17.34.040(A) also establishes a minimum interior width of 6 feet for required landscape areas in residential and commercial zones, measured within any curb or wall bordering the landscape area. A reduction requires the review authority to determine that the required dimension is infeasible because of limited site area. Section 17.34.040(B) further requires protective concrete curbing for required landscaping, subject to stated exceptions.

These standards require more than identifying residual strips of unpaved ground as landscaping. Each parking run should be counted, each credited island or planting strip should be measured, and the record should establish that the required landscape areas provide usable planting dimensions and are appropriately distributed throughout the parking facilities.

E. Trees and Shade Are Integral Components of the Parking-Lot Standards

The Design Guidelines contemplate large-canopy shade trees within parking areas, not merely ornamental landscaping around their edges. Design Guidelines §4.4(e) states that finger-island planters are intended to accommodate large-canopy shade-tree root zones and that parking-lot trees should be deciduous and spaced to provide approximately 50 percent shade coverage at maturity.

In addition, the residential buffer provisions require trees at a rate of one tree for each 25 linear feet of landscaped area unless different spacing is determined appropriate by the review authority.

The project record should therefore identify existing trees to remain, proposed trees, their locations and spacing, their parking-lot shade function, and whether the landscape areas are physically adequate to support the contemplated tree canopy.

F. Existing and Approved Conditions Raise Substantial Compliance Questions

Based on the existing site and approved configuration, the parking areas contain long runs of paved parking with limited internal landscape interruption as required. Along portions of the boundaries adjoining residential uses, the existing screening and landscaping do not provide the full combination of the prescribed landscaped buffer, solid decorative wall or qualifying fence, and required tree planting.

The Coleman House residential boundary is particularly important. The record should identify the actual distance between parking improvements and the residential property line, the width and composition of the landscaping, the type and height of existing fencing or walls, and the number and spacing of existing and proposed trees.

Likewise, each parking run should be evaluated against the City's own 6 space/finger-island standard, and each proposed or credited landscape island should be measured to determine whether it provides the required usable planting width, protective curbing and adequate root area for a large-canopy shade tree as required.

These are objective conditions. 10 feet can be measured. 6 feet can be measured. Parking stalls and trees can be counted. Linear feet of residential buffer can be calculated. Wall and fence materials and heights can be documented. If a standard is reduced, waived or replaced, the authorizing provision and required determination can be identified. The Staff Report does not adequately provide that analysis.

G. Existing Parking and Landscaping Cannot Simply Be Assumed Compliant

The fact that pavement, parking stalls, fences or landscaping existed from the former bank use does not establish that those conditions satisfy the standards applicable to the project now being approved.

Section 17.34.030 expressly applies parking-lot landscaping requirements in connection with changes in use and establishment of new uses. Here, the approval involves subdivision of the property, changes to the design of the parking facilities and creation of a City public/municipal parking use. "Existing" does not mean "compliant."

The relevant question is whether the parking facilities that will serve the approved uses comply with the City's standards for parking-lot landscaping and protection of adjoining residential uses, or whether any authorized reduction or alternative has been properly identified and supported.

H. Required Corrective Action

The project should be returned to the Planning Commission for further review so the City can objectively evaluate the parking-lot landscaping, residential buffers and screening against the standards applicable to the parking facilities and revise the project to meet these design requirements.

Prepare a complete landscape and parking-lot compliance plan showing existing and proposed landscaping, parking stalls, planting islands, trees, walls/fences, property lines and adjoining residential uses.

Provide the required minimum 10 foot landscaped buffer between nonresidential parking areas and adjoining residential property lines, unless a reduction is expressly authorized and supported by the required review authority determination.

Provide the required six-foot-high solid decorative masonry wall or qualifying fence and landscape buffer along applicable residential boundaries unless an authorized alternative is supported by the required determination or findings.

Provide the required trees along residential buffers at the required rate of one tree for each 25 linear feet of landscaped area, unless the review authority expressly determines that different spacing is appropriate.

Review each parking run and revise the layout to comply with the applicable 6 space/finger-island design standard.

Provide compliant landscape islands with the required usable planting dimensions, raised-curb protection and adequate root area for large-canopy shade trees.

Verify that required landscape areas satisfy §17.34.040 minimum interior-width standards and document any authorized reduction.

Disperse landscaping throughout the parking facilities and provide a tree/shade plan addressing the parking-lot canopy standards.

Revise the project plans and Conditions of Approval as necessary so the separate office and public/municipal parking facilities comply with applicable landscaping, screening and residential-buffer standards before final approval.

These requirements are central to compatibility between nonresidential/public parking uses and adjoining residences. The project should not be approved on an assumption that existing paving, fencing and landscaping are adequate. The administrative record should demonstrate through dimensions, counts, plans and any required review-authority determinations that the approved parking facilities comply with the City's adopted standards.

APPEAL ISSUE - OUTDOOR AND PARKING LOT LIGHTING

Failure to Adequately Evaluate Existing Lighting Conditions, Demonstrate Compliance With Mandatory Development Code Lighting Standards and Require Lighting to Meet Those Standards

A. Summary of the Appeal Issue

The Staff Report affirmatively addressed outdoor lighting and represented to the Planning Commission that the existing fixtures were “shielded/directed downward to minimize light pollution.” It also concluded that the project complies with applicable zoning and development regulations. Those conclusions are not supported by an objective analysis demonstrating that the existing lighting complies with the City standards applicable to a commercial, non residential parking facility adjoining residential uses.

This matters because the approved project changes and divides the former Bank of America site and its parking facilities, including creation of a separate 17-space parcel that the Staff Report states the City is under contract to purchase for public/municipal parking lot use. The remaining parking lot will also be used for public/municipal parking under a shared parking/reciprocal use agreement.

The existing lighting is substantial. The site contains five tall parking-lot light poles, approximately 40 feet in height, plus exterior building-mounted lighting. The poles are substantially taller than the City's residential-adjacency standards discussed below, and the existing fixtures produce substantial illumination, glare, light spill and light pollution affecting adjoining residential properties. One of the tall light poles is located directly on the property line adjoining the historic Coleman House residence.

These are observable and measurable existing conditions. Yet the Staff Report does not document a photometric analysis or nighttime illumination measurements; verify the 0.5-footcandle residential property-line limit; document pole heights and setbacks; analyze the Coleman property line light pole; evaluate off-site visibility, shielding, glare or direct illumination; identify an applicable exception for the tall fixtures; or require correction of the non compliant lighting.

The appeal issue is therefore not whether staff simply looked at the fixtures. It is whether the City objectively applied its lighting standards to the actual existing conditions before concluding that the lighting and project comply.

B. What Staff Reviewed and Concluded

Under “Landscape/Screening, Trash Enclosure, and Lighting,” the Staff Report states:

“Light fixtures exists and are shielded/directed downward to minimize light pollution; no new lights are required nor proposed.”

The same discussion states that “A site inspection was conducted.” Staff therefore placed an affirmative lighting conclusion into the administrative record. However, the Staff Report does not explain which fixtures were evaluated, whether they were operating, what measurements

were taken, or how compliance with Development Code §17.30.060 and the applicable Design Guidelines was determined.

The Staff Report does not state that the inspection occurred at night, and its site-inspection photographs were taken during daylight. A daytime observation may show the physical configuration of a fixture, but it cannot establish nighttime illumination levels, glare, light spill, residential property-line footcandles, or direct illumination when the fixtures are operating.

The lighting statement must also be considered with the Staff Report's broader Environmental Determination, which states that the project is consistent with applicable zoning regulations and "complies with the applicable zoning designation and development regulations." The lighting is to remain and serve the approved project and the record should demonstrate how that lighting was evaluated against the lighting regulations.

The statement that "no new lights are required nor proposed" does not establish that existing lighting complies. Likewise, saying the fixtures are "shielded/directed downward" addresses only part of the regulatory inquiry.

C. Applicable Mandatory Lighting Standards

Development Code §17.30.060 establishes specific requirements for outdoor lighting and uses mandatory "SHALL" language.

§17.30.060(A): "An outdoor light fixture shall be limited to a maximum height of 14 feet or the height of the nearest building, whichever is less except adjacent to or within a residential area where the height SHALL be reduced to 8 feet."

Section 17.30.060(C) requires fixtures to be shielded or recessed to minimize light bleed to adjoining properties, requires the light source not to be visible from off site, confines glare and reflections within the site to the maximum extent feasible, and requires fixtures to be directed downward and away from adjoining properties and public rights-of-way so that an on-site fixture does not directly illuminate an off-site area.

The City's Design Guidelines provide additional standards for parking-area lighting adjoining residential uses:

- §5.2(a): A photometric lighting plan of site illumination, including site and building-mounted exterior lighting, should be provided to City staff before project approval.
- §5.2(b): Maximum acceptable lighting on abutting residential properties SHALL be no more than 0.5 footcandles at the property line.
- §5.2(d): Commercial projects abutting residential uses SHALL not place parking-area fixtures higher than 8 feet unless the fixture is set back from the property line a distance equal to twice the fixture height, with a maximum fixture height of 20 feet.

The distinction between advisory "should" language for the photometric plan and mandatory "SHALL" performance standards is important. A photometric plan or equivalent objective measurement is the required means of demonstrating compliance with the measurable 0.5-footcandle property-line limit.

D. Existing Conditions Do Not Demonstrate Compliance

The 5 existing parking-lot poles are approximately 40 feet tall and are extremely tall relative to the surrounding residential setting. The Staff Report does not document their actual

measured heights or setbacks, identify an authorized exception, or explain how the existing poles comply with the 8 foot residential adjacency standard or the Design Guidelines height/setback provisions.

The Staff Report also provides no fixture specifications or nighttime analysis demonstrating that each fixture satisfies §17.30.060(C). The existing lighting produces illumination beyond the parking areas, yet the record does not document whether the light source is visible off site, whether each fixture is properly shielded or recessed, whether glare and reflections are confined within the site, or whether adjoining properties or public rights-of-way are directly illuminated and impacted.

Finally, the record contains no photometric analysis or other objective evidence demonstrating that illumination at abutting residential property lines does not exceed 0.5 footcandles. Staff's generalized statement that the fixtures are "shielded/directed downward" does not answer these separate compliance questions.

E. Coleman House Property Line Light Pole - Existing Location Does Not Meet the Height/Setback Standards

One of the existing tall parking-lot poles is located directly on the property line between the project parking lot and the adjoining Coleman House residential property. This creates a particularly clear and measurable height and setback issue.

Under Design Guidelines §5.2(d), a commercial parking-area fixture adjoining a residential use SHALL not exceed 8 feet unless it is set back from the residential property line by a distance equal to twice its height, and the setback alternative allows a maximum fixture height of 20 feet.

The existing Coleman property-line pole is approximately 40 feet tall and has a zero or near-zero setback. It therefore does not meet either alternative: it substantially exceeds 8 feet at the residential property line, has no setback capable of satisfying the twice-height requirement, and exceeds the 20-foot maximum stated for the setback alternative.

Shielding or downward direction does not cure this separate height/location problem. The pole's location should have been apparent during staff's stated site inspection, yet the Staff Report does not document its height, calculate its setback, discuss §5.2(d), or explain how the existing condition complies.



Figure 1. Existing parking-lot light pole immediately adjacent to the Coleman House residential property line, illustrating the zero/near-zero setback condition.

F. Photometric and Nighttime Evaluation Are Necessary to Demonstrate Compliance

Whether illumination at a residential property line is below 0.5 footcandles cannot reliably be determined from a site plan, daytime inspection, or generalized observation that fixtures are directed downward. It is a measurable nighttime condition.

A photometric plan or equivalent objective field measurements would identify fixture locations and heights, fixture type and distribution, illumination throughout the site, and illumination at the property boundaries. A nighttime evaluation would also allow direct observation of glare, light spill, source visibility, off-site illumination and light pollution.

Without that analysis, the administrative record does not establish compliance with the measurable residential property-line standard or adequately evaluate the actual operation of the existing lighting.

G. Existing Lighting Cannot Simply Be Assumed Compliant

The fact that the fixtures already exist on the former Bank of America property does not establish that they comply with the standards applicable to the project now before the City. The City was reviewing a discretionary project involving subdivision of the property and creation of separate parking facilities, including public/municipal parking uses.

Existing physical improvements that will continue serving the approved project remain relevant where their continued use presents an apparent conflict with applicable development standards. "Existing" does not necessarily mean "compliant," and "no new lights are required nor proposed" is not a substitute for evaluating the lighting that will remain in operation.

H. Conditions of Approval Do Not Cure the Deficiency

The recommended Conditions of Approval do not require a photometric lighting plan, verification of fixture heights and setbacks, measurement of residential property-line illumination, a nighttime inspection, correction of noncompliant fixtures, or continuing verification of lighting compliance.

The missing analysis was therefore not cured by conditioning approval on later objective verification. Instead, staff concluded that the fixtures were shielded/directed downward and that the project complies with applicable development regulations without documenting the measurements and analysis necessary to support those conclusions.

I. Required Corrective Action

The project should be returned to the Planning Commission for further review so the City can objectively evaluate the existing outdoor and parking-lot lighting against the standards applicable to the project and revise the project.

Require a photometric lighting plan or equivalent objective lighting analysis covering all parking-lot and building-mounted exterior lighting and showing illumination throughout the site and along every adjoining residential property line.

Verify and document the heights and setbacks of all five parking-lot poles and identify any applicable, documented exception or approval.

Demonstrate compliance with the 0.5-footcandle maximum at abutting residential property lines.

Evaluate all exterior fixtures under Development Code §17.30.060(C), including shielding/recessing, off-site visibility of the light source, glare, reflections, downward direction and direct illumination of adjoining properties and public rights-of-way.

Conduct an appropriate nighttime evaluation while the fixtures are operating.

Replace, modify, relocate or reduce the height of non compliant fixtures as necessary to meet applicable City standards.

Correct the approximately 40-foot pole located directly on or immediately adjacent to the Coleman House residential property line so that its height and location comply with the applicable residential-adjacency standards.

Impose Conditions of Approval requiring continuing compliance with City lighting standards following subdivision and operation of the parking facilities.

Where the Development Code and Design Guidelines establish mandatory performance requirements protecting adjoining residential properties, a generalized statement of compliance is not a substitute for applying those requirements to the actual existing conditions. Until that objective review is completed and compliance is demonstrated, the existing outdoor and parking-lot lighting has not been adequately evaluated for purposes of project approval.

APPEAL ISSUE

General Plan Circulation Consistency — Staff Report Finding Is Inconsistent With the Approved Circulation Design

A. Summary of the Appeal Issue

The Staff Report concludes and states that the project is consistent with applicable General Plan Circulation Goals and Objectives. However, that conclusion is not supported by the existing conditions and circulation pattern actually approved.

The Staff Report discusses South Church Street, but does not evaluate South School Street or Neal Street and the role those streets play in the approved project circulation and the projects potential, foreseeable impacts.

This omission is significant because the approved parking-lot design directs exiting traffic onto South School Street, an established residential street with constrained roadway, parking, pedestrian, access and sight-distance deficiencies.

The project must be returned to the Planning Commission so the General Plan consistency analysis can be corrected and evaluated against the circulation configuration actually approved.

B. The Staff Report Relies Upon General Plan Policies Intended to Protect Neighborhoods

The Staff Report identifies the following General Plan circulation policies:

Circulation Goal 3-CG: "Provide for the safe and efficient movements of people and goods in a manner that respects existing neighborhoods and the natural environment."

Circulation Objective 8-CO: "Routing of through-traffic around neighborhoods to collector streets."

The Staff Report then concludes:

"Consistency: South Church is a local street that leads to a collector road with access to a major highway interchange. Traffic from the establishment will use the existing collector street that exists within the downtown district and avoid being significantly routed through neighborhoods or residential roads, traffic may then be directed to the highway interchange."

The approved circulation plan does not support that conclusion.

C. The Approved Project Routes Parking Lot Exit Traffic Onto South School Street

The project provides two one-way commercial driveway connections from South Church Street into the parking areas.

Those South Church Street driveways function as entrances. Vehicles using the parking facilities cannot exit through those driveway connections.

Instead, the approved circulation pattern directs exiting vehicles through the parking facilities and out via the commercial driveway connection at South School Street.

Consequently, rather than avoiding residential streets as stated in the Staff Report, the approved project directs parking-lot exit traffic onto South School Street.

South School Street is a narrow and constrained residential street with dual side on-street parking, heavy pedestrian activity, limited maneuvering space, critical sight-distance concerns and other existing access conditions addressed elsewhere in this appeal.

That circulation pattern is in direct opposition to the Staff Report's statement that project traffic will avoid being significantly routed through neighborhoods or residential roads.

D. South School Street and Neal Street Should Have Been Included in the Consistency Analysis

The Staff Report's General Plan consistency discussion focuses on South Church Street even though the approved circulation system also depends upon South School Street and Neal Street.

A meaningful consistency finding should evaluate all the streets actually used by project traffic, particularly where the General Plan policy being relied upon specifically concerns routing traffic around neighborhoods and toward collector streets.

The Staff Report does not adequately explain how directing parking-lot exit traffic onto South School Street is consistent with:

Circulation Goal 3-CG, requiring safe and efficient movement in a manner that respects existing neighborhoods;

Circulation Objective 8-CO, calling for routing through-traffic around neighborhoods to collector streets;

Circulation Goal 4-CG, requiring adequate emergency access; and

Circulation Objective 14-CO, addressing improvement and maintenance of adequate emergency access throughout the City.

E. Required Corrective Action

The project should be returned to the Planning Commission for further review of General Plan circulation consistency based upon the actual approved circulation pattern, including South Church Street, South School Street and Neal Street.

The revised review should specifically determine whether routing parking-lot exit traffic onto South School Street is consistent with the General Plan policies cited in the Staff Report and whether the proposed circulation design should be revised to better protect the adjoining residential neighborhood and provide safe and efficient access.

A General Plan consistency finding should be based upon how the project will actually function—not upon a circulation description that omits the streets carrying the project's exiting traffic.

APPEAL ISSUE

Change in Land Use — Failure to Require Use Permit Review for the Proposed Public/Municipal Parking Facility

A. Summary of the Appeal Issue

The approved project involves substantially more than the subdivision of the former Bank of America property. It establishes a new development project involving professional office uses, two separate parking facilities, and the City's purchase and operation of one of those facilities as a public/municipal parking lot. The remaining parking facility will serve the professional office uses while also providing public/municipal parking pursuant to a required shared-parking/reciprocal-use agreement that has not yet been disclosed.

The Grass Valley Development Code makes an important distinction between these uses.

Bank and professional/business office uses are identified as "Permitted Uses" in the applicable commercial zoning districts. By contrast, the Development Code separately identifies a "Parking facility, public or commercial" as a land use requiring a "Use Permit."

That distinction matters. A Use Permit requires a separate discretionary review and approval process because a public/commercial parking facility may create impacts involving traffic, circulation, access, adjoining properties, lighting, landscaping, hours and intensity of operation, pedestrian safety, and neighborhood compatibility.

The proposed City public/municipal parking facility should therefore have been identified and evaluated as the separate land use contemplated by the project and reviewed under the entitlement requirements applicable to that use.

B. The Development Code Distinguishes "Permitted Uses" From Uses Requiring a "Use Permit"

The Development Code's commercial use table identifies:

Bank, financial services — Permitted Use

Office — Business, service — Permitted Use

Office — Professional, administrative — Permitted Use

The same use table separately identifies:

Parking facility, public or commercial — Use Permit required

The conversion of the former bank building to professional office use involves uses the Code identifies as "Permitted Uses." The conversion of parking formerly associated with the bank into a separately owned and operated City public/municipal parking facility presents a different land-use issue.

The fact that parking pavement and parking spaces already exist does not, by itself, establish that a new public/municipal parking-facility use is authorized without the planning entitlement required for that use.

C. Use Permit Review Provides an Important Additional Level of Review

A Use Permit is not simply an administrative approval.

The City's Use Permit process requires Planning Commission consideration and a public hearing. Before approving a Use Permit, the City must make the findings required by the Development Code, including consideration of whether the proposed use would adversely affect the health, safety, and general welfare of persons living or working in the neighborhood or be detrimental to surrounding property or the City.

Use Permit conditions may also address matters directly relevant to this project, including hours of operation, off-site impacts, site access, and transportation.

Those are precisely the types of issues raised by the proposed public parking facility and elsewhere in this appeal, including South School Street access and circulation, pedestrian safety, lighting, landscaping, residential buffering, and impacts upon adjoining properties.

Requiring the applicable Use Permit process therefore provides the appropriate opportunity for these interrelated issues to be evaluated together before the public parking use is established.

D. Existing Parking Does Not Resolve the Change-of-Use Issue

The position that no physical expansion of the existing parking area is proposed does not resolve the separate question of whether the land use of the parking facility is changing.

Parking that served the former bank as parking associated with that use is materially different from a separately owned and operated City public/municipal parking facility available for public parking.

The Development Code itself recognizes a "Parking facility, public or commercial" as a separate land-use category requiring a Use Permit. The relevant question is therefore not simply whether the existing pavement or parking spaces are physically changed. The question is whether the approved project establishes or facilitates a land use for which the Development Code requires a Use Permit.

That question should have been addressed before project approval.

E. Required Corrective Action

The project should be returned to the Planning Commission for further review and revision.

Before further approval, the City should:

Identify the land uses that will occupy and operate on each resulting parcel;

Determine and document the required planning entitlement for the proposed City public/municipal parking facility;

Require and process the applicable Use Permit before the public/commercial parking-facility use is established or placed into operation; and

Evaluate the parking facility through the required discretionary review process, including its access, circulation, pedestrian safety, lighting, landscaping, residential buffering, operating characteristics, and effects upon adjoining properties.

The Development Code establishes different levels of review for different land uses for a reason. A land use expressly identified as requiring a Use Permit should receive the discretionary, public, and Planning Commission review required by the Development Code.

This provides another independent reason to return the project to the Planning Commission so that the proposed uses, required entitlements, and resulting project design can be properly reviewed and revised before the project proceeds.

APPEAL ISSUE

ADJOINING PROPERTY RIGHTS, ACCESS AND OPERATIONAL CONCERNS

HISTORIC COLEMAN HOUSE AND ELKS LODGE

Issues Raised Before the Planning Commission Were Not Meaningfully Addressed Before Project Approval

The S. School Street Neighbors appeal includes concerns raised before the Planning Commission by two parties immediately adjoining the proposed commercial exit driveway onto S. School Street: the Historic Coleman House (Marc Mason) and the Elks Lodge.

These are not generalized neighborhood concerns. Both properties directly adjoin the proposed S. School Street exit and are affected by its design, operation and future use. Their concerns were raised during the Planning Commission proceedings but were not meaningfully discussed or resolved before the Commission voted to approve the project.

1. HISTORIC COLEMAN HOUSE — RECORDED EASEMENT AND ADJOINING DRIVEWAY IMPACTS

Mark Mason, representing the Historic Coleman House, raised questions and concerns before the Planning Commission regarding a recorded easement associated with the S. School Street exit driveway, which directly adjoins the Coleman House property.

The existence, terms and potential effect of this recorded easement were not identified or discussed in the Staff Report. When Mr. Mason attempted to raise the easement and ask questions regarding how it related to the proposed project and continued use of the driveway, the issue did not receive a meaningful substantive discussion before project approval.

A recorded easement affecting or associated with a driveway that is proposed to serve project circulation and public/municipal parking should be identified and evaluated as part of the project review. At a minimum, the administrative record should establish the easement's location and terms, the rights and obligations of the affected parties, and whether the proposed driveway design and use are consistent with those rights.

The City should therefore return the project to the Planning Commission, obtain and review the recorded easement, determine its relationship to the proposed S. School Street commercial exit driveway and project circulation, and provide the affected property owner an opportunity to discuss and resolve any related concerns before the project is approved.

2. ELKS LODGE — ACCESS, OPERATIONS, DELIVERIES AND SAFETY

The Elks Lodge directly adjoins the north side of the proposed S. School Street exit driveway. Members and representatives of the Elks Lodge attended the Planning Commission meeting and raised concerns regarding the proposed access and its effects on continued Lodge operations.

These concerns are particularly important because portions of the Elks Lodge building, including the access area serving its kitchen and dining hall open directly onto or immediately adjacent to the exit driveway area.

The Lodge identified their concerns involving continued access and use, accessibility, deliveries, trash and service access, pedestrian and vehicle safety, and other operational issues associated with converting or using this adjoining driveway as part of the project's circulation and public/municipal parking system.

These are practical existing use conditions that should have been evaluated before approval rather than left unresolved.

The City should meet with representatives of the Elks Lodge, document how the affected portions of the property are currently used, and determine whether the proposed driveway and circulation design can safely accommodate the Lodge's continued access, deliveries, trash service, accessibility needs and normal operations.

3. THESE ISSUES ARE PART OF THE S. SCHOOL STREET NEIGHBORS APPEAL

The Historic Coleman House and Elks Lodge concerns are included in the S. School Street Neighbors appeal because they directly relate to the same S. School Street commercial driveway and circulation system addressed in the Lead Appeal Issue.

The affected adjoining parties raised these concerns before the Planning Commission. The appropriate response is not to dismiss or defer them, but to understand the existing property rights and operating conditions and determine how the proposed project affects them before discretionary approval.

REQUESTED ACTION

The S. School Street Neighbors respectfully request that the City Council:

Return the project to the Planning Commission for further review; require identification and review of the recorded Coleman House easement and its relationship to the proposed S. School Street driveway; require meaningful consultation with the Coleman House.

Consult with the Elks Lodge representatives; evaluate the Elks Lodge's existing access, accessibility, delivery, trash-service, operational and safety needs; and incorporate any necessary modifications into the project before it is returned for final approval.

These issues can be addressed constructively. The first step is simply to give the immediately adjoining property owners a meaningful opportunity to be heard and to evaluate their concerns as part of the project itself.

BELL HILL ACADEMY, SAFE ROUTES TO SCHOOL AND SOUTH SCHOOL STREET

Grass Valley City Council Appeal – South School Street Access

Summary of the Appeal Issue

A. Bell Hill Academy and South School Street

The proposed South School Street exit must be considered in the context of the existing school and pedestrian environment along this corridor. Bell Hill Academy, located at 342 South School Street, serves approximately 245 students in transitional kindergarten through fourth grade.

South School Street is not simply a residential street, it's an active school access corridor used by some of Grass Valley's youngest students, their families, school buses, pedestrians, and other school-related traffic. It's a designated "Safe Routes to School".

The project as currently approved would introduce a large volume of exiting vehicle traffic from a new public/municipal parking facility onto this same street. That proposed change in traffic use must be evaluated in light of the existing school environment and the pedestrian and traffic safety conditions already present on South School Street, particularly during school arrival and dismissal periods.

This is not simply a generalized concern about a school somewhere in the surrounding neighborhood. Bell Hill Academy was specifically identified in the "Grass Valley Safe Routes to School" project intended to improve the safety and mobility of children walking to and from local schools. The City's prior recognition of the importance of school route and pedestrian safety provides important context that was not addressed in the project's review.

B. Safe Routes to School – Purpose and Local Planning Context

Safe Routes to School (SRTS) are intended to make walking and bicycling to school safer and more practical. The Nevada County Transportation Commission (NCTC) Nevada County Bicycle Master Plan describes SRTS as a program specifically designed to **reduce congestion around schools and improve safety, increasing the number of children walking and bicycling to school.**

The Plan identifies four basic components:

- Encouragement
- Education
- Engineering
- Enforcement

For this appeal the engineering component is especially relevant. NCTC describes it as **a plan for a safer environment for children who walk and bicycle to school**, including engineering improvements, enhanced enforcement, and driver outreach.

NCTC is Nevada County's regional transportation planning agency. Its planning work is broader than a single SRTS project.

NCTC prepares the County wide Regional Transportation Plan (RTP) in coordination with Nevada County, Grass Valley, Nevada City and Truckee. NCTC also prepared the 2019 Nevada County Active Transportation Plan (NCATP). That plan combined prior bicycle and pedestrian planning, evaluated needs, identified projects and prioritized improvements. NCTC's current regional planning continues to emphasize multi-modal transportation, "complete streets", safe sidewalks, bicycle facilities and safe connections to schools and other community destinations.

C. Grass Valley's Safe Routes to School Project Specifically Included Bell Hill Academy
The strongest local connection is contained in NCTC's July 16, 2014 Executive Director's Report. It identifies the "**Grass Valley Safe Routes to School Project**" with an estimated project cost of \$1,416,000. It lists five local public schools in the program, **including the Bell Hill Academy on South School Street.**

NCTC described the project as providing "much-needed safety enhancements for children walking to and from local schools." Identified improvements included crosswalk treatments, lighted and standard school-crossing signs, in-pavement lighting, a raised intersection, crosswalk striping, sidewalks and curb ramps. The stated goal was to increase the safety and mobility of students walking to the five Grass Valley schools.

Most importantly, NCTC reported: "This project has been identified as a high need by the City of Grass Valley and local schools."

That documented history is directly relevant to this appeal. It establishes that Bell Hill and the safety of children walking in its school environment were not merely theoretical concerns, they received specific attention through the "*City of Grass Valley Safe Routes to School*" project.

D. NCTC's Broader Active-Transportation and Safety Planning Reinforces the Same Principle

The Bell Hill SRTS project fits within a longstanding regional planning framework. NCTC's 2019 Active Transportation Plan was prepared with the City of Grass Valley and other local jurisdictions and incorporates prior bicycle and pedestrian planning. NCTC's 2025–2045 Regional Transportation Plan describes active transportation and "complete streets" as an interconnected system of sidewalks, bikeways and trails that allows people of all ages and abilities to safely reach schools, work and transit.

Nevada County's 2025 Local Road Safety Plan likewise states a goal of moving toward zero fatalities and a mission of providing a safe and sustainable transportation system for motorized and non-motorized users. It identifies NCTC, incorporated cities including Grass Valley, law enforcement, school districts and citizens as transportation-safety partners.

These regional documents do not determine the design of this individual project. They do however reinforce the importance that local transportation planning places on pedestrian safety, multi-modal access, safe school connections and consideration of all roadway users.

E. The Approved Project Introduces Public Parking Traffic Onto South School Street

The approved project creates a new public/municipal parking facility and proposes to use the constrained driveway onto South School Street as its primary exit.

South School Street is not comparable to the wider commercial streets surrounding the project (West Main Street, S. Church Street and Neal Street). It is a constrained residential and school serving street with on street parking, high levels of pedestrian activity, limited roadway width and existing access and sight-distance constraints.

At the proposed project South School Street parking lot exit, existing conditions include:

- a narrow, approximately 14-foot wide exit driveway
- constrained sidewalk
- a utility pole that substantially reduces available clear sidewalk width and obstructs clear sight distance/visibility at the exit onto South School Street
- opaque fencing and landscaping severely impacting clear sight distance and visibility
- limited sight distance between exiting motorists, pedestrians and approaching traffic
- adjoining residential and Elks Lodge access issues
- pedestrians using the South School Street corridor, including school related pedestrian activity

These are precisely the types of conditions that warrant careful consideration when vehicle traffic is introduced or directed into a residential neighborhood and an already impaired street and sidewalk which serves an elementary school.

F. The Project Review Did Not Address the School / Safe Routes Context

Despite these circumstances the project review did not evaluate or disclose the proposed South School Street exit in relation to Bell Hill Academy or the City's documented Safe Routes to School program.

The issue is not whether every vehicle leaving the parking lot will encounter a child walking to school. The planning issue is whether it is appropriate to approve a new public parking lot circulation pattern directing vehicles onto this constrained residential and school-serving street without first evaluating the interaction between the proposed access, existing road and pedestrian conditions, school related activity, sight distance and available alternative access points.

That analysis is particularly important because the project property already has access to South Church Street and Neal Street where the existing commercial driveway connections have substantially superior, improved roadway, parking, sidewalk and clear sight distance conditions.

G. General Plan Circulation Policies Reinforce the Safe Routes Concern

The Safe Routes to School issue is also directly related to the City's own General Plan circulation policies.

South School Street is a residential and school-serving corridor with constrained roadway, sidewalk, visibility and access conditions. Yet the approved circulation design would direct exiting traffic from a new public/municipal parking facility onto this street rather than toward the surrounding commercial street system.

The Staff Report does not explain how directing parking lot exit traffic onto South School Street is consistent with:

- Circulation Goal 3-CG — safe and efficient movement in a manner that respects existing neighborhoods;
- Circulation Objective 8-CO — routing through-traffic around neighborhoods to collector streets;
- Circulation Goal 4-CG — adequate emergency access; and
- Circulation Objective 14-CO — improvement and maintenance of adequate emergency access throughout the City.

These policies reinforce the same concern demonstrated by the Safe Routes to School plan. South School Street should not be treated simply as a convenient parking lot exit. It is an existing residential and school access corridor used by children, families, pedestrians and school-related traffic.

The project review should therefore evaluate whether directing additional public parking traffic onto South School Street is consistent with these adopted circulation policies, particularly when the project property has access to South Church Street and Neal Street, where the existing commercial driveway connections have substantially better roadway, sidewalk, sight-distance and safety conditions.

These General Plan issues are addressed in greater detail elsewhere in the appeal. Here, they provide additional support for the basic Safe Routes to School issue. Before approving a circulation pattern that directs new public parking traffic onto South School Street, the City should demonstrate that the design adequately protects the school, pedestrian and neighborhood conditions its own transportation policies and Safe Routes to School efforts are intended to address.

H. Further Review Is Appropriate

The City's own prior participation in the Bell Hill Safe Routes to School effort demonstrates that pedestrian safety for children traveling to and from this school is not a hypothetical concern. Approval of a new municipal/public parking circulation pattern using South School Street requires a corresponding level of attention to the consequences of that decision.

At minimum, the project record should demonstrate consideration of:

- Bell Hill Academy and school-related pedestrian activity
- the City's documented Safe Routes to School history and prior safety investments
- existing sidewalk width, obstructions and accessible/ADA pedestrian conditions
- driveway sight distance and pedestrian visibility
- existing residential and institutional uses along South School Street
- the additional and different traffic characteristics associated with a public/municipal parking facility
- whether South Church Street or another circulation design would provide a safer and more appropriate means of access.

The present record does not demonstrate that this evaluation occurred before the project was approved.

I. Requested Action

The appellants are not asking the City Council to deny the project.

The appellants request that the City Council return the project to the Planning Commission for further review of the South School Street access and circulation design, including consideration of Bell Hill Academy, school-related pedestrian activity, the City's Safe Routes to School history, existing pedestrian and sight-distance conditions, and reasonable alternative design and access configurations.

This additional review would allow the City to determine whether the South School Street exit can be made safe and appropriate or whether the project's circulation should be redesigned before final approval.

The basic issue is straightforward, it's a matter of life-safety:

Before the City directs traffic from a new public parking facility onto South School Street the City must demonstrate that it has adequately considered the children, pedestrians and neighborhood conditions that its own "Safe Routes to School" efforts were specifically intended to improve and protect.



Sources and References

1. Nevada County Transportation Commission (NCTC), Executive Director's Report, July 16, 2014, p. 5 – Grass Valley Safe Routes to School Project. Identifies Bell Hill Academy, 342 South School Street; \$1.416 million project cost; safety improvements; and the City's/local schools' "high need" determination. <https://www.nctc.ca.gov/documents/Exec%20Dir%20Reports/Exec%20Dir%20Report%20July%2016-%202014%20NCTC%20Meeting.pdf>
2. Nevada County Transportation Commission, Nevada County Bicycle Master Plan, December 2016, § 5.4.1, Safe Routes to Schools – purpose and four SRTS components. https://www.nctc.ca.gov/documents/Reports/Bike%20Master%20Plan/Bike%20Master%20Plan%20Final%20Amend%201%20-%20Dec.%202016/FINAL%202016_NCTCBMP_Amend%201%20with%20figures_with%20Appendices.pdf
3. Nevada County Transportation Commission, Nevada County Active Transportation Plan, July 2019 – countywide bicycle/pedestrian planning prepared in coordination with Grass Valley and other local jurisdictions. <https://www.nctc.ca.gov/Projects/Planning-Projects/Nevada-County-Active-Transportation-Plan/index.html>
4. Nevada County Transportation Commission, Nevada County Regional Transportation Plan 2025–2045 – regional multimodal, active-transportation and complete-streets planning. <https://www.nctc.ca.gov/Reports/Highways-Streets--Roads-Reports/Regional-Transportation-Plan/index.html>
5. Nevada County, 2025 Local Road Safety Plan – countywide transportation-safety goals and safety partners. <https://www.nevadacountyca.gov/DocumentCenter/View/54001>
6. Bell Hill Academy, Grass Valley School District – school location at 342 South School Street. <https://bellhill.gvsd.us/Information/index.html>

APPEAL ISSUE

PEDESTRIAN AND BICYCLE SAFETY — DOCUMENTED LOCAL COLLISION HISTORY

A. This Is Not a Hypothetical Safety Issue

The life safety concerns raised in this appeal regarding the proposed South School Street parking lot exit are not based upon speculation about what might happen.

In response to a public records request the Grass Valley Police Department (GVPD) provided 25 vehicle versus pedestrian and/or bicycle incident records in and around the downtown area during the five-year period reviewed.

The records document vehicle collisions involving pedestrians, bicyclists, children, elderly persons and other vulnerable roadway users on Main Street, South Church Street, Neal Street and other streets within the downtown area.

GVPD confirmed that three vehicle related incidents during this five-year period resulted in fatalities:

- January 2022 — South Church Street, GVPD Incident No. 2201210178, vehicle vs. pedestrian fatality.
- November 2025 — West Main Street and Mill Street, GVPD Incident No. 2511120105, vehicle vs. wheelchair user fatality.
- May 2026 — Whiting Street, GVPD Incident No. 2605130209, vehicle vs. child on bicycle fatality.

The individual Call For Service records are included as an attachment. Where the records themselves do not consistently state the ultimate medical outcome the Appellants relied upon GVPD's confirmation identifying these three incidents as fatalities.

The significance is difficult to dismiss. Within the five year period reviewed three vulnerable roadway users, a pedestrian, a person using a wheelchair and a child riding a bicycle were killed in vehicle collisions in Grass Valley.

B. The City's Own Records Document Pedestrian and Bicycle Collisions

The three fatalities are part of a five-year vehicle-pedestrian and vehicle-bicycle collision history documented by GVPD which also includes:

- 91-year-old pedestrian in a collision at Neal Street/South Auburn Street
- juvenile bicyclist struck at McCourtney Road/Mill Street
- pedestrian collision at Neal Street/South Church Street, with multiple persons evaluated
- small child struck by a vehicle at Neal Street and transported to Sutter Roseville
- vehicle collision involving two children/juveniles on East Main Street
- person run over by a vehicle at Walsh Street/South Church Street

These incidents are important not because they are identical to the proposed project, but because they establish that vehicle conflicts involving pedestrians and bicyclists occur within Grass Valley's downtown and surrounding street system.

The record is not one of theoretical risk, it is a documented local history that includes serious injuries and three confirmed fatalities within the last five years.

C. Several Incidents Are Particularly Relevant to the Project Area

Several of the documented incidents occurred on or near South Church Street, Neal Street and the surrounding downtown circulation system.

The GVPD records include a pedestrian collision at Neal Street/South Church Street, a serious incident at Walsh Street/South Church Street, 2022 pedestrian fatality on South Church Street and the 2025 vehicle vs. wheelchair user fatality at West Main Street and Mill Street.

The South Church Street fatality is particularly relevant because it occurred on the same street corridor serving the project.

These locations are not remote from the issues presented by this appeal. They are part of the downtown circulation network into which the proposed municipal parking facility would introduce additional public parking traffic.

Again, the Appellants do not contend that these incidents were caused by conditions identical to those presented by this project. Their relevance is that they provide actual local evidence of conflicts between vehicles and vulnerable roadway users within the same area and general circulation system as the project.

D. The Approved Project Introduces a New Public Parking Traffic Movement Onto South School Street

The approved project would establish a new City operated public/municipal parking facility and direct exiting parking lot traffic directly onto South School Street.

South School Street is not simply another downtown Commercial Street. It is a constrained Residential Street, a designated Safe Route to School and an active school access corridor serving Bell Hill Academy, including elementary age children and their families.

Existing conditions at the proposed parking lot exit include dual-side on street parking, a narrow roadway, constrained sidewalks, a utility pole that further reduces pedestrian passage, fencing affecting visibility, existing driveways and limited sight conditions.

The project as currently designed directs public parking traffic into an environment where pedestrians, including young children and their families are an ordinary and foreseeable part of daily street activity.

That circumstance deserves thorough evaluation in its own right. It deserves even greater attention when considered against the City's documented history of vehicle conflicts involving pedestrians, wheelchair users, bicyclists and children.

E. The Collision History Does Not Predict Another Accident — It Establishes the Need for Careful Review

The Appellants are not asserting that these prior incidents prove the proposed parking facility exit onto South School Street will cause another collision. But the significance of the GVPD records is straightforward:

- Vehicle-pedestrian and vehicle-bicycle collisions in and around downtown Grass Valley are real, documented and in some instances, fatal.
- Three confirmed deaths within the five-year period of a pedestrian, a wheelchair user and a child riding a bicycle underscore the potentially severe consequences of conflicts between vehicles and vulnerable roadway users.

Against that factual background the appropriate question is whether the City adequately evaluated the safety consequences of directing traffic from a new public/municipal parking facility onto South School Street, particularly given:

- the presence of Bell Hill Academy
- regular activity by elementary age children and their families
- the narrow residential roadway
- on street parking
- constrained sidewalk conditions
- utility pole obstruction at the proposed exit
- fencing and sight distance limitations
- existing neighborhood driveways and pedestrian activity
- the commercial nature and configuration of the proposed parking lot exit
- the availability of potential access and circulation alternatives

The Planning Commission should have had this type of safety information before it when determining whether the proposed circulation design and South School Street exit were safe and appropriate.

F. Further Review Is Reasonable and Appropriate

We are not asking the City Council to deny the project. We are asking the Council to return the project to the Planning Commission so that the access and circulation design can be fully evaluated and redesigned before final approval.

That review should consider the documented local pedestrian and bicycle collision history together with the actual conditions on South School Street, Bell Hill Academy and school-related pedestrian activity, sight distance, sidewalk conditions, driveway design, ADA accessibility and reasonable alternatives for vehicle access and circulation.

The City's own Police Department records provide a compelling factual reason to return the project to the Planning Commission to undertake that review, prior to project approval.

The purpose is not to suggest that another fatality is inevitable. It is to recognize that three vulnerable roadway users have already lost their lives in vehicle collisions in Grass Valley during the five year period reviewed. That reasonable measures to evaluate and reduce foreseeable conflicts should be considered before traffic from a new public/municipal parking facility is directed onto a constrained residential neighborhood and school route street.

Requested Action

Return the project to the Planning Commission for further review of pedestrian, bicycle and traffic safety and require evaluation of reasonable access and circulation alternatives before approving the proposed South School Street parking lot exit.



Why direct traffic from a new public parking facility onto this residential neighborhood and designated “Safe Route to School” without first evaluating whether there is a safer project design alternative?

This segment of South School Street, between Neal Street and West Main Street functions as a one lane road when vehicles are parked on both sides of the street.



When opposing vehicles meet, one vehicle must yield, stop, back up or pull into an available parking space or residential driveway to allow the other vehicle to pass.

The red truck in this photo pulled into and blocked the proposed South School Street parking lot exit and the private driveway of the Coleman House so oncoming cars could pass.

Parked vehicles also further restrict sight lines at and near the proposed commercial exit driveway onto South School Street.

APPEAL ISSUE

PUBLIC/MUNICIPAL PARKING — DOCUMENTED CALLS FOR SERVICE AND FORESEEABLE IMPACTS

A. The City’s Own Records Show That Public Parking Lots Generate Recurring Police and Operational Activity

The proposed project would create a new City operated public/municipal parking facility. Unlike private parking serving a single business, a municipal parking lot is a public facility available to a broad range of users.

The operational characteristics of that use matter, particularly where a public parking facility is located immediately adjacent to residential properties and where its exiting traffic would be directed onto South School Street and a residential neighborhood.

In response to a public-records request, the Grass Valley Police Department (GVPD) provided five years of Calls for Service (CFS) records associated with six existing downtown public/municipal parking lots for the period September 1, 2021 through September 1, 2026.

The records document a total of 247 Calls for Service:

Existing Public/Municipal Parking Lot	CFS
Union Square	82
South Church Street	59
City Hall	36
Richardson/North Auburn	28
Pioneer Village	25
Mill Street	17
Total	247

The records include traffic and parking calls, vehicle stops, subject stops, suspicious activity/person calls, drug use, noise, disturbance calls, “camping,” vandalism, fights, vehicle break-ins and other police activity.

These records do not establish that 247 crimes occurred in City parking lots. Nor do the Appellants contend that every call represents criminal activity. They do establish something directly relevant to the land use decision before the City. Public parking facilities generate recurring enforcement, management and police-response activity as part of their actual operation.

B. The Existing South Church Street Municipal Lot Is Particularly Relevant

Of the six City municipal parking facilities reviewed, the existing South Church Street public parking lot generated 59 Calls for Service during the five-year period.

This parking lot provides a particularly useful comparison. It is an existing City public parking facility directly across South Church Street from the project site.

The Appellants are not asserting that the proposed parking facility will experience the same number or types of calls as the existing South Church Street lot. Lot size, location, hours, surrounding uses, circulation and other characteristics may differ.

The significance of the comparison is more basic. The City's own records demonstrate that an existing public parking facility in downtown requires recurring police and enforcement attention. It therefore should not be assumed that creation of another municipal parking facility will have no operational impacts requiring consideration.

C. The CFS Records Are Relevant Because the Project Directly Adjoins Residential Uses

The proposed public parking facility would be located immediately adjacent to existing residential uses. Its circulation system would direct exiting public parking traffic onto South School Street, a constrained residential street and designated Safe Route to School serving Bell Hill Academy.

The project therefore places a public facility with potentially extended hours and use by members of the general public next to residences and connects its outbound circulation directly into a residential neighborhood and school-access street.

Before approving the project the City should have evaluated basic operational questions including:

- hours of public use and whether overnight parking would be permitted
- parking and traffic enforcement
- security and police response considerations
- nighttime activity
- maintenance, trash and cleanup responsibilities
- unauthorized or after hours activity
- responsibility for responding to neighborhood complaints
- management of the public and shared parking areas
- allocation of responsibility between the City and private property owner

These are ordinary and foreseeable questions associated with operating a public parking facility. The GVPD records demonstrate that they are not merely hypothetical.

D. These Issues Are Particularly Important Because the Operating Arrangements Were Not Before the Planning Commission

The operational questions are further complicated by the proposed division of the property and the contemplated shared/reciprocal parking arrangement.

The Planning Commission was asked to act without having before it the final agreement governing how the public and privately controlled parking areas would actually operate together.

Important matters therefore remained unresolved or undisclosed at the time of project review, including potentially the hours and extent of public use, maintenance, enforcement, liability, security, access and the respective responsibilities of the City and private property owner.

Those matters are not merely administrative details. They can directly affect the intensity and character of parking-lot activity, nighttime use, vehicle circulation, enforcement requirements and the impacts to the neighboring residential properties and neighborhood.

Deferring the shared-parking agreement until after project approval also means the Planning Commission and public did not have an opportunity to evaluate the actual operating framework for the parking use before the project's circulation and parking configuration was approved.

E. The CFS Evidence Does Not Predict Future Crime — It Demonstrates the Need for Review

The Appellants do not contend the existing parking-lot Calls for Service prove that crime, disturbances or other particular incidents will occur at the proposed facility. Nor should the 247 Calls for Service be characterized as 247 crimes.

The records instead provide actual local evidence about the operation of City public parking facilities in the downtown. Over five years, six existing downtown municipal lots generated 247 documented calls involving a range of police, enforcement and service activity. The existing South Church Street municipal lot alone accounted for 59.

That evidence makes it reasonable to ask how the proposed facility will be operated and managed before it is approved, not after it begins operation.

This is particularly important where the proposed facility is adjacent to residential properties and where its traffic would be directed onto South School Street.

F. These Operational Effects Should Be Evaluated Before Final Project Approval

The Planning Commission and the public should have had the opportunity to consider the City's own experience operating downtown public parking facilities when evaluating whether the proposed municipal parking use, location and circulation design were appropriate.

The CFS information is relevant not because it proves that a particular future incident will occur, but because it demonstrates that public parking is an active municipal use with foreseeable operational consequences.

Those consequences can be evaluated and addressed through project design, operating conditions, hours, lighting, enforcement, security, maintenance, circulation controls and clear allocation of responsibility between the City and private property owner.

That review is needed before the project is finally approved and before the City commits itself to a particular parking and circulation arrangement.

This is another reason to return the project to the Planning Commission, not to stop or deny the project, but to allow the parking facility, shared parking agreement and South School Street circulation design to be evaluated together as an operating system.

Why approve a new public parking facility immediately adjacent to residences without first evaluating how it will operate, who will be responsible for it and what reasonable measures are needed to protect the surrounding neighborhood?

Requested Action:

- **Return the project to the Planning Commission for further review of the proposed public/municipal parking facility.**
- **Evaluate its foreseeable operational impacts before final project approval, including hours of operation, enforcement, security, maintenance, police response, circulation, neighborhood compatibility and the responsibilities of the City and private property owner under the proposed shared parking agreement.**

GRASS VALLEY CITY COUNCIL APPEAL - PROJECT 26PLN-0024 APPEAL ISSUE

STAFF REPORT EXPRESSLY IDENTIFIED 26PLN-0024 AS A "USE PERMIT APPLICATION"

A. The Staff Report Is Internally Inconsistent About the Entitlement Before the Planning Commission

The City Planner has taken the position that the Planning Commission's August 18, 2026 action concerned only a "Tentative Parcel Map" and that the Commission was not considering or approving changes in use or land uses associated with the resulting parcels.

The Planning Commission Staff Report however contains a significant inconsistency with that position. At the beginning of the Staff Report the project is identified as a "Tentative Parcel Map Application" and a listed entitlement is a "Tentative Map."

However in the formal "Findings" section of the same Staff Report, Staff twice expressly identifies Project 26PLN-0024 as a ***"Use Permit Application."***

Finding No. 1 states:

"The Use Permit application (26PLN-0024) was received by the City on June 04, 2026."

Finding No. 2 states:

"The City of Grass Valley Planning Commission will review the Use Permit application (26PLN-0024) at their regular meeting on August 18, 2026."

These statements were contained in the publicly noticed and distributed Staff Report presented to the public and the Planning Commission as the factual and analytical basis for consideration of Project 26PLN-0024 and its approval by the Planning Commission. In addition these Findings were adopted by the Planning Commission as the basis for their project approval.

B. This Inconsistency Is Directly Relevant to the Appeal

This is not merely a question of terminology.

A Tentative Parcel Map and a Use Permit involve different planning determinations. The distinction is particularly important here because the approved project creates separate parcels and includes a parcel proposed for acquisition and operation by the City as a public/municipal parking facility.

The Grass Valley Development Code specifically identifies a "Parking facility, public or commercial" as a land-use category requiring a Use Permit.

The appeal therefore raises the substantive issue of whether the proposed City public parking facility must receive the Use Permit review and approval required by the Development Code.

Against that background, the Staff Report's repeated statement that 26PLN-0024 is a "Use Permit application" is directly relevant and contrary to the position that the Planning Commission's August 18, 2026 action concerned only a Tentative Parcel Map.

C. The City Should Explain What Was Actually Reviewed

The Appellants do not contend that these two statements, standing alone, establish that the Planning Commission legally approved a Use Permit.

They do, however demonstrate an unresolved inconsistency in the administrative record regarding the nature and scope of the application and the "whole of the project" presented to the public and the Planning Commission.

The project should be returned to the Planning Commission so that these formal Findings can be reviewed, publicly explained and corrected so the record clearly establishes:

1. whether a Use Permit application was ever submitted, initiated, processed, noticed, or reviewed under Project 26PLN-0024
2. why the Staff Report twice identified 26PLN-0024 as a "Use Permit Application"
3. what land uses were actually considered by Staff and the Planning Commission in evaluating the project
4. whether the proposed City public/municipal parking facility was evaluated as a land use requiring a Use Permit
5. if no Use Permit review occurred, when and through what process the City intends to authorize operation of the proposed public/municipal parking facility, the shared parking agreement, and the shared use

D. This Issue Is Particularly Important in Light of the City's "Tentative Map Only" Position

The City cannot simply rely upon the characterization that the Planning Commission considered "only a Tentative Map" without addressing the contrary language contained in its own Staff Report, its adopted Findings and the City's Use Permit requirement in the Grass Valley Development Code.

The same Staff Report that identifies the entitlement as a Tentative Map also expressly states twice, within its formal Findings, that Project 26PLN-0024 was a "Use Permit Application" that the Planning Commission would review.

At minimum, this creates uncertainty in the administrative record concerning what application was before the Planning Commission, what uses were evaluated and what findings the Commission was being asked to make.

That uncertainty is particularly significant where one of the resulting parcels is proposed to become a separately owned and operated City public parking facility, a land use expressly identified in the Development Code as requiring a Use Permit.

E. Requested Corrective Action

The City Council should not attempt to resolve this inconsistency by simply characterizing the Use Permit references as irrelevant or clerical.

Instead, the project should be returned to the Planning Commission so that the administrative record clearly identifies:

- the application and entitlements being considered
- the proposed land use of each resulting parcel
- the entitlement required for the proposed City public/municipal parking facility
- the findings applicable to each required entitlement
- the complete planning review required before those uses are established

Under the Development Code the proposed public/municipal parking facility is identified as a use requiring a Use Permit and that review should occur through the required Planning Commission and public hearing process before the use is established.

The City's own Staff Report demonstrates that the nature and scope of the entitlement before the Planning Commission was not presented with the clarity that should accompany a discretionary land use approval.

That provides an additional reason to grant the appeal and return the project to the Planning Commission for a clear, complete and internally consistent review.

CEQA - THE WHOLE OF THE PROJECT MUST BE REVIEWED

The City's "Tentative Map only" position does not resolve the CEQA issue. Even if the discretionary approval presently before the City were limited to a Tentative Parcel Map, CEQA looks beyond the name of the entitlement to the whole activity being undertaken.

The relevant question is not simply what permit was approved, but what reasonably foreseeable activity the approval enables. CEQA does not allow a project to be defined narrowly by looking only at the particular permit, map or approval presently before the decision maker.

Under CEQA Guidelines §15378(a), a "Project" means "*the whole of an action*" that may result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 15378(c) further provides that the term "project" refers to the activity being approved and does not mean each separate governmental approval that may be required.

This is important because CEQA review is intended to evaluate the actual activity as a whole, including its reasonably foreseeable components and environmental consequences. For an Initial Study, CEQA Guidelines §15063(a)(1) requires consideration of all phases of project planning, implementation, and operation.

California courts therefore prohibit improper "piece-mealing" or segmentation of a project. An agency may not divide one larger project into smaller pieces where doing so obscures the environmental consequences of the project as a whole.

Courts have explained that future activity must be included where it is a reasonably foreseeable consequence of the initial project and is likely to change the scope or nature of the project or its environmental effects.

This principle is particularly relevant to 26PLN-0024. The issue is not simply what label the City places on the approval presently before it. The basic CEQA question is: What is the whole activity the City is actually considering and enabling?

Here, that activity includes the subdivision of the property; changes in use of the former bank building for professional offices; creation and operation of a City owned public/municipal parking facility; continued parking serving the office property; shared or reciprocal public parking; vehicle access and circulation between those uses and surrounding streets; and the agreements and improvements necessary to make those uses function.

Those components should not be separated merely because some permits, agreements, operating arrangements, improvements, or other implementing actions are proposed to occur after the present approval. Where those actions are reasonably foreseeable parts of implementing and operating the project, postponing them does not remove them from CEQA's required review of the "Project."

That distinction matters here. Deferring material components such as the reciprocal parking agreement, operation of the public parking facility, access and circulation arrangements, ADA improvements, lighting, landscaping, or other necessary implementing details until after approval left the Planning Commission and the public without the information necessary to understand how the project would actually operate and what effects that operation could have on South School Street and the adjoining residential neighborhood.

CEQA requires the City to look at and disclose the whole of the action before approving the project, rather than approve one component now and leave material, reasonably foreseeable components and their environmental consequences to later decisions.

The Staff Report's repeated characterization of 26PLN-0024 as a "Use Permit Application" further demonstrates the uncertainty surrounding the scope of the project reviewed and approved by the Planning Commission.

But the CEQA issue does not depend upon that terminology. Regardless of whether the present entitlement is characterized as a Tentative Parcel Map, Use Permit, or both, CEQA requires review of the whole activity being undertaken and its reasonably foreseeable components and effects.

Whether the City's claimed CEQA exemption was legally available for that whole project is addressed separately in the appeal.

For these reasons, the project should be returned to the Planning Commission so that the City can clearly identify the whole project, evaluate the required land use entitlements and conduct the CEQA review applicable to the actual activity being considered and enabled.

Authorities

- CEQA Guidelines §15378(a), (c) - defines a project as the “whole of an action” and provides that a project is the underlying activity, not each separate governmental approval.
 - CEQA Guidelines §15063(a)(1) - an Initial Study considers all phases of project planning, implementation, and operation.
 - Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 396 - future action must be analyzed when it is a reasonably foreseeable consequence of the initial project and is likely to change the scope or nature of the project or its environmental effects.
 - Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonoma (2007) 155 Cal.App.4th 1214, 1222-1227 - CEQA's broad project definition prevents an activity from being divided into smaller pieces to avoid review of the whole action.
 - POET, LLC v. State Air Resources Board (2017) 12 Cal.App.5th 52, 85-100 - reiterates that CEQA's project definition encompasses the whole of an action and addresses the legal test for determining the scope of the CEQA project.
 - Planning and Conservation League v. Department of Water Resources (2024) 98 Cal.App.5th 726, 751-753 - reaffirms the prohibition against piecemeal review and applies the Laurel Heights reasonably foreseeable future-action test.
- Page 5



RE: Appeal 26PLN-0024 Pre-Hearing Responses

From Amy Kesler-Wolfson <awolfson@grassvalleyca.gov>

Date Wed 9/23/2026 12:39 PM

To senos@localnet.com <senos@localnet.com>

Cc Alex Gammelgard <agammelgard@grassvalleyca.gov>; Vanessa Franken <vfranken@grassvalleyca.gov>; Taylor Whittingslow <twhittingslow@grassvalleyca.gov>

Hi Steve,

I appreciate the time you are spending on your appeal preparation; however, the appeal fee is insufficient to accommodate a response to your 48 questions. The appeal fee covers staff's preparation of the staff report, which includes a response to your original appeal, as well as noticing, and the public hearing itself. Most of these questions will be answered by the staff report, or by the material provided to you in response to your Public Records Requests. If you would like to pare this down to 2 or 3 of your most pressing questions, staff will do our best to provide timely responses. We will include your list of questions as an attachment to the staff report for Council's consideration.

Grass
Valley
Amy Kesler-Wolfson
City Planner
Planning Division
P: (530) 274-4711

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-----Original Message-----

From: senos@localnet.com <senos@localnet.com>

Sent: Tuesday, September 22, 2026 12:09 PM

To: Amy Kesler-Wolfson <awolfson@grassvalleyca.gov>

Cc: Alex Gammelgard <agammelgard@grassvalleyca.gov>; Vanessa Franken <vfranken@grassvalleyca.gov>; Taylor Whittingslow <twhittingslow@grassvalleyca.gov>

Subject: Appeal 26PLN-0024 Pre-Hearing Responses

CAUTION: External sender. Do not click links or open attachments unless you trust the sender. Suspicious? Use the "Report" button in Outlook.

Hello Amy,

Attached is our Request for Pre-Hearing Responses to Staff Report Questions regarding Project 26PLN-0024.

These questions address specific statements, findings and conclusions contained in the Planning Commission Staff Report and are directly relevant to issues raised in the pending appeal.

We are requesting written responses sufficiently in advance of the City Council hearing so that the Appellants and Council have an opportunity to understand and evaluate the factual and technical basis for those statements and findings as part of the administrative record.

The intent is not to ask the City to prejudge the appeal, but to make sure the factual basis for the Staff Report's conclusions is clear and available before the Council considers the appeal.

Thank you for your assistance.

Steve

On behalf of the South School Street Neighbors

REQUEST FOR PRE-HEARING RESPONSES TO STAFF REPORT QUESTIONS

City Council Appeal — Project 26PLN-0024

The following questions arise from specific statements, representations, Findings and conclusions contained in the Planning Commission Staff Report for Project 26PLN-0024. Because those statements and Findings form part of the administrative record they are directly relevant to issues raised in the pending appeal. They were also presented to and relied upon by the Planning Commission in its review and approval of the project.

We therefore respectfully request written responses sufficiently in advance of the City Council appeal hearing to allow the Appellants and City Council to understand the factual basis for the Staff Report's statements and conclusions.

Where applicable, please identify any measurements, calculations, photographs, field notes, departmental comments, memoranda, emails, inspection records, applications, plans, agreements or other documentation supporting the response.

A. SITE INSPECTION

The Staff Report states: “A site inspection was conducted...”

1. On what date and at approximately what time was the site inspection(s) conducted?
2. Who conducted or participated in the site inspection(s)? Please identify the City staff positions and departments involved.
3. Did the site inspection(s) include the South School Street exit driveway, South School Street between Main and Neal Streets, adjoining residential property lines, existing landscaping and fencing, and the existing parking lot lighting?
4. Were measurements, photographs, field notes, inspection checklists or other records prepared during or as a result of the site inspection(s)? If so, please identify them.

B. SCOPE OF PROJECT REVIEW — TENTATIVE MAP / USE PERMIT / PROJECT USES

The Staff Report and Conditions of Approval describe a project involving subdivision of the property, conversion or use of the former bank building for professional offices, creation of separate parking parcels, City acquisition and operation of a public/municipal parking area, and reciprocal or shared parking arrangements.

The Staff Report also contains references to a “Use Permit application,” while Staff has subsequently stated that the Planning Commission's action was limited to a Tentative Map. To clarify the scope of the application, review and approval, please respond to the following:

5. What land-use application or applications were submitted to the City for Project 26PLN-0024? Please identify each application by entitlement type and date received.
6. Was a Use Permit application submitted, processed or reviewed under Project 26PLN-0024? If so, please identify the application and the use or uses for which the Use Permit was requested.
7. What is the factual basis for the Staff Report statements identifying Project 26PLN-0024 as a "Use Permit application"? Please identify the application, staff record or other documentation supporting those statements.
8. After the August 18, 2026 Planning Commission action, did Staff identify or correct the Staff Report's references to Project 26PLN-0024 as a "Use Permit application"? If so, please identify when and how those statements were determined to be incorrect and any document memorializing that determination.
9. What specific entitlement or entitlements did Staff understand the Planning Commission to be considering and acting upon at its August 18, 2026 meeting?
10. Did Staff's review of Project 26PLN-0024 include the proposed conversion or use of the former bank building for professional offices? If so, please identify the planning or zoning review performed for that use.
11. Did Staff's review include the proposed City acquisition and operation of a resulting parcel as a public or municipal parking facility? If so, please identify the land-use determination and applicable approval or entitlement relied upon for that use.
12. Did Staff determine whether operation of a parcel as a public or municipal parking facility requires a Use Permit or other discretionary approval under the Development Code? If so, please identify that determination and the Code provision relied upon.
13. Did the City's CEQA review consider the subdivision, professional-office use, public/municipal parking facility, shared or reciprocal parking arrangement, and associated circulation and access as components of the project being reviewed? Please identify the CEQA documentation reflecting that scope of review.
14. Condition of Approval No. 4 requires a reciprocal parking agreement before recordation of the Parcel Map and a final agreement prior to occupancy. Was a draft, proposed term sheet or other description of that reciprocal parking agreement available to Staff or the Planning Commission before project approval? If so, please identify it.
15. What specific parking areas, parcels, uses and parties are intended to be covered by the reciprocal parking agreement required by Condition of Approval No. 4?
16. Before Planning Commission approval, did Staff evaluate the anticipated terms of the reciprocal/shared parking arrangement, including allocation of parking spaces, hours of public availability, access, maintenance, enforcement and responsibility for operation? If so, please identify the documentation reflecting that review.

17. Condition of Approval No. 6 requires future tenants to consult with the Planning Division to determine required parking stalls. What parking demand or parking-allocation analysis was performed before project approval to determine whether sufficient parking would be available for the anticipated office uses and the public/municipal parking use?

18. Under Condition of Approval No. 6, can the number of parking spaces required for future tenants affect the number or location of spaces available for public or reciprocal parking? If so, how will that determination be made?

19. If the reciprocal parking arrangement required by Condition No. 4 or future parking determinations under Condition No. 6 change the parking allocation, circulation, access or operational characteristics shown to the Planning Commission, what City review or approval would be required before those changes could be implemented? Please identify the applicable review process or Development Code provision.

C. SOUTH SCHOOL STREET EXIT AND ACCESS REVIEW

The approved circulation plan directs exiting parking lot traffic toward and out the South School Street exit driveway. The Staff Report nevertheless contains statements and Findings that the project complies with applicable development regulations.

20. Before completion of the Staff Report was the proposed South School Street exit physically inspected by City Engineering, Public Works or other staff responsible for roadway and driveway design?

21. If so, who performed that review and when?

22. Was the South School Street driveway width measured or field verified? If so, what width was documented?

23. Was available sight distance for vehicles exiting onto South School Street measured or calculated? If so, what distances were determined, what method was used and what City standard was applied?

24. Did the sight-distance and access review account for legally parked vehicles on South School Street, the Elks fence, Coleman House fencing and landscaping, the utility pole, the directly adjoining private driveway and pedestrians using the sidewalk?

25. Were the South School Street roadway width, sidewalk width and actual unobstructed pedestrian width at the utility pole measured or documented?

26. Was the South School Street connection evaluated under the City standards applicable to a commercial/office or other nonresidential driveway? If so, what standard was applied?

27. Did Engineering, Public Works or another City department make a written determination that the South School Street driveway complies with applicable driveway width, sight distance, clear-sight, pedestrian-safety, access and ADA standards? If so, please identify that determination and its supporting documentation.

D. FIRE DEPARTMENT REVIEW

28. Did the Grass Valley Fire Department review the proposed project circulation and driveway configuration before Planning Commission approval?

29. If so, did the Fire Department specifically evaluate the South School Street exit for general driveway design, visibility and pedestrian safety, emergency access, fire apparatus access and related fire-safety requirements?

30. Please identify any Fire Department comments, emails, plan notations, conditions or other documentation resulting from that review.

E. GENERAL PLAN CIRCULATION CONSISTENCY

The Staff Report cites **Circulation Goal 3-CG: “Provide for the safe and efficient movements of people and goods in a manner that respects existing neighborhoods and the natural environment.”**

It also cites **Circulation Objective 8-CO: “Routing of through-traffic around neighborhoods to collector streets.”**

The Staff Report further states that project traffic will **“avoid being significantly routed through neighborhoods or residential roads...”**

31. In making the General Plan consistency determination did Staff evaluate the approved circulation pattern that directs exiting parking lot traffic onto South School Street within the adjoining residential neighborhood?

32. What factual or technical basis did Staff rely upon in determining that directing parking lot exit traffic onto South School Street was consistent with Circulation Objective 8-CO concerning the routing of through-traffic around neighborhoods to collector streets?

33. What factual information, circulation analysis or other documentation supports the Staff Report statement that project traffic would **“avoid being significantly routed through neighborhoods or residential roads”**?

34. Did the General Plan consistency review consider the actual existing conditions on South School Street, including its residential character, roadway width, on-street parking, pedestrian activity, Bell Hill Academy/school-route activity and the proposed parking lot exit?

F. LIGHTING

The Staff Report states: “Light fixtures exists and are shielded/directed downward to minimize light pollution; no new lights are required nor proposed.” The same section states that a site inspection was conducted.

35. Was any City site inspection conducted after dark while the existing parking lot lights were operating? If so, on what date and at approximately what time?

36. Were the existing parking lot light poles located, counted and measured for height? If so, please provide or identify the documented heights and locations.

37. Were the distances between existing parking lot light poles and adjoining residential property lines measured or otherwise determined?

38. Were nighttime illumination levels measured or calculated, including illumination at adjoining residential property lines? If so, what equipment, photometric analysis or other method was used?

39. What objective measurement, inspection, analysis or other information did Staff rely upon in determining that the existing fixtures are “shielded/directed downward to minimize light pollution” and in concluding that the existing lighting complies with applicable development standards?

40. Did Staff specifically evaluate fixture height, visibility of the light source from adjoining properties, glare, light spill and direct illumination of adjoining residential properties or public rights-of-way?

G. LANDSCAPING, RESIDENTIAL BUFFER AND SCREENING

The applicable Development Code provisions contain specific, measurable standards addressing landscaped setbacks, buffer walls and fences, tree spacing, parking lot landscaping and screening between nonresidential parking areas and adjoining residential uses.

41. During the Staff site inspection, were the landscaped setbacks between the parking areas and adjoining residential property lines measured? Did Staff determine whether the applicable residential buffer and solid wall/fence requirements were satisfied?

42. Did Staff measure or document existing buffer widths, wall/fence heights and materials, tree numbers and spacing, landscape-island dimensions, planting-area dimensions or protective curbing? If the project was determined to comply without meeting a normally applicable standard, was any reduction, exception, alternative or review-authority determination made? If so, please identify it.

H. ADA / ACCESSIBILITY AND OVERALL COMPLIANCE REVIEW

The Staff Report makes broader findings that the project is consistent with applicable General Plan policies, zoning regulations and development regulations.

43. Before Planning Commission approval, who reviewed the project for ADA and accessibility compliance?

44. Did that accessibility review evaluate accessible parking and accessible routes for each of the resulting parking facilities?

45. Did the accessibility review evaluate the South School Street sidewalk, the utility-pole obstruction and the proposed driveway crossing?

46. Was the project referred to FREED Center for Independent Living for review? If so, please identify any comments or recommendations received. If not, please state what substantive accessibility review was performed and by whom.

47. What specific objective measurements, technical analyses and departmental reviews did Staff rely upon in making the Staff Report's broader findings that the project complies with applicable General Plan, zoning and development regulations?

48. For each City department identified as having reviewed the project, please identify the specific project issue or issues that department reviewed and any written comments, findings or documentation resulting from that review.

CLOSING

These questions are intended to clarify the factual and technical basis for statements and conclusions already contained in the Staff Report and administrative record. They were presented to the public and relied upon by the Planning Commission in its review and approval of the project.

They do not ask the City to prejudge the pending appeal. They ask that the factual basis for the Staff Report's statements and compliance findings be identified so the Appellants and City Council may evaluate the appeal based upon a complete and understandable record.



Re: Appeal 26PLN-0024 Pre-Hearing Responses

From senos@localnet.com <senos@localnet.com>

Date Thu 9/24/2026 8:49 AM

To Amy Kesler-Wolfson <awolfson@grassvalleyca.gov>

Cc Alex Gammelgard <agammelgard@grassvalleyca.gov>; Vanessa Franken <vfranken@grassvalleyca.gov>; Taylor Whittingslow <twhittingslow@grassvalleyca.gov>

 2 attachments (121 KB)

La Jeunesse letter to City 1.0.pdf; GV Appeal Staff report Questions 7.0.pdf;

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Hello Amy....

Attached is our response regarding the Appellants' Request for Pre Hearing Responses to Staff Report Questions, including the related appeal fee and filing period issues.

Please review the attached and provide the requested responses sufficiently in advance of the City Council appeal hearing. As requested in the attached, please also include this response, together with our original information request and the City's response, in the City Council Staff Report package and administrative record for Project 26PLN-0024.

I have also attached a copy of the letter from the owners (La Jeunesse) of the Donation Day Parade House. They submitted this letter a few days ago and I wanted to make sure you received it.

Thank you,

Steve Enos

On behalf of the South School Street Neighbors

Quoting Amy Kesler-Wolfson <awolfson@grassvalleyca.gov>:

> Hi Steve,
>

> I appreciate the time you are spending on your appeal preparation;
 > however, the appeal fee is insufficient to accommodate a response to
 > your 48 questions. The appeal fee covers staff's preparation of the
 > staff report, which includes a response to your original appeal, as
 > well as noticing, and the public hearing itself. Most of these
 > questions will be answered by the staff report, or by the material
 > provided to you in response to your Public Records Requests. If you
 > would like to pare this down to 2 or 3 of your most pressing
 > questions, staff will do our best to provide timely responses. We
 > will include your list of questions as an attachment to the staff
 > report for Council's consideration.

>

>

> Grass

> Valley

> Amy Kesler-Wolfson

> City Planner

> Planning Division

> P: (530) 274-4711

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> -----Original Message-----

> From: senos@localnet.com <senos@localnet.com>

> Sent: Tuesday, September 22, 2026 12:09 PM

> To: Amy Kesler-Wolfson <awolfson@grassvalleyca.gov>

> Cc: Alex Gammelgard <agammelgard@grassvalleyca.gov>; Vanessa Franken

> <vfranken@grassvalleyca.gov>; Taylor Whittingslow

> <twhittingslow@grassvalleyca.gov>

> Subject: Appeal 26PLN-0024 Pre-Hearing Responses

>

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 > Outlook.

>

> Hello Amy,

>

> Attached is our Request for Pre-Hearing Responses to Staff Report
 > Questions regarding Project 26PLN-0024.

>

> These questions address specific statements, findings and
 > conclusions contained in the Planning Commission Staff Report and
 > are directly relevant to issues raised in the pending appeal.

>

> We are requesting written responses sufficiently in advance of the
 > City Council hearing so that the Appellants and Council have an
 > opportunity to understand and evaluate the factual and technical

- > basis for those statements and findings as part of the
- > administrative record.
- >
- > The intent is not to ask the City to prejudge the appeal, but to
- > make sure the factual basis for the Staff Report's conclusions is
- > clear and available before the Council considers the appeal.
- >
- > Thank you for your assistance.
- >
- > Steve
- >
- > On behalf of the South School Street Neighbors

Project 26PLN-0024 - Request for Pre-Hearing Responses and Appeal Fee

Hello Amy,

Thank you for your response. We respectfully disagree with the City's position that the appeal fee is insufficient to provide responses to the questions we submitted and that the Appellants should reduce the request to two or three questions.

It is important to clarify what we are requesting and why this information is necessary before the City Council appeal hearing.

The 48 questions are not 48 unrelated requests for Staff to undertake new studies or perform new discretionary work. They arise directly from specific statements, representations, findings and conclusions contained in the Planning Commission Staff Report and from the City's review and approval of Project 26PLN-0024.

The Staff Report made findings and representations concerning the site inspection, South School Street access and circulation, compliance with applicable development standards, General Plan consistency, lighting, landscaping and residential buffering, ADA/accessibility, departmental review, CEQA, and the scope of the project and entitlements being considered.

Our questions ask Staff to identify the factual and technical basis for those statements and findings: what was reviewed, who reviewed it, when it was reviewed, what measurements or analysis were performed, what standards were applied, and what documentation supports the conclusions presented to and relied upon by the Planning Commission.

That information is directly relevant to the pending appeal.

Why the Information Is Needed Before the Hearing

The Appellants need this information sufficiently in advance of the hearing to understand and evaluate the factual basis for the City's conclusions and to prepare a meaningful response. The public should have the same opportunity to understand the factual basis for the City's decision, and the City Council should have a complete and understandable record when it considers the appeal.

Referring the Appellants generally to documents produced in response to Public Records Act requests is not an answer to these questions. Producing records is different from identifying what Staff actually reviewed, measured, determined and relied upon when making particular findings and representations in the Staff Report.

Likewise, stating that most of these questions will be answered later in the City Council Staff Report does not resolve the issue.

If Staff's response to the appeal contains factual, technical or other information not disclosed in the Planning Commission Staff Report, the Appellants need a reasonable opportunity to review and respond to that information before the hearing. We should not be encountering material answers to these questions for the first time shortly before, or at, the Council hearing.

We appreciate that you intend to include our questions as an attachment to the Council Staff Report. However, attaching unanswered questions is not a substitute for providing the requested information.

These Questions Do Not Necessarily Require New Staff Work

We are not asking Staff to create analyses that did not previously exist. Many of these questions should be capable of straightforward factual answers.

If the South School Street driveway was not measured, the answer can simply state that it was not measured. If sight distance was not calculated, please state that. If Engineering did not inspect the driveway, please state that. If no nighttime lighting inspection occurred, please state that. If no ADA/accessibility analysis was performed, please state that. If a particular department did not review a particular issue, please state that.

Conversely, if these reviews, measurements or analyses were performed and formed the basis for the Staff Report's findings, we are asking Staff to identify them and the supporting documentation.

That distinction is important. The request is principally for disclosure and clarification of the factual basis for conclusions the City has already made, not for Staff to undertake 48 new analyses.

Appeal Fee

We also respectfully disagree with the statement that "the appeal fee is insufficient to accommodate a response to your 48 questions."

The City's adopted appeal fee is a flat appeal fee. It is not identified as an hourly staff time deposit or an actual cost account of the type used for certain other planning applications and services.

Nothing in the adopted appeal fee identifies it as a deposit against which Staff time is charged or provides that the scope of an appellant's participation or access to information is limited by the number of Staff hours represented by that fee.

More importantly, the Appellants did not determine the appeal fee. The City did.

Before filing the appeal, we specifically advised Staff that we were not appealing only the Tentative Map and that the appeal included broader issues involving the Project approval, public/municipal parking, Development Code requirements and other matters.

Nevertheless, Staff determined that the Tentative Map appeal provisions controlled, required the Appellants to file the appeal within 10 days, and required payment of \$820, calculated as 20 percent of the original \$4,100 application fee.

We objected but complied with those requirements in order to preserve our appeal.

The City's adopted FY 2025-26 Fee Schedule identifies the Planning Commission appeal fee as \$490. Our appeal is from an action of the Planning Commission to the City Council.

The City's Appeal Form likewise states that an appeal of a Planning Commission action is to be filed within 15 calendar days. Our filed appeal identified the action being appealed as "Project Approval," Project 26PLN-0024, and incorporated the attached appeal issues. Those issues expressly extended beyond the Tentative Map.

We therefore believe the applicable appeal fee was \$490 rather than \$820 and request that the City refund the \$330 difference to the Appellants.

Applicant Costs Versus Appellant Costs

There is also an important distinction between the Project Applicant and the Appellants.

The Appellants are members of the public exercising the City's administrative appeal process. We are not the Project Applicant and should not be required to assume additional project processing costs simply because we have requested the factual basis for findings supporting the City's discretionary approval.

Condition of Approval No. 3 also expressly provides:

"The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval."

If the City's position is that responding to the appeal or providing the requested information requires Staff time or costs beyond those covered by the City's adopted flat appeal fee, please explain the basis for imposing those costs upon or using them to restrict information available to the Appellants rather than addressing appropriate additional project related costs through the applicant/project.

Appeal Filing Period

We also remain concerned about the filing period that was imposed. The City's Appeal Form states that appeals of Planning Commission actions are to be filed within 15 calendar days following the decision.

Staff instead required the Appellants to comply with the shorter 10-day Tentative Map appeal period. Again, we complied with that requirement to ensure there could be no question concerning the timeliness of our appeal.

The City should not characterize the matter as exclusively a Tentative Map appeal for purposes of imposing a shorter filing period and a higher appeal fee while declining to address questions concerning the broader Project approval, uses, Development Code compliance, CEQA review, circulation, access and other findings actually challenged by the appeal.

Fairness and the Administrative Record

Taken together these issues raise significant concerns regarding due process, meaningful public participation, disclosure of information, and the Appellants' ability to fairly prepare and present their appeal.

The Appellants were required to meet the shorter filing deadline selected by the City and pay the higher fee selected by the City. After complying with those requirements, we are now being told that the required appeal fee is nevertheless "insufficient" for Staff to answer questions concerning the factual basis for findings and conclusions being challenged in that very appeal.

The purpose of an administrative appeal is meaningful review of the decision being appealed. Meaningful review requires an understandable record identifying what was reviewed, what factual information was relied upon, what standards were applied, and how the City's conclusions were reached; it also requires a reasonable opportunity for the Appellants to review and respond to that information before the Council acts.

We are not asking Staff or the City Council to prejudge the appeal. We are asking for the factual basis for statements and findings already contained in the City's Staff Report so that the Appellants, the public and ultimately the City Council can evaluate those findings on a complete and understandable record.

Requested Actions

- The Appellants' submitted Request for Pre-Hearing Responses to Staff Report Questions be fulfilled sufficiently in advance of the City Council appeal hearing to allow meaningful review and response by the Appellants.
- Where Staff believes a question has already been answered in the Planning Commission Staff Report, a Public Records Act production, or another existing document, please identify the specific document and the location of the information that answers the question.
- The City review the appeal fee under its adopted FY 2025-26 Fee Schedule and refund \$330, representing the difference between the \$820 collected and the \$490 Planning Commission appeal fee.

- If Staff maintains that additional costs would be incurred in providing the requested information, please identify the basis for treating those costs as a limitation upon the Appellants' request rather than as appropriate costs associated with the applicant/project and the City's processing and defense of its discretionary approval.
- If the City determines that the Appellants' information request will not be fulfilled, in whole or in part, please provide a written determination from the City Attorney identifying the factual and legal basis for declining to provide the requested information.
- If such a determination is made, please provide it to the Appellants sufficiently in advance of the City Council hearing and include it, together with the Appellants' original Request for Pre-Hearing Responses and Staff's response, in the City Council Staff Report package and in the administrative record for Project 26PLN-0024 and this appeal.
- This response also be included in the City Council Staff Report package and in the administrative record for Project 26PLN-0024 and this appeal.

Our objective remains straightforward, to have the appeal considered on a complete, understandable and adequately disclosed factual record and to provide the Appellants, the public and the City Council a meaningful opportunity to understand and evaluate the basis for the City's decision.

Thank you,

Steve Enos

On behalf of the South School Street Neighbors



PROJECT SUMMARY

Application Number: 26PLN-0024
Subject: Tentative Parcel Map Application
Applicant: Cameron Brady (Applicant/Operator)/ Nelson Engineering (Representative)
Location/APNs: 134 South Church Street, Grass Valley, CA 95945 (APN: 008-370-010)
Current Zoning/General Plan: Town Core (TC) / Commercial (C)
Entitlements: Tentative Map
Environmental Status: Exemption Section 15301 Existing Facilities and 15332 In-Fill Development Projects
Prepared by: Vanessa Franken, Associate Planner

RECOMMENDATION

1. Planning staff recommend that the Planning Commission approve application (26PLN-0024), which includes the request for the consideration of a Tentative Parcel Map, which includes the following actions:
 - a. Determine the Tentative Parcel Map project Categorically Exempt, pursuant to Exemption Section 15315, Existing Facilities and 15332 In-Fill Development Projects, of the California Environmental Quality Act Guidelines (CEQA) and Guidelines, as detailed in the Staff Report;
 - b. Adopt the Findings of Fact, for approval of the project, as presented in the Staff Report; and,
 - c. Approve the Tentative Parcel Map, in accordance with the Conditions of Approval as presented in the Staff Report.

BACKGROUND

The project parcel is zoned as Town Core (TC). The Grass Valley 2020 General Plan identifies the site as Commercial (C). The site is within the City's adopted Historic District, although retains no historic significance. No specific plans, special designations, historic overlays, or adopted conservation plans apply to the site. The project site falls within a mixed-use corridor along a portion of Church Street that facilitates both commercial and residential uses. The immediate area neighbors include: The Brett Harte senior residential facility, the Elks Lodge community hall, a Tri-Counties and Chase banking institution, and small locally owned retail shops. Most recently, the site was a Bank of America and closed in April, 2025. The site is currently vacant.

The property exists as a completely developed site, consisting of:

- The project parcel is 0.83-acres in size.
- Developed with a single 10,400 SF commercial building, made of a single story and (2) interior levels, and a drive through bank kiosk, formal landscape areas, and a paved asphalt parking lot.
- Access via (3) driveways; a commercial encroachment from frontage along South Church Street and along rear on Neal Street for ingress/egress, to include an exit/“out” only driveway off of the side of the property on South School Street.

Immediate neighbors to the project property are described below.

Surrounding Land Uses:

- North: Brett Harte senior residential facility.
 - Town Core with a combining Historic zoning overlay (TC-H) with a General Plan designation of Commercial (C).
- South: El Barrio grocery store and Tri-Counties bank.
 - Town Core (TC) with a General Plan designation of Commercial (C).
- East: City owned public parking lot.
 - Town Core with a combining Historic zoning overlay (TC-H) with a General Plan designation of Public (P).
- West: Single Family residential home and the Elks Lodge community hall.
 - Town Core with a combining Historic zoning overlay (TC-H) with a General Plan designation of Commercial (C).

PROJECT PROPOSAL

The project consists of a Tentative Map application that details a request to subdivide the property into (2) parcels and to subdivide the existing building into (2) office/commercial condominiums.

The proposed map consists of:

- Parcel 1: A parcel that will result in a parking lot, with (17) parking stalls. Parcel size is proposed as (12,439± SF).
 - The City of Grass Valley is in contract with the property owner of the project property to purchase the parking lot for public parking use.
- Parcel 2: A parcel that will retain the entire building and remaining portion of parking lot, (24) parking stalls.
- Building Unit 1: Condominium size is proposed at (4,830 SF) total and may be occupied by a single tenant.
 - Level 1: (3,920 SF)
 - Level 2: (910 SF)
- Building Unit 2: Condominium size is proposed at (5,775 SF) total and may be occupied by a single tenant.
 - Level 1: (3,745 SF)
 - Level 2: (2,030 SF)

Future construction is anticipated and will include: minor site reconfiguration of parking stalls and removal of existing “portico” structure (drive-through ATM). No major exterior alterations, additions, or expansion of building footprint are proposed.

Access: Access to the project site is from (3) driveways; a commercial encroachment from the frontage along South Church Street and along rear on Neal Street for both ingress/egress, to include an exit/ “out” only driveway off of the side of the property on South School Street. Driveway encroachments have been reviewed and deemed sufficient, there are no requirements imposed on the applicant to improve the existing driveways or roadways for the proposed use from the Community Development Department, Engineering Division. Sidewalks exist along the property perimeter which front a City roadway, Neal Street and South Church Street.

Parking: Parking stalls per resultant parcel are indicated below. Future tenants of the building will be subject to Table 3 – 3, [Section 17.36.040 – Number of Parking Spaces Required](#), for required parking stall standards. Future tenants will share parking on Parcel 1 and 2 via Shared Parking Agreement/Reciprocal Parking Agreement between property owners; see Planning COA #4.

- Parcel 1: A parcel that will result in a parking lot, with (17) parking stalls. Parcel size is proposed as (12,439± SF).
 - The City of Grass Valley is in contract with the property owner of the project property to purchase the parking lot for public parking use.
- Parcel 2: A parcel that will retain the entire building and remaining portion of parking lot, (24) parking stalls.

Landscape/Screening, Trash Enclosure, and Lighting: There are existing formal landscape areas that exists as manmade landscape planters within the parking lot and interspersed along the project site perimeter. No trees are proposed to be removed as part of this project. A site inspection was conducted, there is no standard waste receptacle storage area that exists within Parcel 1 or 2. A Condition of Approval will be discussed to be added or not at time of hearing, regarding a dedicated location and screening for the waste storage area. Planning staff is currently working with the applicant on the matter. Light fixtures exists and are shielded/directed downward to minimize light pollution; no new lights are required nor proposed.

Utilities: The City of Grass Valley currently provides water/wastewater services. The electricity provider is PG&E. The site is and will continue to be served by the City of Grass Valley Fire and Police Departments.

ZONING AND GENERAL PLAN CONSISTENCY

The following discussion evaluates the project’s consistency with the Grass Valley 2020 General Plan. The intent of this section is to demonstrate that the proposed map and future use of the site will maintain the overall integrity of the City’s adopted land use plan, support applicable goals and policies, and further the City’s long-term vision for sustainable and balanced development.

The Grass Valley 2020 General Plan identifies the site as Commercial (C). The Commercial (C) General Plan designation is a broad category, intended to encompass all types of retail commercial/commercial service establishments. The project parcel is zoned as Town Core (TC). The intent of the “TC” designation is intended to strengthen the mixed-use and pedestrian-oriented nature of the existing historic downtown. The secondary intent is to provide a mix of residential, commercial, civic, and institutional uses, per [Section 17.21.030 – Purposes of the Traditional Community Development Zones](#).

The proposed tentative map, subdivision of a single parcel into two parcels, results in newly created parcels that conform to parcel development standards of the TC zone. The resultant parcel configurations are consistent with standards regarding lot size, corner lot size, lot width and depth. The proposed condominiums will be further evaluated at time of Parcel Map formal application, prior to recordation. Respective land uses associated with future tenants will be evaluated at time of building permit and/or business license application for appropriate processing.

Regarding General Plan Consistency, the project supports and is consistent with multiple goals and objectives of the Grass Valley 2020 General Plan. A “goal” expresses a general community value, while an “objective” represents a specific outcome or intermediate step toward achieving that goal. The applicable goals and objectives and the project’s consistency with each are discussed below.

- Land Use Goal (1-LUG): Promote balanced community growth and development in a planned and orderly way.
 - Land Use Objective (1-LUO): Availability of sufficient building sites properly zoned to accommodate projected growth.
 - Consistency: The project supports the utilization of land already zoned for intended purposes, processing and review of Tentative Map with condominiums will allow the land to be utilized as intended. Anticipated new tenants will continue to be supported through existing infrastructure (sewer/water), parking and road circulation, public services (fire/police), and utilities.
- Land Use Goal (2-LUG): Promote infill as an alternative to peripheral expansion where feasible.
 - Land Use Objective (4-LUO): Reduction in environmental impacts associated with peripheral growth.
 - Consistency: The building and roadways are existing, the project utilizes existing infill development versus new construction of a building.
- Circulation Goal (3-CG): Provide for the safe and efficient movements of people and goods in a manner that respects existing neighborhoods and the natural environment.
 - Circulation Objective (8-CO): Routing of through-traffic around neighborhoods to collector streets.

- Consistency: South Church is a local street that leads to a collector road with access to a major highway interchange. Traffic from the establishment will use the existing collector street that exists within the downtown district and avoid being significantly routed through neighborhoods or residential roads, traffic may then be directed to the highway interchange.
- Circulation Goal (4-CG): Maintain adequate emergency access.
 - Circulation Objective (14-CO): Improvements and maintenance of adequate emergency access throughout the city.
 - Consistency: The project property has an existing parking lot/access into the site that is suitable for a fire engine apparatus. The Fire Marshal provided review and concluded with no changes to the land use. The Engineering Division reviewed the existing commercial driveway encroachment and deemed it satisfactory for the proposed land use to utilize.

ENVIRONMENTAL DETERMINATION

The proposed project qualifies for a Categorical Exemption pursuant to Section 15301, Existing Facilities and 15332 In-Fill Development Projects, of the California Environmental Quality Act (CEQA) and Guidelines. The subject Class 1 Categorical Exemption details the appropriate application when “a – c” has been evaluated and Class 32 requires assessment of “a – d”. The proposed project qualifies for the aforementioned Categorical Exemptions due to the following.

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies, as well as applicable zoning designation and regulations.
 - Consistency: The Grass Valley 2020 General Plan identifies the site as Commercial (C). The Commercial (C) General Plan designation is a broad category, intended to encompass all types of retail commercial/commercial service establishments. The project parcel is zoned as Town Core (TC). The intent of the “TC” designation is intended to strengthen the mixed-use and pedestrian-oriented nature of the existing historic downtown. The secondary intent is to provide a mix of residential, commercial, civic, and institutional uses. The project is consistent with the applicable zoning standards and General Plan land use designation and policies, as analyzed in subsection “Zoning and General Plan Consistency” above, and complies with the applicable zoning designation and development regulations.
- b. The proposed development occurs within City limits on a project site of no more than five-acres substantially surrounded by urban uses.
 - Consistency: The proposed project occurs within City limits on a site that 0.83-acres in size, within a mixed use corridor along a portion of South Church Street that is substantially surrounded by urban uses, as described in the *Surrounding Land Uses* subsection in this staff report.
- c. The project site has no value as habitat for endangered, rare or threatened species.

- The project site is a completely developed site within an existing building and parking lot that was originally developed and is surrounded by a substantial amount of urban uses. The project site has no value as habitat for endangered, rare, or threatened species, due to the site and surrounding area, being heavily trafficked, paved, and heavily used. Landscape areas within the property are man-made parking lot landscape planters.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- Consistency: The proposed project would not result in significant traffic impacts. Traffic associated with the project would be typical to the general area. Engineering reviewed the project and deemed the existing roadways capable of facilitating anticipated traffic, based on collector roadways and direction to a major highway interchange.

Operational noise generated from the project will be compatible to the area – building door opening, car doors being shut, outdoor conversations, etc. Noise associated with vehicular traffic/traffic that enters/exits the site is typical to the existing use and surrounding residential/nearby commercial uses. No significant external noise generation is anticipated from the facility, as tenants are indoors. Any noise associated with the facility will be subject to City noise standards, [Chapter 8.28 - Noise](#).

Anticipated effects to air quality, associated with anticipated traffic, may be deemed as negligible in that emissions from anticipated traffic may be deemed as a less than significant effect to overall air quality. Operational emissions would be minimal and comparable to the previous institutional use, and would not result in a substantial increase in vehicle trips or stationary emission sources.

The project would not result in significant water quality impacts. The site is fully developed and served by existing utilities and stormwater infrastructure. The project does not propose expansion of the building footprint or new impervious surface areas that would adversely affect drainage or runoff patterns. All existing developments comply with applicable stormwater and water quality requirements. Approval of the project would not result in significant effects related to traffic, noise, air quality, or water quality.

- e. The site can be adequately served by all required utilities and public services.
- Consistency: The site is developed and the building is existing, the building is currently served by all required utilities and public services. The project has the ability to be served by all existing utilities and public services as well. The project was routed to applicable agencies for review of the proposed use, comments have been provided and incorporated into the project. No comments stating required utilities/public services will be unable to be accommodated.

Pursuant to CEQA Guidelines Section 15300.2, Exceptions, staff evaluated whether any exceptions to the use of the categorical exemption apply and determined that none of the applicable exceptions would preclude use of the exemption. Specifically:

- a. Location: The project site is not located within an environmentally sensitive area where the proposed activity would impact a designated hazardous or critical environmental resource. Therefore, this exception does not apply.
- b. Cumulative Impact: The project consists of a tentative parcel map for an existing developed commercial site and would not contribute to significant cumulative environmental impacts. No successive projects of the same type in the same place are anticipated to result in a significant cumulative effect.
- c. Unusual Circumstance: The project involves the subdivision of an existing developed commercial property within an urbanized area. No unusual circumstances exist that would create a reasonable possibility of a significant environmental effect.
- d. Scenic Highways: The project site is not located within the viewshed of, or adjacent to, an officially designated State Scenic Highway. The project would not damage scenic resources visible from a designated State Scenic Highway.
- e. Hazardous Waste Sites: The project site is not identified on any list compiled pursuant to Government Code Section 65962.5 (Cortese List). Therefore, this exception does not apply.
- f. Historical Resources: Although the project site is located within the City's Historic District, the subject property has been determined to have no historic significance. The project does not propose demolition or alteration of a historical resource and would not result in a substantial adverse change to a historical resource. Therefore, this exception does not apply.

The project was routed to internal Community Development Departments and external agencies for review and comments. Comments received have been incorporated into the project as Conditions of Approval. A Notice of Public Hearing for the project was prepared and posted pursuant to the CEQA Guidelines and State law.

FINDINGS

The proposed project meets the required findings of [Section 17.81.060 – Tentative Map Approval or Disapproval](#) (4), [Section 17.81.060.B – Supplemental Findings](#) (5 – 6), [Section 17.81.030 - Tentative Map Filing, Initial Processing](#) (7) to include the listed standard findings.

1. The ~~Use Permit~~ application (26PLN-0024) was received by the City on June 04, 2026.
2. The City of Grass Valley Planning Commission will review the ~~Use Permit~~ application (26PLN-0024) at their regular meeting on August 18, 2026.
3. The review authority may approve a tentative map only after first finding that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, and any applicable specific plan, and that none of

the findings for denial in Subsection C. can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6.

4. Construction of Improvements. In the case of a tentative map for a subdivision that will require a subsequent parcel map, it is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of road improvements within a specified time after recordation of the parcel map.
5. Condominiums. Any applicable findings required by [Section 17.84.030 - Condominiums and Condominium Conversions](#) for condominium conversions.
6. Time Limit, Stock Cooperatives. The approval or disapproval of the conversion of an existing building to a stock cooperative shall occur within one hundred twenty days of the application being found complete in compliance with [Section 17.81.030 - Tentative Map Filing, Initial Processing](#). The one hundred twenty-day time limit may be extended by mutual consent of the subdivider and the city, per [Section 17.84.030.B.6.a - Condominiums and Condominium Conversion](#).

The Development Review Committee and Planning Commission has reviewed the project in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and recommends that the Planning Commission find the project qualifies for the Class 1 and 32, Categorical Exemption (Section 15301, Existing Facilities and Section 15332 In-Fill Development Projects) in accordance with the California Environmental Quality Act and CEQA Guidelines. A Notice of Public Hearing for the project was prepared and posted pursuant to the CEQA Guidelines and State law

ATTACHMENTS

1. Vicinity Map
2. Universal Application – Provided Upon Request
3. Site Inspection – Photos (Existing Building, Parking Lot, Office)
4. Tentative Parcel Map
5. Draft Conditions of Approval

- A. Purpose. A use permit or minor use permit provides a process for reviewing uses and activities that may be appropriate in the applicable zone, but whose effects on a site and surroundings cannot be determined before being proposed for a specific site. Guarantees to ensure compliance with the terms and conditions of the permit may be required by the review authority in compliance with Section 17.74.050 (performance guarantees).
- B. Applicability. A use permit or minor use permit is required to authorize proposed land uses identified by Article 2 (zones, allowable land uses, and zone standards) as being allowable in the applicable zone subject to the approval of a use permit or minor use permit.
- C. Review Authority.
 - 1. Use Permits. Use permits shall be approved or denied by the commission.
 - 2. Minor Use Permits.
 - a. Minor use permits shall be approved or denied by the director.
 - b. The director may choose to refer any minor use permit application to the commission for hearing and decision.
- D. Application Requirements. An application for a use permit or minor use permit shall be prepared, filed, and processed in compliance with Chapter 17.70 (permit application filing and processing). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection F. (findings required), below.
- E. Project Review, Notice, and Hearing. Each application shall be reviewed by the director to ensure that the proposal complies with all applicable requirements of this development code.
 - 1. Use Permits. The commission shall conduct a public hearing on an application for a use permit before a decision on the application. Notice of the hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 17.92 (public hearings).
 - 2. Minor Use Permits. Before a decision on a minor use permit, the city shall provide notice of a public hearing in compliance with Chapter 17.92 (public hearings).
 - a. Public Notice. The notice shall state that the director will decide whether to approve or deny the minor use permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision.
 - b. If Hearing is Requested. If a public hearing is requested, the director shall schedule the hearing which shall be noticed and conducted in compliance with Chapter 17.92 (public hearings).
 - c. If No Hearing is Requested. If no public hearing is requested, the director shall render a decision on the date specified in the public notice referred to in Subparagraph 2.a., above.

F. Findings Required. Use permit or minor use permit approval shall require that the review authority first make all of the following findings:

1. The proposed use is consistent with the general plan and any applicable specific plan;
2. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this development code and the Municipal Code;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the density, intensity, and type of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

G. Conditions of Approval. In approving a use permit or minor use permit, the review authority may impose conditions of approval to ensure that the project will comply with the findings required by Subsection F. (Findings required), above. The violation of any required condition shall constitute a violation of this section and may constitute grounds for denial of the certificate of occupancy and/or revocation of the permit.

H. Post Review Procedures. The procedures and requirements in Chapter 17.74 (permit implementation, time limits, and extensions), and those related to appeals and revocation in Article 9 (development code administration), shall apply following a decision on a use permit or minor use permit application.

PLANNING

A.	Agenda Cover Sheet Mailing	
	1. City Council	\$25.00 / year
	2. All other Legislative Body (per body)	\$10.00 / year
B.	Agenda Packet Mailing	
	1. City Council	\$495.00 / year
	2. Planning Commission	\$150.00 / year
	3. All other Legislative Body (per body)	\$40.00 / year
C.	Annexation Application (Plus \$20.00 per Acre)	Actual Costs - Deposit \$8,785.00
D.	Appeals	
	1. Planning Commission	\$490.00
	2. All Others to City Council	\$445.00 or 20% of Application whichever is greater
	Appeal fees are refunded if ruling is in favor of the appellant.	
D.	Condominium Conversions (Plus \$25/Unit or \$25/1000 Sq. Ft. com.)	Actual Costs - Deposit \$5,515.00
E.	Sign Reviews/Permits	
	1. Minor - DRC, Historic District, Monument Signs or other districts having specific design criteria	\$350.00
	2. Major – Master Sign Programs	\$1,450.00
	3. Exceptions to Sign Ordinance	\$1,080.00
F.	Development Review	
	1. Minor Development Review - Any expansion or new construction for a building or facility under 10,000 sq ft. and new or substantial modifications to parking lots	\$2,030.00
	2. Major Development Review - Any expansion or new construction for a building or facility over 10,000 sq ft.	\$3,685.00
	3. Other Development Review/Applications:	
	a. DRC Conceptual Review - minor - 1 meeting; façade changes Historic District	\$500.00
	b. DRC Conceptual Review - major - 2 meetings	\$875.00
	c. Plan Revisions (Staff review)	\$350.00
	d. Plan Revisions (DRC/PC review)	\$930.00
	e. Extensions of Time (Staff review)	\$315.00
	f. Extensions of Time (DRC/PC review)	\$680.00
G.	Development Agreements (Deposit + Cost of Staff & Consultant min. \$300)	
	1. New	Actual Costs - Deposit \$20,600.00
	2. Revision	Actual Costs -Deposit \$7,700.00
H.	Easements (covenants and releases)	\$1,850.00
I.	Environmental Review (+ Staff Costs)	
	1. Initial Study	\$1,900.00