



GRASS VALLEY

Planning Commission Meeting

Tuesday, January 21, 2025 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.

COMMISSIONERS

Vice Chair Ari Brouillette, Commissioner Justin Gross, Commissioner Jacob McDonald, Commissioner Sherri Speights, Commissioner Matt Wich

MEETING NOTICE

Planning Commission 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 3rd 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 www.cityofgrassvalley.com, or on the City of Grass Valley YouTube channel at <https://www.youtube.com/@cityofgrassvalley.com>.

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. 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. Commission 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: www.cityofgrassvalley.com. Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet will be made available on the City of Grass Valley website at www.cityofgrassvalley.com, 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

ORGANIZATIONAL ITEMS

1. Commission to elect an interim Development Review Committee Member, as the Planning Commission representative, for the regularly scheduled meetings of January 28th & February 11th, subject to having items needing to be heard.

ACTION MINUTES APPROVAL

2. Approval of minutes for the December 17, 2024 meeting.

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. 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. The Planning Commission will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.*

PUBLIC HEARING ITEMS

3. Allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10 Location/ APN: Town Core Zoning Area

CEQA: Not a project under CEQA pursuant to California Government Code section 65913.5(a)(3)

Recommendation: That the Planning Commission recommend that the City Council adopt the Ordinance to allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10, as may be modified at the public hearing, which includes the following actions: a. A recommendation that City Council find the Ordinance is not a project for the purposes of the California Environmental Quality Act (CEQA) pursuant to California Government Code section 65913.5(a)(3). b. A recommendation to amend subsection (c) and add subsection (d)(7) to section 17.44.140 of chapter 17.44 of title 17 of the Grass Valley Municipal Code to allow eligible mixed-use projects to include up to 10 dwelling units in the town core zone pursuant to government code section 65913.5

OTHER BUSINESS

4. Review of City Council Items.
5. Future Meetings, Hearings and Study Sessions

BRIEF REPORTS BY COMMISSIONERS

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a Planning Commission Meeting, scheduled for Tuesday, January 21, 2025, at 6:00 p.m., was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, January 16, 2025.

Taylor Whittingslow, City Clerk



GRASS VALLEY
Planning Commission Meeting

Tuesday, December 17, 2024 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

MINUTES

CALL TO ORDER

The meeting was called to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE

Liz Coots led the pledge of allegiance.

ROLL CALL

PRESENT

Commissioner Liz Coots
Commissioner Justin Gross
Commissioner Jacob McDonald
Vice Chairman Ari Brouillette

ABSENT

Commissioner Matt Wich

AGENDA APPROVAL

Motion to approve the agenda as submitted made by Commissioner Coots, Seconded by Commissioner McDonald.

Voting Yea: Commissioner Coots, Commissioner Gross, Commissioner McDonald, Vice Chairman Brouillette

ACTION MINUTES APPROVAL

1. Approval of the November 19th, 2024 minutes.

Motion to approve minutes made by Commissioner McDonald, Seconded by Commissioner Coots.

Voting Yea: Commissioner Coots, Commissioner Gross, Commissioner McDonald, Vice Chairman Brouillette

PUBLIC COMMENT -

Virtual comments are attached.

CONSENT ITEMS -

Public comment: Don Ravines, virtual comments are attached.

The motion to approve consent as submitted was made by Commissioner Coots and seconded by Commissioner Gross.

Voting Yea: Commissioner Coots, Commissioner Gross, Commissioner McDonald, Vice Chairman Brouillette

2. City of Grass Valley Acquisition of 110 Springhill Drive (APN's 009-720-035, 009-720-036, 009-720-037, and 009-720-038)

CEQA: Categorically Exempt - Section 15301 of CEQA Guidelines (Existing Facilities)

Recommendation: 1. That the Planning Commission take the following action pursuant to land acquisition of two properties: a. That acquisition of 110 Springhill Drive (APN's 009-720-035, 009-720-036, 009-720-037, and 009-720-038) is categorically exempt pursuant to section 15301 (Class 1) of the California Environmental Quality Act (CEQA) guidelines (existing facilities). b. Determine that the City's acquisition 110 Springhill Drive is consistent with the City's General Plan.

3. City of Grass Valley Acquisition of Loma Rica. Location/ APN: East of Brunswick Road and either side of Idaho Maryland Road

CEQA: Not a project under CEQA pursuant to California Government Code section 65913.5(a)(3).

Recommendation: 1. That the Planning Commission take the following action pursuant to land acquisition of two properties: a. That acquisition of Loma Rica Ranch Open Space Dedication and M1 designated area is not a project for the purposes of the California Environmental Quality Act (CEQA) pursuant to §21065 of the California Government Code b. Determine that the City's acquisition of the Loma Rica Open Space Dedication and Light Industrial property is consistent with the City's General Plan.

PUBLIC HEARING ITEMS

4. Conditional Use Permit and Development Review for a Carbonizer wood debris processing site and senior firewood program (**24PLN-29**) Location/APN: 12270 La Barr Meadows Road / 022-160-038

CEQA: Exempt per CEQA Guidelines: Class 1, Class 4, Class 7, Class 8

Recommendation: 1. That the Planning Commission approve the Use Permit and Development Review applications for the carbonizer wood debris processing site and senior firewood program at 12270 La Barr Meadows Road as presented, or as modified by the Development Review Committee, which includes the following actions: a. Determine the project Categorically Exempt pursuant to Section 15301, 15204, 15307, and 15308, Classes 1, 4, 7, and 8, of the California Environmental Quality Act (CEQA) Guidelines, as detailed in the staff report; b. Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and, c. Approve the Use Permit and Development Review Permit for the proposed for the Carbonizer wood debris processing site and senior firewood program at 12270 La Barr Meadows Road at 12270 La Barr Meadows Road in accordance with the Conditions of Approval, attached to the Staff Report.

Amy Wolfson, City Planner, gave an overview to the commission.

Public Comment: Don Ravines, & Virtual Comments attached.

Motion to approve the Use Permit and Development Review applications for the carbonizer wood debris processing site and senior firewood program at 12270 La Barr Meadows Road as presented, or as modified by the Development Review Committee, which includes the following actions: a. Determine the project Categorically Exempt pursuant to Section 15301, 15204, 15307, and 15308, Classes 1, 4, 7, and 8, of the California Environmental Quality Act (CEQA) Guidelines, as detailed in the staff report; b. Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and, c. Approve the Use Permit and Development Review Permit for the proposed for the Carbonizer wood debris processing site and senior firewood program at 12270 La Barr Meadows Road at 12270 La Barr Meadows Road in accordance with the Conditions of Approval, attached to the Staff Report. made by Commissioner Coots, Seconded by Commissioner Gross.

Voting Yea: Commissioner Coots, Commissioner Gross, Commissioner McDonald, Vice Chairman Brouillette

5. Allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10. Location/ APN: Town Core Zoning Area

CEQA: Not a project under CEQA pursuant to California Government Code section 65913.5(a)(3).

Recommendation: That the Planning Commission recommend that the City Council adopt the Ordinance to allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10, as may be modified at the public hearing, which includes the following actions: a. A recommendation that City Council find the Ordinance is not a project for the purposes of the California Environmental Quality Act (CEQA) pursuant to California Government Code section 65913.5(a)(3). b. A recommendation to amend subsection (c) and add subsection (d)(7) to section 17.44.140 of chapter 17.44 of title 17 of the Grass Valley Municipal Code to allow eligible mixed-use projects to include up to 10 dwelling units in the town core zone pursuant to government code section 65913.5

Commissioner McDonald and Gross recused themselves because they owned property within the TC Zone.

Public Comment: Robin Galvin-Davis, Craig Hamilton, Virtual Comment.

The item was continued until January 21st, 2024.

OTHER BUSINESS

6. Review of City Council Items.
7. Future Meetings, Hearings and Study Sessions

BRIEF REPORTS BY COMMISSIONERS

ADJOURN

The meeting was adjourned at 7:49 p.m.

Ari Brouillette, Vice Chair

Taylor Whittingslow, City Clerk

Adopted on: _____

Taylor Whittingslow

From: WIRELESS CALLER - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Tuesday, December 17, 2024 6:37 PM
To: Public Comments
Subject: Voicemail from [REDACTED] on Dec 17 2024 6:34 PM
Attachments: 1734489275-0000099f.mp3



You received a new voicemail message



New voicemail message

Time: Tuesday, December 17 2024 6:34 PM

From: [REDACTED]

Duration: 1 minute 12 seconds

Voicemail box: 8880

Transcript:

That is the longest intro. I'm trying to make a public comment here on the holes in the sidewalk up and down the West Main Street, especially in front of the old folks retirement facility. And hopefully the planning department is helping get the building across the street that caught on fire up to speed. And paint on crosswalks. I know it's winter now and we missed another season of putting paint on crosswalks, but this is something that really needs to be prioritized. It's very, very dangerous as a pedestrian in this town, as a driver in this town. It's also dangerous because you can't see the boundaries of where you're supposed to drive because of that. The homeless that are living in the doorways up and down South Auburn Street are gobbling up massive amount of to the point where we run out of ambulances on a daily basis due to it. Thank you. Hopefully you can do something about it in your planning in the city because the drains are clogged, trash cans are overflowing, and all kinds of things are being mismanaged. Thank you.

Taylor Whittingslow

From: Robin Davies [REDACTED]
Sent: Tuesday, December 17, 2024 2:07 PM
To: Public Comments
Subject: Re: Public Hearing Notice - Town Core Ordinance

Dear City Planning Department and Planning Commissioners,

On behalf of the Greater Grass Valley Chamber of Commerce and the Grass Valley Downtown Association, we are pleased to submit our letter of support for the Grass Valley Planning Commission to create an ordinance for presentation to the City Council to review and make a recommendation regarding a new ordinance to allow the conversion of upper-level office and commercial spaces to residential uses in the Town Core (TC) zone district.

With the severe lack of housing in Grass Valley, we endorse this sensical approach to creating more housing by converting the upper level of existing business structures to housing and, if applicable, granting permission to create up to two ADUs and two junior ADUs on parcels within the Town Core perimeter. Efficient land use and community livability add economic benefits to the Town Core.

Thank you for considering the Town Core zone district modifications, including setting maximum densities, (much-needed) off-street parking requirements, and a permit review level that will streamline existing practices.

Warmest Regards,


Robin

Robin Galvan-Davies
 Executive Director, Greater Grass Valley Chamber of Commerce
 Executive Director, Grass Valley Downtown Association
 CEO Greater Grass Valley Business Alliance
128 East Main Street, Grass Valley, CA 95945
 (530) 273-4667 • rdavies@grassvalleychamber.com
www.grassvalleychamber.com
 (530) 272-8315 • info@downtowngrassvalley.com
www.downtowngrassvalley.com

From: Lucy Rollins, Senior Planner <lrollins@cityofgrassvalley.com>
Sent: Thursday, December 5, 2024 8:29 AM

To: Robin Davies <rdavies@grassvalleychamber.com>
Subject: Public Hearing Notice - Town Core Ordinance

Item # 2.



December 5, 2024 City of Grass Valley »

Public Hearing Notice

Town Core Residential Conversion Ordinance

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Taylor Whittingslow

From: Lucy Rollins
Sent: Monday, December 16, 2024 3:56 PM
To: Miranda Bacon; Taylor Whittingslow
Cc: Amy Kesler-Wolfson
Subject: FW: GV Planning Meeting - December 17, 2024

This is a public comment for PC tomorrow.



Lucy Rollins, AICP
Senior Planner | City of Grass Valley
125 East Main Street | Grass Valley, CA 95945
Ph: 530.274.4712
lrollins@cityofgrassvalley.com | www.cityofgrassvalley.com

From: Keoni Allen [REDACTED]
Sent: Monday, December 16, 2024 3:49 PM
To: Amy Kesler-Wolfson <awolfson@cityofgrassvalley.com>; Lucy Rollins <lrollins@cityofgrassvalley.com>
Subject: GV Planning Meeting - December 17, 2024

To Everyone Concerned and Involved in the Best Interests of Grass Valley:

Thank you for considering modifications of the requirements and process for creating housing in downtown Grass Valley. I totally support modifications that will make it simpler and encourage the renovation of downtown second floor space into housing. I have had conversations with multiple owners over the years and applaud your efforts to help advance this issue. We have such great energy downtown, this will be another great leap forward and help alleviate our housing shortage a bit!

In addition to the under-utilized downtown buildings, there are several buildings that are not downtown that could easily be renovated into housing. We have looked into some of these also, and the big advantage that these buildings have is adequate parking and nicely landscaped sites. We would strongly encourage you to review and modify the requirements and process to allow these buildings to be renovated into housing also. The live/work concept is exploding around the country while pure office use is declining.

Thank you for your leadership and attention to both of these issues that will clearly greatly benefit Grass Valley. Please let me know what I can do to help with this process.

Sincerely, Keoni Allen, Sierra foothills Construction Company and

Downtown Business Owner

Keoni Allen
President

SIERRA FOOTHILLS
Construction Company



keoni@sfccinc.com

Taylor Whittingslow

From: WIRELESS CALLER - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Tuesday, December 17, 2024 6:40 PM
To: Public Comments
Subject: Voicemail from [REDACTED] on Dec 17 2024 6:36 PM
Attachments: 1734489390-000009a1.mp3



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New voicemail message

Time: Tuesday, December 17 2024 6:36 PM

From: [REDACTED]

Duration: 2 minutes 2 seconds

Voicemail box: 8880

Transcript: I'd like to comment before you guys cut me off on the consent calendar and the different things on there the Spring Hill Drive acquisition of land that is a horrible place to put a facility due to the trying to get in and out of there off of Idaho Maryland and then you're going to develop Dorsey Darts Marketplace which is going to make it even worse to go in and out of there and you're talking about bringing big disabled vehicles in and out of there to work on as a That just doesn't make any sense. Acquisition of the Loma Rica Ranch. I hope the city can get a person in to help them with the natural environment because you're over-masticating everything like you did at the Alta Street Park. The wood-burning situation out there on the bar meadows. What is the repercussion if it's putting off too much smoke? Because it doesn't seem like there's any one to talk to about that situation here. Air quality management is overwhelmed in their position The apartments on Mill Street. It's unfortunate, but they are will be going to city people that Work for the city and have gotten preferential treatment for the city from the city To do what they're doing an air being

being the town and destroying our town destroying the history removing the history and making it just very Roseville. And I understand that's what they want, but it's not what our town is. And it's up to the planning commission to steer these things in the proper direction because you're not at this point. It's gotten so out of control that money talks and anything else but that suffers the consequences for immediate gratification of money to a few people in town, developers that have houses in other states and other countries and they don't care about this place and they won't be here in 10 years. Thank you.

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Taylor Whittingslow

From: WIRELESS CALLER - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Tuesday, December 17, 2024 6:52 PM
To: Public Comments
Subject: Voicemail from [REDACTED] on Dec 17 2024 6:48 PM
Attachments: 1734490115-000009ac.mp3



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New voicemail message

Time: Tuesday, December 17 2024 6:48 PM

From: [REDACTED]

Duration: 1 minute 58 seconds

Voicemail box: 8880

Transcript: Hi this is Matthew Coulter calling to comment on the public hearing on the carbonizer that you're approving. I'm very concerned about air quality. Air quality in Grass Valley is the fifth worst in California as numbered by the state and it's just terrain driven. We get a lot of other people's pollution but we also have a lot here and it gets stuck in our terrain. That part of town being that Hanson Brothers is there and Rare Earth, HPE Reynolds, so there's a of diesel being burnt, heavy equipment being moved around, as well as dirt, gravel, fines of all different types being put airborne. If you stand at the Target Center and look at that little valley there, it's just swamped in at times with air pollution from just the things that are currently there, which is basically a rare earth moving material around, and Hanson Brothers with the plant and also moving material around. Then across on the other side of 49, you want to build out the Berryman Ranch, which is even lower and that's where everything settles to. So the health and safety for people moving to Grass Valley and what we're cramming things in next to each other, it makes no sense. This is not smart planning

at all. It's detrimental to health and safety and half the calls on the scanner for medical are usually difficulty breathing calls. Difficulty breathing. Think about that. That's a hard way to die is difficulty breathing. My grandfather is a minor, died of black lung for difficulty of at 42. We have bad air quality. Think about that with all these things that you're approving. Thank you.

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Taylor Whittingslow

From: WIRELESS CALLER - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Tuesday, December 17, 2024 7:38 PM
To: Public Comments
Subject: Voicemail from [REDACTED] on Dec 17 2024 7:35 PM
Attachments: 1734492944-000009bc.mp3



You received a new voicemail message



New voicemail message

Time: Tuesday, December 17 2024 7:35 PM

From: [REDACTED]

Duration: 59 seconds

Voicemail box: 8880

Transcript:

And this is Matthew Coulter commenting on the making the downtown into housing. And I did leave a message before and I thought it was lumped in with the agenda items as you tried to decide what was what there at the beginning of the meeting. And, yes, same comment that this plan basically helps Airbnbs, it helps the people that are very few that are pushing this, that will benefit financially, that also are city employees and city, or you know what you want to call them, I'll call them club members because That's what I always refer to them as, is a very small group of people that are gonna benefit from this, period. Thank you.

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**PLANNING COMMISSION
STAFF REPORT
JANUARY 21, 2025**

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY

Subject: Allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10

Location/ APN: Town Core Zoning Area

Zoning/General Plan: Town Core (TC) / Commercial (C)

Environmental Status: Not a project under CEQA pursuant to California Government Code section 65913.5(a)(3).

RECOMMENDATION:

- I. That the Planning Commission recommend that the City Council adopt the Ordinance to allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10, as may be modified at the public hearing, which includes the following actions:
 - a. A recommendation that City Council find the Ordinance is not a project for the purposes of the California Environmental Quality Act (CEQA) pursuant to California Government Code section 65913.5(a)(3).
 - b. A recommendation to amend subsection (c) and add subsection (d)(7) to section 17.44.140 of chapter 17.44 of title 17 of the Grass Valley Municipal Code to allow eligible mixed-use projects to include up to 10 dwelling units in the town core zone pursuant to government code section 65913.5

BACKGROUND:

Staff have received inquiries from property owners about the possibility of converting upper-level offices to residential use along the Mill Street pedestrian corridor. However, while the Town Core (TC) zone allows 20 dwelling units per acre, most of the buildings in this zone sit on very small lots, prohibiting them from taking advantage of the generous density allowance. Many of the buildings are large in size, and with the demise of office space interest in favor of home-office use, much of the non-ground level space is under-utilized.

At the City Council meeting held September 12, 2023, council directed staff to prepare special studies to support the drafting of an ordinance that would incentivize conversion of under-utilized upper and basement level spaces to residential use within the TC zoning designation. Staff prepared a Request for Proposals that circulated in January and February 2024. However, the city did not receive any proposals. Shortly after, staff began to look at California Senate Bill (SB) 10 as a means to move the increased density objective forward.

SB 10 was adopted and signed by the Governor in September 2021 and allows local agencies to adopt an ordinance to allow up to 10 dwelling units on any parcel if the parcel is within a transit-rich area or urban infill site. The bill language includes an explicit clause indicating that adoption of an ordinance under its provisions is not subject to CEQA review.

PROPOSED ORDINANCE:

The proposed ordinance has the following provisions:

- Limits the maximum residential density to a minimum of 10 dwelling units per parcel. This number can be made smaller, but not larger in order to comply with SB 10.
- A provision that disallows units permitted under this ordinance to be used as short-term rentals through means of a recorded restrictive covenant.
- An off-street parking agreement approved by the city at a ratio of 1 space per unit located within 1,300 feet of the property.
- Pursuant to SB 10, a restriction that a minimum of two-thirds of the property be designated for residential use.
- A restriction on ground-floor, street fronting space from being used for residential use in order to preserve the commercial and retail uses within spaces that are easily accessible to the public.

The goal of the proposed ordinance is to add to the revitalization effort downtown, encourage housing close to employment opportunities and close to the Tinloy Transit Station, and encourage investment in older buildings.

GENERAL PLAN

The Town Core zoning designation has a corresponding Commercial General Plan designation and Town Center General Plan overly. The Town Center designation very specifically encourages mixed-use development and does not have a residential density range associated with it. The proposed ordinance furthers the following goals of the General Plan:

- **Land Use- 9-LUP:** Provide for higher residential densities on infill sites and in the Downtown area.
- **Land Use- 23-LUP:** Encourage mixed-use developments incorporating a variety of densities on infill sites and in areas proposed for annexation.
- **Housing- HE Goal D, POLICY I:** The City shall encourage private reinvestment in older residential neighborhoods and private rehabilitation of housing. (While the TC zone is not considered a residential neighborhood, but the program encourages reinvestment in older buildings for the purpose of housing.)

ENVIRONMENTAL DETERMINATION:

Pursuant to Government Code section 65913.5(a)(3), an ordinance adopted under its provisions and any resolution to amend the jurisdiction's General Plan, or other regulation, is not a project for the purposes of the California Environmental Quality Act.

FINDINGS:

1. That at their meeting on September 12, 2023, the Grass Valley City Council directed staff to draft an ordinance that would incentivize conversion of under-utilized upper and basement level spaces to residential use within the Town Core zoning designation
2. That, the City of Grass Valley desires to incentivize investment in older buildings in order to preserve the historical integrity and aesthetics of downtown;
3. That City of Grass Valley encourages housing close to employment opportunities and the Tinloy Transit Station;
4. That the General Plan Land Use Element includes policy 9-LUP to “provide for higher residential densities on infill sites and in the Downtown area,” and 23-LUP to “encourage mixed-use developments incorporating a variety of densities on infill sites and in areas proposed for annexation”; and
5. That the General Plan Housing Element Goal D, Policy I encourages “private reinvestment in older residential neighborhoods and private rehabilitation of housing”; and
6. That the City of Grass Valley desires to promote the conversion of underutilized buildings for residential use in order for the City to meet housing demand and meet housing production targets of the Regional Housing Needs Allocation (RHNA) established by the California Department of Housing and Community Development (HCD); and
7. That Senate Bill 10 (Weiner) added section 65913.5 to the Government Code, effective January 1, 2022, authorizing a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density if the parcel is located on an urban infill site; and
8. That Government Code section 65913.5(a)(3) specifies that an ordinance adopted under its provisions and any resolution to amend the jurisdiction’s General Plan, or other regulation, is not a project for the purposes of the California Environmental Quality Act; and
9. That the Town Core zoning district is subject to adopted fire hazard mitigation measures pursuant to existing building standards and state fire mitigation measures in accordance with section 65913.5(a)(4)(A).
10. That the proposed Ordinance and increased density is consistent with the City’s obligation to affirmatively further fair housing pursuant to Government Code Section 8899.50 and with programs of Goal A of the 2019–2027 Housing Element, To Designate Sufficient Land at Appropriate Densities and Establish Development Standards and Permit Procedures to Accommodate the City’s Share of Nevada County’s Housing Needs for All Income Groups.

Attachments:

- I. Draft Ordinance to Allow up to 10 Dwelling Units in the Town Core Zone pursuant to SB10

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SUBSECTION (C) AND ADDING SUBSECTION (D)(7) TO SECTION 17.44.140 OF CHAPTER 17.44 OF TITLE 17 OF THE GRASS VALLEY MUNICIPAL CODE TO ALLOW ELIGIBLE MIXED-USE PROJECTS TO INCLUDE UP TO 10 DWELLING UNITS IN THE TOWN CORE ZONE PURSUANT TO GOVERNMENT CODE SECTION 65913.5

WHEREAS, at its regular meeting held on September 12, 2023, the Grass Valley City Council directed staff to draft an ordinance that would incentivize conversion of under-utilized upper and basement level spaces to residential use within the Town Core zoning designation (the “Ordinance”); and

WHEREAS, the City of Grass Valley desires to incentivize investment in older buildings in order to preserve the historical integrity and aesthetics of downtown; and

WHEREAS, the City of Grass Valley encourages housing close to employment opportunities and the Tinloy Transit Station; and

WHEREAS, the General Plan Land Use Element includes policy 9-LUP to “provide for higher residential densities on infill sites and in the Downtown area,” and 23-LUP to “encourage mixed-use developments incorporating a variety of densities on infill sites and in areas proposed for annexation”; and

WHEREAS, the General Plan Housing Element Goal D, Policy I encourages “private reinvestment in older residential neighborhoods and private rehabilitation of housing”; and

WHEREAS, the City of Grass Valley desires to promote the conversion of underutilized buildings for residential use in order for the City to meet housing demand and meet housing production targets of the Regional Housing Needs Allocation (RHNA) established by the California Department of Housing and Community Development (HCD); and

WHEREAS, Senate Bill 10 (Weiner) added section 65913.5 to the Government Code, effective January 1, 2022, authorizing a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density if the parcel is located on an urban infill site; and

WHEREAS, Government Code section 65913.5(a)(3) specifies that an ordinance adopted under its provisions and any resolution to amend the jurisdiction’s General Plan, or other regulation, is not a project for the purposes of the California Environmental Quality Act; and

WHEREAS, the Town Core zoning district is subject to adopted fire hazard mitigation measures pursuant to existing building standards and state fire mitigation measures in accordance with section 65913.5(a)(4)(A).

WHEREAS, the proposed Ordinance and increased density is consistent with the City’s obligation to affirmatively further fair housing pursuant to Government Code Section 8899.50 and with programs of Goal A of the 2019–2027 Housing Element, To Designate Sufficient Land at Appropriate Densities and Establish Development Standards and Permit Procedures to Accommodate the City’s Share of Nevada County’s Housing Needs for All Income Groups; and

WHEREAS, the Planning Commission, after considering public comment, held a duly noticed public hearing and reviewed the draft Ordinance at its regular meeting held on _____ and voted _____ to recommend adoption by the City Council.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY:

SECTION 1. RECITALS. The recitals and findings set forth above are true and correct and incorporated herein by reference.

SECTION 2. CODE AMENDMENT. Subsections (C) and (D) of Section 17.44.140 of Chapter 17.44 of Title 17 of the Grass Valley Municipal Code are hereby amended to read as follows (deletions denoted by ~~struck through~~ text and additions denoted by underlined text):

17.44.140 – Mixed use projects

...

C. Maximum Density. ~~The residential component of a mixed-use project shall not exceed a maximum density of fifteen units per acre. This standard shall not apply in the traditional community development zones.~~

1. The residential component of a mixed-use project shall not exceed a maximum density of fifteen units per acre. This standard shall not apply in the traditional community development zones.
2. A parcel within the Town Core Zone may be developed with a mixed-use project containing up to 10 dwelling units, subject to the approval of a Minor Use Permit application and compliance with the following standards:
 - a. The parcel meets the definition of “urban infill site” as defined by Government Code Section 65913.5(e)(3);
 - b. The parcel is not publicly owned land designated as open-space land or for park or recreational uses;
 - c. The maximum allowable density for the parcel does not already allow a minimum of 10 dwelling units; and
 - d. The proposed project is consistent with this Chapter, including the Project Design Standards outlined in subsection (D)(7) of this Section 17.44.140.

Nothing herein shall be construed to reduce the allowable density of any parcel in the Town Core Zone.

...

D. Site Layout and Project Design Standards. Each proposed mixed-use project shall comply with the property development standards of the applicable zone, and the following requirements.

...

7. In addition to the above standards, any mixed-use project taking advantage of the density allowance provided in subsection (C)(2) of this Section 17.44.140 shall comply with the following standards:
 - a. At least two-thirds of the square footage of the mixed-use project shall be designated for residential use.
 - b. Off-street parking at a minimum ratio of one parking space per dwelling unit shall be provided within 1,300 feet of the mixed-use project. A minimum of one parking space shall be assigned to each dwelling unit and be guaranteed by written instrument or agreement approved by the City.
 - c. No dwelling unit created pursuant to subsection (C)(2) of this Section 17.44.140 in excess of the otherwise maximum allowable density for a given parcel shall be rented for a period of less than 30 days. Developers shall record a restrictive covenant prior to certificate of occupancy, limiting the dwelling units created pursuant to this section to rental periods of at least 30 days, and agreeing to the foregoing. The restrictive covenant shall clearly indicate the number of dwelling units that may be rented for less than 30 days and the number that must be rented for at least 30 days.
 - d. Dwelling units shall not occupy ground-floor street-frontage space adjacent to a public or private street, regardless of whether that street is open to vehicular traffic. Dwelling units may be allowed at ground level behind street-fronting nonresidential uses. The ground-floor street-frontage space within a mixed-use building shall be reserved for commercial uses, except for a lobby or other entry feature providing access to the dwelling units.

...

SECTION 3. CEQA FINDINGS. This Ordinance not a Project under the California Environmental Quality Act (CEQA) pursuant to section 65913.5(a)(3) of the California Government Code, which provides that any ordinance adopted under its provisions and any resolution to amend the jurisdiction’s General Plan, zoning ordinance, or other local regulation adopted to be consistent with that zoning ordinance, shall not constitute a “project” for the purposes of CEQA.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of Grass Valley declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect 30 days after its adoption under Article VII, § 2 of the Grass Valley City Charter.

SECTION 6. Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in *The Union*, a newspaper of general circulation printed, published, and circulated within the City.

INTRODUCED and first read at a regular meeting of the City Council on the ____ day of _____ 2025.

FINAL PASSAGE AND ADOPTION by the City Council was at a meeting held on the _____ day of _____ 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Hilary Hodge, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael G. Colantuono, City Attorney

Taylor Whittingslow, City Clerk