

NEVADA COUNTY, CALIFORNIA
NOTICE OF AVAILABILITY FOR PUBLIC REVIEW AND NOTICE OF INTENT TO
ADOPT AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE
CLEARINGHOUSE NO. 2011052030) FOR THE RINCON DEL RIO CONTINUING CARE
RETIREMENT COMMUNITY PROJECT

TO: Department of Public Works – Surveyor
Department of Public Works – Engineering
Department of Public Works – Sanitation
Department of Public Works – Transit
Environmental Health Department
Building Department
County Counsel*
Nevada County Transportation Commission
Northern Sierra Air Quality Management Dist.
Ag Commissioner
Housing/Community Services
Assessor
LAFCo
CEO – Alison Lehman
Higgins Fire District
Pleasant Ridge Union School District
Placer County Planning
US Army Corp of Engineers
US Fish & Wildlife
Nevada County Economic Resource Council
General Plan Defense Fund
Hidden Ranches Road Association
Laborers Pacific Southwest
Lake Combie Estates HOA
Nevada Irrigation District
PG&E
Comcast
Kevin Johnston
Keep Nevada County Rural
Shingle Springs Band of Miwok
Nevada County Clerk-Recorder Office
Nevada Union High School District
CALFire, Nevada Yuba Placer Unit – Brian Estes
California State Clearinghouse
Nevada County Historical Landmarks Commission
Department of Parks and Recreation
Caltrans Highways
Fire Protection Planner
CA Fish & Wildlife
Central Valley Water Quality Control
Department of Water Resources
Native American Heritage Commission
State Lands Commission
CA State Fire Marshal
Air Resources Control Board
Resource Conservation District
CA Native Plant Society - Redbud
Nevada County Association of Realtors
Greater GV Chamber of Commerce
FREED
Sierra Nevada Group/Sierra Club
Federation of Neighborhoods
Tsi Akim Maidu
United Auburn Indian Community
Bear Yuba Land Trust
Friends of Nevada City
Glenwood HOA
Lake of the Pines Ranchos
Lake of the Pines HOA
Nevada City Rancheria Nisenan Tribe
Lake of the Pine HOA – Tom Wright
Commissioner Duncan, District II
Supervisor Scofield, District II
Brian Foss, Planning Director
Tyler Barrington, Principal Planner
Nevada County Contractor’s Association
Sean Powers, CDA Director
COB – Jeff Thorsby
Lake of the Pines Ranchos CSD
Hidden Ranch Road Committee
SYRCL
Property Owners w/in 500-Feet

**receives full report, others receive NOA/NOI only with report available online.*

Date: December 8, 2020

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File Number(s): PLN19-0024; TFM19-0008; CUP19-0010; MGT20-0001; PFX19-0003; MIS20-0001; EIS19-0010

Assessor's Parcel Number: 057-130-013; 057-240-017; 057-240-018; 057-240-019

Applicant / Property Owner: Young Enterprises, LP
10450 Rincon Road
Auburn, California 95602

Representative: Dale Creighton / Martin Wood
SCO Planning and Engineering
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Grass Valley, California 95945

Zoning Districts: Planned Development (PD) – Continuing Care Retirement Community Combining District (CCRC)

General Plan Designation: Planned Development (PD) – Continuing Care Retirement Community (CCRC)

Project Location: The approximately 215-acre project site encompasses four parcels and is located at the end of Rincon Way, which is located approximately 1/2-mile east of Highway 49, and south of the Lake of the Pines community within unincorporated southern Nevada County.

Project Description: The project as proposed is a combined application for a Use Permit to amend the Comprehensive Master Plan and revise the Tentative Final Subdivision Map, which was approved to facilitate the development of the subject parcels as a 345 Unit Continuing Care Retirement Community known as the Rincon del Rio project, which was approved on April 9, 2013 by the Nevada County Board of Supervisors (EIR10-001, ORD09-002, GP11-001, GP11-002, Z10-003, FM09-001, U09-007, MGT09-008, MI10-010).

The proposed changes to the approved project are referred to herein as the “proposed modified project.” The certified Rincon del Rio EIR analyzed a project consisting of the development of a Continuing Care Retirement Community featuring a variety of independent and supportive living arrangements as described above.

As proposed, the project is a combined application for a Use Permit to amend the approved Comprehensive Master Plan to allow for a revision and relocation of some of the previously approved campus uses and to allow for individual fee title ownership of the proposed independent living single-family residential attached and detached units that would be located within the project site. As proposed, the proposed modified project would also be a Continuing Care Retirement Community (CCRC), known as Rincon del Rio, offering services and housing in an “age restricted campus setting” designed to serve adults 55 years and older, who are seeking to downsize their living environment, but are still physically and socially active. Housing types would include Independent Living detached Single-Family Residential Cottages and Bungalows, Independent Living attached 5-plex and 14-plex Condominium Units, Independent Living Village Center Loft Condominium Units and a Group Home Memory Care / Assisted Living Facility. In addition to housing, the Rincon del Rio CCRC project would provide services that would include physical rehabilitation, food service, social and recreational activities, and cleaning and home maintenance services. Seniors who are independent may live in a single-family Cottage or Bungalow home, attached Condominium Unit, or an attached Village Loft Condominium Unit within a campus setting where the residents can rely on security and services designed to allow one to “age in place” and receive lifelong care.

The campus would offer seniors a variety of housing options, all of which would be constructed with Universal Design principals aimed at ensuring an age-in-place option, no matter how challenging the circumstance. As proposed, the

revised Rincon del Rio project would be similarly designed to serve a senior population of 415 people within 345 living units consisting of the following revised elements as shown below and on Table 2:

- Independent Living (Detached) Single-Family Residential Cottages and Bungalows.
- Independent Living 5-Plex and 14-Plex multi-tenant condominium single-ownership units.
- Independent Living Residential Loft multi-tenant condominium single-ownership units.
- Group Home Memory/Assisted Living Facility.

**Table 2
 RINCON DEL RIO
 PROPOSED MODIFIED DEVELOPMENT SUMMARY**

Building Type	Number of Buildings	Number of Units	Unit Size	Building Size (sf)	Parking
Residential Independent Living					
Cottages	78	78	1,785–2,600 sf	Varies	78 Resident; 78 Guest
Bungalows	24	24	1,750 sf	Varies	24 Resident; 24 Guest
5-Plex Condominium (Two-Story)	29	145	1,473 – 1,481 sf	7,357	150 Resident; 94 Guest
14-Plex Condominium (Three-Story)	4	56	1,300 sf	28,000	56 Resident; 24 Guest
Subtotals	135	303	–	–	528
Residential Nursing Care					
Group House Memory Care	1	22	88 Beds	46,000 sf	44
Subtotals	4	22	–	–	44
Village Center					
Support Retail	4	–	–	30,000 sf	100
Residential Village Loft Condominiums		20	1,500 sf	–	20 Residential; 7 Guest
Subtotals	5	98	–	–	127
Common Area Support Services					
Clubhouse (Existing Building)	1	–	–	14,000	8
Pool Building/Classroom/ Gathering	1	–	–	10,000	18
Community Barn	2	–	2,800	2,800 sf per building (5,600 total)	6
Gatehouse	1	–	–	935	–

Building Type	Number of Buildings	Number of Units	Unit Size	Building Size (sf)	Parking
Subtotals	5	–	–	–	32
Totals	145	345	–	–	731

As proposed, the modified project would maintain the same basic campus design that is clustered within the western approximately 48-acre portion of the approximately 215-acre project site. As proposed, primary access would be provided via Rincon Way, which is located off of Highway 49. Emergency access would be provided via Rodeo Flat Road at the northeast corner of the project site through the construction of an emergency access road that would extend a fire standard access road to Rodeo Flat Road, thus connecting Rodeo Flat Road with Rincon Way.

The project site is located within the boundaries of the Nevada Irrigation District (NID) and treated water is available to serve the project site. Public sewer is also available to serve the site, as the project site was annexed into the Lake of the Pines Zone of the County Sanitation District on July 18, 2013 by the Local Agency Formation Commission as approved by Resolution No. 13-07.

As proposed, the modified project would also include the same recreational elements as those that were included with the approved project such as walking trails with a river over look, group barbecue and picnic areas, pond side fishing area, raised bed community gardens, indoor pool, event lawn, horseshoe pits, outdoor kitchen, and courts for pickle ball, volleyball, and bocce ball. Proposed development associated with the project would be limited to 48 acres total, with all development except the proposed emergency access road, trails, barbeque areas, water tank, and sewer lift station to be clustered within the northwest portion of the site. Approximately 4 acres of the site would be used for agricultural uses (row crops and an orchard), with 163 acres remaining as undeveloped open space.

Use Permit:

As proposed, a Use Permit (CUP19-0010) would establish a revised Comprehensive Master Plan for the project site, pursuant to the requirements of the Planned Development Base Zoning District and the Community Care Retirement Community Combining District similar to the previously approved project as discussed above and as shown on the submitted revised site plans (Appendix B) and within the proposed revised Comprehensive Master Plan. As proposed, the revised Comprehensive Master Plan for the modified Rincon del Rio project would include the following components:

- A description of the proposed project and existing environmental setting;
- Existing and proposed infrastructure, including roadway and circulation improvements, proposed sewer and water system descriptions, conceptual drainage plan, site grading and erosion control plans, fire safety, and landscaping;
- A description of project phasing and improvements associated with each phase;
- Open space management provisions, which include the creation of CC&R’s to address property maintenance and open space and common area management;
- Visual assessment and site design guidelines approach; and,
- Site and architectural design summary.

As proposed, the Use Permit and revised Comprehensive Master Plan, for the proposed modified project for the Rincon del Rio CCRC would offer a self-contained Village environment with a similar variety of amenities and services as previously analyzed by the certified Rincon del Rio EIR and would maintain the same Campus design use and service amenities and allow for relocation of some of the uses as outlined above and allow for individual fee title ownership of the residential attached and detached units and would include the following revisions as shown on the revised site plan (Appendix B) and would be as follows:

- Amend the Village Center area by relocating the five buildings in the Support Service Village Center to four smaller two-story buildings to be located along the main access road east of the gate house. The support uses would be located on the first floor and would be reduced from approximately 219,000 square feet to approximately 30,000 square feet and allow for twenty (20) single-ownership Independent Living two-bedroom single-ownership Village Loft residential units second story units.
- Relocate the 22-unit approximately 46,000-square-foot Group Home Memory Care / Assisted Living Facility from south of the Village Center to north of the Village Center.
- Reduce the size of the five apartment buildings and the 98 Independent Living Apartment units to allow for 56 attached Independent Living two-bedroom single-ownership condominium units in four 14-unit buildings and 145 two-bedroom single-ownership condominium units in twenty-nine (29) 5-unit buildings. As proposed the 14-Plex and 5-Plex condominium buildings would be on common ownership parcels with the 201 condominium units being single-ownership airspace units. In addition, up to 24 condominium units would be retained by the applicant as rental units that would remain under the ownership of the applicant.
- Change the type of the residential independent living units from 216 Cottages, Duplex's, 4-Plexe's, Cohousing and lodges to 78 Independent Living one and two-bedroom single and two-story Cottage Units and 24 Independent Living one-bedroom Bungalow units for a total of 102 units. The 102 Cottage and Bungalow units would be located on individually owned residential parcels.
- Relocate the tennis and pickleball courts from near the gate house to the farm area, further located east of the orchard.

Residential Units:

As shown above on Table 2, the modified project proposes the construction of 345 residential units, however, the residential building types have been revised as follows:

- **Cottages:** Seventy-Eight (78) Independent Living one and two-bedroom Single-Story and Two-Story, downhill and uphill detached single-family units with one-car garage and additional tandem parking space (open) between garage and road. As proposed, the Cottages would range in size from approximately 1,785–2,600 square feet depending on the model chosen and would be up to 30 feet in height. Depending on the individual lot slope, there would be some models that would contain basements or living space on the downhill side. As proposed, the Cottages would be contained on individually owned residential parcels.
- **Bungalows:** Twenty-Four (24) Independent Living Single-Story detached one-bedroom single-family units with one-car garage and additional tandem parking space (open) between garage and road. As proposed, the Bungalows would be approximately 1,750-square-feet in size and would be oriented with the garage facing the street and the entryway and front porch facing an interior landscaped paseo. As proposed, the Bungalows would be contained on individually owned residential parcels.
- **5-Plex Condominium:** A two-story 5-unit, approximately 7,357-square-foot two-story multi-tenant condominium building consisting of five (5) two-bedroom Independent Living single-ownership units. The single-ownership units would range in size from approximately 1,473 to 1,418 square feet. As proposed, there would be twenty-nine (29) buildings located within the proposed 48-acre development area of the project which would contain 145 single-ownership condominium units.
- **14-Plex Condominium:** A Three-Story 14-unit, approximately 28,000-square-foot multi-tenant condominium building consisting of fourteen (14) Independent Living two-bedroom single-ownership units. The single-ownership units would be approximately 1,300 square feet. The single-ownership units would be accessed via two exterior

stairwells or an exterior elevator and would contain common ownership garage-level parking and storage below (entered at the downhill side. As proposed, there would be four (4) 14-unit condominium buildings located on common ownership parcels.

- **Group Home Memory Care/Assisted Living Facility:** A Two-Story 22 Unit, approximately 46,000-square-foot assisted living facility. The Assisted Living facility would contain 22 assisted living units (nursing care) and contain 88 beds. The final interior design would be completed as future tenant improvement to be designed by operators of the Group Home Memory Care / Assisted Living Facility.
- **Village Center Residential Loft Condominiums:** Multi-Unit Buildings with twenty (20) single-ownership Independent Living units and community services (mixed use at ground floor, see below).
- **Condominium Rental Units:** A total of twenty-four (24) Condominium Units would be retained by the applicant as rental units that would be utilized as Independent Living Units whose ownership would remain with the applicant.

Village Center:

As shown on the revised site plan (Appendix B) and above on Table 2, the proposed modified project Village Center would consist of four two-story buildings that include various types of community support services with twenty (20) single-ownership Independent Living two-bedroom single-ownership residential units as well as community and support services. The Village Center would provide a total of 94 parking spaces.

- **Building One** would consist of six (6) approximately 1,500-square-foot two-bedroom single-ownership Independent Living, residential units located on the second floor and approximately 9,000 square feet of service support uses on the first floor. Support services would include a café bistro, bakery, ice cream, restaurant, computer room, and sundry store.
- **Building Two** would consist of four (4) approximately 1,500-square-foot two-bedroom single-ownership Independent Living, residential units located on the second floor and approximately 6,000 square feet of service support uses on the first floor. Support services would include a doctor's office, post office/mailbox room, game/club room, and flexible space.
- **Building Three** would consist of six (6) approximately 1,500-square-foot two-bedroom single-ownership Independent Living, residential units located on the second floor and approximately 9,000 square feet of service support uses on the first floor. Support services would include a exercise room, spa/massage, pharmacy, grocery, barber, deli, art gallery/studio and beauty parlor.
- **Building Four** would consist of four (4) approximately 1,500-square-foot two-bedroom single-ownership Independent Living, residential units located on the second floor and approximately 6,000 square feet of service support uses on the first floor. Support services would include a recycling center, business-concierge, appointment bank, dry cleaner, and laundromat.

Common Facilities and Accessory Buildings:

As shown on the revised site plan and above on Table 2, the proposed modified project would contain the following of 4 large common facilities and accessory buildings totaling approximately 30,535 square feet and providing 32 parking spaces:

- **Gatehouse** – An approximately 935-square-foot gatehouse would be constructed at the western entry to the project site where Rincon Way leads into the site. The gatehouse would single story and contain an office and storage space, an attendant area, and restroom. The design would be consistent with the overall architectural theme of the project.

- **Community Barns** – Two community barns totaling approximately 5,600 square feet (2,800 square feet each) would provide a shop, farm and gardening supplies, farm stands, animal housing, farm equipment storage, an auto/tractor shop, a farmer’s office, and a restroom. They would be located north of the Emergency Access Road and to the west of the orchard. A parking area would also be provided south of the proposed barns.
- **Pool House** – An approximately 10,000-square-foot pool house would be constructed within the eastern portion of the Village Center and would contain an indoor swimming pool, gym, spa, men’s and women’s locker rooms with saunas, pool equipment, and storage area.
- **Clubhouse** – The existing main residence on the project site, at 14,000 square feet, would be modified to serve as a clubhouse. The clubhouse would be used by residents and prospective residents as a place to gather, socialize, relax, and party. The clubhouse would include common areas, pool, terrace, pool bar, exercise room, library, wine cellar, kitchen, theater, and bathrooms. In addition, the clubhouse would include a staff suite and a guest suite that would serve as lodging for prospective residents.

In addition, the proposed modified project would also contain several minor accessory structures including an existing approximately 2,300-square foot wooden patio covered barbeque area located east of the Clubhouse and an approximately 594-square-foot restroom that would be located west of proposed Village Lofts Building C and D within the Village Center.

Transportation – As with the previously approved project, the proposed modified project would provide a minimum of two para-transit vehicles, ADA equipped for the purposes of transporting residents within the facility to various business appointments, grocery and service needs, recreation and special events. Transportation will be provided on a daily basis. The Project access will come from Rincon Way. Rincon Way will be widened to two 10-foot lanes and resurfaced within the existing 30-foot deeded easement. A 20-foot emergency access road will be constructed from the project development area east to connect with Rodeo Flat Road. This road will be for emergency purposes only and gated to restrict public access. In addition, the project will provide common use electric golf carts and on-call shuttle service for internal campus uses.

Dining – Dining facilities will be available for breakfast, lunch and dinner for each phase of build out. In addition, food service venues such as lunch café/bistro, ice cream parlor, a coffee shop/book store, and light eating areas will be provided in the Village. Meals prepared in the facility can be delivered to individual residences or residents can dine in the main dining or the café/bistro facility.

Laundry - Washers and dryers will available for each independent unit. In addition, contract laundry services will be available.

Care - The project will provide on-site EMT personnel and contract medical care may be provided from contract doctors providing geriatrics care for the residents.

Indoor & Outdoor Recreation - The project provides over 4 miles of improved walking trails, and soft surface trails throughout the property, general picnic areas and social gathering areas along the Bear River, raised-bed community gardens, aquatic center, fitness center, bocce ball courts, tennis courts and pickleball area. Fitness and wellness classes will be provided. These amenities are dispersed throughout the project development area. A 1.7-acre Village Park will contain the Aquatic Center building along with several miles of soft surface trails meandering through the open space area and along the Bear River will be included.

Daily Services - Daily services for all residents will include a grocery & sundry store, beauty shop/hair salon, barber shop, post office/mailbox room, personal business/computer center, appointment banking, theater, library, retail gift shop, and arts/crafts studio.

Tentative Final Map:

The modified project as proposed would propose the approval of a Tentative Final Map (TFM19-0008) to subdivide the parcel from four parcels into 102 Single-Family Residential Parcels ranging in size from 4,699 square feet to 8,391 square feet. 221 Single Ownership Condominium parcels ranging in size from 1,300 square feet to 1,500 square feet. 23 common area parcels ranging in size from 11,807 square feet to 130.42 acres for parking, landscaping, open space, Village Center, Group House/Memory Care and other common facilities. The Tentative Final Map would also include Road Way dedication and easements / lots configurations; Establishment of an easement for rights-of-way for Public Utility and Emergency Access purposes; Establishment of a Road Maintenance Agreement to provide legal descriptions and to outline road maintenance obligations for Rincon Way and internal roadways; and provisions for domestic and fire water supply as required by Nevada County Land Use and Development Code, Chapter XVI – Fire Safety Regulations

Management Plan:

The modified project as proposed would include a Management Plan Component for proposed encroachment into identified sensitive resources including; Steep Slopes, Landmark Oak Trees, Landmark Oak Groves, and Water Resources. The intent of the Management Plans are to provide definition to how the modified project intends to protect sensitive natural areas of the subject project site and mitigate encroachments into these resource areas.

Petition for Exception:

The modified project also proposes a Petition for Exceptions from the Nevada County Road Standards for secondary emergency access via Rodeo Flat Road, an existing public road similar to that of the approved project. Pursuant to Nevada County Land Use and Development Code, Section L-XVII 3.4 – Design Geometrics, development of the proposed modified project would result in a dead-end roadway exceeding the maximum allowable cumulative length of an access drive, thus a secondary emergency access road is required. Standard specifications for secondary emergency access are outlined in Table II, Section L-XVII 3.4 of the LUDC and provide for an overall width of 20-feet plus 2-foot shoulders and a maximum grade of 16%. Pursuant to the submitted modified project, and based on the certified EIR, it has been determined that Rodeo Flat Road meets the required standards for roadway width however may exceed the maximum grade specifications in at least one location (up to 16.5% for approximately 50 – 100 feet). The roadway exception petition seeks an exception for an emergency access roadway exceeding the maximum allowable roadway grade for a portion of the roadway location off of the project site.

The Petition for Exception also seeks an exception from the road right-of-way widths on Rincon Way from a 50-foot width to a 30-foot width similar to that of the approved project. All of the road improvements for a Class 2 roadway would be contained within the existing 30-foot road right-of-way along Rincon Way. The petition would allow for the elimination of vegetation management on either side of the roadway.

In addition, the proposed modified project also seeks a Petition for Exception for the interior primary access roads, and includes that they shall be constructed to Local Class 2 Standards, with an exception of allowing a reduction of the right-of-way width from 50 feet to 40 feet, and shoulder width from 4 feet to 2 feet when AC dike is used. The Petition for Exception would allow for a reduced shoulder width and would reduce overall sight grading throughout the subject project site.

Water Service and Wastewater:

As previously approved, domestic water service would be provided by the Nevada Irrigation District (NID) and wastewater service would be provided by the Nevada County Sanitation District #1 and the Lake of the Pines wastewater treatment plant. As analyzed by the certified Rincon del Rio EIR, the project site is located within the boundaries of the NID service area, and a will-serve letter for the project has been issued. The project site would be serviced by potable water from the Lake of the Pines Water Treatment Plant. As proposed as Alternative A, the approved project would construct a mainline extension (of an existing 8-inch waterline) as well as an upgrading of a section of the existing off-site NID water service line from the northeast corner of the site at Rodeo Flat Road and would be constructed as part of

the project. The project will also be required to install new water pumps in the existing Timber Ridge tank/pump building to supply the project.

Furthermore, as previously approved as Alternative A the wastewater service collection system would consist of one on-site sewer lift station at the northeast corner of the site, as well as a potential intermediate lift station at the eastern edge of the proposed development area if it is determined that the additional pump capacity is needed. The project would extend an existing 6-inch force main from the project site to Rodeo Flat Road. From the high point near the intersection of Rodeo Flat and Timber Ridge, the line would then gravity flow down Timber Ridge Road and eventually terminate at an existing manhole located on Riata Way near the Lake of the Pines Sewer Treatment Facility. All off-site construction of the sewer main would be located within existing public utility easements (PUEs).

As proposed the modified project would include a proposed Alternative B as identified within the proposed Comprehensive Masterplan and as evaluated within the Rincon del Rio Final Environmental Impact Report (October 2012), that would extend an approximate 12-inch water supply pipeline and a sewer force main from the Lake of the Pines Wastewater Treatment Plant along Riata Way, through public utility easements along private parcels along Hidden Ranch Road and Pleasant Court to the subject project site. The project would be conditioned to require the obtaining of all necessary easements, right-of-way, permits, and permissions to install the infrastructure to facilitate capture and conveyance of water and sewage from the contributing structures to the Lake of the Pines Wastewater Treatment Facility. The County will not be held responsible for the implementation of Alternative B in any way given that Alternative A is feasible. As with Alternative A above, the placement of the new infrastructure and extending existing pipelines would require trenching, earthmoving and other construction activities.

Fire Suppression:

As proposed as part of the modified project an approximately 300,000-gallon on-site water storage tank would be constructed to augment the required storage for fire flow. The tank would be approximately 32 feet high and 40 feet in diameter and would be accessed from the existing Combie Canal maintenance road to the proposed water tank. A new 10- or 12-inch mainline would be extended from the new tank to the developed area of the project site and new pumps would be required at the existing Timber Ridge tank/pump building. The water tank and transmission lines have been sized to provide a water volume 1,500-gallon-per-minute fire flow for four hours; this storage is calculated to ensure adequate water volume at the site and ensure that fire flows meet minimum California Fire Code requirements.

CCRC Operation:

As proposed, the modified project would be an age-restricted CCRC campus that would allow for individually owned residential parcels and condominiums and would be an Equity Model CCRC and would be limited to a maximum population of 415 age-restricted residents within 345 residential units. The Department of Social Services and the Department of Real Estate allow for the operation of an Equity Model CCRC, where there is no entry fee. The Model allows consumers to purchase a home and pay monthly fees. If long-term care is ever needed, in-home care is provided, when possible. Otherwise, the resident is moved to assisted living or memory care provided on-site. Residents pay only for services they need personally, as opposed to a sizeable entry-fee required.

Homeowners will receive, as part of their service package, a continuing care contract giving them priority access to care at the community's assisted living and memory care facilities. The applicant would apply for a Certificate of Authority to offer continuing care contracts from the California Department of Social Services, pursuant to California Health and Safety Code, Section 1770 et seq. As proposed, each member of the community would receive a continuing care contract in conjunction with the purchase of a single-family residence or condominium. Homeowners' purchase of a residence includes a membership in the Rincon del Rio Home Owners Association.

The applicant would also impose a declaration of covenants, conditions, and restrictions ("CC&Rs") prior to the issuance of a certificate of occupancy for the first residence, and with respect to occupancy, the CC&Rs would provide for the following:

1. Formation of a homeowners association which shall be responsible for enforcing all property use restrictions and maintenance obligations;
2. Age and occupancy restrictions that are feasible under all Federal and California laws and regulations, subject to approval by the California Department of Real Estate;
3. The homeowners association shall provide the County with a copy of each verification of occupancy report prepared pursuant to 24 CFR § 100.307.

Proposed Phasing Plan:

The modified project is proposed as a phased development to be constructed in 10 phases however, phases may be combined and/or modified based on site demands and market conditions. The first 2 phases of the proposed development would include access roads, infrastructure improvements and some residential units. Phase 1 would include construction of the sewer and water system, primary emergency access roads, gatehouse, 14 single-family Cottage Units, and four 5-Plex single-ownership condominium units. Phases 3 through 10 would continue buildout of the project with the Group Housing Memory / Assisted Living Facility proposed in Phase 7 in order to allow for base campus population to be established.

The proposed phasing plan is detailed below on Table 3 and graphically in Appendix B.

**Table 3
 PROJECT PHASING**

Project Phasing and Unit Count ⁽¹⁾	
PHASE 1: - Emergency Access Road Connection - Primary Access Road Improvements - Gatehouse - Sewer Lift Stations, Water Tank & Other Utility Connections - 14 Cottage Units - 4 5-Plex Condominiums (20 Units) - Garden	PHASE 6: • 21 Cottage Units
PHASE 2: - 24 Bungalow Units	PHASE 7: - Village Service Center - Group House Memory Care - Pool / Fitness Center
PHASE 3: - 4 Attached Condominiums (56 Units) - (2) 5-Plex Condominiums (10 Units)	PHASE 8: - 3 Cottage Units - (6) 5-Plex Condominiums (30 Units)
PHASE 4: - (5) 5-Plex Condominiums (25 Units)	PHASE 9: - 9 Cottage Units - Pickle Ball / Tennis Court - Row Gardens / Farm - Auto / Tractor Repair Barn
PHASE 5: - 11 Cottage Units - (7) 5-Plex Condominiums (35 Units)	PHASE 10: - 20 Cottage Units - (5) 5-Plex Condominiums (25 Units)

(1): The proposed Phasing Plan is necessary flexible to accommodate changing on-site demands and market trends. The Planning Director may approve minor variations to the overall project phasing however all required infrastructure elements shall be installed prior to any occupancy occurs and a 70% occupancy rate within each phase shall be reached prior to the initiation of the next phase.

Development Agreement:

The proposed modified project would include a revised Development Agreement between the applicant and the County which would establish a 20-year timeline for the life of the Development Agreement. The Development Agreement would address the following major topic areas:

- Project Phasing and Occupancy Thresholds-requires at least a 70% occupancy of a phase before the next phase can begin construction;
- Population Caps-establishes a maximum population of 415 residents;
- Payment of Fire Service Fees;
- Emergency Access Road Gate- requires gate to be installed and monitored;
- Payment and timing of wastewater treatment and capacity fees; and,
- Addresses issues related to the potential conversion of the project from senior-living, age-restricted units to unrestricted rental or ownership units.

In addition to the primary topical subject addressed above, the Development Agreement would also establish provisions and agreements on the following procedural matters:

- The effect of changes to applicable laws and regulations;
- An annual review of the Development Agreement;
- An amendment process for the Development Agreement;
- Remedies in the event of default of the Development Agreement; and,
- Transfer and assignment of rights and interests in the property.

For full Project Description Please see the proposed Addendum to the EIR.

PUBLIC REVIEW: As a Lead agency in accordance with CEQA, this Notice of Availability serves as public notice that the County of Nevada has prepared an Addendum to an EIR for the project identified above in accordance with CEQA Guidelines Section 15164. Nevada County is inviting comments and concerns regarding this Addendum to an EIR during the public review period as outlined below. The decision-making body shall consider the Addendum with the certified EIR, prior to making a decision on the project, pursuant to CEQA Guidelines Section 15164(d). Although not required, this Addendum to an EIR is being circulated for a 45-day public review period. Prior to approval of the project, the Planning Commission consider comments received on this Addendum to an EIR. The Planning Commission will hold a public hearing before it considers certification of the Addendum with the certified EIR and approval of the proposed project at a duly noticed public hearing on a date to be determined.

The public review period for the proposed project is from **December 8, 2020 to January 21, 2021. Comments must be received by 5:00 p.m. on the last day of the comment period, January 21, 2021.** Written comments should be sent to the following address:

Matt Kelley, Senior Planner
Nevada County Planning Department
950 Maidu Avenue, Suite 170
Nevada City, CA 95959
Phone: 530-264-1423
Email: matt.kelley@co.nevada.ca.us

DOCUMENT AVAILABILITY: The Addendum to the EIR prepared for this project and the documents used in preparation of this Addendum are available for review on the County's website at <https://www.mynevadacounty.com/512/Planning-Department>, under the Projects and Supporting Documents link. Hardcopies may be reviewed at the Nevada County Planning Department, 950 Maidu Avenue, Suite 170, Nevada City, CA 95959.

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date, an Addendum to a previously certified EIR has been prepared because none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred.

Rincon del Rio – PLN19-0024; TFM19-0008; CUP19-0010; MGT20-0001; PFX19-0003; EIS19-0010
December 8, 2020

Prepared by:



Matt Kelley, Senior Planner

12/7/20

Date