



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION TO ADOPT THE PROPOSED AMENDMENT TO THE NEVADA COUNTY GENERAL PLAN LAND USE MAP DESIGNATION FROM RURAL WITH A MINIMUM PARCEL SIZE OF 20-ACRES (RUR-20) TO RURAL WITH A MINIMUM PARCEL SIZE OF 10-ACRES (RUR-10) (GPA24-0002) FOR ASSESSOR'S PARCEL NUMBER (APN) 060-150-063

WHEREAS, on November 14, 1995, the County of Nevada adopted a General Plan for the County of Nevada, through Resolution 95-530; and

WHEREAS, Mr. Mike Gabelman ("Applicant") is the owner of Assessor's Parcel Number 060-150-063; and

WHEREAS, the Applicant has filed an application on April 8, 2024 to amend the General Plan Land Use Map designation from Rural with a minimum parcel size of 20-acres (RUR-20) to Rural with a minimum parcel size of 10-acres (RUR-10) for the project site; and

WHEREAS, as required by Senate Bill 12 (Burton) and Assembly Bill 52 (Gatto), the County of Nevada sent a request for consultation to the United Auburn Indian Community (UAIC), Nevada City Rancheria Nisenan Tribe, Tsi-Akim Maidu Tribal Office, and Shingle Springs Band of Miwok Indians, who in return did not request specific consultation for this project; and

WHEREAS, the County has prepared a project specific Initial Study/Mitigated Negative Declaration (IS/MND) (EIS24-0006) and circulated it for a 31-day public comment period from March 21, 2025 to April 21, 2025; and

WHEREAS, on April 24, 2025, the Planning Commission held a duly noticed public hearing on the proposed General Plan Land Use Map designation amendment (GPA24-0002), property specific rezone (RZN24-0002), Tentative Parcel Map (TPM24-0003), Watercourse Management Plan (MGT24-0019), Oak Resources Management Plan (MGT24-0020), and Petition for Exceptions to Fire Safe Driveway Standards (PFX24-0009) (collectively "Project") in which the Commission reviewed the proposed IS/MND

together with all comments received during the public review period, and recommended adoption of this same Mitigated Negative Declaration before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, the Planning Commission after reviewing and considering the proposed project on April 24, 2025, and after taking public testimony and deliberating on the project voted 4-0 (1 absent) to recommend that the Board of Supervisors deny the proposed Amendment to the General Plan Land Use Map designations (GPA24-0002) and deny the proposed Amendment to Zoning District Map No. 37 to rezone APN: 060-150-063 as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, on June 24, 2025, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed Project in which the Board of Supervisors passed a motion to direct Staff to return to the Board of Supervisors with Resolutions in support of the project at a later date to be determined, to be noticed appropriately; and

WHEREAS, on July 22, 2025, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed amendment to the General Plan Land Use Map for APN: 060-150-063, and made a ___ vote to approve re-designating the subject parcel as described herein; and

WHEREAS, the proposed Amendment to the Nevada County General Plan was determined to be consistent with the goals, objectives, policies, and implementation measures of the General Plan and the provisions of the Nevada County Code; and

WHEREAS, a separate Resolution of the Board of Supervisors approved the adoption of the Project's Mitigated Negative Declaration (EIS24-0006); a separate Ordinance of the Board of Supervisors approved the adoption of the Project's amendment to Zoning District Map No. 37 for APN: 060-150-063 (RZN24-0002); and by a separate Resolution of the Board of Supervisors approved the Tentative Parcel Map (TPM24-0003), Watercourse Management Plan (MGT24-0019), Oak Resources Management Plan (MGT24-0020), and Petition for Exceptions to Fire Safe Driveway Standards (PFX24-0009); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendment to the Nevada County General Plan Land Use Map for APN: 060-150-063, all information and evidence submitted in favor and against the proposed amendments, and the complete record before it, has determined that an amendment to the County's General Plan is warranted.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

- A. That the proposed amendment to the Nevada County General Plan Land Use Map for APN: 060-150-063 is consistent with the goals, objectives, policies, and implementation measures of the General Plan and the provisions of this Code; and,
- B. That the proposed amendment to the Nevada County General Plan Land Use Map for APN: 060-150-063 will not be detrimental to the public interest, health, safety, convenience, or welfare of the County; and,
- C. That for General Plan land use map and zoning district map amendments, the site is physically suitable for the requested Plan designation(s) and anticipated land use development(s). Factors considered to evaluate suitability include access, provision of public facilities and utilities, compatibility with nearby land uses, and presence or absence of resources and constraints as found in the Resource Standards.

BE IT FURTHER RESOLVED that based on the foregoing findings, and the entire record before it, the Nevada County Board of Supervisors does hereby adopt an amendment to the Nevada County General Plan Land Use Maps, re-designating the subject property from Rural with a minimum parcel size of 20-acres (RUR-20) to Rural with a minimum parcel size of 10-acres (RUR-10), consistent with boundaries of said properties, as described and set forth in Exhibit A attached hereto.