



ORDINANCE NO. 2543

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING ZONING DISTRICT MAP NO. 87 TO REZONE 60.00 ACRES (APN 065-090-004) LOCATED IN THE UNINCORPORATED AREA OF NEVADA COUNTY, FROM FOREST-160 (FR-160) TO TIMBERLAND PRODUCTION ZONE-160 (TPZ-160) (RZN24-0004) (HODGSON) (DISTRICT V)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Pursuant to Nevada County Code Section 12.05.090.G, the Board of Supervisors hereby finds and determines that Assessor's Parcel Number 065-090-004, which is located in the unincorporated area of Nevada County, east of the City of Nevada City, and more specifically described as Parcel 14 of the map recorded survey in Nevada County Official Records as Book 11 of Parcel Maps at Page 99, modified by Z04-014, be rezoned from Forest-160 (FR-160) to Timberland Production Zone-160 (TPZ-160) based on the following findings 1-4.

1. That the proposed amendment to Zoning District Map (ZDM) No. 87 provides for the adoption of a Timberland Production Zone which is statutorily exempt from the requirement to prepare an EIR or Negative Declaration pursuant to Section 15264 of the State CEQA Guidelines; and
2. That the proposed Zoning District Map amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and supports the protection of forests as one of the important resources of Nevada County to supply raw material for industry, add aesthetic enjoyment for the public, provide food and cover for many forms of wildlife, and protect watersheds; and
3. That the project site is physically suitable for the proposed TPZ-160 Zone District due to the topography and access and that the most appropriate use of the property is to increase forest health, reduce the fuel loading and tree mortality, and conduct timber harvests resulting, and is consistent with the Zoning Districts of the surrounding parcels.
4. That the rezoning to TPZ-160 is consistent with and furthers the goals, objectives, policies, and implementation measures, for the FOR-160 land use designations of the Nevada County General Plan.

SECTION II:

Pursuant to Section 12.01.030 of Title 12, Chapter 1 of the Nevada County Code, Zoning District Map No. 87 is hereby amended as follows:

Zoning District Map No. 87 is hereby amended as shown on Exhibit "A" attached hereto and made a part of this Ordinance. Said property comprises approximately 60.00 acres and is located in the unincorporated area of Nevada County, east of the City of Nevada City, California; and

All that certain property described in Exhibit "A" is hereby rezoned as follows: From Forest-160 (FR-160) to Timberland Production Zone-160 (TPZ-160), as defined in Chapter II of the Land Use and Development Code of the County of Nevada, and is hereby subject to the restrictions and allowable uses set forth therein. There is no guarantee that water is available or that sewage can be disposed of on the parcel.

SECTION III:

This Ordinance Amendment is subject to Conditions of Approval outlined in Exhibit "B".

SECTION IV:

Now therefore within ten (10) days of final action to include APN 065-090-004 within TPZ, the Clerk of the Board of Supervisors shall cause to be recorded an instrument which will serve as constructive notice to prospective buyers of such zoning action.

SECTION V:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION VI:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the 27th day of March, 2025, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 25th day of February 2025, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: 


Heidi Hall, Chair

Zoning Map Amendment ZDM#^F87

APN: 065-090-004

FR-160

FR-160

TPZ-X

FR-X

Existing

Proposed

FR-160

TPZ-160

FR-X

TPZ-X

FR-X

Legend



Project parcel



0 0.2 Miles

Every reasonable effort has been made to assure the accuracy of the maps and data provided; nevertheless, some information may not be accurate. The County of Nevada assumes no responsibility arising from use of the information. THIS MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Before making decisions using the information provided on this map, contact the Nevada County Data Center staff to confirm the reliability of the data provided.

Exhibit B
ZONING MAP NO. 87 AMENDMENT (RZN24-0004)

Conditions of Approval

PLANNING DEPARTMENT

1. This project includes a Zoning Map Amendment of Map No. 87 to re-designate a 60-acre parcel (APN: 065-090-004), currently designated with a zoning designation of FR-160, to TPZ-160.
2. The owner shall continuously comply with all standards of the County Land Use and Development Code, Section L-II 2.3.C, in order to continue to be eligible for the "TPZ" zoning designation. Timber operations shall occur as described in the Forest Management Plan prepared by Registered Professional Forester Terry L, Rogers, RPF#2537.
3. The parcel shall meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located. If the parcel is subsequently included in the "TPZ" District, and the landowner fails to meet such stocking standards and forest practice rules, the Board of Supervisors has grounds for rezoning of the parcel pursuant to the provisions of Section 51121 of the State Government Code.
4. Prior to recordation, all fees must be paid to the Department of Fish and Wildlife and the Nevada County Recorder's Office for the Notice of Exception from CEQA review.
5. Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department a Defense and Indemnification Agreement provided with the approval letter. No further permits or approvals shall be issued for the project, including without limitation a grading permit, building permit or final map approval, unless and until the applicant has fully complied with this condition.
6. Within ten (10) days of final action to include APN 065-090-004 within TPZ, the applicant shall record the Notice of Timberland Production Zoning with the Nevada County Clerk-Recorder.