



## **ORDINANCE No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (MIS24-0015) BETWEEN THE COUNTY OF NEVADA AND THE SHAD C. SKIKOS TRUST, FOR PHASES I AND II OF THE SOUTH WOODLANDS VESTING TENTATIVE FINAL MAP PROJECT, LOCATED OFF THE NORTH SIDE OF GREENHORN ROAD AND EAST OF THE NEVADA COUNTY AIRPORT, WITHIN UNINCORPORATED WESTERN NEVADA COUNTY**

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

#### SECTION I:

The Development Agreement by The Shad C. Skikos Trust for Assessor's Parcel Numbers 039-160-014, 039-170-010, and 039-170-091, for Phases I and II of the South Woodlands Vesting Tentative Final Map project, located off the north side of Greenhorn Road and east of the Nevada County airport, within unincorporated western Nevada County, be approved, based on the following findings A-F:

- A. The Nevada County Board of Supervisors finds the original project Mitigated Negative Declaration (EIS14-010) is adequate environmental review for the approval of this project (PLN24-0199; MIS24-0015) and therefore further environmental review is not required pursuant to Section 15162 of the California Environmental Quality Act. The Planning Commission adopted the Mitigated Negative Declaration (EIS14-010) for the project in 2016 and no impacts previously found to be insignificant are now significant nor have there been significant changes to the environmental setting of the project site that were not previously authorized by the prior approval; and,
- B. That the proposed project is consistent with the goals, objectives, policies and applicable land use designations of the Nevada County General Plan, including policies encouraging efficient, orderly development; and,
- C. That the proposed project complies with all of the provisions of the Nevada County Land Use and Development Code; and,
- D. That the proposed project is consistent with the public convenience, general welfare, and good land use practice, making it in the public interest to enter into the development agreement with the applicant; and,

- E. That the Development Agreement is consistent with the requirements of California Government Code Section 65864 et seq., allowing for a Development Agreement between the developer and the County; and,
- F. The proposed project will not:
  - a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; and
  - b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; and
  - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
  - d. Adversely affect the orderly development of property or the preservation of property values.

## SECTION II:

Pursuant to Government Code Section 65865.2 and Nevada County Code Section 12.05.180, the Development Agreement is approved, and the Chair of the Board of Supervisors is hereby authorized upon the effective date of this Ordinance to execute, on behalf of the County of Nevada, the Development Agreement by and between the County of Nevada and The Shad Skikos Trust, in the form attached hereto as “EXHIBIT A”, with authorized changes, if any, approved by the Board prior to adoption of this Ordinance and subject to such minor and clarifying changes consistent with the terms thereof as may be necessary and approved by County Counsel prior to execution thereof. Within ten (10) days after execution of the Development Agreement on behalf of the County, the Clerk of the Board of Supervisors shall record the Development Agreement and this Ordinance with the Recorder of the County of Nevada.

## SECTION III:

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 IV:

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 25<sup>th</sup> day of July, 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.

Attached: EXHIBIT A: Southwood Lands Development Agreement