



## **RESOLUTION NO. \_\_\_\_\_**

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

#### **A RESOLUTION AMENDING THE NEVADA COUNTY GENERAL PLAN CHAPTER 1: LAND USE ELEMENT SUPPORTING PLANNING DOCUMENTS, PLANNING FOR LEGACY COMMUNITIES, POLICY 1.3.13, POLICY 1.4.3, AND POLICY 1.9.2 AND TO ADOPT THE PENN VALLEY AREA PLAN (GPT20-0001)**

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

WHEREAS, on January 25, 2000, the County of Nevada adopted an Area Plan for Penn Valley, through Resolution 00-046; and

WHEREAS, The General Plan Chapter 1: Land Use Elements identifies that in 2000 the existing Penn Valley Area Plan was adopted; and

WHEREAS, the Board of Supervisors has directed the Planning Department to update and prepare a new Area Plan for the community of Penn Valley; and

WHEREAS, Properites have been added to the Area Plan through community input to help protect the rural quality of life in Penn Valley and to provide a land use connection between the Penn Valley Village Center and Lake Wildwood; and

WHEREAS, this project includes the associated rezoning of the parcels that have been added to the plan boundary, to add the site SP (Site Performance) Combining District; and

WHEREAS, the Land Use Element of the County General Plan (Chapter 1) includes several references to the 2000 Area Plan including in the Supporting Planning Documents section, Planning for Legacy Communities section, Policy 1.3.13, 1.4.3 and 1.9.2 that require updating; and

WHEREAS, the County prepared a project specific Initial Study and Negative Declaration (IS/ND) and circulated it for review by responsible and trustee agencies, and the public for a review and comment period between June 16, 2020, and July 9, 2020; and

WHEREAS, on July 23, 2020, the Planning Commission held a duly noticed public hearing on the proposed General Plan text amendments (GPT20-0001), the General Plan Land Use Map amendment (GPA20-0001), the corresponding Zoning District Map amendments which include parcel specific SP (Site Performance) Combining Districts and to make minor amendments to three properites to reflect their historic and planned use (RZN20-0001), and the Zoning Ordinance text amendments (File #ORD20-3) (collectively "Project") in which the Commission reviewed the proposed Initial Study and Negative Declaration together with all comments received during the public review period, and recommended adoption of this same Initial Study before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, after reviewing and considering the proposed Project, the Planning Commission recommended that the Board of Supervisors approve the proposed Resolution to amend the General Plan text (GPT20-0001) as shown and described in Exhibit “A” attached hereto and made a part of this Resolution; and

WHEREAS, after reviewing and considering the proposed Project, the Planning Commission recommended that the Board of Supervisors approve the proposed Resolution to amend the General Plan text (GPT20-0001) to adopt the Penn Valley Area Plan as shown and described in Exhibit “B” attached hereto and made a part of this Resolution; and

WHEREAS, on August 25, 2020, the Nevada County Board of Supervisors, held a duly noticed public hearing on the Project, which includes the proposed text amendments to the General Plan; and

WHEREAS, a separate Resolution of the Board of Supervisors adopted the Project’s Initial Study/Negative Declaration (EIS20-0007), a separate Resolution of the Board of Supervisors adopted the General Plan Land Use Map amendments (GPA20-0001), a separate Ordinance of the Board of Supervisors adopted site specific rezoning associated with the Project (RZN20-0004), and an Ordinance of the Board of Supervisors adopted Zoning Ordinance text amendments (ORD20-3); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed text amendments to the Nevada County General Plan, 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 now warranted.

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

1. That the proposed amendments to the General Plan are consistent with and furthers the goals, objectives, policies, and implementation measures of the General Plan and provisions of the Nevada County Land Use and Development Code Chapter II Zoning Regulations; and
2. That the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the site development standards of the County’s Zoning Code will ensure future projects conform to applicable regulations to ensure that the sites will be compatible with surrounding development. In addition to site development standards, future project specific conditions and mitigation measures will ensure that adequate infrastructure, including sewer, water, access and emergency services will be available to serve the sites at the time of development; and
3. That the Project sites are physically suitable for the various proposed General Plan land use designations, in that the sites do not contain significant areas of excessively steep slopes or sensitive environmental resources, which cannot be avoided through appropriate site planning. The sites have good to adequate access to County maintained roads or can establish access to County maintained roads that will accommodate the anticipated future development of the various proposed primary uses; and
4. That the sites are physically suitable for the proposed land use designations, as reviewed by the Initial Study and Negative Declaration (EIS20-0007). The various designations are consistent with uses surrounding each of the various locations.

BE IT FURTHER RESOLVED that based on the foregoing findings, and the entire record before it, the Nevada County Board of Supervisors does hereby approve and adopt the text amendments to the Nevada County General Plan set forth in Exhibits “A” and “B”.

## Exhibit A

### “Chapter 1: Land Use – Supporting Planning Documents

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- **Area Plans**

Area Plans are supporting land use policy documents that compliment and assist in the further implementation of the goals, policies and programs of the General Plan. The adopted Area Plans are: Higgins Corner Area Plan, Loma Rica Industrial Area Plan, North San Juan Area Plan, Soda Springs Area Plan and the Penn Valley Area Plan. The following communities have been recognized as likely candidates for Area Plans: Washington, Chicago Park, Cedar Ridge, Alta Sierra, and Rough and Ready.”

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### “Chapter 1: Land Use – Planning for Legacy Communities

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#### **Penn Valley**

The Penn Valley *Village Center* is located in western Nevada County approximately one mile south of State Highway 20, six miles west of Grass Valley and five miles east of the Nevada-Yuba County line. An Area Plan is adopted for the Penn Valley Village Center and surrounding region that further identifies the public facility constraints that affect development that recommended a number of actions to assist in facilitating improvements in the delivery of public services. Land use designations present in the *Village Center* are Community Commercial, Office-Professional, Urban High Density Residential, Urban Medium Density Residential, Public, and Planned Development.”

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#### **“Policy 1.3.13**

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The North San Juan Rural Center Area Plan, the Soda Springs Area Plan and portions of the Penn Valley area outside of it’s *Village Center and Community Region* are *Rural Region Area Plans*”

#### **“Policy 1.4.3**

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Area Plans are optional planning tools in *Community Regions* that allow for more specific treatment of a *Village Center*. Area Plans are supporting land use policy documents that complement and assist in the further implementation of the General Plan. Area Plans are adopted for both the Penn Valley and Higgins-Corner-Lake of the Pines *Village Centers*. ”

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**“Policy 1.9.2**

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**TABLE 1.5  
LEGACY COMMUNITY SERVICE/INFRASTRUCTURE NEEDS ANALYSIS 2013**

<i>Legacy Community</i>	<i>Community Designation</i>	<i>Area Plan</i>	<i>Population<sup>(1)</sup></i>	<i>Identified Service and/or Infrastructure Needs</i>
Penn Valley	Village Center, Community Region and Rural Region	Yes	1,621	1. Increased fireflows <sup>(2)</sup>
Rough and Ready	Rural Center	No	963	1. Improved public parking <sup>(3)</sup>
North San Juan	Rural Center	Yes	269	1. Limited wastewater disposal capacity 2. Increased fireflows 3. Improved public parking <sup>(3)</sup>
Washington	Rural Center	No	185	1. Needed Water System Improvements/Upgrades <sup>(4)</sup>
Soda Springs	Rural Center	Yes	81	1. Wastewater Treatment Plant Upgrades Completed <sup>(5)</sup>

Source: Nevada County Planning Department

**NOTES:**

- (1) Population estimates reflect 2010 Census figures based on the Census Designated Place (CDP) boundaries. Specific populations estimated for individual *Village Centers* and *Rural Centers* is unavailable.
- (2) The Nevada Irrigation District completed improvements in Fall of 2019 to improve fire flow in Penn Valley to a minimum of 1,000 gpm. The District is in the midst of developing a Raw Water Master Plan that will provide guidance on projected water demands and infrastructure projects District wide for the next 50 years. The District is currently exploring options to increase capacity as the water treatment plant that serves the Penn Valley Area is nearing its total capacity. The two options include expansion of the existing water treatment plant, or an interconnection with the treated water system in Grass Valley (Elizabeth George Treatment Plant), or some form of both.
- (3) Improved off-street and on-street public parking facilities have been identified as an ongoing need in Rough and Ready and North San Juan *Rural Centers* to safely accommodate community events, public meetings and seasonal activities.
- (4) Project funding was awarded in 2011 through a Proposition 84 Implementation Grant for the completion of the community water system upgrades and improvements through the Consumnes, American, Bear and Yuba (CABY) Region’s Integrated Regional Watershed Management Plan (IRWMP) as a sponsored project by the Washington County Water District.
- (5) In June 2015, the Donner Summit Public Utility District (DSPUD) completed a 24 million dollar project that upgraded and expanded its wastewater treatment process.”

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## **Exhibit B- Penn Valley Area Plan**