



ORDINANCE NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING ZONING DISTRICT MAPS 23, 36, 64, 75, 76, 94, 129, 138 and 139 TO CHANGE THE ZONING OF 19 SPECIFIC U. S. FOREST SERVICE PARCELS FROM GENERAL AGRICULTURAL (18 PARCELS) AND RESIDENTIAL AGRICULTURAL (1 PARCEL) USES TO THE FOREST (FR) BASE ZONING DISTRICT FOR ALL 19 PARCELS, TO ALIGN THE COUNTY'S ZONING WITH THE RESOURCE MANAGEMENT OF TAHOE NATIONAL FOREST SYSTEM LANDS (RZN16-0001)

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

SECTION I:

Pursuant to Land Use and Development Code Section L-II 5.9.G, the Board of Supervisors hereby finds and determines as follows:

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, specifically Program 1.2.1.a and those policies of the County General Plan Chapter 1 (Land Use Element) and Chapter 15 (Forest) that recognize the need and importance in the Forest land use designation of managing forest products, and of managing natural resources to enhance outdoor recreation areas, and maintain a low density of allowable development in the Forest to protect timber resources from conversion to other more intensive uses; and
2. That the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and support the protection of forests as one of the important resources of Nevada County to supply raw material for industry, provide recreation and aesthetic enjoyment for many people provide food and cover for many forms of wildlife, and protect watersheds; and
3. That the project sites are physically suitable for the proposed Forest zone district, as reviewed by the Initial Study and Negative Declaration, in they are National Forest System Lands that should continue to be managed and protected for public purposes. Most of the parcels contain areas of steep slopes and other sensitive environmental resources, and lack adequate access and infrastructure. Consistent with the surrounding land uses at the various sites, the project parcels are best suited for open space, low-intensity recreation and low-density residential development.

SECTION II:

Section L-II 1.3.D of Article 1, Chapter II of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map No. 23 and 36, as shown on Exhibit "A" attached and made a part of this Ordinance. Said area is approximately 327.83 acres currently zoned General Agricultural-40acre minimum parcel size (AG-40) and located along the Middle Yuba River and Highway 49, North San Juan.

APN: 60-010-01 31874 State Highway 49, North San Juan, CA 95960	From: AG-40 To: FR-40
--	--------------------------

APN: 60-020-01 30654 Cicada Lane, North San Juan, CA 95960	From: AG-40 To: FR-40
---	--------------------------

APN: 60-030-02 30200 Rush Street, North San Juan, CA 95960	From: AG-40 To: FR-40
---	--------------------------

APN: 60-030-04 No Address, North San Juan, CA 95960	From: AG-40 To: FR-40
--	--------------------------

APN: 60-330-01 No Address, North San Juan, CA 95960	From: AG-40 To: FR-40
--	--------------------------

APN: 60-330-02 30555 State Highway 49, North San Juan, CA 95959	From: AG-40 To: FR-40
--	--------------------------

APN: 60-330-13 30231 State Highway 49, North San Juan, CA 95959	From: AG-40 To: FR-40
--	--------------------------

All that certain territory identified above shall be, and the same is hereby rezoned from General Agricultural-40 acre min. parcel size (AG-40) to Forest-40 acre min. parcel size (FR-40).

SECTION III:

Section L-II 1.3.D of Chapter II, Article 1 of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map No. 64, 75 and 76, as shown on Exhibit "B" attached and made a part of this Ordinance. Said property contains approximately 997.14 acres currently zoned General Agricultural-30 and -10 acre min. parcel size (AG-30 and AG-10), and Scenic Corridor Combining District (SC) and located along Highway 20 and near Scott's Flat Lake.

APN: 34-110-04 11411 Conservation Road, Nevada City, CA 95959	From: AG-30 To: FR-40
--	--------------------------

APN: 34-110-05 13905 High Rise Spur, Nevada City, CA 95959	From: AG-30 To: FR-40
---	--------------------------

APN: 34-120-04 12655 Rock Creek Road, Nevada City, CA 95959	From: AG-30 To: FR-40
--	--------------------------

APN: 34-120-05 10455 Conservation Road, Nevada City, CA 95959	From: AG-30, AG-30-SC To: FR-40, FR-40-SC
--	--

APN: 34-120-06
21073 State Highway 20, Nevada City, CA 95959

From: AG-30, AG-30-SC
To: FR-40, FR-40-SC

APN: 34-360-27
10400 Rock Creek Road, Nevada City, CA 95959

From: AG-10, AG-10-SC
To: FR-40, FR-40-SC

APN: 38-050-02
No Address, Nevada City, CA 95959

From: AG-30
To: FR-40

All that certain territory identified above shall be, and the same is hereby rezoned from Agricultural-30 and -10 acre min. parcel size (AG-30 and AG-10), and Scenic Corridor Combining District (SC) to Forest-40 acre min. parcel size (FR-40) and Scenic Corridor Combining District (SC).

SECTION IV:

Section L-II 1.3.D of Chapter II, Article 1 of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map No. 94, as shown on Exhibit "C" attached and made a part of this Ordinance. Said property contains approximately 2.5 acres currently zoned Residential Agricultural-1.5 acre min. parcel size (RA-1.5) and located in the Town of Washington.

APN: 64-050-06
15897 Maybert Rd., Nevada City, CA 95959

From: RA-1.5
To: FR-160

All that certain territory identified above shall be, and the same is hereby rezoned from Residential Agricultural-1.5 acre min. parcel size (RA-1.5) to Forest-160 acre min. parcel size (FR-160).

SECTION V:

Section L-II 1.3.D of Chapter II, Article 1 of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map No. 129, as shown on Exhibit "D" attached and made a part of this Ordinance. Said property contains approximately 102 acres currently zoned General Agricultural-10 acre min. parcel size-Planned Development Combining District located west of the Truckee.

APN: 17-020-18
No Address, Truckee, CA 96161

From: AG-10-PD
To: FR-40

APN: 17-020-19
No Address, Truckee, CA 96161

From: AG-10-PD
To: FR-40

All that certain territory identified above shall be, and the same is hereby rezoned from General Agricultural-10 acre min. parcel size-Planned Development Combining District (AG-10-PD) to Forest-40 acre min. parcel size (FR-40).

SECTION VI:

Section L-II 1.3.D of Chapter II, Article 1 of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map No. 138, as shown on Exhibit "E" attached and made a part of this Ordinance. Said property contains approximately 277.67 acres and located between Prosser Creek Reservoir and the Truckee River.

APN: 48-080-84
No Address, Truckee, CA 96161

From: AG-10
To: FR-160

All that certain territory encompassing the eastern BP (Business Park) zone district of the territory identified above containing approximately 277.67 acres shall be, and the same is hereby rezoned from General Agricultural-10 acre min. parcel size (AG-10) to Forest-160 acre min. parcel size (FR-160).

SECTION VII:

Section L-II 1.3.D of Chapter II, Article 1 of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map No. 139, as shown on Exhibit "F" attached and made a part of this Ordinance. Said property contains approximately 84.06 acres currently zoned General Agricultural-20 acre min. parcel size and located in the Martis Valley.

APN: 49-330-08
No Address, Truckee, CA 96161

From: AG-20
To: FR-40

All that certain territory identified above shall be, and the same is hereby rezoned from General Agricultural-20 acre min. parcel size (AG-20) to Forest-40 acre min. parcel size (FR-40).

SECTION VIII:

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 IX:

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 day of , 2017, 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.

Exhibit A

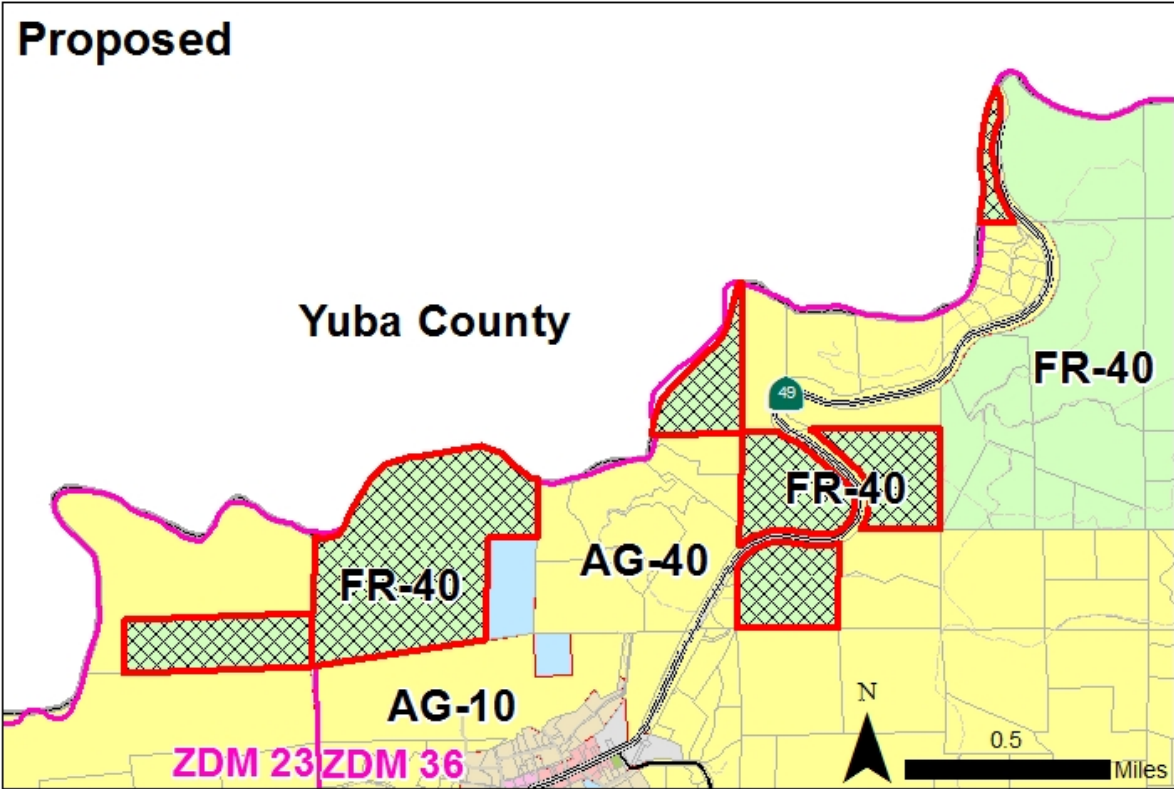
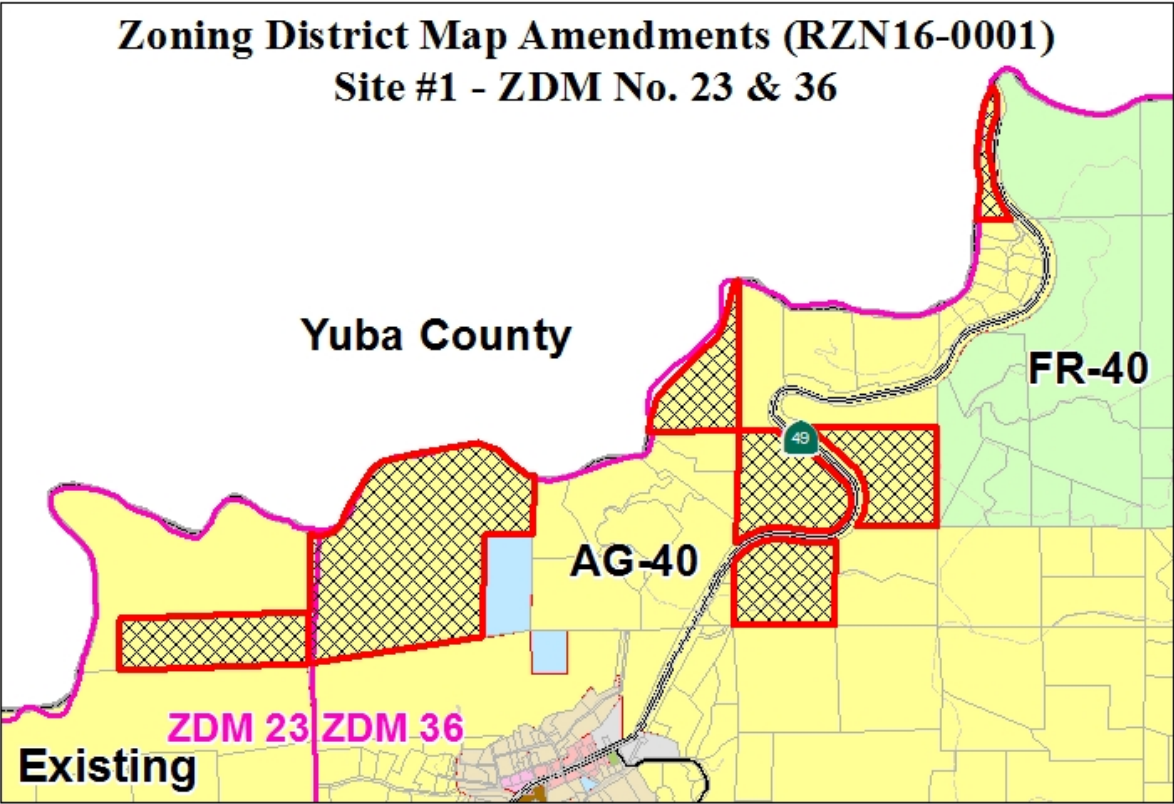


Exhibit B

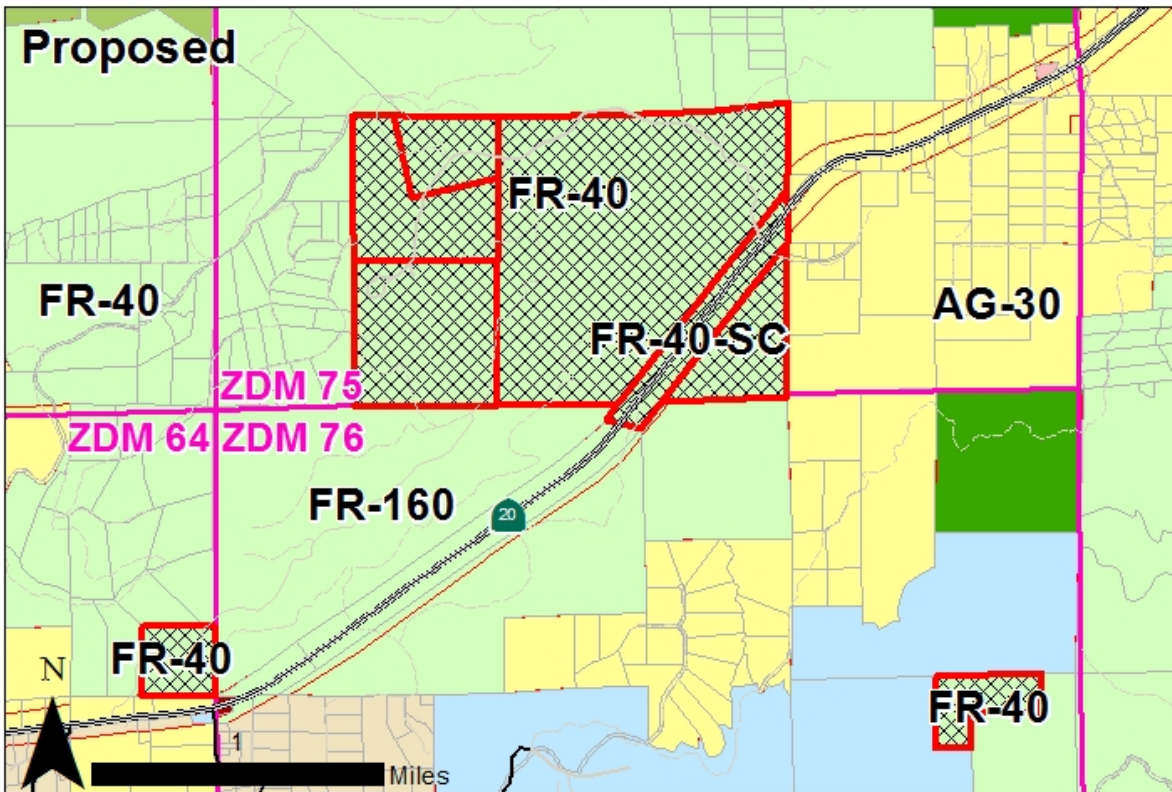
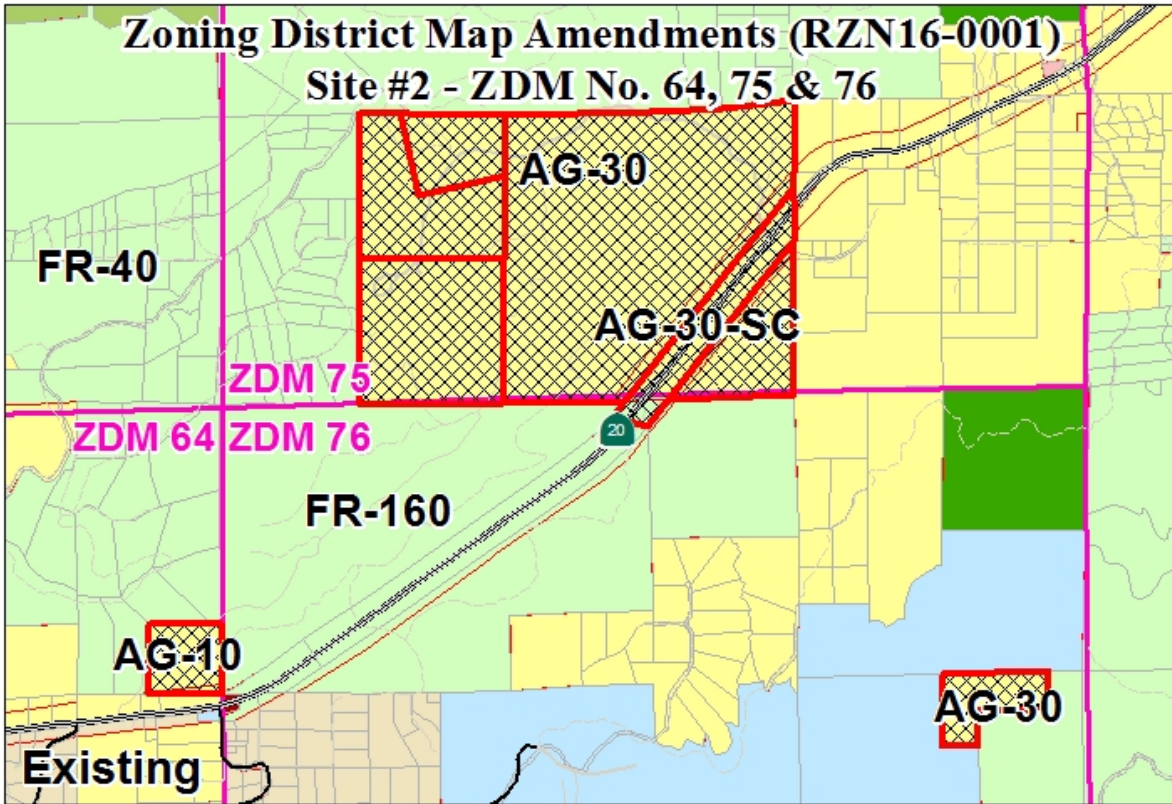


Exhibit C

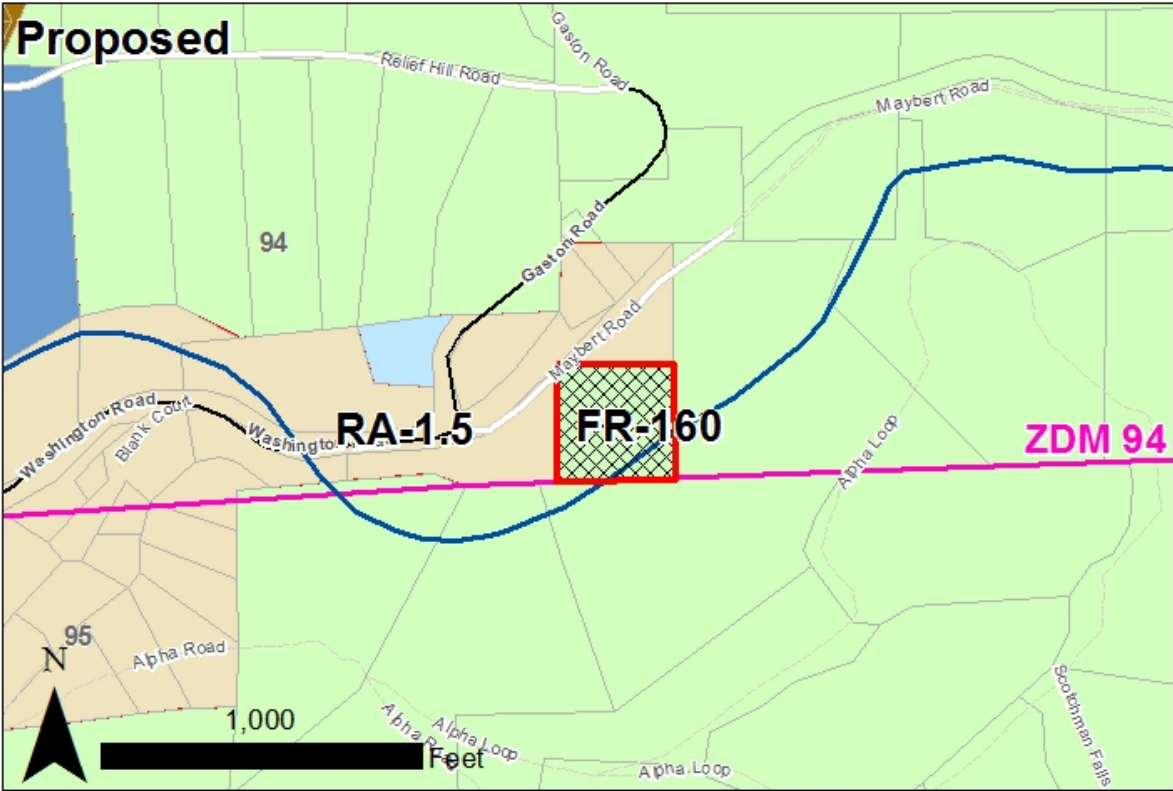
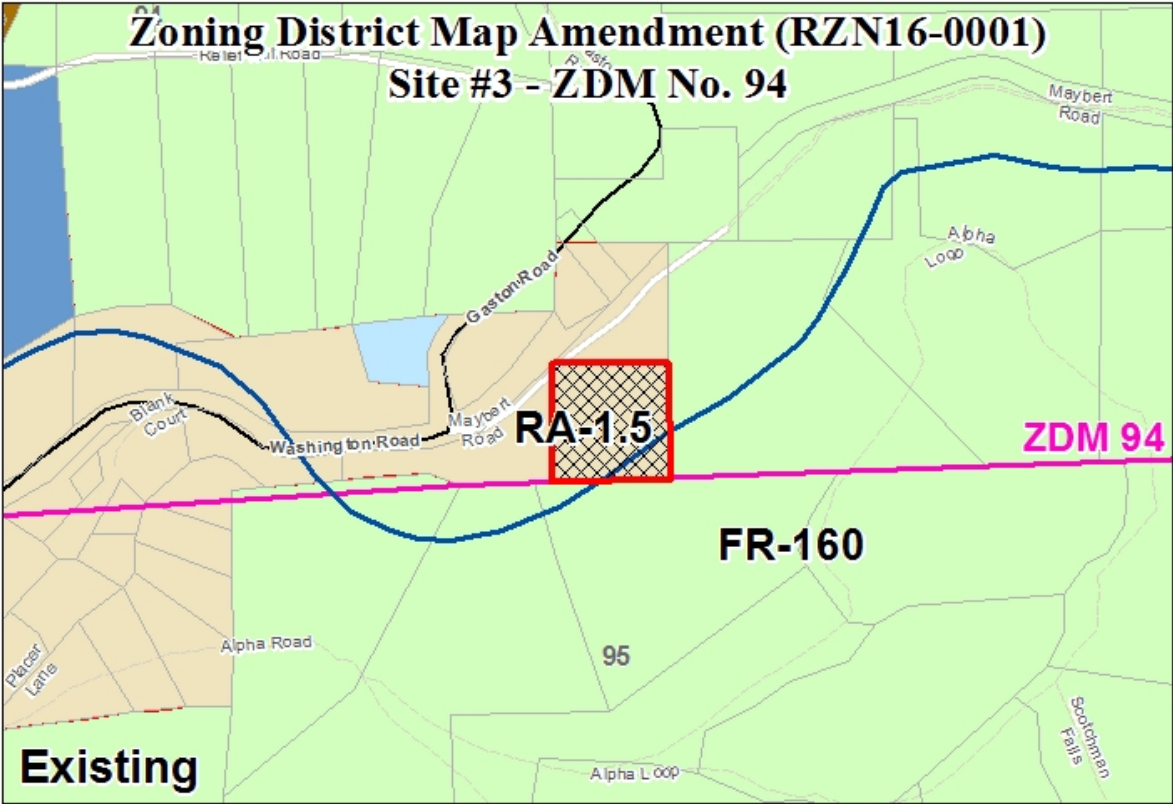


Exhibit D

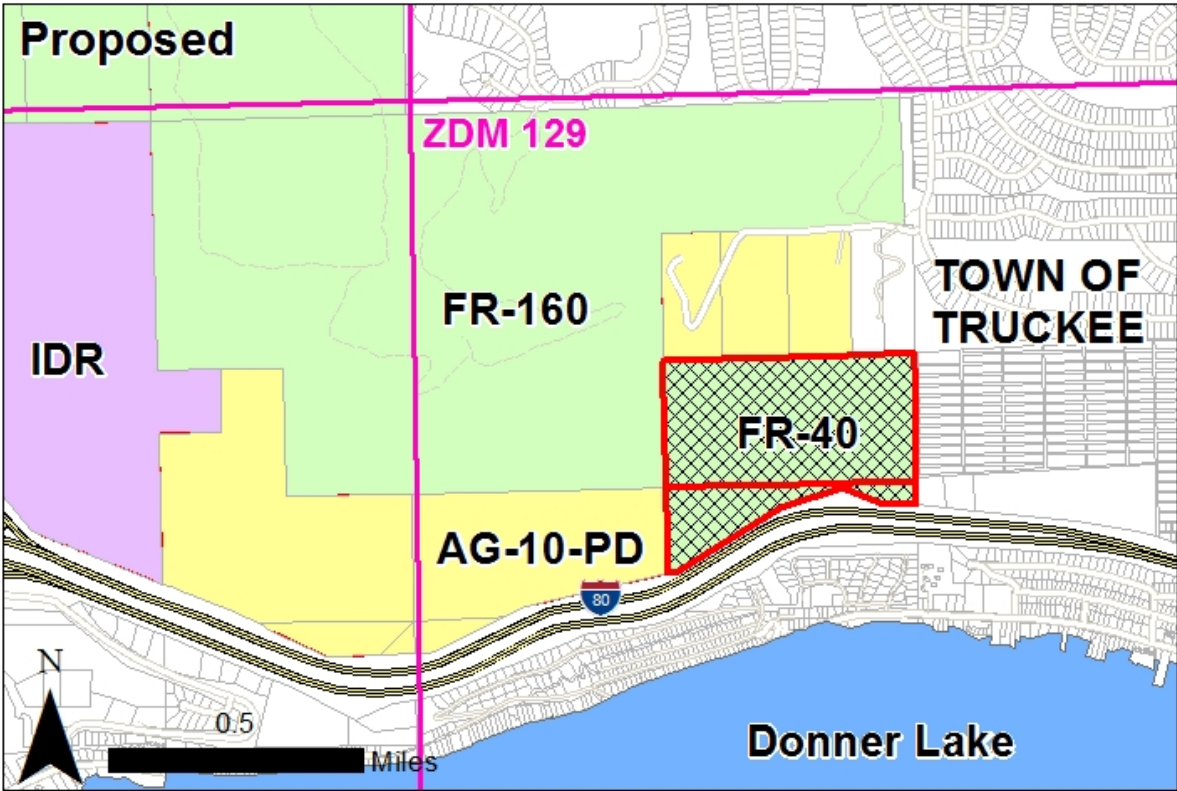
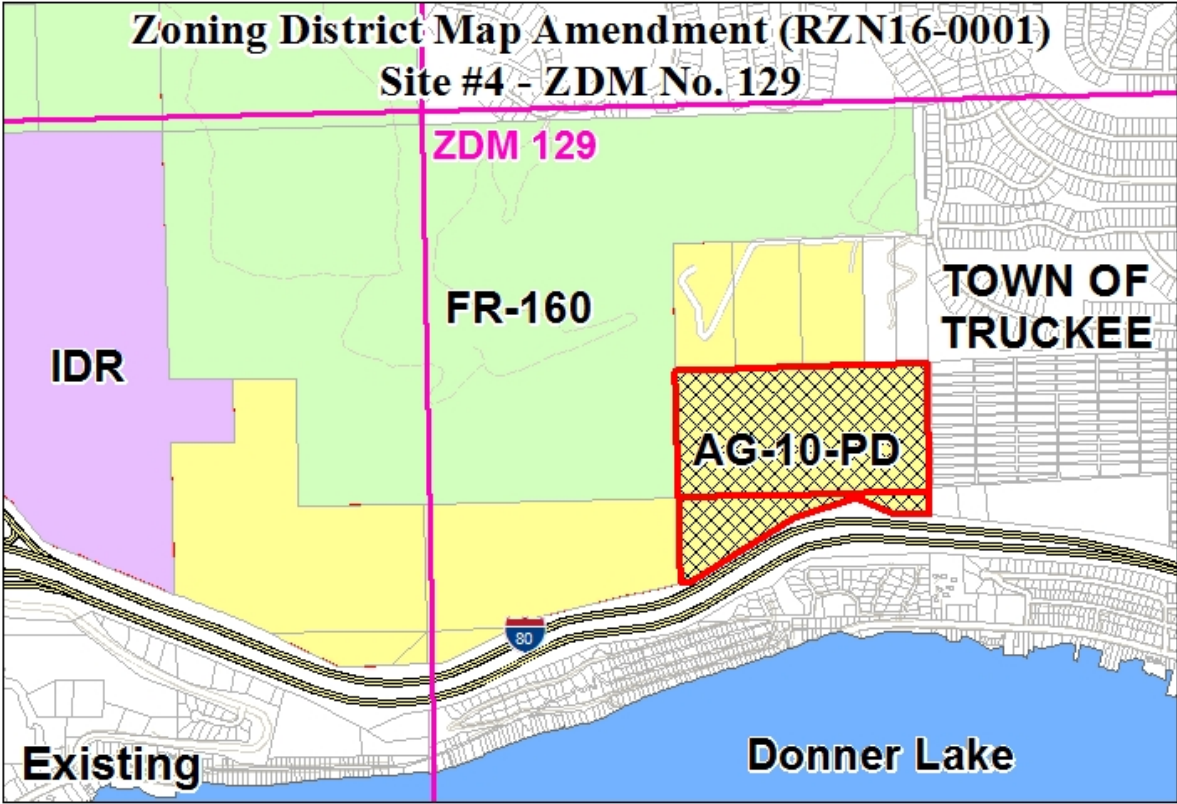


Exhibit E

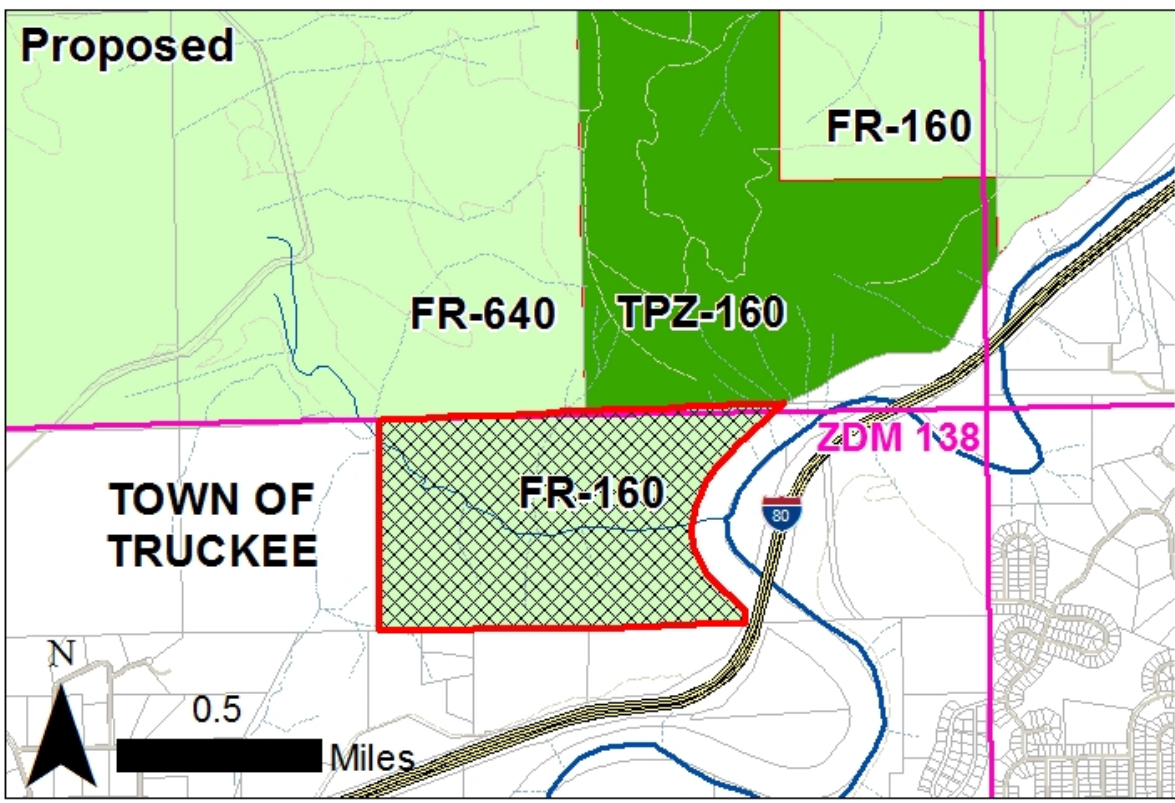
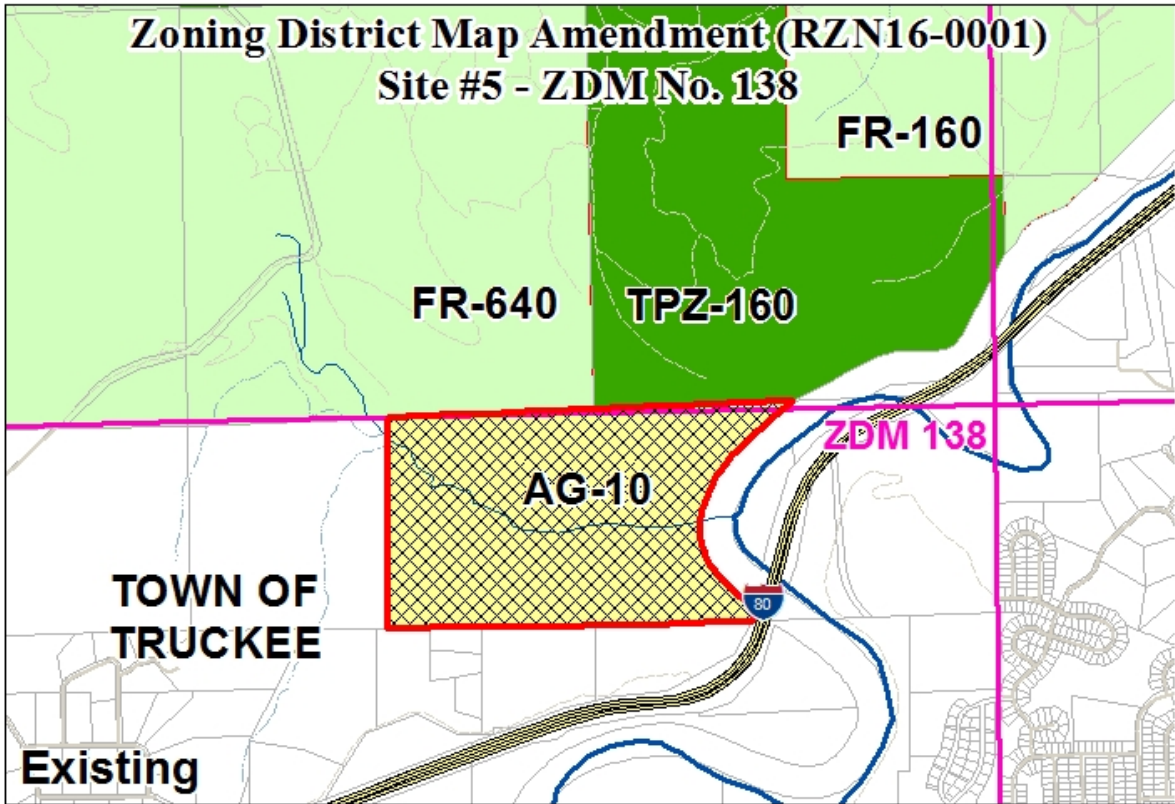


Exhibit F

