



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO APPROVE THE USE PERMIT APPLICATION (CUP19-0002) TO ESTABLISH A COMPREHENSIVE MASTER PLAN FOR THE PENN VALLEY COMMUNITY CHURCH FOR THE TWO PROPERTIES KNOWN AS ASSESSOR'S PARCEL NUMBERS 050-020-032 AND 050-020-072; 14567 AND 14685 PLEASANT VALLEY DRIVE, PENN VALLEY

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 September 24, 2020, the Planning Commission held a duly noticed Public Hearing on the proposed General Plan Land Use Map designation amendment (GPA19-0001) and site specific rezone (RZN19-0001) (collectively "Project") in which the Commission reviewed the proposed Mitigated Negative Declaration (EIS19-0003) and the proposed Use Permit /Comprehensive Master Plan (CUP19-0002) which describes the requirements of the Site Performance Combining District, together with all comments received during the public review period, and recommended approval of these same Project components before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, after reviewing and considering the proposed Project, the Nevada County Planning Commission recommended that the Nevada County Board of Supervisors adopt the proposed Resolution to conditionally approve the Use Permit application (CUP19-0002) to establish a Comprehensive Master Plan for the project included as Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, the Nevada County Board of Supervisors, after giving the required notice, holding the required public hearings, heard the evidence regarding said Use Permit and Comprehensive Master Plan; and

WHEREAS, said proposed Comprehensive Master Plan is part of the application associated with the Penn Valley Community Church, the environmental effects of which were analyzed in the Mitigated Negative Declaration (EIS19-00003) which was presented to the Board of Supervisors and the Board of Supervisors has reviewed and adopted that document for this project; and

RELATIVE to this Comprehensive Master Plan, and pursuant to Nevada County Land Use and Development Code Section L-II 5.6.G, 5.5.2.C and 5.17, said approval is based on the following findings:

- A. That the project is consistent with the Goals and Policies of the Nevada County General Plan, and specifically with the General Plan Land Use Maps, including the OP-SP and REC-SP land use designations; and

- B. That the proposed church, office/professional and recreational complex is considered an allowed use, subject to the approval of a use permit, and is consistent with the purposes of the OP-SP and REC-SP zoning districts, in which this project site located; and
- C. That the uses and facilities, existing, proposed and as conditioned, will meet all applicable provisions of the Land Use and Development Code or a same practical effect of those provisions, including design and siting to meet the intent of the Site Development Standards mitigating development impact on environmentally sensitive resources; and
- D. That the proposed improvements are consistent with the intent and design goals of the County General Plan and Zoning Ordinance, which will ensure the future project will be compatible with the surrounding areas; and
- E. That the site (Assessor's Parcel Numbers 050-020-032 & 050-020-072) is adequate in size, shape and location to accommodate the proposed project and to make appropriate transitions to nearby properties and permitted uses thereon, without compromising Nevada County site development standards; and
- F. That the uses and facilities, existing, proposed and as conditioned, are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding neighborhood or area; and
- G. That adequate provisions exist for water and sanitation for the proposed use; and
- H. That adequate provisions exist for emergency access to the site as conditioned by the Penn Valley Fire Protection District; and
- I. That based on the comments received and conditions applied from the Nevada County Departments of Public Works, Planning, Environmental Health, Building Department and the Penn Valley Fire Protection District, adequate public services exist in the immediate area to support the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare; and
- J. That all feasible Mitigation Measures and Conditions of Approval (Attachment 1) have been imposed upon the project to offset the impacts this project may have on aesthetics, air quality, biological and cultural/tribal resources, geology/soils, greenhouse gas emissions, noise, utilities/service systems and wildfire, and the applicant has agreed to those measures; and
- K. K. That the conditions listed are the minimum necessary to protect the public health, safety and general welfare.

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

SAID BOARD OF SUPERVISORS does hereby approve and adopt said Comprehensive Master Plan, which describes the requirements of the Site Performance Combining District, and which is included as Exhibit "A".

BE IT FURTHER RESOLVED that the Nevada County Planning Department is hereby directed to file a Notice of Determination with the County Recorder pursuant to Public Resources Code Section 21152(a) and Section 15075 of the State CEQA Guidelines.