



ORDINANCE NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING SECTION L-II 3.4, AND ADDING SECTION L-II 3.4.1 REGARDING BACKYARD CHICKEN KEEPING, TO THE NEVADA COUNTY LAND USE AND DEVELOPMENT CODE

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 zoning text amendments are intended to allow limited keeping of chickens in residential zones for food production and other benefits; and
2. That the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and supports personal food production on residential properties; and
3. The County finds that this Article is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemptions apply: Sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including by direct referral to the County Counsel as appropriate for judicial enforcement).

SECTION II:

Section L-II 3.4 of Chapter II of the Nevada County Land Use and Development Code is hereby amended to read as shown in Exhibit A attached hereto and incorporated herein by this reference.

SECTION III:

Section L-II 3.4.1 of Chapter II of the Nevada County Land Use and Development Code is hereby added as shown in Exhibit B attached hereto and incorporated herein by this reference.

SECTION IV:

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 V:

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 _____, 2020, 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.