



## **RESOLUTION No. \_\_\_\_\_**

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

**RESOLUTION MAKING FINDINGS, ACCEPTING THE APPEAL FILED BY COURT AND MEGAN WORDEN FROM THE DECISION OF THE NEVADA COUNTY PLANNING DEPARTMENT FOR THE CONDITIONAL APPROVAL FOR AN ADMINISTRATIVE DEVELOPMENT PERMIT, PETITION FOR EXCEPTIONS TO DRIVEWAY STANDARDS, AND MANAGEMENT PLAN (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) TO PERMIT A COMMERCIAL CANNABIS OPERATION ON THE PROPERTY LOCATED AT THOROUGHbred LOOP, GRASS VALLEY, CA 95949 (APN 053-320-044); AND SCHEDULING THE APPEAL FOR A PUBLIC HEARING ON DECEMBER 5, 2023 AT 1:30PM**

WHEREAS, on September 29, 2023 the Nevada County Planning Department provided notice of a conditional approval for an Administrative Development Permit, Petition for Exceptions to Driveway Standards, and Management Plan (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) to permit a commercial cannabis operation at 14120 Thoroughbred Loop in Grass Valley, CA 95949 (APN 053-320-044); and

WHEREAS, on October 10, 2023 Court and Megan Worden filed an appeal to the Board of Supervisors regarding the conditional approval for an Administrative Development Permit, Petition for Exceptions to Driveway Standards, and Management Plan (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) to permit a commercial cannabis operation at 14120 Thoroughbred Loop in Grass Valley, CA 95949 (APN 053-320-044); and

WHEREAS the appeal filed by Court and Megan Worden included additional individuals individually named and referred to as the 6B Community; and

WHEREAS, pursuant to Section L-II 5.12.B of the Nevada County Land Use and Development Code, the Board of Supervisors may use the provisions of such article in conducting public hearings on land use matters; and

WHEREAS, pursuant to Sections L-II 5.12.D of the Nevada County Land Use and Development Code, any decision of the Planning Agency is appealable to the Board of Supervisors within 10 calendar days after the date of the decision, except amendments to the General Plan or zoning ordinance, which shall be filed within 5 calendar days; and

WHEREAS, Appellant filed a timely appeal on October 10, 2023 which included a statement on the appeal as required by Sections L-II 5.12.F; and

WHEREAS, pursuant to Section L-II 5.12.G of the Nevada County Land Use and Development Code, the Board of Supervisors shall determine if the appeal was filed within the applicable time limits and may set the matter for public hearing as soon as time on their agenda permits, and in accordance with any other time requirements of law.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada that:

1. Appellant is an interested party who has standing to appeal the Nevada County Planning Department's conditional approval for an Administrative Development Permit, Petition for Exceptions to Driveway Standards, and Management Plan (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) to permit a commercial cannabis operation at 14120 Thoroughbred Loop in Grass Valley, CA 95949 (APN 053-320-044); and
2. Appellant's appeal on the Nevada County Planning Department's conditional approval for an Administrative Development Permit, Petition for Exceptions to Driveway Standards, and Management Plan (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) to permit a commercial cannabis operation at 14120 Thoroughbred Loop in Grass Valley, CA 95949 (APN 053-320-044) was filed within 10 days of the decision, the appeal is deemed to be timely pursuant to Section L-II 5.12.D of the Nevada County Land Use and Development Code; and
3. The contents of the appeal satisfies the minimum requirements set forth in Section L-II 5.12.F of the Nevada County Land Use and Development Code which include identification of the project and decision being appealed, statement of the reason for the appeal, statement of the specific provisions being appealed, statement of the action being requested, summation of the arguments being raised and identification of the appellant; and
4. Appellant's appeal of the Nevada County Planning Department's conditional approval for an Administrative Development Permit, Petition for Exceptions to Driveway Standards, and Management Plan (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) to permit a commercial cannabis operation at 14120 Thoroughbred Loop in Grass Valley, CA 95949 (APN 053-320-044) is hereby accepted by the Board of Supervisors and the Clerk of the Board is directed to schedule a public hearing on this appeal on December 5, 2023 at 1:30 p.m. at the Nevada County Board Chambers at 950 Maidu Avenue, Nevada City, CA 95959.