



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

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

### **RESOLUTION AMENDING THE GENERAL PLAN LAND USE DESIGNATIONS OF 19 SPECIFIC U. S. FOREST SERVICE PARCELS TO CHANGE THE LAND USE FROM RURAL (18 PARCELS) AND RESIDENTIAL (1 PARCEL) TO THE FOREST DESIGNATION (FOR) FOR ALL 19 PARCELS, TO ALIGN THE COUNTY'S LAND USE PATTERN WITH THE RESOURCE MANAGEMENT OF TAHOE NATIONAL FOREST SYSTEM LANDS (GPA16-0001)**

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

WHEREAS, General Plan Program 1.2.1.a of Policy 1.2.1 directs review and consideration whether like land use designations such as the Forest land use designation could be consolidated to reduce redundancy; and

WHEREAS, On January 28, 2016, at their annual work program priority setting workshop, the Board of Supervisors selected the USFS GPA/Rezone as a "Priority B" project and directed the Planning Department to work with U. S. Forest Service staff and recommend amendments to the County's zoning, as appropriate, to better align the County's land use designation with the resource management of National Forest System Lands; and

WHEREAS, 19 U. S. Forest Service parcels are deemed most suitable to require General Plan land use designation amendments to align the County's land use with the U. S. Forest Service resource management of the affected National Forest System Lands; and

WHEREAS, this project includes corresponding amendments to the project parcels' various zoning districts; and

WHEREAS, the County prepared a site specific Initial Study and Negative Declaration (IS/ND) and circulated it for review by local stakeholder groups, responsible and trustee agencies, and the public, and submitted it to the State Clearinghouse for a review and comment period by State agencies that ran from February 17, 2017 to March 20, 2017 (31-days); and

WHEREAS, on March 23, 2017, the Planning Commission held a duly noticed public hearing on the proposed site specific U. S. Forest Service General Plan Land Use amendments (GPA16-0001) and corresponding Zoning District Map amendments (RZN16-0001) (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 the 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 Land Use designations (GPA16-0001) as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, on April 25, 2017, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed General Plan Land Use amendments, re-designating Sites #1 - #6 as shown in Exhibit "A"; and

WHEREAS, the proposed General Plan Land Use amendments include Site #1 which consists of 327.83 acres of land currently designated Rural-40 acre min. parcel size (RUR-40), located at 30654 Cicada Ln, 30200 Rush St. and another non-addressed parcel, and 31874, 30426, 30555, 30231 State Hwy. 49, North San Juan CA 95959 and 95960, comprised of Assessor's Parcel Numbers (APN) 60-020-01, 60-030-02, -04, 60-010-01, 60-330-01, -02, and -13; and

WHEREAS, the proposed General Plan Land Use amendments include Site #2 which consists of 957.77 acres of land currently designated Rural-30 acre min. (RUR-30), and 39.37 acres currently designated Rural-10 acre min. (RUR-10), located at 11411 and 10455 Conservation Rd., 13905 High Rise Spur, 12655 Rock Creek Rd., 21073 State Hwy 20, and another non-addressed parcel, Nevada City CA 95959, comprised of Assessor's Parcel Numbers 34-110-04, -05, and 34-120-04, -05, -06, 34-360-27 and 38-050-02; and

WHEREAS, the proposed General Plan Land Use amendments include Site #3 which consists of 2.5 acres of land currently designated Residential (RES), located at 15897 Maybert Rd., Nevada City CA 95959, comprised of Assessor's Parcel Number 64-050-06; and

WHEREAS, the proposed General Plan Land Use amendments include Site #4 which consists of 102 acres of land currently designated Rural-10 (RUR-10), no site addresses in Truckee CA 96161, comprised of Assessor's Parcel Numbers 17-020-18 and -19; and

WHEREAS, the proposed General Plan Land Use amendments include Site #5 which consists of 277.67 acres of land currently designated Rural-10 acre min. (RUR-10), no site address in Truckee CA 96161, comprised of Assessor's Parcel Number 48-080-84; and

WHEREAS, the proposed General Plan Land Use amendments include Site #6 which consists of 84.06 acres currently designated Rural-20 acre min. (RUR-20), no site address in Truckee CA 96161, comprised of Assessor's Parcel Number 49-330-08; and

WHEREAS, a separate Resolution of the Board of Supervisors adopted the Project's Initial Study/Negative Declaration (EIS16-0003) and separate Ordinance of the Board of Supervisors adopted site specific rezoning associated with the Project (RZN16-0001); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendments to the Nevada County General Plan Land Use Maps, 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 amendment to the General Plan is 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.

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.
3. That the project sites are physically suitable for the proposed Forest zone district (FOR), 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.

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 an amendment to the Nevada County General Plan Land Use Maps, re-designating those parcels as described and set forth in Exhibit "A", consistent with boundaries of said properties.











