



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING NEVADA COUNTY GENERAL PLAN LAND USE MAP DESIGNATION FOR ASSESSOR'S PARCEL NUMBER (APN) 008-070-034 FROM PUBLIC (PUB) TO RESIDENTIAL (RES) (GPA20-0002)

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

WHEREAS, Mr. Ian Gray ("Applicant") is the owner of Assessor's Parcel Number 008-070-034; and

WHEREAS, the Applicant has requested that the General Plan Land Use Map designation be amended for the project site; and

WHEREAS, the land use re-designation from Public (PUB) to Residential (RES) will allow for the future reuse of this former fire station property; and

WHEREAS, the General Plan Land Use Map amendment is necessary for the private use of this property; and

WHEREAS, notices of the proposed action amending the General Plan Land Use Map were submitted to the applicable responsible agencies and adjacent property owners; and

WHEREAS, as required by Senate Bill 12 (Burton) and Assembly Bill 52 (Gatto), the County of Nevada sent a request for consultation to the United Auburn Indian Community who in return did not request specific consultation for this project; and

WHEREAS, the County has prepared a project specific Initial Study/ Negative Declaration (IS/ND) (EIS20-0002) and circulated it a 20-day public comment period from Oct. 7, 2020 to October 27, 2020; and

WHEREAS, on November 12, 2020, the Planning Commission held a duly noticed public hearing on the proposed General Plan Land Use Map designation amendment (GP20-0002), property specific rezone (RZN20-0003), and Petition for Exceptions (PFX20-0002) (collectively "Project") in which the Commission reviewed the proposed IS/ND together with all comments received during the public review period, and recommended adoption of this same Negative Declaration before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, the Planning Commission after reviewing and considering the proposed project on November 12, 2020, and after taking public testimony and deliberating on the project voted 3-1, 1 absent to recommend that the Board of Supervisors approve the proposed Resolution to amend the General Plan Land Use Map designations (GP20-0002) as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed amendment to the General Plan Land Use Map, re-designating the subject parcels as described herein; and

WHEREAS, separate Resolutions of the Board of Supervisors approved the Project's Negative Declaration (EIS20-0002) and Petition for Exceptions (PFX20-0002), and by separate Ordinance of the Board of Supervisors adopted the site specific rezoning associated with the Project (RZN20-0003); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendment to the Nevada County General Plan Land Use Map, 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:

- A. That the proposed amendment re-designating the land use designation from Public (PUB) to Residential (RES) is consistent with and furthers the goals, objectives, policies and program of the General Plan and the provisions of the Nevada County Land Use and Development Code;
- B. That the Site is physically suitable for the Residential (RES) General Plan Land Use Designation, in that the site does not contain significant areas of slopes or sensitive environmental resources, which cannot be avoided through appropriate site planning. The site has adequate access to an adequately maintained road with approval of the proposed Petition for Exceptions to allow an approximately 15-foot wide driveway easement and subsequently will accommodate the anticipated development of a single family residential building and resultant uses;
- C. That the land use re-designation of the project site is conforming with the other lands surrounding the project parcels;
- D. That the project is found to be consistent with the General Plan Goals and Policies that promote the creation of sustainable economy and protection of environmental resources; and
- E. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

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 the former fire station property from Public (PUB) to Residential (RES), consistent with boundaries of said properties, as described and set forth in Exhibit A attached hereto.

Exhibit A: GPA20-0002
APN 008-070-034

