



# **ORDINANCE NO. \_\_\_\_\_**

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

### **AN ORDINANCE AMENDING SECTIONS L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 AND L-XVII 3.12 OF CHAPTER XVII OF THE LAND USE AND DEVELOPMENT CODE, PERTAINING TO ROAD STANDARDS**

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

#### **SECTION I:**

It is the purpose and intent of this Ordinance to make revisions to Sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 L-XVII 3.12 of Chapter XVII of the Nevada County Land Use and Development Code in order to support the 2020 Board Objective to support broadband and the construction of telecommunication infrastructure.

#### **SECTION II:**

Chapter XVII “Road Standards” of the Nevada County Land Use and Development Code, is hereby amended to read as set forth in Exhibit “B”, attached hereto and incorporated herein by reference.

#### **SECTION III:**

The Board of Supervisors hereby finds that this Ordinance is exempt from environmental review pursuant to Section 21065 of the California Environmental Quality Act (CEQA) because the amendment to Sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 L-XVII 3.12 of Chapter XVII of the Nevada County Land Use and Development Code is not a “project” under CEQA. A “project” is defined as an “activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposed amendment to Sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 L-XVII 3.12 of Chapter XVII of the Nevada County Land Use and Development Code will not result in any direct or indirect physical changes in the environment and is therefore not a project.

#### **SECTION IV:**

If any provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid 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 15<sup>th</sup> day of February, 2021, 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 and the Sierra Sun, newspapers of general circulation printed and published in the County of Nevada.