

## ORDINANCE NO. 2483

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

AN ORDINANCE AMENDING ZONING DISTRICT MAP NO. 14A TO REZONE 17.47 ACRES (APN 050-020-032 & 050-020-072; 14567 AND 14685 PLEASANT VALLEY ROAD) LOCATED IN THE UNINCORPORATED AREA OF NEVADA COUNTY, FROM PUBLIC (PUB) TO OFFICE-PROFESSIONAL WITH THE SITE PERFORMANCE COMBINING DISTRICT (APPROXIMATELY 6.4-ACRES, OP-SP) & RECREATION WITH THE SITE PERFORMANCE COMBINING DISTRICT (APPROXIMATELY 11.1-ACRES, REC-SP) (RZN19-0001) (PENN VALLEY COMMUNITY CHURCH) (DISTRICT IV)

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 that Assessor's Parcel Number 050-020-032 and 050-020-072, which are located in the unincorporated area of Nevada County, be rezoned from Public (PUB) to Office & Professional with the Site Performance Combining District (OP-SP) and Recreation (REC-SP) based on the following findings A-F.

- A. That the proposed amendment is consistent with and furthers the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Land Use and Development Code Chapter II Zoning Regulations, including Land Use and Development Code Section L-II 2.4, 2.6 and 2.7; and
- B. That the project site is physically suitable for the requested "OP-SP / REC-SP" zoning districts for Penn Valley Community Church to occupy and operate a church, office/professional and recreational complex; and
- C. That the proposed amendment for the project site will not conflict with uses and zoning that surround the subject parcels as the proposed zoning is consistent with those established uses; and
- D. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.
- E. That the Nevada County Planning Commission, after taking public testimony and deliberating on the project, recommended by a 5-0 vote that the Board of Supervisors

adopt this Ordinance as required by Nevada County Land Use and Development Code section L-II 5.9.E.

- F. That the Nevada County Board of Supervisors, after taking public testimony and deliberating on the project, as required by Nevada County Land Use and Development Code section L-II 5.9.E approves this project.

## SECTION II:

Pursuant to Section L-II 1.3.D of Article 1, Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 14a is hereby amended as follows:

Zoning District Map No. 14a is hereby amended as shown on Exhibit "A" attached hereto and made a part of this Ordinance. Said property, owned by the Penn Valley Community Church, is Nevada County APNs 050-020-032 and 050-020-072, comprised of approximately 17.47 acres and is located in the unincorporated area of Nevada County at 14567 and 14685 Pleasant Valley Road, California; and

All that certain property described in Exhibit "A" is hereby rezoned as follows: From Public (PUB) to Office & Professional with the Site Performance Combining District (OP-SP) and Recreation (REC-SP) with the Site Performance Combining District as defined in Chapter II of the Land Use and Development Code of the County of Nevada, and is hereby subject to the restrictions and allowable uses set forth therein.

The provisions of the Site Performance Combining District are as detailed in the Allowable Land Use Table, Exhibit "B" attached hereto and made a part of this Ordinance and as adopted by separate Ordinance as part of the project Comprehensive Master Plan.

## SECTION III:

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 IV:

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 26th day of November, 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.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 27th day of October, 2020, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

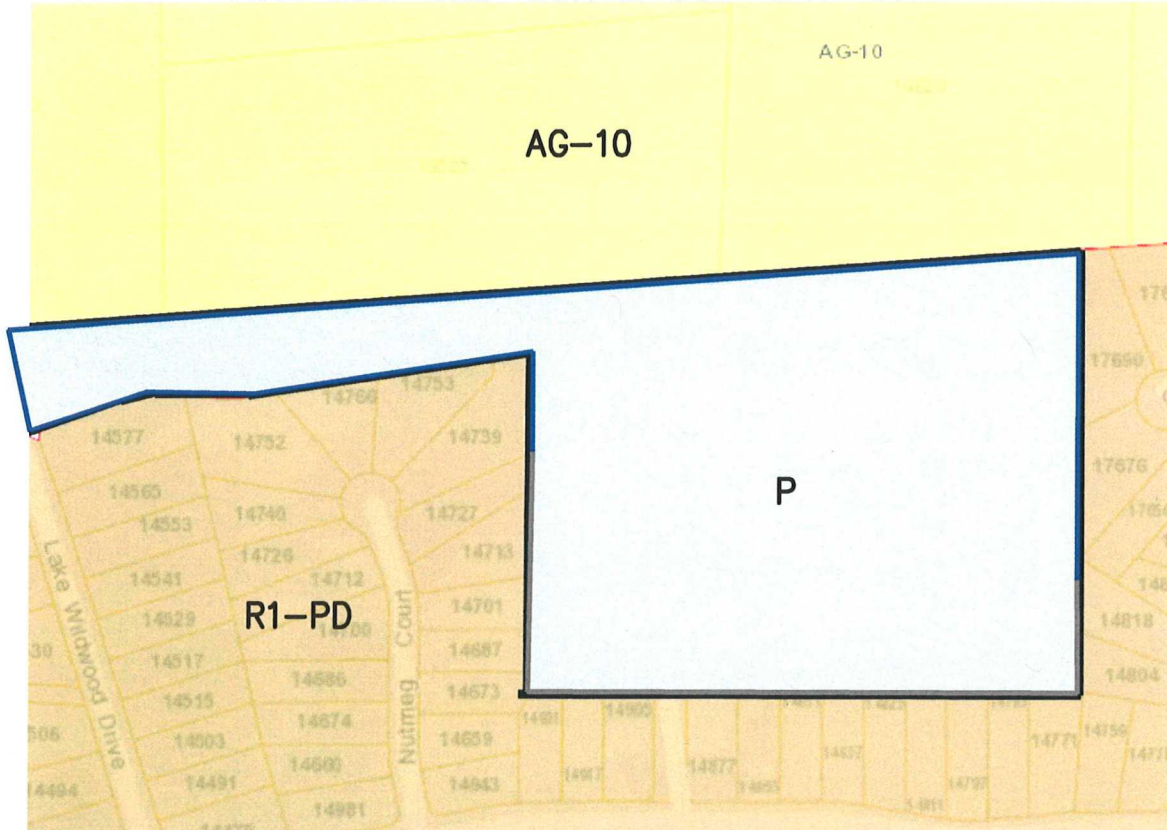
JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

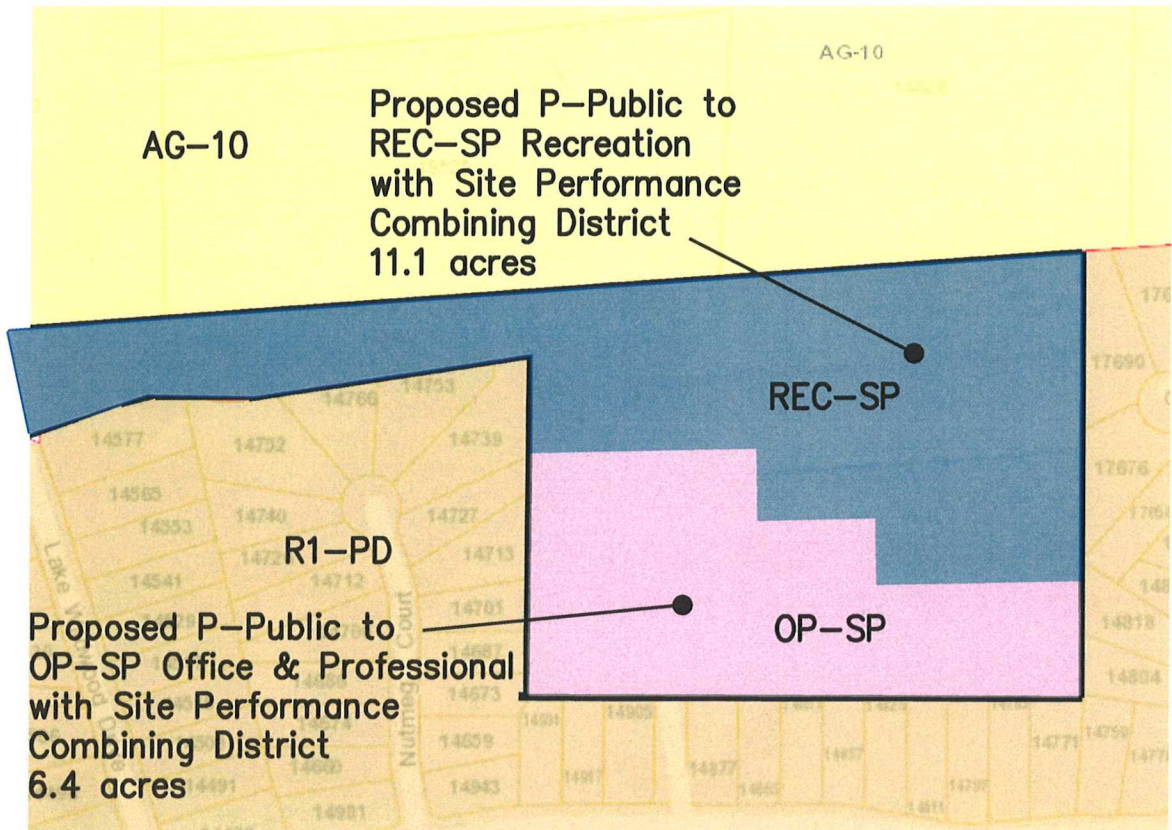
  
Heidi Hall, Chair

10/27/2020 cc: GIS\*  
Union\*  
COB\*  
CoCo\*  
QC\*  
Planning\*

**Zoning District Map Amendment (RZN19-0001)  
APN 050-020-032 & 050-020-072**



**EXISTING ZONING DESIGNATION ZDM 14a**



**PROPOSED ZONING DESIGNATION**

Exhibit B

**ALLOWABLE USE TABLE DEFINING POTENTIAL LAND USES**

TABLE 1		
ALLOWABLE LAND USES	OP-SP	REC-SP
<p><b>Key to Land Use Permit Requirements:</b></p> <p><b>A</b> Allowed subject to applicable building permits</p> <p><b>DP</b> Development Permit required, if not initially approved with this Comprehensive Master Plan</p> <p><b>UP</b> Use Permit required, if not initially approved with this Comprehensive Master Plan</p> <p><b>NP</b> Not Permitted</p> <p><b>NA</b> Not Applicable</p> <p><b>*Certain Approvals with current project</b></p>		
<b>Residential</b>		
Community care facilities for more than 6 people including, but not limited to, residential care and social rehabilitation facilities, and alcoholism and drug abuse recovery or treatment facilities	NP	NP
Community care facilities for more than 6 people including, but not limited to, residential care and social rehabilitation facilities, and alcoholism and drug abuse recovery or treatment facilities. Such facilities shall be self-contained and provide on-site educational facilities	NP	NP
Emergency shelter or transitional/supportive housing	NP	NP
Dwelling, single family (including transitional and supportive housing)	NP	NP
Dwelling units as a part of a mixed-use development where residential is not the primary use, and is an integral part of the nonresidential use, not to exceed 4 units per acre. Integral shall mean that all uses are designed and located so as to be visually and functionally related.	UP	UP
<b>Commercial Uses</b>		
Medical clinics and medical support services (i.e. ambulance services or laboratory or similar)	DP	NP
Offices and services, including, but not limited to, financial institutions, insurance, and real estate offices, business services such as duplicating, mailing, blueprinting, photocopying, and stenographic services, janitorial services, and employment agencies.	DP*	NP
Farm Stands	DP	DP

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Certified Farmers Market	DP	DP
Cemetery	NP	NP
Funeral home, mortuary	NP	NP
Hospitals and convalescent homes	UP	NP
Hotels, motels	NP	NP
Bed and Breakfast Inns	NP	NP
Fitness Centers	UP	UP
Museum	UP	NP
Recreation facilities, including but not limited to, video arcades, bowling alleys, skating rinks, pool halls, miniature golf, skateboard or BMX facilities, racquetball and tennis clubs	NP	NP
<b>Industrial Uses</b>		
Hazardous waste management facilities for waste produced on-site	NP	NP
<b>Agricultural, Resource, and Open Space Uses</b>		
Crop and tree farming	A	A
Stables, commercial	NP	NP
Mining, subsurface	NP	NP
Mining, surface (must include ME District)	NP	NP
Mining, surface access to subsurface mining	NP	NP
Mining, surface vent and escape shafts (subsurface mining)	NP	NP
<b>Institutional and Public Uses</b>		
Antennae, minor and certain non-commercial	A	A
Churches	UP*	UP*
Schools, not trade schools	UP*	NP
Schools, trade schools	UP	UP
Community meeting and social event facilities	UP*	UP*
Communication towers	UP	UP
Emergency services (including fire and ambulance stations)	UP	UP
Public utility uses and structures	UP	UP

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Temporary staging areas for public road projects	NP	UP
<b>Recreational Uses</b>		
Trails, non-motorized, except equestrian	A	A
Parks and playgrounds	NP	UP*
Accessory and support uses related directly to a primary recreational use, including but not limited to, restaurants, retail facilities, administrative offices, sales offices, laundromats	NP	UP
Campgrounds (including recreational vehicle parks) at a density not to exceed 10 sites per acre	NP	NP
Campgrounds (including recreational vehicle parks) at a density not to exceed 10 beds per acre)	NP	NP
Recreational activities, including but not limited to, destination and day use resorts, ski runs and facilities, golf courses and driving ranges, country clubs, marinas, sports fields and stadiums, arenas and gyms, guest and dude ranches, shooting ranges, gun clubs, skeet shooting, recreational structures, motorized recreational facilities, and exhibition, convention, conference, and sporting facilities	NP	UP
Watchman/Caretaker's Unit (one)	NP	A