



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION MAKING FINDINGS, ACCEPTING THE APPEAL FILED BY KEVIN YODER, ET AL., REGARDING THE DECISION OF THE NEVADA COUNTY PLANNING DEPARTMENT FOR THE CONDITIONAL APPROVAL FOR AN ADMINISTRATIVE DEVELOPMENT PERMIT AND PETITION FOR EXCEPTIONS TO ROAD STANDARDS (PLN22-0234; ADP22-0049; PFX22-0039) TO OPERATE A COMMERCIAL CANNABIS OPERATION LOCATED AT 22309 MEYER RAVINE ROAD, GRASS VALLEY, CA 95949 (APN: 057-290-006) AND TO SCHEDULE A PUBLIC HEARING ON MARCH 12, 2024 AT 1:30PM

WHEREAS, on January 10, 2024, the Nevada County Planning Department provided notice of a conditional approval for an Administrative Development Permit and Petition for Exceptions to Roadway Standards for a private driveway that does not meet Nevada County Land Use and Development Code Section L-XVII 3.4 and County Standard Drawing C-1 for minimum road width of 20-feet with 2-foot shoulders (PLN22-0234; ADP22-0049; PFX22-0039) to permit a commercial cannabis operation at 22309 Meyer Ravine Road, Grass Valley, CA 95949 (APN 057-290-006); and

WHEREAS, on January 22, 2024, Kevin Yoder filed an Appeal to the Board of Supervisors regarding the conditional approval for an Administrative Development Permit, Petition for Exceptions to Roadway Standards (PLN22-0234; ADP22-0049; PFX22-0039) to permit a commercial cannabis operation at 22309 Meyer Ravine Road, Grass Valley, CA (APN 057-290-006); and

WHEREAS the Appeal filed by Kevin Yoder included additional individuals individually named and list of petition of signatures gathered against the proposed commercial cannabis operation; 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 January 22, 2024, 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 and Petition for Exceptions to Roadway Standards for a private driveway that does not meet Nevada County Land Use and Development Code Section L-XVII 3.4 and County Standard Drawing C-1 for minimum road width of 20-feet with 2-foot shoulders (PLN22-0234; ADP22-0049; PFX22-0039) to permit a commercial cannabis operation at 22309 Meyer Ravine Road, Grass Valley, CA 95949 (APN 057-290-006); and
2. Appellant's appeal on the Nevada County Planning Department's conditional approval for an Administrative Development Permit and Petition for Exceptions to Roadway Standards for a private driveway that does not meet Nevada County Land Use and Development Code section L-XVII 3.4 and County Standard Drawing C-1 for minimum road width of 20-feet with 2-foot shoulders (PLN22-0234; ADP22-0049; PFX22-0039) to permit a commercial cannabis operation at 22309 Meyer Ravine Road, Grass Valley, CA 95949 (APN 057-290-006) 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 satisfy 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 and Petition for Exceptions to Roadway Standards for a private driveway that does not meet Nevada County Land Use and Development Code section L-XVII 3.4 and County Standard Drawing C-1 for minimum road width of 20-feet with 2-foot shoulders (PLN22-0234; ADP22-0049; PFX22-0039) to permit a commercial cannabis operation at 22309 Meyer Ravine Road, Grass Valley, CA 95949 (APN 057-290-006) 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 March 12, 2024, at 1:30p.m. at the Nevada County Board Chambers at 950 Maidu Avenue, Nevada City, CA 95959.