



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PLAN IN CONNECTION WITH THE ADOPTION OF AN ORDINANCE AMENDING ZONING DISTRICT MAP NO. 077 TO REZONE ASSESSOR'S PARCEL NUMBERS 038-330-001, 038-330-002, 038-330-003, 038-330-004, 038-330-086, AND 038-330-087 FROM TIMBER PRODUCTION ZONE-40 (TPZ-40) TO RESIDENTIAL AGRICULTURAL-10 (RA-10) AND GENERAL AGRICULTURAL -30 (AG-30); AND A TENTATIVE FINAL MAP TO CREATE ELEVEN LOTS (FILE NOS. PLN24-0021; RZN23-0002; TFM23-0001; EIS24-0008).

WHEREAS, on March 3, 2023 the Nevada County Planning Department received an application for an Immediate Rezone and a Tentative Final Map submitted on behalf of John Paye; and,

WHEREAS, on June 26, 2018 the Nevada County Board of Supervisors approved a zoning district map amendment to allow for the TPZ zone ten-year roll-out to RA-10 and AG-30 on 306 acres currently bordered by RA and AG zoning, which John Paye, the property owner seeks the immediate enactment of; and,

WHEREAS, on February 4, 2025 the Planning Department staff prepared an Initial Study and Mitigated Negative Declaration ("IS/MND") for the Project (EIS24-0008) a copy of which is attached to this Resolution as Exhibit A; and,

WHEREAS, the IS/MND was submitted directly to affected local, regional, state, and federal agencies, and was released for a 30-day public review period, commencing on February 15, 2025 and ending March 17, 2025; and,

WHEREAS, the IS/MND analyzes all of the potential environmental impacts of the proposed Project and found that no significant impacts would result from the approval of the Project; and,

WHEREAS, on March 27, 2025, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/MND together with all comments received during the public review period, and recommended on a 3-0 (2 absent) vote

adoption of this same Mitigated Negative Declaration before making a recommendation to the Board on the Immediate Rezone and Tentative Final Map; and,

WHEREAS, on April 22, 2025, the Board of Supervisors held a duly noticed public hearing to consider the Initial Study and Mitigated Negative Declaration, the Immediate Rezone, and Tentative Final Map; and,

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors has reviewed and considered the recommendation of the Planning Commission and has independently reviewed the Initial Study and proposed Mitigated Negative Declaration (EIS24-0008), together with all comments received during the public review period, and pursuant to the California Environmental Quality Act Guidelines Sections 15074, 15073.5, and 15097 hereby finds and determines as follows:

1. The above recitals are true and correct.
2. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment.
3. That the Mitigated Negative Declaration reflects the independent judgment of the Board of Supervisors; and that the mitigation measures, as agreed to by the applicant, will reduce potentially significant impacts to less than significant levels.
4. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.
5. That the amendment to the IS/MND Mitigation Measures to clarify the requirement to add the Mitigation Measures to the supplemental data sheet as notes and to correct references to a "Final Map" rather than a "Parcel Map" in the Mitigation Measures does not necessitate recirculation of the draft Initial Study/Mitigated Negative Declaration because no new impacts have been identified and because this amendment is meant to further clarify the Mitigation Measures.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (EIS24-0008) for the ***Paye Rezone and Tentative Final Map*** Project, to allow for an Immediate Rezone from a Timberland Production Zoning District to the new zones (RA-10 (157 acres) & AG-30 (150 acres)) approved through Ordinance 2453 in 2018, and a proposed Tentative Final Map to subdivide 2 legal parcels with six APNs, totaling approximately 307-acres, into eleven (11) lots ranging in size from 4-acres to 127.4-acres.

Attached: Exhibit A