



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING THE NEVADA COUNTY GENERAL PLAN CHAPTER 10, SAFETY ELEMENT (PLANNING FILE NO. GPT19-0002)

WHEREAS, the County of Nevada, acting by and through its Board of Supervisors, did on the fourteenth day of November 1995, adopt a General Plan for the County of Nevada, as evidenced by Resolution No. 95-530, pursuant to the provisions of Title 7, Chapter 3, Article 6 of the Government Code of the State of California, and

WHEREAS, the County of Nevada has established a General Plan Amendment procedure; and

WHEREAS, on September 15, 2008, the County of Nevada adopted amendments to the General Plan Safety Element in accordance with the established General Plan Amendment procedures as evidence by Resolution 08-452; and

WHEREAS, on October 10, 2014, the County of Nevada adopted amendments for a second time to the General Plan Safety Element in accordance with the established General Plan Amendment procedures as evidence by Resolution 14-503; and

WHEREAS, the third revision to the Nevada County General Plan Safety Element (Chapter 10) has been prepared pursuant to Government Code Section 65358(b) and according to adopted procedure and are attached to this Resolution; and

WHEREAS, on July 10, 2018, the County of Nevada adopted the updated 2018 Local Hazard Mitigation Plan by Resolution 18-361, which has been incorporated in the the Safety Element; and

WHEREAS, a notice of the draft Safety Element was sent to all agencies, homeowner associations and special interest groups on the Planning Department's distribution list, and has been made available on the County of Nevada's website and at local public libraries for public review and comment; and

WHEREAS, all State and local agencies requiring notice of proposed General Plan Amendments, including all local Native American tribes pursuant to Government Code Section 65352, were provided notice within the timelines established by said codes; and

WHEREAS, all State and local agencies requiring noticing of proposed amendments specific to the Safety Element, pursuant to Government Code Section 65302(g)(7), 65302.5(a), 65302.5(b), were provided notice within the timelines established by said codes; and

WHEREAS, on November 5, 2019, the draft Safety Element was reviewed by the State Board of Forestry and Fire Protection for requirements in Government Code Section 65302(g)(3)(A), and has found that the Safety Element update adequately addresses fire safety planning requirements with recommendations; and

WHEREAS, the Nevada County Planning Commission, after public notice, held a hearing on January 9, 2020, on the proposed amendments to the Nevada County General Plan Safety Element (Chapter 10); and

WHEREAS, the Nevada County Planning Commission, after reviewing and considering the proposed amendments to the Nevada County General Plan Safety Element (Chapter 10), recommended on a 4-0 vote that the Nevada County Board of Supervisors adopt the proposed Negative Declaration and proposed amendments to the Nevada County General Plan Safety Element update; and

WHEREAS, the Nevada County Board of Supervisors, after public notice, held a hearing on the proposed Negative Declaration and proposed amendments to the Nevada County General Plan Safety Element (Chapter 10); and

WHEREAS, the Nevada County Board of Supervisors, after public notice, held a hearing on the proposed Project in which the Nevada County Board of Supervisors also reviewed Resolution No. _____ in which the Board reviewed the proposed Initial Study and Negative Declaration (Planning File No. EIS19-0005) together with all comments received during the public review period and recommended adoption of this same Initial Study and Negative Declaration; and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission on the proposed amendments to the Nevada County General Plan Safety Element (Chapter 10), did consider the amendments to the General Plan Safety Element, Chapter 10.

NOW, THEREFORE, BE IT RESOLVED that the County of Nevada, acting by and through its Board of Supervisors pursuant to the provisions of Section 65358 of the Government Code of California, that:

SAID BOARD OF SUPERVISORS does hereby approve and adopt said proposed amendment to the Nevada County General Plan Safety Element (Chapter 10); and

RELATIVE to this amendment, said approval is based on the findings contained in the record and determined as follows:

1. The proposed amendment is consistent with and furthers the Goals, Objectives, Policies and Implementation Measures of the General Plan and the provisions of the Nevada County Land Use and Development Code.
2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.
3. The proposed amendment has been reviewed by the State Board of Forestry and has been found to adequately address fire safety planning requirements with recommendations.