



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING NEVADA COUNTY GENERAL PLAN LAND USE MAP DESIGNATIONS FOR A 21.62-ACRE PORTION OF ASSESSOR'S PARCEL NUMBER 23-230-23 FROM RESIDENTIAL (RES) TO URBAN MEDIUM DENSITY (UMD); (GP13-004)

WHEREAS, on November 14, 1995, the County of Nevada adopted a General Plan for the County of Nevada, through Resolution 95-530; and

WHEREAS, Forest Springs, LLC is the owner of Assessor's Parcel Numbers 23-230-23; and

WHEREAS, Forest Springs, LLC has requested that the General Plan Land Use Map designations be amended for a 21.62-acre portion of 116.10-acre Assessor's Parcel 23-230-23; and

WHEREAS, the land use re-designation of Site A from Residential (RES) to Urban Medium Density (UMD) will support the anticipated multi-family residential uses of Site A as a Mobilehome Park; and

WHEREAS, notices of the proposed action amending the General Plan Land Use Maps were submitted to the State Clearinghouse, Nevada County DPW-Roads and Sanitation and Transit Services, Nevada County Department of Environmental Health, Nevada County Counsel, Local Area Formation Commission, Nevada Irrigation District, Nevada County Consolidated Fire Protection District, Nevada County Office of the Fire Marshal, Northern Sierra Air Quality Management District, Department of Fish and Wildlife, Central Valley Water Quality Control Board, Rural Quality Coalition, CalTrans, United Auburn Indian Community of the Auburn Rancheria, Native American Heritage Commission, District II, III County Supervisors, all Planning Commissioners, all applicable local school districts, and adjacent property owners; and

WHEREAS, the County has prepared a project specific Initial Study/Mitigated Negative Declaration (IS/MND) (EIS13-004) and circulated it for a 30-day public comment period from September 8, 2014 to October 8, 2014; and

WHEREAS, on October 23, 2014, the Planning Commission held a duly noticed public hearing on the proposed General Plan Land Use Map designation amendment (GP13-004), site specific rezone (Z13-006), Management Plan (MGT14-003), and Use Permit (U13-008), (collectively "Project") in which the Commission reviewed the proposed IS/MND together with all comments received during the public review period, and recommended adoption of this same Mitigated Negative Declaration before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, the Planning Commission after reviewing and considering the proposed project on October 23, 2014, continued the project at the request of the Planning Department to allow the reconsideration of the project's proposed density transfer and for additional information on the removal of oak trees and the design of the project's storm drainage swale; and

WHEREAS, based on the revised storm drainage and drainage swale design and the submittal of additional information on the removal of oak trees within the open space are for the construction of the drainage swale, the County prepared and recirculated a revised draft of the project specific Initial Study/Mitigated Negative Declaration (IS/MND) (EIS13-004) for a period of 30-days for public comment from January 6, 2015 to February 7, 2015; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 12, 2015 to reconsider the project; and

WHEREAS, the Planning Commission after reviewing and considering the proposed project on February 12, 2015, recommended that the Board of Supervisors approve the proposed Resolution to amend the General Plan Land Use Map designations (GP13-004) as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed amendment to the General Plan Land Use Map, re-designating the 21.62-acre portion of APN 23-230-23 from Residential (RES) to Urban Medium Density (UMD); and

WHEREAS, separate Resolutions of the Board of Supervisors approved the Project's Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (EIS13-017), Oak Tree Management Plan (MGT14-003) and Use Permit (U13-008), and by separate Ordinance of the Board of Supervisors adopted the site specific rezoning associated with the Project (Z13-006); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendments to the Nevada County General Plan Land Use Map, all information and evidence submitted in favor and against the proposed amendments, and the complete record before it, has determined that an amendment to the County's General Plan is now warranted.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

- A. That the proposed amendment re-designating the land use designation of the 21.62-acre portion of APN 23-230-23 to the Urban Medium Density (UMD) land use designation is consistent with and furthers the goals, objectives, policies and program of the General Plan and the provisions of the Nevada County Land Use and Development Code;
- B. That the Site is physically suitable for the Urban Medium Density (UMD) General Plan Land Use Designation, in that the site does not contain significant areas of slopes or sensitive environmental resources, which cannot be avoided through appropriate site planning and the implementation of the Oak Tree Management Plan required for this project. The site has adequate access to a County maintained road and subsequently will accommodate the anticipated development of a 62 unit, age-restricted Mobilehome Park;
- C. That the land use re-designation of the project site is conforming with the other lands which comprise the 116.10-acre Assessor's Parcel (APN 23-230-23), which are currently designated as Urban Medium Density (UMD);
- D. That the project is found to be consistent with several General Plan Land Use and Housing Element Goals and Policies the promote the creation of establishing of a variety of housing types of all income segments especially focused on providing housing opportunities for special needs groups such as the elderly; and
- E. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

BE IT FURTHER RESOLVED that based on the foregoing findings, and the entire record before it, the Nevada County Board of Supervisors does hereby approve and adopt an amendment to the Nevada County General Plan Land Use Maps, re-designating the 21.62-acres of APN 23-230-23, owned by Forest Springs, LLC., from Residential (RES) to Urban Medium Density (UMD), consistent with boundaries of said properties, as described and set forth in Exhibit A attached hereto.

Exhibit A
 General Plan Amendment GP13-004
 Portion of APN 23 230-23



Existing General Plan Land Use Designation



Proposed General Plan Land Use Designation

