



# **ORDINANCE NO. \_\_\_\_\_**

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

**AN ORDINANCE AMENDING 1) ZONING DISTRICT MAP 64, TO REZONE ASSESSOR'S PARCEL NUMBER 034-160-001 LOCATED AT 10460 HARMONY RIDGE ROAD, NEVADA CITY, CALIFORNIA FROM RESIDENTIAL AGRICULTURAL – 5 WITH PLANNED DEVELOPMENT COMBINING DISTRICT (PD) TO GENERAL AGRICULTURAL – 20 (AG-20) (DYLAN MURTY AND DANA LAW, APPLICANT)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

### SECTION I:

That Assessor's Parcel Number 034-160-001, which is located at 10460 Harmony Ridge Road, Nevada City, California be rezoned from the Residential Agricultural – 5 (RA-5) with Planned Development Combining District (PD) to General Agricultural – 20 (AG-20) based on the following findings A-E:

- 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 2.3, to provide for the redevelopment of the site for a potential single-family residential use and potential commercial agricultural uses; and,
- B. That the project site is physically suitable for the requested AG-20 zoning for the anticipated use of the site for potential residential use and potential commercial agricultural uses as the project site has access to a publicly maintained road and available infrastructure such as water and sewage disposal; 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; and,

- E. That the Nevada County Planning Commission at their Special Meeting of November 17, 2021, after taking public testimony and deliberating on the project recommended that the Board of Supervisors adopt this Ordinance by a 301 (1 abstention) vote as required by Nevada County Land Use and Development Code Section L-II 5.9.E.

#### SECTION II:

Pursuant to Section L-II 1.3.D of Article 1 of Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 64 is hereby amended as follows:

Zoning District Map No. 064 is hereby amended as shown on Exhibit “A” attached hereto and made a part of this Ordinance. Said property comprises approximately 91.01 acres and is located at 10460 Harmony Ridge Road, Grass Valley, California; and,

All that certain property described on Exhibit “A”, is hereby rezoned as follows: From the Neighborhood Residential Agricultural – 5 (RA-5) District with Planned Development (PD) Combining District to the General Agricultural – 20 (AG-20) 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; and,

#### 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 \_\_\_th day of February, \_\_\_ 2022, 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.

