



# ORDINANCE No. 2408

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

### AN ORDINANCE AMENDING SECTIONS L-II 2.5.C.1, L-II 2.5.B.1, AND TABLES L-II 2.5.D AND 2.5.E OF ARTICLE 2 OF THE LAND USE AND DEVELOPMENT CODE OF THE COUNTY OF NEVADA TO UPDATE THE BUSINESS PARK LAND USE SITE DEVELOPMENT STANDARDS

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

#### SECTION I:

Pursuant to Land Use and Development Code Section L-II 5.9.G, the Board of Supervisors hereby finds and determines as follows:

1. That the proposed amendment to the General Plan is consistent with and furthers the goals, objectives, policies, and implementation measures of the General Plan and provisions of the Nevada County Land Use and Development Code Chapter II Zoning Regulations, specifically Program 1.2.1.b and those policies of the County General Plan Chapter 1 and Chapter 3 focused on land use and sustainable economic development opportunities including those locations currently zoned Business Park; and
2. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the site development standards of the County's Zoning Code, including the Business Park land use designation and all other proposed designations, will ensure future projects conform to applicable regulations to ensure that the sites will be compatible with surrounding development. In addition to site development standards, future project specific mitigation measures will ensure that adequate infrastructure, including sewer, water, access and emergency services will be available to serve the sites at the time of development; and
3. That the Project sites are physically suitable for the various proposed General Plan land use designations, in that the sites do not contain significant areas of excessively steep slopes or sensitive environmental resources, which cannot be avoided through appropriate site planning. The sites have good to adequate access to County maintained roads or can establish access to County maintained roads that will accommodate the anticipated future development of the various proposed primary uses; and
4. That the sites are physically suitable for the proposed land use designations, as reviewed by the Initial Study and Negative Declaration (SCH#2015102048). The various designations are consistent with uses surrounding each of the various locations.

#### SECTION II:

Subsection L-II 2.5.C.1 of Article 2 of Chapter II of the Land Use and Development Code of the County of Nevada is hereby amended to read as follows:

“Prior to any site development located outside of an adopted Area Plan, the Planning Commission shall approve a Comprehensive Master Plan for the entire site. See Section 5.17 Comprehensive Master Plans and Specific Plans.”

**SECTION III:**

Code Section L-II 2.5.B.1 of Article 2 of Chapter II of the Land Use and Development Code of the County of Nevada is hereby amended to read as follows:

“**BP (Business Park).** The BP District provides areas for a variety of related uses, including manufacturing, distribution, processing, service, and research and development uses normally associated with light industries. The intent of this District is to encourage innovative and creative design in the provision of a variety of employment-oriented uses.

Development should be characterized by spacious and extensively landscaped settings that are attractive and environmentally sensitive. All uses shall be contained within a planned setting reflecting a "campus" character providing a high level of on-site amenities.”

**SECTION IV:**

Table L-II 2.5.D of Section L-II 2.5 of Article 2 of Chapter II of the Land Use and Development Code of the County of Nevada is hereby amended to read as follows:

Table L-II 2.5.D				
Industrial Districts Allowable Uses and Permit Requirements				
Key to Land Use Permit Requirements:				
<b>A</b>	Allowed subject to zoning compliance and building permit issuance			
<b>DP</b>	Development Permit required per Section 5.5			
<b>UP</b>	Use Permit required per Section 5.6			
<b>NP</b>	Not Permitted			
<b>NA</b>	Not Applicable			
<b>Varies</b>	Refer to listed L-II Section for allowable uses and permit requirements			
ALLOWABLE LAND USES (See Section L-II 1.4.D for Similar Uses)	BP	M1	M2	L-II SECTIONS:
Residential Uses				
Dwelling units as a part of a mixed-use development where residential is not the primary use, and is an integral part of the non-residential use, not to exceed 4 units per acre. Integral shall mean that all uses are designed and located so as to be visually and functionally related.	UP	UP	UP	
Temporary use of a mobilehome or an RV during dwelling construction where there is a valid building permit for a dwelling.	A	A	A	3.15
Commercial Uses				
Accessory uses for employees, including fitness centers, and restaurants, when in combination with support uses does not exceed 10% of the gross floor area of the structures on site.	UP	DP	DP	
Auto repair within an enclosed structure.	NP	DP	DP	
Auto painting and body work within an enclosed structure.	NP	DP	DP	

Commercial activities that normally require extensive storage areas including, but not limited to, contractors equipment yard, vehicle storage yard, sales and storage of fuel, building/farm supply, equipment rental, kennels.	NP	DP	DP	
Day Care Facilities as an accessory, employee use when in combination with accessory uses, does not exceed 10% of the gross floor area of the business park.	UP	NP	NP	
Fitness Centers.	UP	UP	UP	
Flea Market, permanent.	NP	UP	UP	
Lumberyards.	NP	DP	DP	
Parks if developed as employee accessory uses.	UP	UP	UP	
Parking facilities not attached to a specific use.	UP	UP	UP	
Personal mini storage buildings.	UP	UP	UP	
Shooting ranges, indoor.	NP	UP	UP	
Support uses for the primary light industrial use, including offices, services and retail sales associated with the marketing of products produced on-site, when in combination with accessory uses does not exceed area of the structures on site.	DP	DP	DP	
Temporary Commercial Uses.	A	A	A	3.23
Medical Marijuana Dispensary.	NP	NP	NP	
Adult Businesses, Existing Structure.	NP	A	NP	3.29; G-III 13
Adult Businesses, New Construction.	NP	DP	NP	3.29 and G-III 13
<b>Industrial Uses</b>				
Light industrial including research and development, the manufacturing, production, repairing, distribution, fabrication, processing, wholesaling, and warehousing of a wide variety of goods.	DP	DP	DP	
Any other intensive industrial use not allowed in the BP or M1 Districts.	NP	NP	UP	
Auto painting and body work.	NP	DP	DP	
Hazardous waste management facilities for waste produced on-site.	A	A	A	
Hazardous waste management facilities for waste produced off-site.	NP	UP	UP	
Parking facilities not attached to a specific use.	Varies	NA	NA	2.7.10
Power plants, private, including biomass fuel production.	NP	UP	UP	
Ready mix, asphalt, or concrete plants.	NP	UP	UP	
Recycling centers.	NP	UP	DP	
Recycling collection facilities.	DP	DP	DP	
Research and development activities.	DP	DP	DP	
Salvage enterprises; auto, trucks, and equipment dismantling yards.	NP	NP	UP	
Storage of explosives.	NP	UP	UP	
Storage and distribution of bulk petroleum products.	NP	UP	UP	
<b>Agricultural, Resource, and Open Space Uses</b>				

Crop and Tree Farming.	A	A	A	3.3
Pre-Grading not associated with a specific development project.	NP	DP	DP	3.28
<b>Institutional and Public Uses</b>				
Schools.	UP	NP	NP	

**SECTION V:**

Table L-II 2.5.E of Section L-II 2.5 of Article 2 of Chapter II of the Land Use and Development Code of the County of Nevada is hereby amended to read as follows:

<b>Table L-II 2.5.E</b>				
<b>Industrial Districts Site Development Standards</b>				
<b>Key to Site Development Standards:</b>				
<b>ROW</b>	Right-of-way, Ultimate (see definition in Article 6)			
<b>C/L</b>	Centerline			
<b>L-II SECTION</b> Refer to listed L-II Section for site development standards				
<b>SITE DEVELOPMENT STANDARDS</b>	<b>BP</b>	<b>M1</b>	<b>M2</b>	<b>L-II SECTIONS:</b>
<b>Setback Standards <sup>(1)</sup></b>				
<b>Front yard</b> (ROW at least 50' in width) <sup>(3)</sup>	10' from ROW (with mean average 20')			4.2.5.E
<b>Front yard</b> (ROW less than 50' in width) <sup>(3)</sup>	35' from ROW C/L (with mean average 45')			4.2.5.E
<b>Exterior yard</b> (ROW at least 50' in width)	10' from ROW (with mean average 20')			4.2.5
<b>Exterior yard</b> (ROW less than 50' in width)	35' from ROW C/L (with mean average 45')			4.2.5
<b>Interior yard</b>	30'	0'		4.2.5
<b>Rear yard</b>	30'	0' (Through parcels: Rear = Front setback)		4.2.5
<b>Other Standards (See Sections 4.2 Design Standards &amp; 4.3 Resource Standards)</b>				
<b>Building Height Limit</b>	45'			4.2.4
<b>Fencing &amp; Hedges</b>	Table 4.2.6.D			4.2.6
<b>Maximum Impervious Surface</b>	60%	85%		4.2.10
<b>On-Site Parking</b>	Table 4.2.9.F.12.b			4.2.9
<b>Signs</b>	Sign Standards see Section 4.2.12.K			4.2.12
<b>Minimum Road Frontage <sup>(2)</sup></b>	150'			
<b>Minimum Parcel Size <sup>(2)</sup></b>	1.5 acres	15,000 s.f.		4.1.3.E.4.c
<b>Footnotes</b>				
(1) Setbacks for residential units may be reduced on parcels less than 3 acres subject to Section L-II 4.2.5.G.				
(2) The minimum parcel size and road frontage required for subdivisions and boundary line adjustments is that shown on the table. Where clustering or a Planned Development is utilized, minimum parcel size and road frontage can vary if adequate provisions are made for the appropriation of water and disposal of sewage consistent with this Code and the protection of public health, safety and welfare. (See Section L-II 4.1.5)				
(3) Significant landscaping shall be incorporated into this setback.				

SECTION VI:

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and shall become operative on the 25th day of February, 2016, and, before the expiration of fifteen (15) days after its passage a summary shall be published once, with the names of the Supervisors voting for and against in the Union, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26<sup>th</sup> day of January, 2016, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston, and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: \_\_\_\_\_





\_\_\_\_\_  
Dan Miller, Chair

1/26/2016 cc:

CC\*  
Union\*  
GIS\*  
QC\*  
COB\*  
Planning\*