



ORDINANCE NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING ZONING DISTRICT MAP NO. 14A TO REZONE 17.47 ACRES (APN 050-020-032 & 050-020-072; 14567 AND 14685 PLEASANT VALLEY ROAD) LOCATED IN THE UNINCORPORATED AREA OF NEVADA COUNTY, FROM PUBLIC (PUB) TO OFFICE-PROFESSIONAL WITH THE SITE PERFORMANCE COMBINING DISTRICT (APPROXIMATELY 6.4-ACRES, OP-SP) & RECREATION WITH THE SITE PERFORMANCE COMBINING DISTRICT (APPROXIMATELY 11.1-ACRES, REC-SP) (RZN19-0001) (PENN VALLEY COMMUNITY CHURCH) (DISTRICT IV)

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 that Assessor's Parcel Number 050-020-032 and 050-020-072, which are located in the unincorporated area of Nevada County, be rezoned from Public (PUB) to Office & Professional with the Site Performance Combining District (OP-SP) and Recreation (REC-SP) based on the following findings A-F.

- 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 2.4, 2.6 and 2.7; and
- B. That the project site is physically suitable for the requested "OP-SP / REC-SP" zoning districts for Penn Valley Community Church to occupy and operate a church, office/professional and recreational complex; 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.
- E. That the Nevada County Planning Commission, after taking public testimony and deliberating on the project, recommended by a 5-0 vote that the Board of Supervisors

adopt this Ordinance as required by Nevada County Land Use and Development Code section L-II 5.9.E.

- F. That the Nevada County Board of Supervisors, after taking public testimony and deliberating on the project, as required by Nevada County Land Use and Development Code section L-II 5.9.E approves this project.

SECTION II:

Pursuant to Section L-II 1.3.D of Article 1, Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 14a is hereby amended as follows:

Zoning District Map No. 14a is hereby amended as shown on Exhibit "A" attached hereto and made a part of this Ordinance. Said property, owned by the Penn Valley Community Church, is Nevada County APNs 050-020-032 and 050-020-072, comprised of approximately 17.47 acres and is located in the unincorporated area of Nevada County at 14567 and 14685 Pleasant Valley Road, California; and

All that certain property described in Exhibit "A" is hereby rezoned as follows: From Public (PUB) to Office & Professional with the Site Performance Combining District (OP-SP) and Recreation (REC-SP) with the Site Performance Combining 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.

The provisions of the Site Performance Combining District are as detailed in the Allowable Land Use Table, Exhibit "B" attached hereto and made a part of this Ordinance and as adopted by separate Ordinance as part of the project Comprehensive Master Plan.

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 _____ day of _____, 2020, 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.