



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING THE NEVADA COUNTY GENERAL PLAN CHAPTER 1: LAND USE ELEMENT SUPPORTING PLANNING DOCUMENTS, PLANNING FOR LEGACY COMMUNITIES, POLICY 1.3.13, AND TO ADOPT THE GREATER HIGGINS AREA PLAN (GPA22-0002)

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

WHEREAS, on January 25, 2000, the County of Nevada adopted an Area Plan for Higgins Corner, through Resolution No. 00-572; and

WHEREAS, The General Plan Chapter 1: Land Use Elements identifies that in 2000 the existing Higgins Corner Area Plan was adopted; and

WHEREAS, the Board of Supervisors has directed the Planning Department to update and prepare a new Area Plan for the community of Higgins Corner; and

WHEREAS, properties have been added to the Area Plan through community input to help protect the rural quality of life in the Greater Higgins Area; and

WHEREAS, the Land Use Element of the County General Plan (Chapter 1) includes several references to the 2000 Area Plan including in the Supporting Planning Documents section and Policy 1.4.3 that require updating; and

WHEREAS, the County prepared a project specific Initial Study and Negative Declaration (IS/ND) and circulated it for review by responsible and trustee agencies, and the public for a review and comment period between September 23, 2022, and January 3, 2023; and

WHEREAS, on January 12, 2023, the Planning Commission held a duly noticed public hearing on the proposed General Plan text amendments (GPA22-0002), the corresponding Zoning District Map amendments which include parcel specific SP (Site Performance) Combining Districts (RZN22-0002), and the Zoning Ordinance text amendments (ORD22-3) (collectively "Project") in which the Commission reviewed the proposed Initial Study and Negative Declaration together with all comments received during the public review period, and recommended adoption of this same Initial Study before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, after reviewing and considering the proposed Project, the Planning Commission recommended that the Board of Supervisors approve the proposed Resolution to amend the General Plan text (GPA22-0002) as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, after reviewing and considering the proposed Project, the Planning Commission recommended that the Board of Supervisors approve the proposed Resolution to amend the General Plan text (GPA22-0002) to adopt the Greater Higgins Area Plan as shown and described in Exhibit “B” attached hereto and made a part of this Resolution; and

WHEREAS, on March 14, 2023, the Nevada County Board of Supervisors, held a duly noticed public hearing on the Project, which includes the proposed text amendments to the General Plan; and

WHEREAS, a separate Resolution of the Board of Supervisors adopted the Project’s Initial Study/Negative Declaration (EIS22-0014), a separate Ordinance of the Board of Supervisors adopted rezoning associated with the Project (RZN22-0002), and an Ordinance of the Board of Supervisors adopted Zoning Ordinance text amendments (ORD22-3); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed text amendments to the Nevada County General Plan, 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 HEREBY RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

1. That the proposed amendments to the General Plan are 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; and
2. That the proposed amendments 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 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 conditions and 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 (EIS22-0014). The various designations are consistent with uses surrounding each of the various locations.

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 the text amendments to the Nevada County General Plan set forth in Exhibit “A”.

Exhibit A

“Chapter 1: Land Use – Supporting Planning Documents

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- **Area Plans**

Area Plans are supporting land use policy documents that compliment and assist in the further implementation of the goals, policies and programs of the General Plan. The adopted Area Plans are: Greater Higgins Area Plan, Loma Rica Industrial Area Plan, North San Juan Area Plan, Soda Springs Area Plan and the Penn Valley Area Plan. The following communities have been recognized as likely candidates for Area Plans: Washington, Chicago Park, Cedar Ridge, Alta Sierra, and Rough and Ready.”

“Policy 1.3.13

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Area Plans are optional planning tools in *Community Regions* that allow for more specific treatment of a *Village Center*. Area Plans are supporting land use policy documents that complement and assist in the further implementation of the General Plan. Area Plans are adopted for both the Penn Valley and Higgins Corner-Lake of the Pines *Village Centers*.

The North San Juan Rural Center Area Plan, the Soda Springs Area Plan and portions of the Penn Valley and Higgins Corner-Lake of the Pines areas outside of their *Village Centers and Community Regions* are *Rural Region Area Plans*.

Exhibit B

Greater Higgins Area Plan