



# **ORDINANCE No. \_\_\_\_\_**

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

**AN URGENCY ORDINANCE ADDING SECTION L-II 3.30 TO ARTICLE 3 OF CHAPTER II AND AMENDING TABLES L-II 2.2.1.B, L-II 2.2.2.B, L-II 2.3.D, L-II 2.4.D, L-II 2.5.D, AND L-II 2.6.F OF ARTICLE 2 OF CHAPTER II OF THE NEVADA COUNTY LAND USE AND DEVELOPMENT CODE REGARDING CANNABIS CULTIVATION (4/5ths AFFIRMATIVE VOTE REQUIRED)**

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

### SECTION I:

Section L-II 3.30 of Article 3 of Chapter II of the Nevada County Land Use and Development Code is hereby added to read as shown in Exhibit A attached hereto and incorporated herein by this reference.

### SECTION II:

Tables L-II 2.2.1.B, L-II 2.2.2.B, L-II 2.3.D, L-II 2.4.D, L-II 2.5.D, and L-II 2.6.F of Article 2 of Chapter II of the Nevada County Land Use and Development Code are hereby amended to read as shown in Exhibit B attached hereto and incorporated herein by this reference.

### SECTION III:

Article 5 of Chapter IV of the Nevada County General Code, entitled Marijuana Cultivation, is hereby repealed in its entirety.

### SECTION IV:

Based on the findings set forth in Exhibit A attached hereto, this ordinance is declared to be an urgency ordinance necessary for the immediate preservation of the public health, safety and welfare and shall be effective immediately upon adoption by the Board of Supervisors.

### SECTION V:

If any provision of this amended ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance, including the application of such part or provision to other circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase

hereof irrespective of the fact that any one (1) or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County code, ordinance, resolution or policy, the terms and conditions of this ordinance shall prevail.

Pursuant to Government Code section 25123(d), this Ordinance shall take effect and be in force immediately upon the passage hereof, 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 and Sierra Sun, newspapers of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a four-fifths vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the        day of        , 2019, by the following vote of said Board: