



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION ADOPTING A NEGATIVE DECLARATION (EIS15-012) IN CONJUNCTION WITH THE APPROVAL OF A RESOLUTION FOR GENERAL PLAN LAND USE MAP DESIGNATION AMENDMENTS (GP15-002), A CORRESPONDING ORDINANCE AMENDING ZONING DISTRICT MAP NUMBERS 16a, 27, 40a, 47a, 52b, 53, 54, AND 63 (Z15-003) FOR VARIOUS PARCEL NUMBERS; AND GENERAL PLAN TEXT AMENDMENTS (GP15-003) AND ZONING ORDINANCE TEXT AMENDMENTS (ORD15-002) TO UPDATE THE BUSINESS PARK ZONE DISTRICT WITH REGARD TO; COMPREHENSIVE MASTER PLANNING FOR PARCELS IN APPROVED AREA PLANS; CLEANUP LANGUAGE REGARDING OUTDOOR MANUFACTURING AND MATERIAL STORAGE, AND PERMIT REQUIREMENTS FOR MINI-STORAGE FACILITIES; ADD SCHOOLS AS A PERMISSIBLE USE; AND AMEND CURRENT BP SITE DEVELOPMENT STANDARDS FOR BUILDING SETBACKS AND MAXIMUM IMPERVIOUS COVERAGE.

WHEREAS, On March 25, 2014, the Board of Supervisors issued Board Order BO-14-02 directing the Advance Planning Division work program priorities for Phase II of the General Plan Land Use Element. The work plan calls for an analysis of the County's Business Park (BP) Land Use Designation, Zoning District and development standards, in accordance with Program 1.2.1 of the General Plan Land Use Element; and

WHEREAS, Nevada County is proposing a combination of General Plan and Zoning Ordinance map and text revisions and re-designation and rezoning for parcels in 8 of the 16 existing BP sites, and reconfiguration of one additional BP site, to update the County's Business Park (BP) Land Use designation, locations, and the site development standards (Project); and

WHEREAS, on October 16, 2015, the Planning Department staff prepared an Initial Study and Negative Declaration (IS/ND) for the Project (EIS15-012), a copy of which is attached to this Resolution; and

WHEREAS, the IS/ND was submitted directly to affected local, regional and state agencies, and was released for a 31-day public review period, commencing on October 16, 2015 and ending November 16, 2015; and

WHEREAS, the IS/ND analyzes all of the potential environmental impacts of the proposed Project and found that no significant impacts would result from the approval of the Project; and

WHEREAS, prior to the required Planning Commission public hearing a minor revision was made to the recommended zoning districts analyzed in the Initial Study for Site #8 (APN 52-160-45) and Site #10 (APN 07-111-03) to clarify that comprehensive site planning for future development is required for the subject parcel and not required to include adjacent parcels within the existing Planned Development pursuant to the specific SP-Site Performance Combining District conditions noted on Zoning District Map No. 40a, as allowed for by California Environmental Quality Act Guidelines Section 15073.5, which has resulted in the addition of Finding D below; and

WHEREAS, on November 19, 2015, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/ND together with all comments received during the public review period, and recommended adoption of this same Negative Declaration before making a recommendation to the Board on the proposed Project; and

WHEREAS, on January 26, 2016, the Board of Supervisors held a public hearing on the proposed Project in which the Board reviewed the proposed IS/ND together with all comments received during the public review period, and adopted this same Negative Declaration before making a recommendation to the Board on the proposed Project.

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors has reviewed and considered the recommendation of the Planning Commission and has independently reviewed the Initial Study and proposed Negative Declaration (EIS15-012), together with all comments received during the public review period, and hereby finds and determines as follows:

- A. The above recitals are true and correct.
- B. On the basis of the whole record before the Board of Supervisors, there is no substantial evidence that the proposed Project as revised by incorporation of the mitigation measures, will have a significant effect on the environment as mitigated.
- C. The IS/ND reflects the Board's independent judgment and analysis.

- D. That the revision to zoning for Site #8 (APN52-160-45) and Site #10 (APN 07-111-03) to remove the Planned Development Combining District, consistent with the proposed SP-Site Performance Combining District conditions noted on Zoning District Map No. 40a. (e.g., from RA-PD-SP to RA-SP), does not necessitate recirculation of the draft initial study/proposed negative declaration because no new impacts have been identified and because this revision is meant to further clarify the intent of the extent of the comprehensive planning requirements for parcels within the existing Planned Development, which makes the amended zoning more clear than the original.

- E. The documents and materials constituting the record of the proceedings on which this decision is based are located and in the custody of the Nevada County Planning Department at 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Negative Declaration (EIS15-012) for the General Plan Land Use Designation Map amendments (GP15-002), Zoning District Map amendments (Z15-003), General Plan text amendments (GP15-003), and Zoning Ordinance text amendments (ORD15-002).

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to file a Notice of Determination pursuant to CEQA Guidelines Section 15075 within five working after adoption of this resolution and approval of the proposed Project.