



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION IN CONNECTION WITH THE ADOPTION OF AN ORDINANCE AMENDING ZONING DISTRICT MAP NO. 043 TO REZONE ASSESSOR'S PARCEL NUMBER 025-220-054 FROM COMMERCIAL HIGHWAY (CH) TO NEIGHBORHOOD COMMERCIAL (C1), AND THE ADOPTION OF A RESOLUTION APPROVING A PETITION FOR EXCEPTION TO ROAD STANDARDS AND CONDITIONAL USE PERMIT TO ALLOW FOR THE DEVELOPMENT AND OPERATION OF 17 PERMANENT BUILDINGS AND 7 STORAGE CONTAINERS, AS WELL AS THE APPROVAL OF AN EXISTING AUTOMOTIVE REPAIR FACILITY LOCATED ON ASSESSOR'S PARCEL NUMBER 025-220-054 (FILE NUMBERS PLN21-0281; RZN21-0003; CUP21-0005; PFX21-0006; EIS22-0003)

WHEREAS, the zoning map amendment (RZN21-0003) is being sought by AAB Property LLC, property owner; and

WHEREAS, on April 8, 2022 the Planning Department staff prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the Project (EIS22-0003) a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, the IS/MND was submitted directly to affected local, regional, state, and federal agencies, and was released for a 30-day public review period, commencing on April 8, 2022 and ending May 9, 2022; and

WHEREAS, the IS/MND analyzed 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, on May 26, 2022, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/MND together with all comments received during the public review period, and recommended on a 4-0 (1 absent) vote adoption of this same Mitigated Negative Declaration before making a recommendation to the Board on the rezone.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors have reviewed and considered the recommendation of the Planning Commission and have independently reviewed the Initial Study and proposed Mitigated Negative Declaration (EIS22-0003), together with all comments received during the public review period, and pursuant to the California Environmental Quality Act Guidelines Sections 15073.5 and 15074 hereby finds and determines as follows:

1. The above recitals are true and correct; and

2. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned (including mitigation for potentially adverse impacts to aesthetics, agriculture/forestry resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hydrology/water quality, noise, tribal cultural resources, and utilities/service systems) might have any significant adverse impact on the environment; and
3. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Board of supervisors; and that the mitigation measures attenuating potential impacts to aesthetics, agriculture/forestry resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hydrology/water quality, noise, tribal cultural resources, and utilities/service systems, will reduce potentially significant impacts to less than significant levels; and
4. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Mitigated Negative Declaration (EIS22-0003) for the 49er Self-Storage and Auto Repair Facility Project, to allow for the rezoning of the project parcel from Commercial Highway (CH) to Neighborhood Commercial (C1) and the adoption of a resolution approving a Petition for Exceptions to Road Standards (PFX21-0005) Conditional Use Permit (CUP21-0003) to allow for the development and operation of 17 permanent buildings and 7 storage containers, as well as the approval of an existing automotive repair facility located on Assessor's Parcel Number 025-220-054.