



RESOLUTION NO. 16-061

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING THE NEVADA COUNTY GENERAL PLAN BUSINESS PARK LAND USE DEFINITION AND BUSINESS PARK MAXIMUM IMPERVIOUS COVERAGE TO ACCELERATE IMPLEMENTATION OF THE GENERAL PLAN BY PROMOTING NEW OPPORTUNITIES FOR BUSINESS PARK INVESTMENT AND SUSTAINABLE JOB CREATION (GP15-003)

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

WHEREAS, General Plan Program 1.2.1.b of Policy 1.2.1 directs review and analysis of the current distribution, effectiveness and appropriateness of the Business Park land use designation; and

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; and

WHEREAS, eight of the sixteen sites that have been deemed most suitable for redesignation, and one site suitable for reconfiguration, have been identified to require a General Plan land use designation change to ensure consistency with the various proposed land use designations for those sites; and

WHEREAS, this project includes the associated rezoning of the eight sites, and reconfiguration of one site, to the various zoning districts including various combining districts; and

WHEREAS, the County prepared a site specific Initial Study and Negative Declaration (IS/ND) and circulated it for review by responsible and trustee agencies, and the public, and submitted it to the State Clearinghouse (EIS15-012/SCH#2015102048) for a review and comment period by State agencies that ran from October 16, 2015, to November 16, 2015 (31-days); and

WHEREAS, on November 19, 2015, the Planning Commission held a duly noticed public hearing on the proposed General Plan Land Use Map amendments (GP15-002), site specific Zoning District Map amendments (Z15-003), General Plan text amendments (GP15-003), and Zoning Ordinance text amendments (ORD15-002) (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 (GP15-003) as shown and described in Exhibit "A" attached hereto and made a part of this Resolution; and

WHEREAS, on January 26, 2016, the Nevada County Board of Supervisors, held a duly noticed public hearing on 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 (EIS15-012), a separate Resolution of the Board of Supervisors adopted the General Plan Land Use Map amendments (GP15-002), a separate Ordinance of the Board of Supervisors adopted site specific rezoning associated with the Project (Z15-003), and an Ordinance of the Board of Supervisors adopted Zoning Ordinance text amendments (ORD15-002); 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 RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

1. That the proposed amendment to the General Plan is 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, specifically Program 1.2.1.b and those policies of the County General Plan Chapter 1 and Chapter 3 focused on land use and sustainable economic development opportunities including those locations currently zoned Business Park; and
2. That the proposed amendment 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, including the Business Park land use designation and all other proposed designations, 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 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 (SCH#2015102048). 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 Exhibits "A" and "B".

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26th day of January, 2016, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____

 _____
Dan Miller, Chair

1/26/2016 cc: Planning*
GIS*

Exhibit A

“Policy 1.2.4

* * * *

- m. Business Park (BP) is intended to provide for a variety of related and mutually supporting manufacturing, distribution, processing, service, and research and development uses. Development within this designation shall consist of light industries and supporting business and service activities, which are conducted within enclosed structures and do not create external vibration, noise, glare or other hazard. Accessory uses typical for such development may include residences required for on-site security, dining, or recreational facilities for employees. These uses are contained within a planned environment which has a “campus” character providing a high level of on-site amenities. A comprehensive master plan for the entire site shall be required prior to approval of any development located outside of an adopted Area Plan.

To provide for employment in proximity to residents outside the major employment centers of the County, development of Village or Rural Center Business Parks (BP-V or BP-RC) is also included within this designation. Such development shall be located within this designation. Such development shall be located within a designated Village Center or Rural Center, with an emphasis on smaller scale processing, service, and research and development uses which are more compatible with the character of Village and Rural Centers. Business Park development within these centers is also intended to provide for “cottage” industries with residential use for the owner/operator on the premises.”

EXHIBIT B

“Policy 1.7.4

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TABLE 1.4
MAXIMUM BUILDING INTENSITIES IN RESPECTIVE LAND USE DESIGNATIONS

<i>General Plan Designation</i>	<i>Max. Impervious Surface in %</i>	<i>Max. Bldg. Height</i>
Urban High Density Residential	60	3 stories or 45'
Urban Medium Density Residential	50 ⁽¹⁾	3 stories or 45'
Urban Single Family Residential	40 ⁽¹⁾	3 stories or 45'
Residential	30 ⁽¹⁾	3 stories or 45'
Estate	20 ⁽¹⁾	3 stories or 45'
Rural-5 (5 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-10 (10 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-20 (20 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-30 (30 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-40 (40 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Rural-160 (160 acre minimum parcel size)	10 ⁽¹⁾⁽³⁾	3 stories or 45'
Neighborhood Commercial	85	3 stories or 45'
Community Commercial	85	45' ⁽²⁾
Highway Commercial	85	45' ⁽²⁾
Service Commercial	85	3 stories or 45'
Rural Commercial	85	3 stories or 45'
Office-Professional	60	3 stories or 45'
Business Park	60	45' ⁽²⁾
Industrial	85	45' ⁽²⁾
Recreation	10 ⁽³⁾	45' ⁽²⁾
Forest	5 ⁽¹⁾⁽³⁾	3 stories or 45'
Public	85	3 stories or 45'
Open Space	5	3 stories or 45'
Water Area	5	NA
Special Development Area	(4)	(4)
Planned Development	(4)	(4)
Planned Residential Community	40 ⁽¹⁾	3 stories or 45'
Community Care Retirement Community	(5)	(5)