



# ORDINANCE NO. 2519

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

AN ORDINANCE AMENDING SECTION L-II 1.3.D, ARTICLE 1, CHAPTER II, OF THE LAND USE AND DEVELOPMENT CODE OF THE COUNTY OF NEVADA, TO AMEND ZONING DISTRICT MAPS #46, 46a, 47, 47a, and 58 TO ADD THE SITE PERFORMANCE (SP) COMBINING DISTRICT WITH A PARANTHETICAL REFERENCE TO THE ADOPTING ORDINANCE NUMBER TO PARCELS ADDED TO THE AREA PLAN BOUNDARIES (RZN22-0002)

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

### SECTION I:

Pursuant to Land Use and Development Code Section L-II 5.9.G, the Board of Supervisors hereby finds and determines as follows:

1. That the proposed amendments to the Zoning District Map 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.

### SECTION II:

Section L-II 1.3.D, Article 1, of Chapter II, of the Land Use and Development Code of the County of Nevada, is hereby amended to provide as follows:

Section L-II 1.3.D Boundary Establishment by Description, by the adoption of an amendment to Zoning District Map Numbers #46, 46a, 47, 47a, and 58 as shown on Exhibit "A" (map) attached

and in Exhibit "B" (list of Parcels Numbers, Owners and Owner Mailing Addresses) and made a part of this Ordinance. The SP shown on each ZDM shall include the adopting Ordinance in parathesis as required by Land Use and Development Code Chapter II Section L-II 2.7.8.B.3 Said properties are located within the expanded boundaries of the Greater Higgins Area Plan, in Western Nevada County.

SECTION III:

The overall purpose of the Site Performance (SP) Combining District in relation to the Greater Higgins Area Plan is to highlight the applicability of the Area Plan Goals, Policies and Design Guidelines. The Area Plan does not specify any unique or custom standards as provided for by Land Use and Development Code Chapter II Section L-II 2.7.8.B.

SECTION IV:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION IV:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the **4/27/2023**, 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, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14<sup>th</sup> day of March, 2023, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarhout, Susan Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

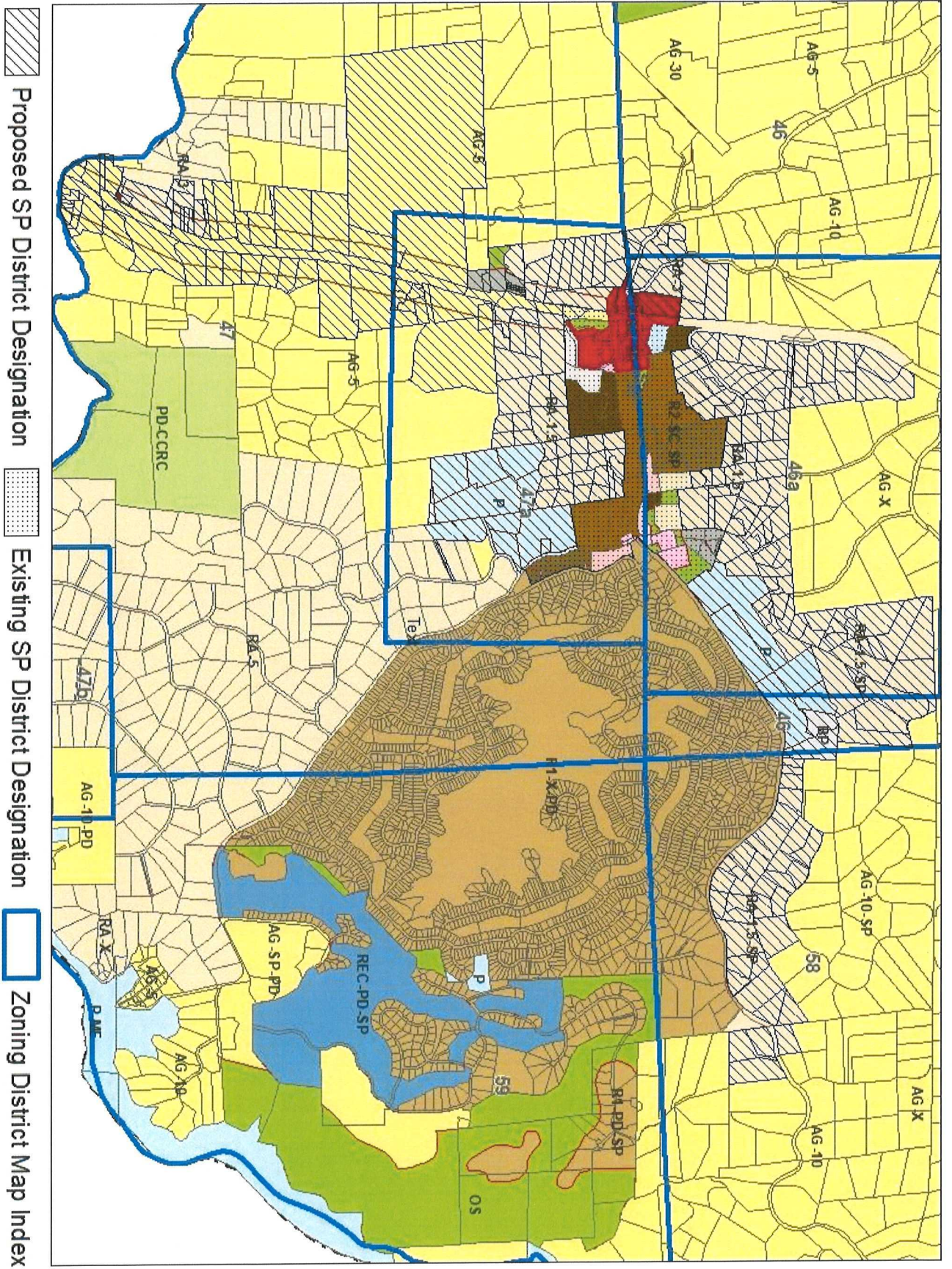
JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Edward C. Scofield, Chair

3/14/2023 cc: Union\*  
COB\*  
CoCo\*  
QC\*  
Planning\*

# Exhibit A: RZN22-0002 SP Combining District



## **Exhibit B: Site Performance Parcels**

Full list available in the Board of Supervisors office.