



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO APPROVE THE PROPOSED AMENDMENT TO THE NEVADA COUNTY GENERAL PLAN LAND USE MAP DESIGNATION (GPA24-0003) TO CHANGE THE SUBJECT PARCEL'S DESIGNATION BY INCREASING THE AMOUNT OF LAND DESIGNATED NEIGHBORHOOD COMMERCIAL (NC) FROM APPROXIMATELY 1.9 ACRES TO APPROXIMATELY 4.3 ACRES AND DECREASING THE AMOUNT OF LAND DESIGNATED INDUSTRIAL (IND) FROM APPROXIMATELY 3.6 ACRES TO APPROXIMATELY 1.2 ACRES, FOR ASSESSOR'S PARCEL NUMBER (APN) 051-240-014

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

WHEREAS, North State Grocery, Inc. ("Applicant") is the owner of Assessor's Parcel Number 051-240-014; and

WHEREAS, the Applicant has filed an application on May 20, 2024 to amend the General Plan Land Use Map designation for the project parcel by increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres; and

WHEREAS, as required by Senate Bill 12 (Burton) and Assembly Bill 52 (Gatto), the County of Nevada sent a request for consultation to the United Auburn Indian Community (UAIC), Nevada City Rancheria Nisenan Tribe, Tsi Akim Maidu Tribe, Colfax Todds Valley Consolidated Tribe, and Shingle Springs Band of Miwok Indians. The United Auburn Indian Community (UAIC) requested consultation with the Nevada County Planning Department and as a result, three (3) mitigation measures have been incorporated for this project to address potential impacts to tribal cultural resources; and

WHEREAS, the County has prepared a project specific Initial Study/Mitigated Negative Declaration (IS/MND) (EIS24-0007) and circulated it for a 30-day public comment period from October 17, 2025 to November 17, 2025; and

WHEREAS, on December 2, 2025, the Planning Commission held a duly noticed public hearing on the proposed General Plan Land Use Map designation amendment (GPA24-0003), property specific rezone (RZN24-0003), Development Permit (DVP24-2), and Oak Resources Management Plan (MGT24-0011)(collectively “Project”) in which the Commission reviewed the proposed IS/MND together with all comments received during the public review period, and recommended adoption of this same Mitigated Negative Declaration before making a recommendation to the Board of Supervisors on the proposed Project; and

WHEREAS, the Planning Commission after reviewing and considering the proposed project on December 2, 2025, and after taking public testimony and deliberating on the project voted 5-0 to recommend that the Board of Supervisors approve the proposed Amendment to the General Plan Land Use Map designations (GPA24-0003) and approve the proposed Amendment to Zoning District Map No. 16a (RZN24-0003) to rezone APN: 051-240-014 as shown and described in Exhibit “A” attached hereto and made a part of this Resolution; and

WHEREAS, on February 17, 2026, the Nevada County Board of Supervisors, held a duly noticed public hearing on the proposed amendment to the General Plan Land Use Map for APN: 051-240-014, and made a _____ vote to approve re-designating the subject parcel as described herein; and

WHEREAS, the proposed Amendment to the Nevada County General Plan was determined to be consistent with the goals, objectives, policies, and implementation measures of the General Plan and the provisions of the Nevada County Code; and

WHEREAS, consistent with General Plan Policy 2.6, an Economic Benefit Analysis was prepared and submitted with the project. According to this analysis, the project will provide economic benefits to the County and other local agencies by creating jobs, driving demand for local goods and services, supporting business development, and paying taxes; and

WHEREAS, a separate Resolution of the Board of Supervisors approved the adoption of the Project’s Mitigated Negative Declaration (EIS24-0007); a separate Ordinance of the Board of Supervisors approved the adoption of the Project’s amendment to Zoning District Map No. 16a for APN: 051-240-014 (RZN24-0003); and by a separate Resolution of the Board of Supervisors approved the Development Permit (DVP24-2), and Oak Resources Management Plan (MGT24-0011); and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendment to the Nevada County General Plan Land Use Map for APN: 051-240-014, all information and evidence submitted in favor and against the proposed amendment,

and the complete record before it, has determined that an amendment to the County's General Plan is warranted.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

- A. That the proposed amendment is consistent with the goals, objectives, policies, and implementation measures of the General Plan and the provisions of the Nevada County Code, more specifically General Plan Policy 1.1.3, which states that within Nevada County, *Community Regions* are established as the areas of the County within which growth should be directed to provide compact areas of development where such development can be served most efficiently and effectively with necessary urban services and facilities; General Plan Policy 1.2.4.g, which states Neighborhood Commercial (NC) is intended to provide for local needs of nearby neighborhoods and limited mixed use employment opportunities within *Community Regions* or as part of the development of *Rural Centers*; General Plan Policy 1.6.1, which encourages the establishment of land uses which protect, enhance, and complement existing communities and neighborhoods; and is consistent with the additional Land Use, Economic Development, Public Facilities and Services, Circulation, Noise, and Cultural Resources General Plan goals and policies contained in the Planning Commission staff report under **ZONING AND GENERAL PLAN CONSISTENCY**; and,
- B. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and is consistent with General Plan Policy EP-10.1.4 which has the goal of providing for adequate evacuation routes in areas of high fire hazard, and General Plan Policy SF-10.6.3 which has the goal of providing land use patterns and development standards that shall minimize hazards resulting from wildfire, flooding, earthquake, slope failure, avalanche, and other natural occurrences. The project will not result in an increase in population in the Penn Valley area. The project site is located approximately 0.25 mile north of State Highway 20 and adequate access to the highway is provided via Pleasant Valley Road. The project has been reviewed by the Penn Valley Fire Protection District, the County Fire Marshal's office, and the Nevada County Public Works Department and no concerns with regard to potential impacts to evacuation routes have been noted; and,
- C. That for the General Plan land use map amendment, the site is physically suitable for the requested Plan designation(s) and anticipated land use development(s). Factors considered to evaluate suitability include access, provision of public facilities and utilities, compatibility with nearby land

uses, and presence or absence of resources and constraints as found in the Resource Standards. The project parcel is located off of Pleasant Valley Road, classified as a Major Collector in the Circulation Element of the General Plan, and is within an existing commercial-industrial corridor within the Penn Valley Community Region. Public facilities and utilities are available, the project is consistent with nearby land uses, and is consistent with the County's Resource Standards.

- D. That the applicant has prepared an Economic Benefit Analysis, consistent with General Plan Policy 2.6, which indicates the project will provide economic benefits to the County and other local agencies by creating jobs, driving demand for local goods and services, supporting business development, and paying taxes.

BE IT FURTHER RESOLVED that based on the foregoing findings, and the entire record before it, the Nevada County Board of Supervisors does hereby adopt an amendment to the Nevada County General Plan Land Use Maps, increasing the amount of land designated Neighborhood Commercial (NC) from approximately 1.9 acres to approximately 4.3 acres and decreasing the amount of land designated Industrial (IND) from approximately 3.6 acres to approximately 1.2 acres, as described and set forth in Exhibit A attached hereto.