RESOLUTION NO._____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION MAKING FINDINGS AND ACCEPTING THE APPEAL FILED BY NELS ATKINSON ET AL., FROM THE DECISION OF THE NEVADA COUNTY PLANNING DEPARTMENT, FOR THE CONDITIONAL APPROVAL OF A CONDITIONAL USE PERMIT (PLN25-0133; CUP25-0009; EIS26-0001), FOR AN APPLICATION PROPOSING THE CONSTRUCTION AND OPERATION OF A 150-FOOT-TALL FAUX PINE TREE (MONOPINE) UNMANNED WIRELESS COMMUNICATION FACILITY AT 22044 PURDON ROAD, NEVADA CITY, CA 95959 (APN: 049-060-012), AND TO SCHEDULE A PUBLIC HEARING ON AUGUST 11, 2026, AT 1:30 P.M.

WHEREAS, on May 13, 2026, the Nevada County Planning Department provided notice of a conditional approval for a Conditional Use Permit (PLN25-0133; CUP25-0009; EIS26-0001) application, proposing the construction and operation of a 150-foot-tall faux pine tree (monopine) unmanned wireless communication facility at 22044 Purdon Road, Nevada City, CA 95959 (APN: 049-060-012); and

WHEREAS, on May 21, 2026, Nels Atkinson et al., filed an appeal to the Board of Supervisors regarding the conditional approval for a Conditional Use Permit (PLN25-0133; CUP25-0009; EIS26-0001) application proposing the construction and operation of a 150-foot-tall faux pine tree (monopine) unmanned wireless communication facility at 22044 Purdon Road, Nevada City, CA 95959 (APN: 049-060-012); and

WHEREAS, pursuant to Nevada County Code section 12.05.120.B, the Board of Supervisors may use the provisions of such article in conducting public hearings on land use matters; and

WHEREAS, pursuant to Nevada County Code section 12.05.120.D, any decision of the Planning Agency is appealable to the Board of Supervisors within 10 calendar days after the date of the decision, except amendments to the General Plan or zoning ordinance, which shall be filed within 5 calendar days; and

WHEREAS, the appellant filed a timely appeal on May 21, 2026, which included a statement on the appeal as required by Nevada County Code section 12.05.120.F; and

WHEREAS, pursuant to Nevada County Code section 12.05.120.G, the Board of Supervisors shall determine if the appeal was filed within the applicable time limits and may set the matter for public hearing as soon as time on their agenda permits, and in accordance with any other time requirements of law.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada that:

1. Appellant is an interested party who has standing to appeal the Nevada County Planning Department's Conditional Approval (PLN25-0133; CUP25-0009; EIS26-0001) approving a Conditional Use Permit application proposing the construction and operation of a 150-foot-tall faux pine tree (monopine) unmanned wireless communication facility at 22044 Purdon Road, Nevada City, CA 95959 (APN: 049-060-012).

2. Appellant's appeal of the Nevada County Planning Department's Conditional Approval (PLN25-0133; CUP25-0009; EIS65-0001) was filed within 10 days of the decision and the appeal is deemed to be timely, pursuant to Nevada County Code section 12.05.120.D.

3. The contents of the appeal satisfies the minimum requirements set forth in Nevada County Code section 12.05.120.F, which include identification of the project and decision being appealed, statement of the reason for the appeal, statement of the specific provisions being appealed, statement of the action being requested, summation of the arguments being raised, and identification of the appellant.

4. Appellant's appeal of the Nevada County Planning Department's Conditional Approval (PLN25-0133; CUP25-0009; EIS26-0001) is hereby accepted by the Board of Supervisors and the Clerk of the Board is directed to schedule a Public Hearing on this appeal on August 11, 2026, at 1:30 p.m. at the Nevada County Board Chambers at 950 Maidu Avenue, Nevada City, CA 95959.