



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION ADOPTING A NEGATIVE DECLARATION IN CONNECTION WITH THE ADOPTION OF AN ORDINANCE AMENDING ZONING DISTRICT MAPS NO. 064a AND 077 TO REZONE TWO PARCELS (SIX ASSESSOR PARCEL NUMBERS) FROM TIMBER PRODUCTION ZONE-40 (TPZ-40) TO RESIDENTIAL AGRICULTURE-10 (RA-10) (APNS 38-330-01, 02, 03, 04, & 87) AND GENERAL AGRICULTURE-30 (AG-30) (APN 38-330-86) (FILE NOS. PLN17-0051, RZN17-0002 AND EIS17-0030)

WHEREAS, Mark H. Paye, the property owner, is proposing zoning map amendment (RZN17-0002); and

WHEREAS, on April 13, 2018, the Planning Department staff prepared an Initial Study and Negative Declaration ("IS/ND") for the Project (EIS17-0030) a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, the IS/ND was submitted directly to affected local, regional, state, and federal agencies, and was released for a 20-day public review period, commencing on April 13, 2018 and ending May 2, 2018 at 5:00 p.m.; and

WHEREAS, the IS/ND analyzes 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 10, 2018, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/ND together with all comments received during the public review period, and recommended on a majority vote adoption of this same Negative Declaration before making a recommendation to the Board on the rezone.

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors has reviewed and considered the recommendation of the Planning Commission and has independently reviewed the Initial Study and proposed Negative Declaration (EIS17-0030), together with all comments received during the public review period, and pursuant to the California Environmental Quality Act Guidelines Sections 15073 and 15074, hereby finds and determines as follows:

1. The above recitals are true and correct.
2. That there is no substantial evidence in the record supporting a fair argument that the proposed project might have any significant adverse impact on the environment.

3. Pursuant to Section 15073.5 of the CEQA Guidelines, recirculation of the project specific Initial Study/Negative Declaration (EIS17-0030) is not required as result of the new information added to correct a mistake regarding the proposed zoning of APN 38-330-86 in the Notice of Availability/Notice of Intent to Adopt a Negative Declaration (NOI/NOA) and Figure 1. Location and Vicinity Map of the Initial Study/Negative Declaration dated April 13, 2018 on page 3 of the Initial Study. The NOA/NOI and Initial Study/Negative Declaration have been amended to provide the accurate proposed zoning of General Agricultural 30-acre density minimums (AG-30) for APN 38-330-86 and the reference to RA-30 has been removed. This new information merely clarifies and makes insignificant modifications to the proposed Negative Declaration and because the rest of the document reflects the appropriate proposed zoning for APN: 38-330-86 recirculation is not required.
4. That the proposed Negative Declaration reflects the independent judgment of the Board of Supervisors.
5. 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 Negative Declaration (EIS17-0030) for the ***Mark H. Paye Rezone from TPZ-40 to RA-10 (APNs 38-330-01, 02, 03, 04 & 87) and AG-30 (APN 38-330-86)*** Project, to allow for the rezoning of the project parcels to Initiate the TPZ Ten-Year Roll-Out process.