



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
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Sean Powers
Community Development Agency Director

Trisha Tillotson
Director of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: November 17, 2020

TO: Board of Supervisors

FROM: Jessica Hankins, Public Works Project Manager

SUBJECT: **Resolution Authorizing Environmental Clearance for an Amendment to Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, Pertaining to Planning Commission Jurisdiction, Powers and Duties; and Ordinance Amending Section A-II 42.5.1 of Chapter II of the Administrative Code, Pertaining to Planning Commission Jurisdiction, Powers and Duties – All Districts**

RECOMMENDATIONS:

- 1) Approve the attached Resolution authorizing environmental clearance for the amendment to Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers and Duties.
- 2) Introduce and waive further reading of the attached Ordinance amending Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers and Duties.

FUNDING: There is no impact to the General Fund, and no budget amendment is needed.

BACKGROUND:

Currently, the Nevada County Planning Commission has authority under Chapter II of the Nevada County Administrative Code to review the County's annual Capital Improvement Plan (CIP). However, Article 7 of Government Code Section 65403 requires only that the CIP be referred to the "planning agency" for review as to its consistency with the applicable plans, including but not limited to the general plan and specific plans. Section A-II 42.4 of the Nevada County Administrative Code defines the "Planning Agency" as including the Planning Commission, Zoning Administrator, and Planning Department. The Department of Public Works proposes to remove Planning Commission review and to instead delegate the authority for review to the Planning Director as permitted under the existing Government Code and Administrative Code Section A-II 42.4 in order to streamline the annual CIP review and approval process.

A redlined version of Administrative Code change is available for review online through the Board agenda. Click on the link for this agenda item within the agenda, or go to the Nevada County Board of Supervisors document archive (InSite) at <https://nevco.legistar.com/Legislation.aspx>.

Amendments to Chapter of the Administrative Code are exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Section 21065, which defines a "project" subject to CEQA as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed amendment to the Administrative Code will not result in any direct or indirect physical changes in the environment.

Staff recommends that the Board of Supervisors authorize environmental clearance for the project and approve the amendment to Chapter II of the Administrative Code.

Item Initiated by: Jessica Hankins, Public Works Project Manager
Approved by: Trisha Tillotson, Director of Public Works

TT:JH:kk
Submittal Date: October 26, 2020