



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION OF THE COUNTY OF NEVADA ADOPTING AN ADDENDUM TO THE CERTIFIED FINAL RINCON DEL RIO ENVIRONMENTAL IMPACT REPORT (EIS19-0010, STATE CLEARINGHOUSE NO. 2011052030) FOR THE 215-ACRE MODIFIED RINCON DEL RIO CONTINUING CARE RETIREMENT COMMUNITY PROJECT, LOCATED ¼ MILE EAST OF HIGHWAY 49, AT THE TERMINUS OF RINCON WAY / HIDDEN RANCH ROAD ON FOUR PARCELS KNOWN AS ASSESSOR'S PARCEL NUMBERS 057-130-013; 057-240-017; 057-240-018; 057-240-019; 10412, 10420 RINCON WAY AND 24885 CONNIE COURT, WITHIN UNINCORPORATED SOUTHERN NEVADA COUNTY

WHEREAS, on April 9, 2013, pursuant to Resolution No. 13-123 the Nevada County Board of Supervisors Certified the Rincon del Rio Final Environmental Impact Report (EIR10-001, State Clearing Housing No. 2011052030) as adequate and complete; and

WHEREAS, on April 9, 2013, pursuant to Resolution No. 13-123 the Nevada County Board of Supervisors adopted the Mitigation and Monitoring and Reporting Program for the Rincon Del Rio Continuing Care Retirement Community Project; and

WHEREAS, Young Enterprises, LP ("Applicant") has requested modifications to the previously approved project to allow for revision and relocation of some of the previously approved Rincon del Rio Continuing Care Retirement Community campus uses and to allow for individual fee title ownership of the proposed independent living single-family residential attached and detached housing units that would be located within the project site; and

WHEREAS, the County of Nevada is the Lead Agency pursuant to Public Resources Code Section 21067 and it has the principal responsibility to approve and regulate the project; and

WHEREAS, the County determined as Lead Agency that the proposed modifications to the previously approved Rincon del Rio Continuing Care Retirement Community Project constitute a "Project" ("Proposed Modified Project") for purposes of the California Environmental Quality Act ("CEQA" –Public Resources Code Sections 21000 et. seq.) and CEQA Guidelines Section 15378; and

WHEREAS, the County has prepared an environmental analysis of the Proposed Modified Project and it was concluded that an Addendum to the Certified Final Rincon del Rio Environmental Impact Report (EIS19-0010, State Clearing House No. 2011052030) was appropriate pursuant to California Environmental Quality Act Section 21166 and Guidelines Sections 15162, 15163 and 15164; and

WHEREAS, the County as Lead Agency, although not required pursuant to CEQA Guidelines Section 15164, published a Notice of Availability and Notice of Intent to Adopt of an Addendum to the Certified Final Rincon del Rio Environmental Impact Report for the Proposed Modified Rincon del Rio Continuing Care Retirement Community Project and the Addendum was made available for review to affected local stakeholders and to regional and State Agencies and sent to the California State Clearinghouse to distribute to State Agencies, and was released for a 45-day public review period, commencing on December 8, 2020 and ending on January 21, 2021; and

WHEREAS, on March 25, 2021, the Nevada Planning Commission held a duly noticed Public Hearing on a proposed Petition for Exceptions (PFX19-0003), and a Management Plan (MGT20-0001), and a Tentative Final Map (TFM19-0008), and a Conditional Use Permit (CUP19-0010), and a Second Amendment to the Development Agreement (MIS20-0001) (collectively "Proposed Modified Project") in which the Nevada County Planning Commission also reviewed the proposed Addendum to the Certified Final Rincon del Rio Environmental Impact Report (EIS19-0010), together with all comments received during the public review period and recommended approval by a 5-0 vote of these same Proposed Modified Project components to the Board of Supervisors on the Proposed Modified Project; and

WHEREAS, the Nevada County Board of Supervisors on May 11, 2021, held a duly noticed public hearing on the Proposed Modified Project to consider the recommendations of the Nevada County Planning Commission, staff's presentation, staff report and all supporting studies and documents, including written and oral testimony, related to the proposed Addendum to the Certified Final Rincon del Rio Environmental Impact Report and to the Proposed Modified Project; and

WHEREAS, a separate Resolution of the Nevada County Board of Supervisors approved the Proposed Modified Project's entitlements consisting of a Petition for Exceptions (PFX19-0003) and Management Plan (MGT20-0001) and Tentative Final Map (TFM19-0008) and Use Permit (CUP19-0010) to establish a Comprehensive Master Plan for the project site and a separate Ordinance of the Nevada County Board of Supervisors adopting a project specific Second Amendment to the Development Agreement (MIS20-0001) for the Proposed Modified Project.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors having reviewed and considered the recommendation of the Planning Commission, has independently reviewed the Addendum to the Certified Final Rincon del Rio Environmental Impact Report (EIS19-0010, State Clearinghouse No. 2011052030), together with all comments received during the public review period, and hereby adopts the proposed Addendum to the certified Final Rincon del Rio Environmental Impact Report (EIS19-0010, State Clearinghouse No. 2011052030) dated December 8, 2020, and attached to this Resolution as Exhibit A, for the 215-acre modified Rincon del Rio Continuing Care Retirement Community Project, pursuant to Section 15164 of the California Environmental Quality Act Guidelines and determines as follows:

1. The Proposed Modified Project will not result in substantial changes that would lead to the identification of new or previously unidentified significant environmental effects that would require major revisions of the previously certified Final Environmental Impact Report for Rincon del Rio; and
2. No new information of substantial importance which was not known, and could not have been known with the exercise of reasonable diligence at the time the Final Environmental Impact Report for Rincon del Rio was certified, has been discovered which would require major revisions of the previously certified Environmental Impact Report; and
3. There is no substantial evidence in the record as a whole that the project as revised may have a significant effect on the environment. With the incorporation of all previously approved Mitigation Measures, the Proposed Modified Project will not result in any new or additional significant adverse impacts; and

4. The Addendum to the previously Certified Final Environmental Impact Report for Rincon del Rio has been prepared as required by law and in accordance with all requirements of the California Environmental Quality Act and the California Environmental Quality Act Guidelines and the document as adopted reflects the independent judgement and analysis of Nevada County, which has exercised overall control and direction of the preparation of the Addendum; and
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 Nevada County Planning Department is hereby directed to file a Notice of Determination with the County Recorder pursuant to Public Resources Code Section 21152(a) and Section 15094 of the State CEQA Guidelines.