



Community Development Agency

Planning Department

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NEVADA COUNTY BOARD OF SUPERVISORS Board Agenda Memo

MEETING DATE: July 28, 2026

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Ordinance to amend Section 12.03.150 of the Nevada County Code Title 12 Zoning Regulations to establish health and safety standards, permitting and certification requirements, and site development standards allowing for recreational vehicles as an additional residential unit on developed properties subject to the permitting and standards and amending Section 12.06.101 (Definitions) the definition of an RV and amending Table 12.02.210B and Table 12.02.030.

RECOMMENDATION: Adopt the attached Ordinance.

FUNDING: The proposed ordinance would not require any additional funding.

ATTACHMENTS:

1. Draft Ordinance with Attachment
2. Draft Ordinance Redline
3. Board of Supervisors Staff Report dated March 10, 2026
4. Comment letters received

BACKGROUND: At the 2024 Board workshop, the Nevada County Board of Supervisors directed the Community Development Agency to identify updates to the Nevada County Code to allow for the development of alternative housing types in support of the Housing Board Objective. Specifically, the Board of Supervisors directed the Planning Department to develop an Ordinance to allow Tiny Homes on Wheels (THOWs) and to reestablish and redefine the County's Title 25 Limited Density Rural Owner-Built Housing Regulations. Both Tiny Homes on Wheels and Title 25 regulations were adopted by the Board on January 14, 2025.

Throughout the Tiny Homes on Wheels project, the most consistent comment received was that the Tiny Homes on Wheels ordinance was still too limiting and that the County should consider additional alternative housing. As a result, the Board directed staff to follow up with a review and a potential ordinance that might allow alternative housing types that are not traditionally considered permanent housing.

This direction is in alignment with a 2025 Nevada County Board of Supervisors Objective to adapt to the needs of the community to provide innovative housing opportunities to Nevada County's low income and most vulnerable resident populations.

PLANNING COMMISSION HEARING NOVEMBER 13, 2025: A Planning Commission hearing was held on November 13, 2025, to consider the draft ordinance. The Planning Commission deliberated on the matter and ultimately voted 3-2 to recommend approval and adoption by the Board of Supervisors. At the meeting the Planning Commission requested that the Board of Supervisors be informed on three issues including if the RV units would qualify for insurance, verification that the Fire Districts did not have any comments or concerns with the draft ordinance and whether the Code Compliance Department has the staffing and capabilities to enforce.

BOARD OF SUPERVISORS HEARING MARCH 10, 2026: The Board of Supervisors considered the draft ordinance at a public hearing on March 10, 2026. After deliberation and public comments, the Board directed staff to make amendments to the ordinance and bring the item back to the Board for further consideration. The Board directed staff to:

- Revise the proposed ordinance to be included in the current Recreation Vehicle Use and Temporary Occupancies section (12.03.150) of the Zoning Ordinance rather than as a separate code section of the ordinance.
- Develop criteria for a "hardship" qualification for occupancy of Recreational Vehicles working with HHSA, Housing Authority and the Housing ad hoc Committee as needed.
- Explore Pilot Program pros and cons options.

Discussion at the Board meeting also included the potential to remove the 3 acre minimum parcel size for permitting of Recreational Vehicles in the RA, AG, AE, FR and TPZ zoning districts.

ORDINANCE CHANGES: The ordinance has been revised based on this direction as follows:

Incorporate into Existing Ordinance: The proposed language has been inserted into existing section (12.03.150) of the Zoning Ordinance. Some minor modifications have been made to that section in order to integrate the new language, however, the requirements previously outlined in the ordinance for Recreation Vehicles were not substantially changed.

Income Limit Requirement: An income requirement was added to require any Recreational Vehicle permitted for long term use be occupied by a person or persons that meet the 50% Average Median Income limits based on household size for Nevada County. The Average Median Income level for Nevada County is approximately \$89,882 which would put the 50% income level at \$44,941 for an individual. The amended ordinance requires documentation of a tenant's household income through verifiable financial records to be provided and that the property owner signs a statement declaring to rent or provide the RV dwelling only to tenants that meet the eligibility criteria.

3-acre Minimum: The 3-acre minimum requirement was removed from the revised ordinance language. However, this requirement can be re-instated based on the direction from the Board.

Pilot Program Pros and Cons: A pilot program is a temporary, limited-scale implementation of a new land use policy or regulation before it is adopted permanently or applied more broadly. The purpose is to test whether the ordinance works as intended, identify unintended consequences, and gather

feedback from stakeholders such as property owners, developers, businesses, and residents. Similarly, a sunset clause is a provision in a law, ordinance, contract, or policy that causes it to automatically expire on a specified date or after a specified period, unless the governing body takes action to extend or make it permanent. In land use ordinances, sunset clauses are commonly used with pilot programs so that temporary regulations do not remain in effect indefinitely without review.

The Pros of a Pilot Program/Sunset Clause are:

- Reduces risk: The County and Community can test a new ordinance before making it permanent. The effectiveness of the ordinance can be evaluated and successes and challenges can be identified.
- Allows Real-world Evaluation: The actual impacts and effectiveness of the ordinance can be measured based on real word examples versus speculation and assumptions.
- Provides flexibility: The County can modify the ordinance based on lessons learned from the initial implementation of the ordinance.
- Encourages public engagement: Residents and stakeholders can provide feedback to the County during the trial period.
- Automatically ends if unsuccessful: The sunset clause prevents ineffective regulations from remaining in force indefinitely.

The Cons of a Pilot Program/Sunset Clause are:

- Creates uncertainty: Property owners, developers, and investors may hesitate if the rules could expire. Substantial financial investment is needed to prepare a site to accommodate the Recreational Vehicle, and some property owners may not want to invest if the allowances are revoked.
- May limit participation: People may not invest time or money in a temporary program.
- Administrative time and costs: Staff must collect data, monitor the program, and prepare reports to monitor the effectiveness and challenges with the ordinance.
- Short timeframes may not show full impacts: A limited timeframe of implementation may not show the true results and/or impacts of the ordinance. Investment in the development can take time and the actual results of the ordinance may not be fully realized in a short timeframe.
- Pressure near expiration: As the sunset date approaches, there may be uncertainty or a rush to approve projects before the rules expire.
- Enforcement Challenges: Some RVs may be permitted under the pilot program but once the pilot program expires the enforcement of permitted RVs and unpermitted RVs can become challenging. One property may be allowed to keep an RV for long-term use whereas the neighboring property would not be allowed based on timing. This can cause a feeling of unfairness and can be difficult to regulate especially as time goes on and legal non-conforming RVs become harder to track.

Pilot Program/Sunset Clause Language:

If the Board of Supervisors decides to adopt the RV Ordinance as a Pilot Program with a Sunset Clause, the following language can be added to the Ordinance:

The purpose of this pilot program is to allow temporary implementation of Recreational Vehicles as long term housing in order to evaluate its effectiveness, impacts, and administrative requirements prior to consideration of permanent adoption.

This pilot program shall remain in effect for a period of [24 months] from the effective date of this ordinance, unless extended, modified, or repealed by the Board of Supervisors. Upon expiration, the provisions of this pilot program shall be automatically repealed, and all requirements of the underlying zoning district shall resume full force and effect. Any permits issued within the pilot program timeframe are considered valid and the continued use of the RV is considered legal and may remain in accordance with all approved conditions and standards of the original permit.

Additional direction to staff can be given to report back to the Board prior to the sunset date to consider its effectiveness and provide direction to continue, modify or terminate.

The Planning Department shall monitor implementation of the pilot program and prepare a report for review by the Board of Supervisors no later than 6 months prior to the sunset date.

The report shall include:

- *Number of applications reviewed and processed*
- *Number of issued permits and RVs occupied since implementation*
- *Impacts on neighborhoods, aesthetics, transportation, public services, or other relevant factors*
- *Community feedback and applicant input*
- *Administrative or enforcement challenges*
- *Recommendations for modification, expansion, formal adoption, or termination*

PUBLIC COMMENTS RECEIVED: The revised ordinance was available for public review between June 2, 2026, and July 2, 2026. Since the last Board meeting on March 10 and the release of the revised draft ordinance the County has received approximately 75 comment letters. Most of the comments raise concerns regarding the ordinance while a few of the comment letters express support for the ordinance. The comment letters received are included in Attachment 3.

SUMMARY: The Nevada County Board of Supervisors directed staff to develop an ordinance to allow recreational vehicles (RVs) as residential dwelling units to expand affordable housing options. The ordinance would require DMV registration, compliance with ANSI/NFPA safety standards, and approval through a renewable Certificate of Use permit with inspections. RVs would be limited to one per parcel, allowed in specific single-family and rural zoning districts, and subject to design, safety, and habitability standards, including snow load compliance and fire protection planning. Community input guided development of the ordinance, which has been found exempt from CEQA review.

RECOMMENDATION:

Staff recommends the Board of Supervisors take the following action:

- I. Project Action: Adopt the attached Ordinance, to amend the Nevada County Code Title 12: Zoning Regulations, Chapter 3: Specific Land Uses, Section 12.03.150: Recreational Vehicle Dwelling, to establish health and safety standards, permitting and certification requirements, and site development standards to allow Recreational Vehicles as dwelling units within those zoning districts that would otherwise allow traditional built housing of the same type; amending the definition of Recreational Vehicle in Section 12.06.010; and amending Tables 12.02.210.B and 12.02.030 to allow recreational vehicles as dwellings in the Rural and Single-Family zoning districts making finding A.
 - A. The Board of Supervisors finds the project categorically exempt pursuant to Sections 15303, and 15305 of the California Environmental Quality Act (CEQA) Guidelines as the project does not increase density and permits recreational vehicles as dwellings within those zoning districts that would otherwise allow traditional built housing of the same type.

Item Initiated and Approved by: Brian Foss, Planning Director

Submittal Date: 7/10/26