



NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: October 10, 2023
TO: Board of Supervisors
FROM: Katharine L. Elliott
SUBJECT: (Introduce/Waiver Further Reading) An Ordinance revising Sections of the Nevada County Land Use Code

RECOMMENDATION: Introduce and waive further reading and adopt the proposed Ordinance.

FUNDING: The revision will have no fiscal effect.

BACKGROUND:

The Codes of the County of Nevada were last fully updated in 2006 by Ordinance No. 2192. In an effort to create uniformity in internal referencing; language usage; updated pronouns; Agency and Departmental organization; as well as to verify accuracy of citation and comport with California state statutes, County Counsel's Office has been working with County agencies and departments and proposes the following revisions.

Therefore, it is recommended that the Board adopt this proposed Ordinance to:

Revise:

Chapter I: "General Provisions" of the Nevada County Land Use Code is hereby revised and amended to read as shown in "Exhibit A" attached hereto and incorporated by reference.

1. "Scope" Sections 1.0 – 1.7 Repealed. Sections are contained in current "Administrative Code".
2. "Scope", Section 1.8 "General Enforcement Provisions" and Section 1.9 "Assessment and Collection of Enforcement Penalties, and Enforcement Costs and Charges" contain editorial changes.

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter III: “ Airport Land Use Compatibility” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit B” attached hereto and incorporated by reference.

1. “Purpose”, Sections 1.1 – 1.3;
2. “Nevada County Airport Land Use Compatibility Plan”, Sections 2.1 – 2.3,
3. “Truckee Tahoe Airport Land Use Compatibility Plan”, Sections 3.1-3.3

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter IV: “Subdivisions” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit C” attached hereto and incorporated by reference.

Articles

1. “Subdivision”, Sections 1.1 – 1.14;
2. “Procedures”, Sections 2.1-2.21
3. “Regulations”, Sections 3.1-3.12

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter V: “Building” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit D” attached hereto and incorporated by reference.

Articles

- 1 “General” Sections 1.1 – 1.10
- 2 “Division II Administration Amendments” Sections 2.0 – 2.10
- 3 “California Building Code Amendments” Sections 3.0 – 3.15
- 4 “California Residential Code Amendments” Sections 4.0 – 4.9
- 5 “Fire Safety Standards and California Fire Code Amendments” Sections 5.1 – 5.40
- 6 “Permit Fees” Section 6.1
- 7 “California Plumbing Code Amendments” Sections 7.0 – 7.13
- 8 “California Mechanical Code Amendments” Sections 8.0 – 8.11
- 9 “International Swimming Pool and Spa Code Amendments” Sections 9.0 – 9.5

10 “Repealed”

11 “Landform Grading for Agriculture” Sections 11.1 – 11.6

12 “California Electrical Code” Sections 12.0 – 12.5

13 “Grading” Sections 13.1 – 13.16

14 “Electric Vehicle Charging Station Permitting Process” Sections 14.1 – 14.6

20 “Small Residential Rooftop Solar Systems” Sections 20.1 – 20.6

(*No Articles 15 – 19)

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter VI “Sewage Disposal” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit E” attached hereto and incorporated by reference.

1. “In General”, Sections 1.1 – 1.1.22
2. “Centralized Wastewater Collection Treatment and Disposal System”, Sections 3.1-3.17
3. “Graywater Systems”, Sections 4.1 – 4.8
4. “Waterless Toilet Systems”, Sections 5.1 – 5.7

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter VII “Street Addressing and Naming” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit F” attached hereto and incorporated by reference.

Articles:

- 1 “Uniform System for Addressing” Sections 1.1 – 1.9
- 2 “Uniform System for Road Naming” Sections 2.1 – 2.6

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter IX “Mitigation and Development Fees” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit G” attached hereto and incorporated by reference.

Articles:

- 1 “Recreation Mitigation Fees” Sections 1.1 – 1.3
- 2 “Fire Protection Development Fees” Sections 2.1 – 2.6

- 3 “Road Development Fees On New Development” Sections 3.1 – 3.5
- 4 “Procedures for Protest, Litigation and/or Refunds Of Development Fees” Sections 4.1 – 4.5
- 5 “Development Fee for Electrical Service Availability” (Refers to the Dark Horse Development) Repealed in its entirety.

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter X “**Water Supply and Resources**” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit H” attached hereto and incorporated by reference.

Articles:

- 1 “General Provisions” Sections 1.1 – 1.18
- 2 “Water Wells” Sections 2.1 – 2.29
- 3 “Treatment of Surface Water For Domestic Purposes” Sections 3.1 – 3.9
- 4 “Water Availability for Division Of Land” Sections 4.1 – 4.5
- 5 “Appeals” Section 5.1
- 6 “Enforcement” Sections 6.1 – 6.5

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter XII “**Floodplain Management Regulations**” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit I” attached hereto and incorporated by reference.

Article:

- 1 “Floodplain Management Regulations” Sections 1.1 – 1.6

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter XIII “**California Environmental Quality Act**” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit J” attached hereto and incorporated by reference.

Article:

- 1 “County CEQA Guidelines and Procedures” Sections 1.1 – 1.20

All sections revised to standardize citation of California statute; removal of “Land Use”

and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter XIV “**Agricultural Lands and Operations**” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit K” attached hereto and incorporated by reference.

Articles:

- 1 “Agricultural Lands and Operations” Sections 1.1 – 1.5
- 2” Beekeeping” Sections 2.1 -2.4

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter XVI “**Fire Safety Regulations**” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit L” attached hereto and incorporated by reference.

Articles:

- 1 “Definitions” Sections 1.1 – 1.2
- 2 “General Requirements” Sections 2.1 – 2.9
- 3 “Driveways” Sections 3.1 – 3.4
- 4 “Emergency Water Supply” Sections 4.1 – 4.4
- 5 “Fuel Modification” Sections 5.1 – 5.3
- 6 “South Yuba River Corridor Burn Prohibition” Sections 6.1 – 6.2

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Chapter XVII “**Roads Standards**” of the Nevada County Land Use Code is hereby revised and amended to read as shown in “Exhibit M” attached hereto and incorporated by reference.

Articles:

- 1 “Purpose and Definitions” Sections 1.1 – 1.3
- 2 “General Requirements” Sections 2.1 – 2.7
- 3 “Road Design Standards” Sections 3.1 – 3.12
- 4 “Improvement Plans” Sections 4.1 – 4.2
- 5 “Storm Drainage” Sections 5.1 – 5.7
- 6 “Erosion Protection” Sections 6.1 – 6.2
- 7 “Survey Monuments” Sections 7.1 – 7.4
- 8 “Enforcement” Sections 8.1 – 8.5

All sections revised to standardize citation of California statute; removal of “Land Use” and “Article” in code; conform format for dates of prior Ordinance; gender neutrality; replace internal references from number of code section to title of code section.

Item Initiated and Approved by: Katharine L. Elliott

Submitted Date: September 25, 2023

Revised Date: