

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: December 6, 2022

TO: Board of Supervisors

FROM: **Chris De Nijs, Acting Building Director**

SUBJECT: A Public hearing to amend Chapter V of the Nevada County Land Use and Development Code, adopting Building Standards and Local Amendments; and making express findings of reasonable necessity for changes and modification to the California Building Standards Code in response to local climatic, geological, or topographical conditions.

RECOMMENDATION:

- 1) Receive report.
- 2) Open public hearing.
- 3) Approve conclusion that CEQA general rule exceptions apply, finding this action reflects the independent judgment of the Nevada County Board of Supervisors.
- 4) Introduce and waive further reading of entire Ordinance.

FUNDING:

No direct fiscal impact to the county.

ATTACHMENTS:

1. Ordinance Amending Chapter V of the Nevada County Land Use and Development Code
2. Recommendation Letter from Building and Accessibility Standards Board of Appeals

BACKGROUND:

The California Building Standards Commission has adopted and published the 2022 triennial edition of the California Building Standards Code with an effective date of January 1, 2023. The California Building Standards Code includes the 2022 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building, Energy, Historical Building, Existing Building, Referenced Standards, and Fire Codes. The Code is required to be enforced in all parts of the State in accordance with California Health and Safety Code Section 17958. The California Building Standards Law provides that a local jurisdiction may, as reasonably necessary, establish more restrictive amendments based upon local climatic, topographical or geological conditions.

Adoption of the proposed ordinance is exempt from CEQA review pursuant to the CEQA guidelines, including Section 15378(b)(5) as an organizational or administrative governmental activity that will

not result in direct or indirect physical changes to the environment, and Section 15060(c)(2) as an activity covered by the general rule that CEQA applies only to projects that have the potential for direct, indirect or reasonably foreseeable physical change in the environment.

County Counsel has reviewed the findings for exception for CEQA, the resolution of findings for amendment of the California Building Standards Code, and the ordinance to amend Chapter V of the Land Use and Development Code.

Item Initiated and Approved by: Chris De Nijs, Acting Director of Building