



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**
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**NEVADA COUNTY BOARD OF SUPERVISORS
BOARD AGENDA MEMO**

MEETING DATE: November 26, 2024

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Public Hearing to consider the Nevada County Planning Commission's October 24, 2024, 4 for- 0 against, 1 vacancy vote to adopt an Ordinance to add Section 12.03.310 to the Nevada County Code Title 12 Zoning Regulations to allow Tiny Homes on Wheels as permanent housing (ORD24-2).

RECOMMENDATION:

- I. Find the project categorically exempt pursuant to Section 15305 of the California Environmental Quality Act (CEQA) Guidelines.
- II. Adopt the attached Ordinance, (*Attachment 1*), allowing for Tiny Homes on Wheels as permanent housing.

FUNDING: Staff time for this project was funded by the 2019 Regional Early Action Planning Grant.

ATTACHMENTS:

- A. Draft Ordinance
 1. Exhibit A: Zoning Regulations Amendment: Tiny Homes on Wheels
- B. October 24, 2024, Planning Commission Staff Report
 1. ~~Draft Ordinance, Adding Nevada County Code Title 12: Zoning Regulations, Chapter 3: Specific Land Uses, Section 12.03.210 Tiny Homes on Wheels and amending Table 12.02.220.C to allow dwelling groups in the R2 zoning district with a Development Permit (removed)~~
 2. State of California Department of Housing and Community Development, Division of Codes and Standards, May 9, 2016, Information Bulletin 2016-01 on Tiny Homes
 3. Agency and Public Comments

- C. October 24, 2024, Planning Commission Staff Memo, Additional Public Comments/ South County and Penn Valley Municipal Advisory Council (MAC) recommendations
 - 1. Public Comments (3) and MAC recommendations (2)
 - 2. All Homes on Wheels Petition

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) utilizing existing models implemented by other jurisdictions, including Placer County. Based on this direction, staff reviewed existing ordinances and worked closely with several stakeholders to develop a draft Ordinance. The draft Ordinance provides certification requirements, health and safety standards and design guidelines consistent with the approach other California Counties have taken when adopting similar ordinances. See the attached October 24, 2024, Planning Commission Staff Report provided as Attachment B for additional detail about the specific standards and requirements of the draft Ordinance. As proposed, a THOWs would be allowed as either a primary unit, a second unit consistent with density, an accessory dwelling unit, or a dwelling group consistent with allowed density. THOWs would be allowed in all zones that allow for traditional built housing. In addition to creating standards for allowing THOWs, the draft Ordinance proposes to allow dwelling groups consistent with density in the Medium Density Residential (R2) zoning district subject to the approval of a Development Permit. The Planning Department received many public comments on this project, which are provided for the Board's review and consideration in Attachments B.3 and C.1/C.2.

On October 24, 2024, the Nevada County Planning Commission held a duly noticed public hearing to consider the draft ordinance, review public comments and make a recommendation to the Board of Supervisors. The Commission made a few amendments to the draft Ordinance, including:

- 1. Removing the requirement for screening of ground mounted mechanical equipment.
- 2. Allowing for metal siding, including corrugated and Corten steel, and interlocking metal panel siding.
- 3. Changing the required gravel sub-base from 6-inches to 4-inches.
- 4. Adding specific language highlighting the applicability of the Building Department's Off-Grid policy.

In addition to these changes, one Commissioner recommended that the County look into developing temporary septic solutions for a future owner of a THOWs, allowing of an interim septic system. To do this, the Environmental Health Department would be required to update the Local Area Management Plan (LAMP) and Onsite Wastewater Treatment System (OTWS) policy, which will take additional time to develop. In making a motion on the proposed THOWs Ordinance, the Planning Commission requested that the Board direct staff and the Planning Commission to continue to look at other avenues for allowing additional alternative housing types, such as all homes on wheels, as well as ways to group the units. While many of the public comments focused on going beyond just allowing THOWs, staff finds that additional research and stakeholder engagement would be required to develop an ordinance that would potentially allow for additional housing types, such as all homes on wheels.

SUMMARY: On October 24, 2024, after taking public testimony and making a few revisions to the draft Nevada County Tiny Homes on Wheels Ordinance, the Nevada County Planning Commission voted 4-0, 1 vacancy, recommending that the Board adopt the attached Ordinance to allow Tiny Homes on Wheels to be used as permanent housing in Nevada County subject to the certification, health and safety, and design standards contained within the draft Ordinance.

RECOMMENDATION: Planning Department staff recommend that the Board of Supervisors take the following actions:

- I. Find the project categorically exempt pursuant to Section 15305 of the California Environmental Quality Act (CEQA) Guidelines as the project does not increase density and permits Tiny Homes on Wheels within those zoning districts that would otherwise allow traditional built housing.
- II. Adopt the attached Ordinance, (*Attachment 1*), adding Nevada County Code Title 12: Zoning Regulations, Chapter 3: Specific Land Uses, Section 12.03.210: Tiny Homes on Wheels, to establish certification requirements, health and safety standards, site development standards, and design requirements to allow Tiny Homes on Wheels as single-family dwellings, second dwellings consistent with allowed density, dwelling groups consistent with allowed density, and accessory dwelling units within those zoning districts that would otherwise allow traditional built housing of the same type and amending Table 12.02.220.C to allow dwelling groups in the R2 zoning district with a Development Permit.

Item Initiated: Tyler Barrington, Principal Planner
Approved: Brian Foss, Director of Planning
Submittal Date: November 8, 2024