



ORDINANCE NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

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 TABLES 12.02.210B AND TABLE 12.02.030

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

The Nevada County Code is hereby amended to read as shown in **Exhibit A** attached hereto and incorporated herein by this reference.

Summary:

The Ordinance amendments are intended to expand the range of lawful and comparatively affordable housing options available to County residents and to help address those conditions. The Ordinance amendments will modify the Nevada County Code to allow recreational vehicles (RVs) as dwelling units in RA single-family zoning districts, as well as all rural zoning districts (AG, AE, FR, TPZ). The ordinance changes the definition of an RV to match the State Law definition and develops standards to permit RVs as additional dwelling units on already developed parcels with a primary dwelling. Eligible parcels would need to ensure adequate space for both well and septic systems. Only one residential RV would be allowed per parcel, and all units would have to comply with the setback requirements of the applicable zoning district. Residential RVs would be subject to specific design and construction standards for screening, habitability and fire protection. The proposed ordinance will require residential RVs to maintain valid registration with the Department of Motor Vehicles and comply with ANSI/NFPA safety standards. The RV units will require an income restriction qualification to be occupied by individuals that meet the 50% Average Median Income (AMI) level for Nevada County. Residential use of an RV would be authorized through a Zoning Compliance and Building Permit review and a Certificate of Use permit to be renewed every 2 years.

SECTION II:

Pursuant to Nevada County Code Section 12.05.090, the Board of Supervisors hereby finds and determines as follows:

1. That the zoning code text amendments are intended to modify the Nevada County Code pertaining to allow Recreational Vehicles (RVs) as dwelling units in certain zoning districts. The ordinance proposes to change the definition of an RV to match the State Law definition and develop standards to permit RVs as additional dwelling units on already developed parcels with a primary dwelling. Eligible parcels would need to ensure adequate space for both well and septic systems. Only one residential RV would be allowed per parcel, and all units would have to comply with the setback requirements of the applicable zoning district. Residential RVs would be allowed in RA Single-Family zoning districts, as well as all rural zoning districts (AG, AE, FR, TPZ). Design standards and permitting procedures are also included in the ordinance.
2. That California, including Nevada County, has experienced longstanding shortages of housing affordable to lower-income residents, contributing to housing instability and homelessness. The proposed amendments are intended to expand the range of lawful and comparatively affordable housing options available to County residents and to help address those conditions.
3. That the proposed amendments are consistent with and further the goals, objectives, policies, and implementation measures of the General Plan and the provisions of the Nevada County Code; and
4. That the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, and support the development of additional and alternative housing types and add protections for adjacent properties; and
5. That the County is exercising its land use, zoning, police, and sanitary authority to determine the locations and conditions under which an RV may be occupied for residential purposes. The ordinance is not intended to establish manufacturing or construction standards for RVs that differ from or conflict with applicable State law. The terms "dwelling unit," "RV dwelling," and similar terms describe the residential use authorized by the ordinance and do not change the classification of an RV under State law. Nothing in the ordinance is intended to authorize any condition, alteration, or use prohibited by State law.
6. That the County finds that this Article is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 and 15305 since the ordinance would require development standards to ensure environmental protection and health and safety issues and not increase density within the unincorporated County.

SECTION III:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION IV:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the 28th day of August, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.