

General Plan Annual Progress Report 2022

County of Nevada



Prepared by:
Nevada County Community Development Agency, Planning Department
950 Maidu Avenue, Suite 170
Nevada City, California 95959 (530) 265-1222
Contact: Kyle Smith, Senior Planner

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I. Introduction

The purpose of this Annual Progress Report (APR) is to inform the Board of Supervisors and the citizens on Nevada County regarding the implementation status of the County General Plan.

California Government Code Section 65400 et seq. (Appendix A), requires that cities and counties “investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the General Plan or Element of the General Plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the General Plan.”

The APR is required to be prepared and submitted to the Board of Supervisors, Governor’s Office of Planning and Research (OPR), and the California Department of Housing and Community Development (HCD) by April 1st of each year. At a minimum, the APR should address:

- The status of the General Plan and efforts in its implementation;
- The County’s efforts in meeting its share of the regional housing needs;
- Local efforts to remove governmental constraints to the maintenance, improvement, and development of housing; and,
- The degree to which the County’s approved General Plan complies with the State General Plan Guidelines and the date of the last revision to the General Plan.

This report summarizes the planning activities for the unincorporated portions of the County from January 1 to December 31, 2022. In addition to the required above-listed information, the Nevada County Planning Department has included relevant ongoing and completed planning activities, programs and permits.

Background

The Nevada County General Plan is the long-term policy guide for the physical development of the County. The Plan is comprised of Central Themes, Goals, Policies and implementation Programs. California State Law requires each County to adopt a General Plan “for the physical development of the County and any land outside its boundaries which ...bears relation to its planning (California Government Code Section 65300).

The County, in response to key issues affecting the County's quality of life, has established four central themes which articulate the vision for the development of the County:

- Fostering a rural quality of life;
- Sustaining a quality environment;
- Development of a strong diversified, sustainable local economy; and,
- Planned land use patterns will determine the level of public services appropriate to the character, economy and environment of each region.

The Nevada County General Plan was originally approved by the Board of Supervisors in 1995. Since that time, the General Plan has been subsequently amended including the Housing Element

6th Cycle (2019-2027) in 2019, Noise Element in 2014 and Circulation Element in 2010. Most recently the Nevada County Board of Supervisors has adopted amendments to the Land Use Element and Safety Element in 2020.

Informational Document

The General Plan Annual Progress Report is a reporting document and does not create or alter policy. The content is provided for informational purposes only and is therefore exempt for the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15306 (Class 6).

II. General Plan Elements

The role of the General Plan is the County's constitution for the physical use of the County's resources, the foundation upon which all land use decisions are made. This General Plan expresses the community's development goals and embodies public policy relative to the distribution of future public and private land use. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. California Government Code Section 65302 requires that a General Plan contain seven mandatory elements, while California Government Code Section 65303 allows the General Plan to “include any other elements or address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county or city.” State Guidelines for the preparation of a General Plan suggest a certain format and structuring of elements and their content; however, the Guidelines also recognize that an alternative organization is permissible, as long as internal consistency is achieved. Nevada County has chosen to organize its General Plan topically into twenty chapters as outlined below:

Nevada County State General Plan Elements	Mandatory State General Plan Elements
Land Use	Land Use
Circulation	Circulation
Public Facilities and Services	
Housing	Housing
Water Geology and Soils Wildlife and Vegetation Air Quality Forest Agriculture Minerals Management Cultural and Historic Resources	Conservation
Open Space	Open Space
Recreation	
Noise	Noise
Safety	Safety
Economic Development	
Education	

Aesthetics	
	Environmental Justice

Land Use Element

The Land Use Element likely has the broadest scope of the seven mandatory General Plan Elements. It is considered to be the most visible and often-used element of a local General Plan. As required by California Government Code Section 65302(a), the Land Use Element of the General Plan must address the following issues:

- Distribution, location and extent of the uses of land for housing, business, industry, open space, natural resources, recreation and enjoyment of scenic beauty, education, public buildings and grounds and other categories of public and private uses of land.
- Standards of population density and building intensity for land use designations.

By setting forth specific goals and policies to guide future development, this Element is instrumental in facilitating the vision established by the four central themes of the General Plan. The goals and policies of the Land Use Element establish the desired land use pattern that balances growth between rural and urban areas. Providing a balance between housing, employment, natural resources, and services is a key element in maintaining the quality of life and unique character of Nevada County. Ideally, a Land Use Element should not be designed to discourage or promote development, but rather to describe the manner in which development should be managed in the event that it does occur.

On July 14, 2020, the Board of Supervisors adopted Resolution No. 20-303 authorizing the application for, and receipt of Local Government Planning Support Grant Program Funds. The Community Development Agency executed a contract with the California Department of Housing and Community Development to assist the public’s need for housing that is more affordable in part by developing an updated Area Plan for the County’s “Higgins Area” to assist in expedited development in one of the County's available areas for higher density residential development in the southeast portion of the County off Hwy 49. On July 13, 2021, the Board of Supervisors adopted Resolution No. 21-297 approving a contract with PlaceWorks, Inc. to develop the Area Plan update. The Greater Higgins Area Plan has been adopted by the Board of Supervisors on March 14, 2023 and includes a comprehensive future vision for the area integrating culture, commerce, and housing while supporting the unique character of the South County area.

Circulation Element

Government Code 665302 (b)(1) establishes the requirements for General Plan Circulation Elements. The code requires that a Circulation Element shall consist of “the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. This circulation element is intended to address circulation and capacity needs, safety and emergency access, and non-motorized transportation. In addition, the circulation element will identify the functional classification of Nevada County roads and level-of-service

requirements. The objective of functional classification is to group roads and streets into classifications that share similar function, purpose, and importance in the roadway network.

During 2022, the Nevada County Board of Supervisors continued to implement the Goals and Policies of the Circulation Element through the discretionary review of projects. Traffic Impact Studies are required to be provided on discretionary projects which have the capacity to generate increased traffic demand on Nevada County roads, vehicle miles travelled, and level-of-service requirements. In addition, the Nevada County Transportation Commission (NCTC) has completed the Draft Ready Nevada County Extreme Climate Event Mobility Adaptation Plan. The READY Nevada County Plan will build upon the ongoing coordination and emergency planning efforts of the Nevada County Office of Emergency Services, as well as efforts of Grass Valley, Nevada City, and Truckee, to identify climate-related challenges to the transportation network in Nevada County and strategies to address them.

Public Facilities and Services Element

The Public Facilities and Services Element, which is an optional General Plan element, provides for a set of long-term goals to ensure that adequate public services are provided to a diverse and growing county, and the correlation of services needs with economic and population growth are fundamental to the long-term development of a balanced and self-sustaining community. Public facilities and services within Nevada County are provided by a multitude of agencies. In addition to the County, services are provided by school districts, fire districts, water districts, sewer districts, public utility districts, park districts and other single purpose districts, as well as by federal and state agencies. Nevada County provides a wide range of services through the various offices and departments. Most of the County's departments and offices are located at the Eric W. Rood Center in Nevada City, while the County Library and County Jail are located on adjacent sites. Other County facilities are located in the Grass Valley/Nevada City area and in Truckee.

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the Public Facilities and Services Element through the review of discretionary projects.

Housing Element

The Housing Element is a comprehensive assessment of current and projected housing needs for all economic segments of the County and provides clear policy direction for decision making pertaining to zoning, subdivision approval, housing allocations, and capital improvements. The purpose of the Housing Element is to identify housing solutions that address local housing problems and to meet or exceed the County's unincorporated area Regional Housing Needs Allocation (RHNA). The County recognizes that the provision of adequate housing is best met through a collaboration of various resources including County departments, outside state and federal agencies, and Nevada County housing and special needs stakeholders. The Element establishes a housing goal, policies, and action orientated programs the County and its housing partners will implement to facilitate actions that address the County's identified housing issues. The Housing Element includes a residentially zoned vacant sites inventory and sections on the public participation process, an evaluation of implementation of the previous housing element

programs, the community profile, housing resources and opportunities, a summary of constraints on the development of housing, and a discussion of residential energy conservation.

Section 65400 of the California Government Code requires every county and city in the State to include a Housing Element as part of its adopted General Plan. In stipulating the content of this element, Article 10.6 of the Government Code indicates that the element shall consist of “identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing.” This legislation further states that the element “shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community.”

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the County’s 6th Cycle 2019-2027 Housing Element, including through the development of REAP and LEAP grant work programs to include Zoning Code Text Amendments which will assist in the implementation of several Housing Element Programs, an ADU Workbook to facilitate ADU development, and regional infrastructure analyses.

Water Element

Nevada County is characterized by a large and diverse hydrologic system. Surface water drainage is comprised of three watersheds: the Truckee River basin in the eastern part of the County; and the Yuba River and Bear River basins in the western part of the County. These watersheds supply water to serve portions of both northern California and western Nevada, and many of the creeks and rivers produce hydroelectricity. As would be expected, all of the hydrologic features are dependent on winter rain and snowfall, with the Sierra snowpack being the primary source of water for all of the watersheds. The seasonal as well as annual water flows are highly variable, with rainfall peaks typically occurring between November and February, and snowmelt-related peaks typically occurring between April and June. Within all parts of the County, there is an extensive network of perennial (year-round) and intermittent (seasonal) creeks, streams and rivers, ranging in size from the South Yuba River to small, unnamed seasonal drainages. Riparian corridors along these watercourses provide important year-round and migratory wildlife habitats, and allow for movement and linkages across wider areas of the county. While riparian corridors in the County may have been disrupted in some areas as a result of agriculture, logging, hydroelectric facilities and land development, these disruptions do not negate the potential value of the corridors as wildlife habitat and linkages.

In 2022, the Planning Department continued to apply the Goals, Policies and Objectives of the Water Element through the review of discretionary land use projects. In review of discretionary land use projects for consistency with the Water Element, the Planning Department continued to route projects to the Nevada Irrigation District, Nevada County Department of Environmental Health, Central Valley Regional Water Quality Control Board and other State Responsible

Agencies for comments and review to ensure compliance with all Nevada County Land Use and Development Code and California State Statues.

Soils Element

Nevada County is part of the Sierra Nevada Range, a geologic block approximately 400 miles long and 80 miles wide which extends in a north-south band along the eastern portion of California. The terrain of Nevada County is distinctly characterized by two features of the Sierra Nevada Range. The western third of the County is comprised of rolling foothills which form a transition between the low-lying Sacramento Valley and the mountains to the east. The eastern two-thirds of the County is comprised of the steep terrain and exposed granite of the Sierra Nevada range itself.

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the Soils Element through the review of discretionary projects. In review of discretionary land use projects for consistency with the Soils Element, the Planning Department continued to review projects for consistency with the Nevada County Land Use and Development Code, including routing projects to the Nevada County Building Department for compliance with California Building and Fire Codes.

Wildlife and Vegetation Element

Nevada County contains an extremely wide range of plants, animals and habitat types. With topographic elevations ranging from 300 feet in the west to 9,143 feet in the east and average annual precipitation amounts varying from 30 inches in the west to 60 inches in Nevada City and near the crest of the Sierras, the County supports a true diversity of habitat types. Generally, the county can be characterized by gently rolling oak woodlands in the west transitioning to coniferous forest and then to an almost desert-like association on the eastern slope of the Sierras. The State of California Department of Fish and Game recognizes five primary wildlife habitat types in California: tree dominated; shrub dominated; herbaceous dominated; aquatic; and developed. These habitats occur in continuous stretches, as well as isolated "pockets" depending on the overall topography, elevation, climate and pattern of development of a particular area. Animals may move between various habitat types to satisfy their life requirements. Animals will utilize riparian corridors, low lying or "saddle" areas of ridges, established trails, and other corridors for this inter-habitat movement. In addition, many species including deer move seasonally throughout the county in response to their seasonal habitat requirements.

In 2022, the County implemented the Wildlife and Vegetation Element of the General Plan by enforcing the policies of the Element through the discretionary review of projects. Biological Studies are required to be provided on discretionary land use developments to ensure projects remain consistent with the thresholds established by the General Plan and implemented through the County Land Use and Development Code.

Air Quality Element

Nevada County exhibits large variations in terrain and consequently exhibits large variations in climate, both of which affect air quality. The western portions of the County slope relatively gradually with deep river canyons running from southwest to northeast towards the crest of the

Sierra Nevada Range. The warmest areas within the County are found at the lower elevations along the west side of the County, while the coldest average temperatures are found at the highest elevations. The prevailing wind direction over the County is westerly. However, the terrain of the area has a great influence on local winds, so that wide variability in wind direction can be expected. Afternoon winds are generally channeled up-canyon, while nighttime winds generally flow down-canyon. Winds are, in general, stronger in spring and summer and lower in fall and winter. Periods of calm winds and clear skies in fall and winter often result in strong, ground-based inversions forming in mountain valleys. These layers of very stable air restrict the dispersal of pollutants, trapping these pollutants near the ground, representing the worst conditions for local air pollution occurring in the County. The overall air quality in Nevada County is generally good. Of the many pollutants, only two, ozone and suspended particulate matter (PM-10), are known to be problems in the County. Nevada County is considered by the State, under the terms of the California Clean Air Act, to be “nonattainment” for ozone and PM-10, and to be either “attainment” or unclassified for other pollutants.

In 2022, the County implemented the Air Quality Element of the General Plan by enforcing the policies of the Element through the discretionary review of projects. In review of discretionary land use projects for consistency with the Air Quality Element, the Planning Department continued to require the submission of a list of all construction and operation equipment to allow the conduction of a Greenhouse Gas Analysis using CalEEMod for consistency with the General Plan. In addition, the Planning Department continued to route discretionary projects to the Northern Sierra Air Quality Management District and the California Air Resources Control Board for comments to ensure compliance with California Air Pollution Control Laws and the Federal Clean Air Act.

Forest Element

Nevada County supports an extensive timber resource, the majority of which is under the jurisdiction of the Tahoe National Forest (TNF). According to the Soil Conservation Service, "forests are one of the important resources of the Nevada County area. They supply raw material for one of the major industries, provide recreation and aesthetic enjoyment for many people, provide food and cover for many forms of wildlife, and protect watersheds." Forested lands within the county consist of timberlands and woodlands. Timberlands are those lands capable, available and suitable for commercial timber production. Woodlands are defined as forested areas not suitable for timber production. While not considered suitable for commercial timber production, woodlands provide firewood resources and offer opportunities for other forest-related uses such as recreation. The forest and woodland areas of the county also are important in providing wildlife habitat, vegetation diversity, watershed protection and recreation. Commercial timberlands are located primarily in the mid and eastern areas of the county, in elevations ranging from 1,200 feet above sea level in the west to over 9,000 feet in the east. The most extensive timberlands are located in the Tahoe National Forest, where nearly 200,000 acres are considered suitable for timber production. Woodlands are located throughout the county, including many scattered parcels of less than 100 acres in size, as well as larger tracts located primarily north of Highway 20.

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the Forest Element through the review of discretionary projects.

Agriculture Element

Agriculture has always been an integral part of Nevada County and has continually grown and changed along with the county. The beginning of major agriculture pursuits began concurrently with the discovery of gold in California. With the sudden influx of miners there was also a need for food. This need, along with the high prices miners were willing to pay, made it attractive for farmers (many of whom had been miners) to start raising crops in the western end of the county. This area, with its mild climate and good soils, attracted a large number of farmers who grew a variety of crops, including fruit of all varieties, small grains, hay, potatoes, and wine grapes. Some citrus was attempted at the extreme southwestern corner of the county. Sheep and cattle were raised in large quantities, utilizing the high mountain ranges in summer and the oak woodlands for winter grazing. One commodity often not thought of as agriculture that was harvested extensively in this period was timber. During the initial phase of placer mining, the demand was mainly for construction lumber. With the advent of hard rock mining, the demand for mining timbers expanded greatly, and much of the easy-to-reach virgin forest was cut at this time. Most of the timber in the western county today is second or third generation which reseeded from the initial stand. The soils and climate of Nevada County make it an ideal area to sustain many agricultural endeavors. Agriculture in Nevada County is a mosaic of farm land intermingled with other uses in the rural setting which typifies the County. This land provides marketable products, open space, wildlife habitat, watershed and an aesthetic environment.

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the Agriculture Element through the review of discretionary projects. In the processing of discretionary land use projects for consistency with the Agriculture Element, the Planning Department continued to review discretionary projects for consistency with the Nevada County Land Use and Development Code, including the processing of Agricultural Management Plans for projects which are adjacent to Important Agricultural Lands and routing them to the Agricultural Commission for review and comments.

Minerals Management Element

Historically in Nevada County, mining activities have played an important role in not only the local economics, but also in regional, state and national economics. In recent years, conflicts have intensified between interests in renewed mining and interests in the burgeoning growth of urban and suburban uses of the land. This Mineral Management Chapter, a part of the County's General Plan, provides guidance for identifying, evaluating, and resolving those conflicts. It is not the intent of the Chapter to resolve every conflict; it is the intent, however, to provide policies which can either eliminate obvious conflicts and/or guide the resolution of more obscure conflicts. The Mineral Management Chapter applies to lands in Nevada County which are outside the administration of the Bureau of Land Management, the Forest Service and other Federal and State land-holding agencies. It recognizes that while mining on said lands may not be prohibited by the

County, and thus the County's use permit process will not apply to such activities, such mining is subject to compliance with the County's health, sanitation, building, and environmental regulations (reference is to the U.S. Supreme Court decision in Granite Rock). The Chapter is compatible with and required by the California State Surface Mining and Reclamation Act of 1975.

During 2022, the County continued to implement planning efforts to facility development in accordance with the Goals and Policies of the Minerals Management Element and the Surface Mining and Reclamation Act (SMARA). In addition, as required by SMARA the County also conducted annual inspections of its 10 mines which are in various operational statuses and are located throughout Nevada County.

Cultural and Historic Resources

Traditionally the term "cultural resources" has been used rather narrowly to refer to archaeological remains and to historical structures. Archaeologists, anthropologists, historians, architects, sociologists, folklorists, geographers, planners, and others have in recent years expanded the term to include all forms of past cultural expression found within the archaeological, historical and cultural landscape. Nevada County's contemporary landscape does not reflect the continued occupancy of a single culture, but instead is a composite landscape affected by many contrasting cultural systems over a period of thousands of years. The contemporary landscape therefore, the one with which the land-use planner must deal, is the accumulation of layer upon layer of values and uses imposed on the land by past cultural events. Nevada County contains 978 square miles or approximately 625,920 acres. About 172,260 acres, or 28 percent of the county is contained on Tahoe and Toiyabe National Forest lands and an additional 19,011 acres, or three percent, are managed by the Bureau of Land Management (BLM). Approximately 52,069 acres, or about eight percent of Nevada County has been subjected to archaeological survey with relatively "complete" systematic coverage. Complete coverage implies the implementation of a systematic survey at 30-meter transect intervals or less. About 29,300 acres have been surveyed on private lands, 22,769 acres on forest service lands and 482 acres on BLM lands.

During 2022, the County continued to implement the Cultural and Historic Resources Element of the General Plan by enforcing the policies of the Element through the discretionary review of projects. In addition, the requirement of Cultural Resource Surveys and letters from the North Central Information Center at California State University, Sacramento are required to be provided on discretionary land use development projects to ensure consistency with the thresholds established by the General Plan and implemented through the County Land Use and Development Code.

Open Space Element

Open space can serve a variety of purposes. It can be used as the focal point of a community in the form of local and regional parks or as a means of preserving significant features in the area. In order to use open space in community design, it must first be recognized. Once recognized, it should be incorporated into programs for the preservation of natural resources, managed for the production of resources, used for outdoor recreation, and set aside, where appropriate, for public health and safety. Areas to be preserved for the preservation of natural resources should include

lands for the preservation of plant and animal life including habitat for fish and wildlife species. Protective corridors are recommended along all major streams in the planning area as a means to eliminate the encroachment of development in these environmentally sensitive areas. These corridors will also help to preserve the water quality of major waterways. Open space for managed resource production includes agricultural lands and mineral resources. Agricultural resources in the planning area are abundant. From one-half acre plots of specialized vegetables to cow/calf operations and timber stands on hundreds of acres, Nevada County supports all types of agricultural pursuits. Agriculture in the county is a mosaic of residential neighborhoods with intermingled farmland. This land provides marketable products, open space, wildlife habitat, watershed and an aesthetic environment. Farms and farmland have the unique ability to provide all these amenities at the same time and still remain a viable economic alternative to the owners or tenants.

During 2022, the County continued to implement the Open Space Element of the General Plan by enforcing the policies of the Element through the discretionary review of projects. The Planning Department continues to review required site plans for compliance with the Nevada County Land Use and Development Code for discretionary and administrative land use development projects, thus ensuring consistency with the thresholds established by the General Plan.

Recreation Element

Recreational opportunities within Nevada County are varied, ranging from public parks with intensively used active recreational facilities, to vast tracts of forest lands, which provides a natural environment for passive recreation and visual enjoyment. Nevada County is blessed with a wide variety of landscapes and scenic resources which provide passive recreational opportunities for residents and visitors alike. Chief among these scenic resources are the views available from many roadways to surrounding open areas as well as to vistas of the foothills and mountains. The number of existing bicycle, pedestrian, and equestrian trails in Nevada County is limited. However, there are a number of non-auto trails within Nevada County that are either complete or partially complete. These trails are oriented toward recreational use and do not provide logical connection for non-auto transportation within the urbanized areas of Nevada County.

In 2022, the County implemented the Recreation Element of the General Plan by enforcing the policies of the Element through the discretionary review of projects. In addition, Nevada County is embarking on the development of a countywide Recreation and Resiliency Master Plan. The plan is not only a first for Nevada County, but also one of the first of its kind in the state of California to comprehensively integrate solutions for adapting to extreme weather, wildfire, drought and other impacts as part of planning for parks, trails, open spaces and recreation amenities. Sierra Nevada Conservancy has awarded \$200,000 through the Vibrant Recreation and Tourism Grant Program for this effort. Nevada County has also allocated \$250,000 through American Rescue Plan Act funds.

Noise Element

The purpose of the Noise Element of the General Plan to provide for the control and abatement of environmental noise to protect citizens from excessive exposure. The Noise Element strives to

preserve the quality of life by protecting residents from the obtrusive impacts of noise and noise-generating uses such as traffic, construction, airports and certain commercial and industrial noises. A primary function of the Noise Element is to ensure that noise considerations are incorporated into the land use decision making process. The Noise Element establishes noise/land use compatibility standards and outlines Goals, Policies and Programs that can be used to achieve these standards.

In 2022, the County implemented the Noise Element of the General Plan by enforcing the Policies of the Noise Element through the discretionary review of projects. Noise studies are required to be provided on noise generating land use developments to ensure projects remain consistent with the thresholds established by the General Plan and implemented through the County Noise Regulations. California State law requires that all Counties adopt a Noise Element which identifies and appraises noise problems and the solutions to these problems pursuant to California Government Code Section 65302(f).

Safety Element

The purpose of the Safety Element is to reduce short and long-term loss of life, injuries, and damage to property resulting from natural and human-caused public safety hazards including flooding, geologic and seismic hazards, fire hazards, severe weather and the additional consequences of climate change. Other potential safety hazards, such as airport operations and the transportation of hazardous materials arise from the transport of goods and people. The Safety Element addresses hazards and hazardous materials of the present (transportation of hazardous materials, industrial spills, etc.) and historic remnants (legacy of historic mining; mineshafts and tailings). Each of these hazards has particular characteristics that affect future development of the County. Some safety hazards can be minimized with emergency planning, while other hazards are reduced by development standards and land use planning. The Safety Element identifies areas where private and public decisions on land use need to be responsive to potentially hazardous conditions. It also serves to inform individuals, firms and public agencies of Nevada County's policies regarding appropriate levels and locations of public services, such as Sheriff's and Fire protection.

In 2022, the County continued to implement the Safety Element by enforcing the Policies of the Safety Element through the discretionary review of projects. Projects are evaluated through discretionary review to ensure that they remain consistent with the thresholds established by the General Plan and implemented through the County Safety Element. California State law requires that all Counties adopt a Safety Element, which identifies and appraises noise problems and the solutions to these problems pursuant to California Government Code Section 65302(g). . In addition, the Nevada County Transportation Commission (NCTC) has completed the Draft Ready Nevada County Extreme Climate Event Mobility Adaptation Plan. The READY Nevada County Plan will build upon the ongoing coordination and emergency planning efforts of the Nevada County Office of Emergency Services, as well as efforts of Grass Valley, Nevada City, and Truckee, to identify climate-related challenges to the transportation network in Nevada County and strategies to address them.

Economic Development Element

The Economics Element, which is an optional General Plan Element, provides a set of long-range goals and policy guidelines for economic development in the County. The Economics Element seeks to establish the County's commitment to economic vitality; to articulate the types of economic activity that the County seeks to retain, expand and attract to the County; and to outline steps that the County should take to protect and enhance local assets that are critical to the health of the local economy.

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the Economic Development Element through the review of discretionary projects. In addition, Nevada County created the Nevada County Economic Development Office to assist new, existing, and expanding businesses and nonprofits in navigating local and regional business resources. The County continued to administer and monitor the \$140,000 second round of Community Resiliency Grant funding to three entities: Nevada County Economic Resource Council, Sierra Commons, and Grass Valley Downtown Association to provide capacity building support and increase economic resiliency for small businesses.

Education Element

The Education Element, which is an additional optional General Plan Element, provides for a set of long-range goals and policy guidelines for the development and maintenance of schools and education facilities to ensure the economic and cultural vitality of the County. The Education Element seeks to support and encourage public schools that are physically and functionally integrated with their surrounding neighborhoods or service areas. The Element also seeks to support service levels that are equal to or exceed state standards for classroom size, school enrollment and school size, for all schools.

During 2022, the County continued to implement planning efforts to facilitate development in accordance with the Goals and Policies of the Education Element through the review of discretionary projects.

Aesthetics Element

The scenic values and aggregate appearance of all the cities, towns, and suburban areas define the aesthetic quality of Nevada County. Achieving a desirable aesthetic character involves attention to both urban design and scenic preservation. Nevada County is an area of extraordinary scenic quality - from the covered bridge at Bridgeport to the vista of Lake Donner from the heights of Old Highway 40. Views of the valleys created by the South Fork of the Yuba River and its smaller tributaries to the many peaks of the mountains comprising the Sierra Nevada Range such as Castle Peak provide spectacular scenery. In addition to scenic values, aesthetics in Nevada County also consist of aggregate appearance of all the structures that comprise the cities, towns and suburban areas, which defines the urban design quality of the County. Scenic preservation is accomplished by such measures as the scenic highways, establishment of permanent open spaces, public forests, conservation areas and agricultural zoning. Urban design quality is accomplished by architectural

controls, historic preservation ordinances and even zoning that controls land use patterns. In addition, land use patterns and areas preserved as open space contribute significantly to the County's aesthetic quality and preservation of scenic values. The ownership and operation of forests by the U.S. Forest Service in the Tahoe National Forest and the open lands under the control of the Bureau of Land Management also preserve a significant portion of the County for permanent scenic quality.

In 2022, the County implemented the Aesthetics Element of the General Plan by enforcing its Goals and Policies through the discretionary review of projects. Discretionary land use projects are required to comply with the Western Nevada County and/or Eastern Nevada County Design Guides which are a result of Goals and Policies of the Aesthetics Element.

III. Permits, Applications, and Significant Projects

During 2022, the County processed numerous permits, project applications, and participated in a variety of significant plans and projects. The following summaries provide a brief overview of these activities and are not intended to be exhaustive.

2022 Ministerial Permits

The Nevada County Building Department processed 4,475 Building Permits in 2022 (an increase of more than 17% from 2021), including Single-Family Residences, Accessory Dwelling Units, Agricultural Buildings, Accessory Buildings, and Miscellaneous Permits (e.g., re-roofs, electrical, plumbing, and HVAC). Planning Department staff reviews all construction permits for Nevada County Land Use and Development Code consistency compliance.

Between January 1, 2022 and December 31, 2022, Nevada County had one hundred and six (106) housing units completed based on final inspections and certificates of occupancy. Of the 131 housing units, fifty-four (54) were newly constructed single-family detached residences, twenty-eight (28) were newly constructed single-family manufactured home units, and twenty-four (24) were newly constructed Accessory Dwelling Units. In addition, Nevada County permitted the construction of one hundred and twelve (112) new residential units and approved land use entitlements for an additional thirty-two (32) units in 2022.

Appendix B provides the Annual Housing Element Progress Report that will be submitted to the California Department of Housing and Community Development (HCD), as required by California State Housing Element Law on or before April 1, 2023. Pursuant to these new requirements, Table A2 provides a list of 2022 calendar year annual building activity by income level including Very-Low, Low, Moderate and Above-Moderate income levels. As shown on the Table A.2, Nevada County does not track the affordability of single or multi-family dwellings unless a housing unit is deed restricted. For reporting purposes and for consistency with the RHNA methodology in the 2019-2027 Housing Element, it is assumed that 60% of all single-family units met the Above-Moderate criteria and 40% were affordable to Moderate Income, all fractions were rounded to Above-Moderate. Multi-Family units were assumed to meet the Very-Low income criteria. Accessory Dwelling Units were assumed to meet the Low-Income criteria. It is assumed that 50% of all mobile homes met the Low-Income criteria and 50% met the Very-Low-Income criteria; if

a 50/50 split was not achievable then the higher units were assigned to the Low-Income category. Table B of the 2022 Annual Report summarizes new residential building permits issued during the 2022 calendar year by income category as a measure of the Unincorporated County's progress toward meeting the 2019-2027 RHNA cycle. Table D of the report summarizes progress achieved in the implementation of statutory requirements and implementation of Programs of the 2019-2027 Housing Element cycle.

2022 Land Use Entitlement Applications

The Planning Department processed 232 applications for 305 unique administrative and discretionary land use entitlements with associated environmental reviews during 2022 including for example, Use Permits, Tentative Parcel Maps, Lot Line Adjustments, Management Plans and Certificates of Compliance. The breakdown in applications received was as follows:

- Amend Approved Map / Amend an Approved Use Permit (6)
- Administrative Development Permit (22)
- Cannabis Administrative Development Permit (25)
- Amend Cannabis Administrative Development Permit (30)
- Certificate of Compliance (6)
- Conditional Use Permit (6)
- Development Permit (1)
- Extension of Time (4)
- General Plan Amendment / General Plan Text Amendment (2)
- Home Occupation (8)
- Lot Line Adjustment (20)
- Map Check Final Map / Parcel Map (5)
- Management Plan (42)
- Miscellaneous Permit (18)
- Voluntary Notice of Merger (2)
- Planner Consultation (11)
- Pre-Application (9)
- Rezone (2)
- Setback Easement (6)
- Tentative Parcel Map (3)
- Variance (6)
- Zoning Ordinance Amendments (3)

2022 Significant Project Determinations

PLN21-0232; VAR21-0001; DRP21-0001. A Variance and Design Review Permit application for Phase 2 of the Lone Oak Senior Apartments. The proposal includes a Design Review component for a proposed 31-unit new construction senior housing development utilizing a density bonus located on approximately 2.42 acres. The proposed project also includes a Variance requesting to exceed the maximum height limit of 35-feet in the R3 zoning district to provide

exterior roof access for the fire department via an enclosed stairwell with a maximum height of 38-feet 10 3/8 inches. This project was approved.

PLN21-0281, RZN21-0003, CUP21-0005, PFX21-0006; EIS22-0003. A Rezone from Highway Commercial (CH) to Neighborhood Commercial (C1) to allow for the proposed self-storage use, 2) a Use Permit to allow for the development and operation of a self-storage facility with 17 permanent buildings and 7 storage containers, as well as the formal approval of the existing Alta Sierra Family Automotive auto repair facility, and a 3) a Petition for Exceptions from Road Standards to allow for a reduced easement width on Johnson Place. This project was approved.

PLN22-0094; ORD22-1 A Public Hearing to consider a recommendation to the Board of Supervisors to adopt an Ordinance (ORD22-1) for text amendments to Section L-II 3.30 and Section L-II 5.23 to Chapter II Zoning Regulations of the Land Use and Development Code regarding Cannabis Cultivation and Administrative Enforcement in all zoning districts in the unincorporated areas of Nevada County. This project was approved.

PLN21-0161; DVP21-1; EIS21-0004: The project as proposed is an application for a Development Permit (DVP21-1) to construct an approximately 3,452-Square-Foot Quick Quack Drive-Through Car Wash, with associated improvements including parking, lighting, signage and landscaping within the Higgins Marketplace Shopping Center. The Higgins Marketplace project was originally approved by the Nevada County Board of Supervisors on August 18, 2009 (EIR04-001, GP04-005, Z04-012, PM04-020, U04-019). For full project description, please see the proposed Addendum to the Final Environmental Impact Report. This project was approved.

PLN22-0008; AAP22-0001; VAR22-0004; EIS22-0008: The project is an application for an Amendment to Approved Use Permit (U92-09) for the installation of 32 lights within four existing tennis courts located within the Lake Wildwood Subdivision Tennis Facility to allow nighttime tennis play from dusk until 10:00 P.M. for Lake Wildwood Association members. As proposed some of the light poles would have two lights installed, resulting in 32 lights distributed between 24 light poles. Due to the requirements of championship tennis play, along with matching the height of the existing lights, which are located at the Commodore Park tennis courts, also located within Lake Wildwood; the light poles are proposed at a height of 20 feet tall, which would exceed the height limitation of 15 feet established by Section L-II 4.2.8 of the Nevada County Land Use and Development Code. Therefore, the project is being processed with a Variance to the light pole height restrictions. This project was approved.

PLN21-0311; RZN21-0004; CUP21-0006; EIS22-0009: The project is a combined application proposing 1) A Rezone from RA-3-PD to RA-1.5 (Residential Agriculture-1.5 acres minimum) to allow for higher density housing development, and 2) a Use Permit to allow for the development and operation of a 6-unit multifamily residential development containing six (6) one-bedroom apartments, as well as the demolition of an existing single-family residence that exists on the project site. This project was approved.

PLN22-0160; ORD22-2; EIS22-00012: The project is a Zoning Ordinance amendment to Section L-II 3.30 of Chapter II Zoning Regulations to amend the County's Commercial Cannabis Cultivation Ordinance. The draft ordinance proposes the following general changes in addition to

other minor changes, clarifications, and clean-up: 1) Allow adult use cultivation in addition to medical use cultivation. 2) Combine Commercial Cannabis Permit (CCP) and Administrative Development Permit (ADP) application/permitting process. 3) Add standards and requirements for additional license types for distribution, non-volatile manufacturing, microbusinesses, and retail sales. 4) Remove onsite residence requirement for adjacent parcels included in common ownership or control of overall Premises. 5) Allow a percentage of Support Area to be used for additional Canopy Area and/or manufacturing/distribution operations. 6) Allow aggregate parcel sizes of multiple parcels to be used to calculate allowed maximum canopy sizes. 7) Modification to setback requirements to increase setbacks for larger cultivation sites, modify setbacks to sensitive sites to be consistent with State requirements, and modify setbacks for shared property lines of a Premises. 8) Add parking requirements. This project was approved.

IV. Conclusion

The General Plan is the County's constitution and guiding vision. Upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects and strives to include the public in the decision-making process.

Appendix A: California Government Code Section 65400 et seq.

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]

(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66301]

(Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 3. Local Planning [65100 - 65763]

(Chapter 3 repealed and added by Stats. 1965, Ch. 1880.)

ARTICLE 7. Administration of General Plan [65400 - 65404]

(Article 7 added by Stats. 1965, Ch. 1880.)

65400.

(a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) (i) The progress in meeting its share of regional housing needs determined pursuant to Section 65584, including the need for extremely low income households, as determined pursuant to paragraph (1) of subdivision (a) of Section 65583, and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

(ii) The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of standards, forms, and definitions adopted by the Department of Housing and Community Development. The department may review, adopt, amend, and repeal the standards, forms, or definitions to implement this article. Any standards, forms, or definitions adopted to implement this article shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. Before and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. The report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

(iii) The report may include the number of units that have been completed pursuant to subdivision (c) of Section 65583.1. For purposes of this paragraph, committed assistance may be executed throughout the planning period, and the program under paragraph (1) of subdivision (c) of Section 65583.1 shall not be required. The report shall document how the units meet the standards set forth in that subdivision.

(iv) The planning agency shall include the number of units in a student housing development for lower income students for which the developer of the student housing

- development was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915.
- (C) The number of housing development applications received in the prior year, including whether each housing development application is subject to a ministerial or discretionary approval process.
- (D) The number of units included in all development applications in the prior year.
- (E) The number of units approved and disapproved in the prior year.
- (F) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.
- (G) A listing of sites rezoned to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory required by paragraph (1) of subdivision (c) of Section 65583 and Section 65584.09. The listing of sites shall also include any additional sites that may have been required to be identified by Section 65863.
- (H) (i) The number of units of housing demolished and new units of housing, including both rental housing and for-sale housing and any units that the County of Napa or the City of Napa may report pursuant to an agreement entered into pursuant to Section 65584.08, that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, and the income category, by area median income category, that each unit of housing satisfies. That production report shall do the following:
- (I) For each income category described in this subparagraph, distinguish between the number of rental housing units and the number of for-sale units that satisfy each income category.
 - (II) For each entitlement, building permit, or certificate of occupancy, include a unique site identifier that must include the assessor's parcel number, but may also include street address, or other identifiers.
- (ii) For the County of Napa and the City of Napa, the production report may report units identified in the agreement entered into pursuant to Section 65584.08.
- (I) The number of applications submitted pursuant to subdivision (a) of Section 65913.4, the location and the total number of developments approved pursuant to subdivision (c) of Section 65913.4, the total number of building permits issued pursuant to subdivision (c) of Section 65913.4, the total number of units including both rental housing and for-sale housing by area median income category constructed using the process provided for in subdivision (c) of Section 65913.4.
- (J) If the city or county has received funding pursuant to the Local Government Planning Support Grants Program (Chapter 3.1 (commencing with Section 50515) of Part 2 of Division 31 of the Health and Safety Code), the information required pursuant to subdivision (a) of Section 50515.04 of the Health and Safety Code.
- (K) The progress of the city or county in adopting or amending its general plan or local open-space element in compliance with its obligations to consult with California Native American tribes, and to identify and protect, preserve, and mitigate impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code, pursuant to Chapter 905 of the Statutes of 2004.

(L) The following information with respect to density bonuses granted in accordance with Section 65915:

- (i) The number of density bonus applications received by the city or county.
- (ii) The number of density bonus applications approved by the city or county.
- (iii) Data from all projects approved to receive a density bonus from the city or county, including, but not limited to, the percentage of density bonus received, the percentage of affordable units in the project, the number of other incentives or concessions granted to the project, and any waiver or reduction of parking standards for the project.

(M) The following information with respect to each application submitted pursuant to Chapter 4.1 (commencing with Section 65912.100):

- (i) The location of the project.
- (ii) The status of the project, including whether it has been entitled, whether a building permit has been issued, and whether or not it has been completed.
- (iii) The number of units in the project.
- (iv) The number of units in the project that are rental housing.
- (v) The number of units in the project that are for-sale housing.
- (vi) The household income category of the units, as determined pursuant to subdivision (f) of Section 65584.

(b) (1) (A) The department may request corrections to the housing element portion of an annual report submitted pursuant to paragraph (2) of subdivision (a) within 90 days of receipt. A planning agency shall make the requested corrections within 30 days after which the department may reject the report if the report is not in substantial compliance with the requirements of that paragraph.

(B) If the department rejects the housing element portion of an annual report as authorized by subparagraph (A), the department shall provide the reasons the report is inconsistent with paragraph (2) of subdivision (a) to the planning agency in writing.

(2) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

(c) The Department of Housing and Community Development shall post a report submitted pursuant to this section on its internet website within a reasonable time of receiving the report. *(Amended by Stats. 2022, Ch. 657, Sec. 1.7. (AB 2653) Effective January 1, 2023.)*

Appendix B: Housing Element Annual Performance Report Summary Table

Jurisdiction	Ja County - Unincorporated			
Reporting Year	2022	(Jan. 1 - Dec. 31)		
Planning Period	6th Cycle	08/15/2019 - 08/15/2027		
Building Permits Issued by Affordability Summary				
Income Level			Current Year	
Very Low	Deed Restricted		0	
	Non-Deed Restricted		7	
Low	Deed Restricted		0	
	Non-Deed Restricted		21	
Moderate	Deed Restricted		0	
	Non-Deed Restricted		42	
Above Moderate			42	
Total Units			112	
Note: Units serving extremely low-income households are included in the very low-income permitted units totals				
Units by Structure Type		Entitled	Permitted	Completed
SFA		1	0	0
SFD		0	84	55
2 to 4		0	0	0
5+		31	0	0
ADU		0	14	24
MH		0	14	27
Total		32	112	106
Housing Applications Summary				
Total Housing Applications Submitted:			3	
Number of Proposed Units in All Applications Received:			38	
Total Housing Units Approved:			38	
Total Housing Units Disapproved:			0	
Use of SB 35 Streamlining Provisions				
Number of Applications for Streamlining			0	
Number of Streamlining Applications Approved			0	
Total Developments Approved with Streamlining			0	
Total Units Constructed with Streamlining			0	
Units Constructed - SB 35 Streamlining Permits				
Income	Rental	Ownership	Total	
Very Low	0	0	0	
Low	0	0	0	
Moderate	0	0	0	
Above Moderate	0	0	0	
Total	0	0	0	