



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT
950 MAIDU AVENUE, SUITE 170, PO BOX 599002, NEVADA CITY,
CA 95959-7902 (530) 265-1222 <http://mynevadacounty.com>

Trisha Tillotson
Community Development Agency Director

Brian Foss
Planning Director

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memorandum

MEETING DATE: March 28, 2023

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Informational Report to the Board of Supervisors to review and accept the 2022 General Plan Annual Progress Report, substantially in the form attached, pursuant to State of California Government Code Section 65400, and direct staff to submit the report to the Office of Planning and Research as shown in Attachment 1.

RECOMMENDATION:

I. Project Action: After reviewing and considering the 2022 General Plan Annual Progress Report, accept the report substantially in the form attached, pursuant to State of California Government Code Section 65400, and direct staff to submit the report to the Office of Planning and Research as shown in Attachment 1.

FUNDING:

No budget amendments are required.

ATTACHMENTS:

1. 2022 General Plan Annual Progress Report.

PROJECT DESCRIPTION: Government Code Section 65400 requires the County to prepare a report annually regarding the status of the County's General Plan (General Plan) and provide the annual report to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

The 2022 General Plan Annual Progress Report assesses the level of implementation and effectiveness of the General Plan relative to 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 Annual Progress Report also provides information regarding the County's progress in meeting its share of regional housing needs and summarizes the degree to which the General Plan complies with statutory requirements pursuant to Section 65040.2 of the Government Code.

This report is a standard procedural requirement and is being submitted for consideration by the Board of Supervisors as an informational update; preparation or review of the Annual Report does not constitute an opportunity to amend the General Plan.

An inventory of the General Plan Amendment history is also included. The General Plan is the County's official policy that guides decisions affecting future physical development and change within the County. 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 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 in 2020, Safety Element in 2020 and the Housing Element 6th Revision (2019 – 2027) in 2019.

Each of the elements of the General Plan sets forth implementation of Goals, Policies and Programs that are intended to carry out a policy and achieve specific objectives. The General Plan implementation policies and programs provide the basis from which to document General Plan progress. The format and content of the annual progress report was prepared in accordance with the State's submittal requirements under California Government Code Sections 65400 et seq. and California Code of Regulations, Title 25, Division 1, Chapter 6, Sections 6200 et seq.

STAFF COMMENT: The General Plan 2022 Progress Report is organized into three sections. A summary of each section is provided below.

Section 1 Introduction: This section summarizes the report purpose, the content of the General Plan, lists important dates, and identifies the location of the implementation actions and programs. The introduction also provides an overview of the General Plan Guidelines, as provided by the OPR, and the degree to which the County's General Plan complies with them.

Section 2 General Plan Elements: This section reviews the content and status of the General Plan and includes an update regarding how the County implemented each Element during calendar year 2022.

Section 3 Permits, Applications and Significant Projects: This section identifies the number of permits, significant project applications and General Plan Amendments that were processed by the County during the reporting period. This section is designed to provide a brief overview of these activities and are not intended to be exhaustive.

The Regional Housing Needs Allocation (RHNA) status update is provided in Appendix B, 2022 Housing Element Annual Progress Report, and will be submitted to the California Department of Housing and Community Development and the Governor's Office of Planning and Research on or before April 1, 2022, in compliance with Government Code Section 65400. In review of Appendix B, and Table A2, the tables that are included as part of the Excel Spreadsheet, have been provided in their form by the California Department of Housing and Community Development and are not

easily printed. Therefore, they are not easily readable due to their being formatted by the California Department of Housing and Community Development.

ENVIRONMENTAL REVIEW: Only “projects” are subject to the California Environmental Quality Act (CEQA). Projects are generally defined as activities that could result in an adverse direct or indirect physical impacts to the environment (CEQA Section 21065). CEQA Guidelines Section 15378(b)(5) further excludes from the definition of a project “Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” from being subject to CEQA. The General Plan 2021 Progress Report is not a project under the California Environmental Quality Act (CEQA) because it is merely an informational document and does not make decisions for County actions. Instead, the Progress Report serves to document progress towards implementing the General Plan. Therefore, staff is recommending that the Board of Supervisors find the 2022 General Plan Annual Progress Report is not a project and is not subject to CEQA review.

SUMMARY: The County is statutorily obligated to annually account for implementation of its General Plan. Completion and timely submission of the Annual Progress Report fulfills this obligation. Therefore, staff recommends that the Board of Supervisors, after reviewing and considering the Annual Progress Report, accept the 2022 General Plan Annual Progress Report.

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

- I. **Project Action:** After reviewing and considering the 2022 General Plan Annual Progress Report, accept the report substantially in the form attached, pursuant to State of California Government Code, Section 65400, and direct staff to submit the report to the State of California Governor’s Office of Planning and Research and the State of California Department of Housing and Community Development as shown in Attachment 1, making finding A:
 - A. The 2022 General Plan Annual Progress Report is not a project and is exempt from the California Environmental Quality Act pursuant to Section 15378(b)(5) of the California Environmental Quality Guidelines.

Item Initiated by: Kyle Smith, Senior Planner

Approved by: Brian Foss, Planning Director