

1 **NEVADA COUNTY PLANNING COMMISSION**
2 **NEVADA COUNTY, CALIFORNIA**

3
4 **MINUTES** of the meeting of November 13, 2025, 1:30 p.m., Board Chambers, Eric Rood
5 Administration Center, 950 Maidu Avenue, Nevada City, California.
6

7
8 **MEMBERS PRESENT:** Chair Milman and Commissioners French, McAteer, Foley, and Garst
9

10 **MEMBERS ABSENT:** None
11

12 **STAFF PRESENT:** Planning Director, Brian Foss; Housing Director, Tyler Barrington; Building
13 Department Director, George Schureck; Code Compliance Department Director, Matt Kelley;
14 CalFire Deputy Fire Marshal, Dan Collins; Environmental Health Specialist IV, Claire Chapple;
15 County Counsel, Sims Ely; Clerk to the Planning Commission, Jodeana Patterson
16

17 **PUBLIC HEARING:**

18
19
20 A proposed Alternative/RV Dwelling Zoning Ordinance Amendment to add Section 12.03.151 to
21 the Nevada County Code Title 12 Zoning Regulations.

22 **PLN25-0084; ORD25-1**

Page 3, Line 112

23
24 **STANDING ORDERS:** Salute to the Flag. Roll Call. Corrections to Agenda.
25

26 **CALL MEETING TO ORDER:** The meeting was called to order at 1:31 p.m.
27

28 Roll call was taken.
29

30 **CHANGES TO AGENDA:** None.
31

32 **PUBLIC COMMENT:** Members of the public shall be allowed to address the Commission on
33 items not appearing on the agenda which were of interest to the public and were within the subject
34 matter jurisdiction of the Planning Commission, provided that no action shall be taken unless
35 otherwise authorized by Subdivision (6) of Section 54954.2 of the Government Code.
36

37 Chair Milman opened public comment at 1:31 p.m.
38

39 *[minutes follow as direct transcript]*
40

41 Chair Milman: Now is the time for public comment on anything that is not on today's agenda. So,
42 anybody have anything? Please, when you approach the stand, say your name and where you live,
43 and you have 3 minutes. Thanks.
44

45 Ms. Finney: Thank you. Good afternoon, commissioners. My name is Johanna Finney. I live
46 here in Nevada County and I'm introducing myself to you because I sent two emails to you asking
47 for a meeting to discuss the communication tower and facilities updated draft ordinance that you're
48 going to see on a future agenda. Two of you have responded and we were able to have productive
49 meetings. So, thank you. And that's where I was able to share the suggestions made by the

50 organization called Nevada County for Safe Tech. The draft proposal we put forth was developed
51 by the legal consulting team at Children's Health Defense. That's a 501C3. They are the most
52 experienced legal team specializing in wireless land use law in the United States. The ordinance
53 is multi-layered and there are many definitions and technical specs that must be understood before
54 voting. That's why our group meets with public officials to help explain the issues. Ms. Patterson,
55 your planning clerk, forwarded my message to you on October 24th and November 4th, but I've
56 yet to receive a response. As the constituent of this county, seeking to have an educational
57 conversation with the folks who will be passing this on to the Board, I am asking, please, that you
58 provide the time to learn from us. We have no other way of reaching you than to request a meeting
59 through the Planning Department, and if you wait until the public hearing to educate yourselves,
60 it will be overwhelming, and your questions may go unanswered. We're eager to have Nevada
61 County to enact one of the most protective and forward-thinking wireless ordinances in California.
62 It's imperative that we move forward, especially now that the FCC wants to streamline
63 environmental and historic site review processes. The 1996 Telecom Act gives you the ability to
64 protect local authority on many matters, so I look forward to hearing from you. Thank you.

65
66 Chair Milman: Thank you. Is there anyone else for public comments on something that is not on
67 our agenda? You have three minutes. Thanks. Please state your name.

68
69 Ms. Sanam: Hi, my name is Renette Sanam, and I'm former City Council member and Mayor of
70 Nevada City, and I've been working with Johanna on the Nevada County Wireless Telecom
71 Ordinance. And as she had mentioned, she's been reaching out to Steve and John and Danny. And
72 thank you, Terry and Jo, for sitting down with us. Several years ago, she and I spent many, many
73 months and hundreds of hours drafting the Nevada City Telecom Ordinance, and to let you know
74 and to warn you, it's a bit like Greek, it's highly technical. It takes hours of understanding, and
75 what we're proposing is not a four page draft, as the staff has put together, but a 40 page. And the
76 reason why it's 40 pages is because the devil's in the details, and if you do not set that precedent
77 now, years from now, different planning Commissioners than are sitting here right now, are going
78 to have a very difficult time protecting your constituents. I know as a former City Council member,
79 whenever a planning commissioner or city council member was reached out by their constituents,
80 we sat down and we talked with them. We listened to them. And right now, what's happening is
81 we're not being heard, but we know somebody on the other side of the wall is talking to your staff.
82 That is the only way they could have drafted the four pages because those four pages are not their
83 field of expertise. Somebody else is giving that information. That information is highly, highly
84 vulnerable to taking advantage of future setbacks, aesthetics, safety, you know, right of way,
85 concerns. This is for the benefit of all of you in your decision making in the future as well as
86 future planning Commissioners, so please sit down with us. Spend some time. It's highly, highly
87 difficult. And by the way, what we're proposing has been co-drafted by Children's Health National;
88 these are some of the best telecom attorneys and experts in the nation, and we have been working
89 with them for months, and what we've laid out for you is a telecom ordinance that is tried and true.
90 What I mean by that is that other cities and counties have approved this telecom ordinance, and
91 they've not once had any legal disputes whatsoever. It is the best win-win for the telecoms and
92 your constituents and all we want you to do is respond to us so we can sit down and have that
93 conversation. Also, March 31st, we had a public workshop; the public came in here and addressed
94 their concerns. It was actually for you guys, and Lisa Swarthout hosted it, but there were no
95 planning commissioners. So, we're going to send you a link to that recording. It's a couple of
96 hours of really good, deep, informative information that will help your decision making. Would
97 you please just take the time and look at that? Thank you so much.

98 Chair Milman: Thank you. OK. Any other non-agenda-related comments?

99
100 Chair Milman closed public comment at 1:38 p.m.

101
102 **COMMISSION BUSINESS:** None.

103
104 **CONSENT ITEMS:**

- 105
106 1. Acceptance of 2025-09-11 Planning Commission Draft Hearing Minutes

107
108 *Approved at hearing*

109
110 **PUBLIC HEARING:**

111
112 **1:30 p.m. PLN25-0084, ORD25-1:** A proposed Zoning Ordinance Amendment to add Section
113 12.03.151 to the Nevada County Code Title 12 Zoning Regulations to establish health and safety
114 standards, permitting and certification requirements, and site development standards allowing for
115 recreational vehicles as an additional residential unit on developed properties subject to the
116 permitting and standards outlined in the draft Ordinance. **PROJECT LOCATION:** Countywide.
117 **RECOMMENDED ENVIRONMENTAL DETERMINATION:** Recommend the Board of
118 Supervisors find the project categorically exempt pursuant to Section 15305 of the California
119 Environmental Quality Act Guidelines. **RECOMMENDED PROJECT ACTION:** Provide a
120 recommendation to the Board of Supervisors on the proposed Alternative/RV Dwelling Ordinance.
121 **Project Planner:** Brian Foss, Planning Director.

122
123 *[minutes follow as direct transcript]*

124
125 Chair Milman: Thank you. OK, that brings us to the excitement for the day. I'm going to turn this
126 over to County staff to introduce today's item.

127
128 Directo Foss: Thank you, Chair. Good afternoon, Commissioners. Brian Foss, director of
129 planning with me is Tyler Barrington, our former Principal Planner, but current Housing Director.
130 He's here to support and answer any questions, but I'll be giving the presentation regarding the
131 proposed ordinance that would allow RVs as an alternative housing type, with some development
132 standards that I'll go over, and your Commission will be making recommendations to the Board of
133 Supervisors for final determination at a future date.

134
135 Chair Milman: Before we get started, let me just go through kind of the setup that we think we
136 should have today that we think will work. So, we'll have staff presentation and then clarifying
137 questions from the Commission and then we'll open up public hearing. My estimate is that we'll
138 get to that somewhere shortly after 2:00. Public comments will be three minutes apiece and we
139 will close those down at around 4:00. If everybody can make sure to limit your comments to three
140 minutes a person and be succinct, and if somebody has really already made your point, not repeat
141 other people's comments if possible, so that we can hear kind of as many different ideas on the
142 agenda item as possible. There won't be any back and forth conversation during the public
143 comment; we'll save all of that for staff to address at the end of the public comment period and
144 then that will give us enough time to deliberate, have additional questions from Commission and
145 wrap this meeting somewhere... the goal is going be around 5:00 PM, but it might trail out past
146 that. At this point, on this particular item, the Planning Commission is making recommendations

147 to the Board of Supervisors, and the Board of Supervisors will make final decision on this at a later
148 hearing, probably in February or so. So, with that, I'm going to turn it back over to you.
149

150 Director Foss: Great. Thank you. So, I'll start with a little bit of background on how this ordinance
151 came about. This issue, a broad issue of housing, has been a Board objective for the last couple
152 of years and has been discussed at the annual Board workshop in January, in 2024 and earlier this
153 year in 2025. The Board has directed all County staff to identify options for providing additional,
154 more affordable housing and more housing types in an attempt to reduce development cost,
155 increase our housing supply, and look at ways for regulatory flexibility to increase housing options.
156 A couple other examples of recent efforts by the County was adoption of Title 25 or Limited
157 Density Owner-Built Housing, which is some reduced standards of the Building Code in order to
158 promote more rural housing types, as well as Tiny Homes On Wheels [Ordinance], which was
159 heard before your Planning Commission earlier this year and adopted by the Board of Supervisors.
160 That allowed those specific housing types to be permitted in the county as legal permanent
161 dwellings.

162 So, those efforts, in addition to this effort, among a number of other things that other County
163 departments are working on, are intended to try to help and put a dent into the ongoing housing
164 crisis in the county and throughout the state. Some of the milestones in the process that led up to
165 today's hearing: the staff gave a work plan to the Board of Supervisors in April of this year,
166 identifying different public meetings, different outreach steps that would be taken to get through
167 the decision making process and to inform the public. Staff created a web page with the
168 information regarding the affordable housing options and information regarding the development
169 of this ordinance. We had a kickoff meeting in May, at the end of May, to receive comments and
170 input from interested members of the public and other stakeholders. Before we began drafting the
171 ordinance, we released a public survey that was open from July 11th through August 10th, and we
172 received almost 2000 responses to that survey that asked some general questions regarding "should
173 RVs and other similar type vehicles be allowed as permanent housing options." We drafted up the
174 public ordinance and released it on August 20th. We had an initial comment period closed on
175 September 22nd but have continued to receive and accept comments up until today. We had a
176 number of public meetings, including the South County Municipal Advisory Commission and the
177 Penn Valley Mac meetings, in addition to meeting with the Board of Realtors and another public
178 meeting that was held in this room a couple of months ago, which led us to the draft ordinance and
179 scheduling for the public hearing portion of the ordinance adoption steps. As you mentioned, this
180 is the meeting to make recommendations to the Board, which potentially will be held at a future
181 Board meeting in early next year. The ordinance contains a number of standards that I'll go through
182 that are specifically addressed to recreational vehicles. First is to adopt and create a definition of
183 what a recreational vehicle is, and this is based on a state law definition. The vehicle will require
184 DMV registration and must meet safety standards through the American National Standards
185 Institute or the National Fire Protection Association. The standards that were developed are similar
186 to the Tiny Homes On Wheels Ordinance that was recently adopted. This would allow an RV as
187 a structure, similar to how urgent care use is permitted within the county. Currently, RVs are
188 allowed to be used for six months at a time. This ordinance builds on that and does include an
189 initial approval and a two-year renewal requirement. Anything that's approved would be valid for
190 two years and then require renewal to ensure that everything still meets all the code requirements
191 and safety standards. The permitting process would be subject to zoning compliance and building
192 permit issuance. That's essentially a site plan review to ensure that setbacks are being met,
193 driveway standards are being met, electrical, septic, water, fire protection setbacks, as well, and
194 inspections would be provided by the Building Department, Environmental Health Department,
195 Fire Department, Code Compliance as necessary, depending on how the parcel is developed and

196 used to support the RV. For zoning and density, these would be allowed similar to an accessory
197 dwelling unit, although not in the same category as an accessory dwelling unit, and one of the
198 reasonings for that is due to the requirement that we wanted the RV to be able to utilize existing
199 infrastructure on the site. So, if there's a main dwelling that's already developed, likely power,
200 water, and septic have been provided to the site that the RV could hook into. Some standards
201 include that the parcels must be three acres in size or greater. This is the minimum parcel size
202 that's identified by the General Plan in order to account for well and septic repair areas, adequate
203 setbacks, fire safety setbacks, etc. It would be allowed in the Residential Agriculture zones and
204 our rural zoning districts that include AG, Agriculture, Agriculture Exclusive, Forest, and our
205 Timber Production, so the more rural zonings. Does not include R1, R2, or R3, the more single-
206 family and higher-density zoning districts. As I mentioned, inspections would be conducted by
207 CDA [Community Development Agency] departments, including Building, Environmental
208 Health, Planning, Fire as needed, upon installation of the infrastructure and of the unit on the site,
209 and then during the two-year renewals, in order to ensure that everything is still up to standards.
210 There's a limitation that no more than one RV per parcel would be allowed and would be subject
211 to the same setback requirements as any other traditional built housing unit, stick-built, so meet
212 our setback standards. There are screening requirements to screen the undercarriage of the RV
213 and ensure that the wheels and axles are concealed from view at all times during habitation;
214 requiring a foundation to be approved, that's either paved or graveled surface, and that the wheels
215 remain on the vehicle inflated and in good working order. There's also a requirement that tie
216 downs and anchors and stabilization be implemented to ensure that the vehicle stays in the location
217 that it's intended to stay in and is secured to the pad, just like any other stick built structure would
218 be. Our requirement similar to traditional building types to meet wind and snow load requirements:
219 anything over 3200 feet in elevation, if it can't meet snow load requirements on its own, would
220 require a ramada or a snow cover in order to place the vehicle under that structure to be able to
221 handle snow loads that accumulate significantly at that elevation and higher. We have habitability
222 requirements that the RV must include sources for heat, lighting, hot and cold water, a kitchen,
223 toilet, and sink, as well as fire extinguishers and a solid waste provision so that the site is served
224 by either self-hauling the waste or served by Waste Management to ensure that solid waste doesn't
225 accumulate. Because recreational vehicles are not inspected by our Building Code, we have
226 requirements that any modifications to the structure must be inspected and certified by an ANSI
227 trained inspector, and those inspections can be done virtually. There are some services that are
228 available to people to do virtual inspections or have insight inspections by a trained inspector to
229 certify any modifications to the RV that may have occurred to replace windows, add a heating
230 source, something like that. We're also requiring a fire protection plan, which is also required for
231 other accessory dwelling units that identifies evacuation routes, fuel management plan to ensure
232 that the structure meets the same standards as any other stick-built structure. We did receive a
233 number of comments that range from overall support to opposition, with some concerns. All the
234 comment letters that we've received, I think, dating back to May are included in your staff report
235 packet and attached to the memo that was handed out today that captures the comments that were
236 received after the staff report publication. Some of the main topics of concern are health and
237 safety, septic, trash, fire safety. As I mentioned, the standards: we do have a requirement in the
238 draft ordinance that there are dedicated utilities required that are either self-contained within the
239 RV or a dedicated structure separate from the main house that would provide potentially bathroom
240 or lavatory or kitchen, but cannot be dependent on the primary dwelling. The RVs can hook up to
241 the existing septic system as long as the system is adequate to handle an additional essential
242 equivalent of a bedroom hookup or potentially required development of a new system based on
243 the circumstances. And as I mentioned, all the same fire requirements as an ADU or a stick-built
244 house are required, including water supply, defensible space, the fire safety plan, identifying

245 evacuation routes, and meeting driveway standards up to the vehicle in order to ensure that there's
246 safe access, ingress and egress, for not only the occupants, but fire personnel if needed. Other
247 concerns are about code enforcement and the ability to enforce the code if the new ordinance is
248 passed, and we've had a number of discussions with our Code Compliance Division and our
249 Director of Code Compliance, and they do feel confident that they would be able to handle the
250 complaints through our traditional process that we handle all complaints on. That's a complaint-
251 driven basis, or if there's observed health and safety issues - surfacing septic or exposed wiring -
252 they will go out and contact the property owner if any of those conditions are observed. And
253 there's concerns about if this would cause a proliferation of unpermitted or additional RVs in the
254 county. We recognize the fact that we have many unpermitted RVs and people are living in these
255 types of vehicles already, and so viewing this ordinance as a path to compliance, it would allow
256 not only our Code enforcement officers, but homeowners and people living in the RV to go through
257 a process and a checklist to ensure that the vehicle that they're living in is safe, it meets all the
258 standards and it's not something that needs to be hidden or, you know, pushed back in the woods,
259 that these could be legitimate dwellings, and that there is a safety protocol and a permitting path
260 to allow these. So, we don't see this as an avenue for proliferation, only an avenue for compliance.
261 We did make a few amendments to the ordinance from the public draft that was circulated. The
262 ordinance that is in your packet does include all of these changes. It also includes a redline version
263 of some of the changes that were made from the time it was circulated during the July and August
264 time frame to the current ordinance that's proposed before you today. First off is the removal of
265 an Administrative Development Permit; that is a permitting process that is similar, but a little more
266 extensive than, a building permit process. That was removed in order to reduce cost, but it also
267 would still provide the same oversight and review opportunities for CDA departments to review,
268 ensure health and safety compliance with all the standards, so it's kind of one less regulatory
269 burden. Originally we did include the R1 Zone district as a potential option to allow RVs, but we
270 did eliminate that based on some concern about RVs in more dense neighborhoods that tend to
271 have smaller lot sizes. We did do some analysis and looked at that. There were only 87 parcels
272 that were zoned R1 that met the three-acre minimum parcel size, and only 27 of those were
273 developed with residences, so a fairly small amount, but wanted to remove that as an option just
274 to focus on the more rural larger areas that have larger parcels that have room to meet adequate
275 setbacks and provide a little bit better screening and not to be so close to smaller lots in a
276 neighborhood. We did make a clarification that RVs must have dedicated access separate from
277 the primary dwelling to hot, cold water, kitchen, toilet and lavatory facilities. It was just a little
278 unclear in the original ordinance, and we had a prohibition of storage of combustible materials
279 under the RV unit, which was a suggestion from the South County Mac. I did want to point out
280 the memo that was dated today that was handed to you. It essentially just contains the comments
281 that have been received since November 3rd, and then a corrected recommended action in the staff
282 report. The recommended action includes a reference to the Administrative Development Permit,
283 which was removed, so the recommended action, if we were to get to that point, is shown on the
284 screen and in your memo, and I can put that back up at the appropriate time if necessary. I will
285 note that we do have representatives from Code Compliance, Matt Kelley, as well as
286 Environmental Health and Building to answer any questions you may have as we go through the
287 process. Thank you.

288
289 Chair Milman: Thank you. Let's go ahead and address questions then from Commissioners. Let's
290 start with Commissioner French.

291
292 Commissioner French: One question on the inspections. Who will be doing those? And I assume
293 it's two years after the initial approval?

294
295 Director Foss: Yeah, correct. So, there be an inspection upon the initial approval and that would
296 be done by the appropriate department. If it's the electrical or the foundation, it would be the
297 Building Department. If it's the defensible space, it would be the Fire Department. If it's the septic,
298 it would be Environmental Health. And so, it's just depending on the different components of the
299 site which would require that inspection, and then the renewal process, it would just be a more
300 straightforward inspection to ensure that nothing has changed. And if it has, then it would
301 potentially require additional personnel out there to review the changes.

302
303 Commissioner French: My main question is code enforcement. How caught up are you now with
304 complaints, and how many...do you have any way of anticipating what this may generate along
305 those lines?

306
307 Director Foss: Sure. I'm going to ask Matt Kelley to come up.

308
309 Director Kelley: Chair Milman, Commissioner French, Matt Kelley, Director of Code and
310 Cannabis Compliance. We currently have 351 open code violation cases as of right now. My staff
311 and I feel like we can handle the additional inspections, the two-year renewals for these. We
312 anticipate that... we currently have a number of code cases that involve RVs now, so hopefully
313 those will...this is a pathway to permit those. Any new ones that come in: they would be treated
314 like a manufactured home, so they would go through Building for the initial setup, and then my
315 staff would, I believe, renew those, or look at that process every two years. We're still kind of
316 determining that part. I feel like we would be able to handle that process and any new permits that
317 come out.

318
319 Commissioner French: OK.

320
321 Commissioner McAteer: How many people are in the Code Compliance Department? I don't
322 really have an understanding of that, Matt.

323
324 Director Kelley: So, Commissioner McAteer, we currently have four code compliance officers,
325 one supervising code compliance officer, I have three cannabis compliance officers and one senior
326 CDA senior permit technician.

327
328 Commissioner McAteer: So those who suggest...how many are out in the field, that would be
329 doing this RV plus all the other general code compliance....How many is that? Four?

330
331 Director Kelley: So, I currently have four.

332
333 Commissioner McAteer: Four. And you have 300 and some odd outstanding complaints for the
334 four to handle.

335
336 Director Kelley: We do. Each code officer...the county's divided up into areas, similar to how it's
337 divided up into supervisorial districts. Each code officer is assigned an area, and they work that
338 area and those code violation cases. Typically, code violation cases are inspected every 30 days.
339 And so, they're not inspected every single day, so there's adequate time to review all of those.

340
341 Commissioner McAteer: So, what Brian noted was that there's sort of a potential amnesty for
342 those that are out there currently? *[To Commissioner French]* I'm sorry, Steve, to take this, but

343 just since he's here, is that OK? Thanks. *[To Director Foss]* And so, this amnesty idea of allowing
344 people who are illegal to become legal: my question is, they want to become legal, and they come
345 in and they see the process, and you've gone out to and view their property, and then all of a sudden
346 they say, "Gee, I don't want to become legal, it's going to take too much." So now, you know that
347 there's an illegal facility out there, and so what happens at that point?

348
349 Director Kelley: Code Compliance is complaint driven. We are not proactive enforcement. The
350 only proactive enforcement we do is for illicit cannabis grows, and that is very specific. So, we
351 would, you know, encourage the property owner to come into compliance. However, we would
352 not proactively open a code violation case, because that's not something that the Board has asked
353 us to do.

354
355 Commissioner McAteer: So, let me get this: they say, "We'd like to have our RV now legal," and
356 you go out there and say, "That's fine, but you can't. You've got water problems. You've got
357 sewage problems. And so, just to let you know, this is what it's going to cost, and this is what
358 you're going to do." And the person says, "No, thank you." And then all of a sudden, you've seen
359 all these violations and you just sort of then go home?

360
361 Commissioner McAteer: Well, we've not been asked to be proactive enforcement, so we would...,
362 I mean if a neighbor submitted a complaint for that RV, then we would take...we would open a
363 code violation case, but otherwise we would not proactively open one.

364
365 Commissioner McAteer: OK. Thank you very much. Commissioner French, back to you.

366
367 Commissioner French: Thank you. Yeah, it's...in my view, if you've got a 10-acre parcel, you got
368 an RV tucked back in there, it's OK with the owner of the property, and no neighbor is complaining,
369 there's really nothing you can or will do, just like now, basically because it's all complaint driven?

370
371 Director Kelley: It's all complaint driven, yes, sir.

372
373 Commissioner French: OK. Thank you.

374
375 Commissioner Foley: Yeah, I just have, I guess, just kind of like a logistical walkthrough of the
376 way this would work. So, a property owner would decide, "Hey, I'm going to make a space
377 available to someone to park their RV and make it a permanent space." So, they would come into
378 the County, they would get the appropriate permit for that and any permits associated with that,
379 like, any environmental, septic upgrade, power, water - all that brought to that location, with the
380 driveway to it, essentially, and then that site would essentially be permitted? And then the property
381 owner would then lease that spot to someone else? I guess my question is, does that permit belong
382 to the property owner and the land, or does it belong to the applicant, to the person that's actually
383 leasing property?

384
385 Director Foss: Commissioner Foley, the permits would run with the land, so it's issued to the
386 property, and we would, just like if you're building a garage, we would want to see a site plan –
387 "Where's the location of the structure? What is the infrastructure? What is the access?" All that
388 would be shown on the site plan. We would also want to, even though we're not inspecting the
389 recreational vehicle itself, we'd want to know what it was, what it looked like, to ensure that it had
390 all the components that were required for the potable water, the kitchen, living areas, etc. So, it'd
391 just be like a site plan showing the structure, showing the locations, and then showing all the

392 infrastructure, meeting the standards. That permit would be approved and issued, and then the
393 actual on-ground development would be inspected to ensure that it meets the approved plans, and
394 then that would be your approved permit for that structure, regardless of the leasing or the renting
395 or who owns what.

396
397 Commissioner Foley: Right. OK. That makes sense. There's going to be inspections through that
398 whole permitting process. The two-year inspection, that's not to inspect the RV itself, but it's just
399 to inspect to make sure that everything on the property is up to date and kosher?

400
401 Director Foss: Commissioner Foley, it would be to inspect the entire thing. If there were
402 modifications to the structure that weren't in place with the original approval, then that would need
403 to be addressed through the proper inspection through ANSI or the proper recreational vehicle
404 mechanic or builder. So, yeah, you'd inspect the entire thing to ensure consistency with the code.

405
406 Commissioner Foley: And then if the renter left and you got a new renter in there, in that same
407 spot, would that trigger a new two-year permit?

408
409 Director Foss: No, not necessarily. If the RV is the same and the people just live in the RV.

410
411 Commissioner Foley: If it's a different RV, if someone moves their RV that was parked there off,
412 and now a new one is coming onto the property?

413
414 Director Foss: Yeah, that would require that to be re-permitted and inspected to make sure it meets
415 the tie downs, all the hookup requirements, et cetera.

416
417 Commissioner Foley: OK. So, there's permitting for the land and for the RV?

418
419 Director Foss: Mm-hm.

420
421 Commissioner Foley: I think that's all I have for now.

422
423 Commissioner McAteer: Thank you. So, why did you...? There are so many questions from the
424 letters that I read. Why every two years for a permit? A lot of people said, you know, "Do this
425 annually." Some people said to do it once and that's it. Can you just give us a rationale behind
426 the two years?

427
428 Director Foss: Yeah. Commissioner McAteer, I don't know that there's a magic reason for two
429 years. RVs are not typically built for long-term habitation, so we wanted to make sure that it is
430 still meeting the code requirements after a certain period of time. We allow every six months for
431 the healthcare reasons. So, it was just a number that was selected to ensure that the property is
432 maintained. It's kind of a middle ground between an annual inspection or... a lot can go wrong in
433 five or seven years and try to address some of the neighborhood concerns. That's kind of the
434 reasoning.

435
436 Commissioner McAteer: And was there a rationale for the three acres?

437
438 Director Foss: Yeah. The three acres, again, was because the minimum parcel size identified by
439 the General Plan to accommodate septic and water is three acres, septic and a well, to meet all the

440 setbacks, the repair area, and it is also kind of the minimum parcel size for Residential Agriculture
441 [zoning] and above which are the zoning districts that were identified as potential options.
442

443 Commissioner McAteer: OK, great. Now, let's go to the inspection, because it appears as if
444 somebody from Fire is going to go out there, Code Compliance, Environmental Health, etcetera.
445 Is that how you sort of see it? A person comes in and whether it's the lessor or the lessee comes in,
446 and then you send out these various people to do this code... this check?
447

448 Director Foss: Yeah, it's similar to the Building permit process, when somebody submits for a
449 Building permit, Environmental Health will go out and inspect the septic system. Building will
450 go out and inspect the foundation. Fire will go out and inspect the driveway, and then we'll have
451 Code or Building inspect the structure itself to make sure, so it's not all at the same time, it's kind
452 of at different processes throughout the permitting procedure.
453

454 Commissioner McAteer: And then knowing that you're sort of a fee-driven operation, organization,
455 have you come up with a fee schedule relative to these RVs?
456

457 Director Foss: Not specifically, but we believe it'll be very similar to the tiny homes on wheels
458 fee structure that was developed as part of that ordinance. That's approximately \$2000. Maybe
459 \$2300, I believe, is the fee, versus it can be \$20,000 to \$30,000 for a primary dwelling or a stick-
460 built dwelling.
461

462 Commissioner McAteer: OK. Thank you. All these are sort of clarification of what's before me
463 here. It refers to Site Development Standards: are those written standards that are in California
464 Code or in Nevada County Code? Could you clarify for me what that means?
465

466 Director Foss: That's referring to the standards that are contained in the County Code. That's
467 setbacks from property lines. It's also avoiding resource areas, so 100-foot setback from water
468 courses, setbacks from oak trees, and if there is going to be encroachment into any of those
469 resources, a management plan potentially would be required just like any other development.
470

471 Commissioner McAteer: OK. A lot of people were concerned about if and when a fire occurs that
472 all of a sudden we have these RVs on the roadway. I think that's a very valid question. I'm sure
473 Fire would like to have a thought on that. So, why have these wheels inflated?
474

475 Director Foss: Because they need to be registered with DMV and in good operational [condition].
476 It's just so they're not dilapidated, so that they're in good working order that their recreational
477 vehicles and still operable. We don't have any requirements regarding if you can or cannot remove
478 the vehicle during an evacuation. If someone wants to remove it, I guess they could. They would
479 have to untie and un-anchor everything that would be, you know, anchored down. But there's
480 probably far more people that own recreational vehicles, boats, and other things that can be hauled
481 that would be moved or not moved during a fire.
482

483 Commissioner McAteer: Well, I know from listening to stories from fire evacuees that one of the
484 biggest problems happens to be, you know, somebody needs to get their boat out and they're taking
485 their boat and they're, you know, their wife is driving the RV, and all of a sudden we have twice
486 as many vehicles because everyone wants to save their vehicle. OK, thank you. So, let's deal with
487 my other question, which is, I don't see the specifics relative to water. How can water get to this
488 RV? Can I hook up my garden hose from my house over to the RV?

489
490 Director Foss: No, it'd have to be an approved source. Either a legitimate NID hookup or a well
491 hook up.

492
493 Commissioner McAteer: A dedicated NID source to them so that they'd have their own meter?

494
495 Director Foss: I'm not sure how NID requires that for a second type of unit on a piece of property.
496 Whatever the legal way is from an NID perspective, then that would be what would be permitted.

497
498 Commissioner McAteer: OK. And if it was a well and the person already has a well using their
499 well to their home, then there'd be another dedicated line from that well to this RV, I understand.

500
501 Director Foss: Correct. I think it's built into the ordinance that it has to be six gallons per minute
502 if it's serving both the RV and the primary dwelling unit, or three gallons per minute if it's just
503 serving the RV unit.

504
505 Commissioner McAteer: OK. I don't see any of those. I mean, I see that. But I don't see anything
506 about the, you know, the dedicated water that it has to be. I mean, I sort of interpreted that it could
507 be a garden hose. Tyler?

508
509 Director Barrington: It's on Staff Report page 9. There's a discussion about water supply, correct.

510
511 Commissioner McAteer: I don't see anything about NID dedicated water line, from NID.

512
513 Director Barrington: Under Standard 12G, it talks about the RV shall be connected to existing
514 permitted water supply, an onsite sewer disposal system that served the onsite single-family
515 dwelling, subject to permitting and inspection by Environmental Health or utility provider if
516 connected to public water and sewer. Then it goes on from there.

517
518 Commissioner McAteer: Thanks for helping me read. I do read. I just don't get it sometimes.
519 Moving on, let's talk then about electricity. Getting electricity to this RV. Can you fill me in on
520 that?

521
522 Director Barrington: Sure. So just like any other traditional dwelling, they are required to be
523 connected to an electrical service. The ordinance requires a dedicated connection. Typically, it's
524 a 30-amp system, and specifically, you can't tie together three or four extension cords and plug
525 into your neighbor's garage. You have to have a dedicated panel for this, which is inspected and
526 permitted by Building. It does allow for a connection to the County's off grid policy, which does
527 mandate that you have a generator, but it prohibits the generator being a primary source of power.
528 Off grid policy requires that you have three days' worth of battery backup, and so the idea is the
529 battery's continually recharged, and then in an emergency, if you need that generator, you're
530 willing, you're OK to use it.

531
532 Commissioner McAteer: Is this a separately metered connection? Can I run a 30-amp off of the
533 person's home and run it over towards that RV?

534
535 Director Barrington: I would defer to Building, but I think the idea is it's a standalone system
536 dedicated to this unit.

537

538 Commissioner McAteer: OK. Now we're into sewage, so we're going down. According to this,
539 if I tie into the person's existing sewage system, therefore I could run a hose to their, I guess, to
540 their clean out and put it in the clean out, and have Environmental Health come and look to see
541 that the septic system is able to hold more effluent, is that how it is?
542

543 Director Barrington: I think it's a little bit more than tying a hose. Piping it into it, like similar to
544 traditional, but you'd have to demonstrate that your existing septic, both the tank and the leach
545 fields, have adequate capacity to accept the additional load created by that new unit. The example
546 that we've used in public presentations before is if you have a three-bedroom house, but you design
547 your septic for a four-bedroom house and you aren't using that, then you likely could use that and
548 they may need to add some leach field. If you don't have that capacity, then you're going to have
549 to either upgrade your septic tank and leach field, or create a new one, is the way the ordinance is
550 written.

551
552 Commissioner McAteer: Many of the homes out in rural Nevada County were built in the 60's,
553 70's, 80's, 90's, and those plans and those specifications don't exist?
554

555 Director Barrington: Correct, and so you're able to get a septic designer to go out and do an
556 analysis of the existing system to determine holding capacity.
557

558 Commissioner McAteer: So that's what you would be requiring to get a permit would be, "Show
559 me that somebody has gone out and checked your septic system to make sure that we can add
560 another bedroom and kitchen in there."
561

562 Director Barrington: I think in a nutshell, yeah, I don't want to speak for Environmental Health.
563 There might be more to that, but that's the general premise.
564

565 Commissioner McAteer: That's the general practice. OK, thank you. No. 14.A.4. The Fire
566 Protection plan. 14A4 says, "Identify the project's emergency water supply or emergency water
567 storage facilities." Can you explain, what does an emergency water supply look like?
568

569 Director Barrington: I believe, and correct me if I'm wrong, that when you're building a single-
570 family home currently you're required to provide water storage on site if you don't have adequate
571 hydrants, and so that's what that is.
572

573 Commissioner McAteer: Most of these three-acre out there don't have close hydrants. And so
574 then you would be requiring... So let's just again say we've got a home built in the 70's and it's on
575 a septic system and it doesn't have a second water supply. It has a well. It's living off a well. So,
576 you come out and say, "Well, gee, if you want to put this RV on here, you're now going to have to
577 also purchase a holding tank. Is that correct?
578

579 Director Barrington: That's correct. And I think you have to install the appropriate connections
580 for the Fire District specifications.
581

582 Commissioner McAteer: And you wouldn't say to the existing homeowner, you know, "Well, you
583 also have to have a holding tank." No, it's... they're grandfathered in?
584

585 Director Barrington: *[inaudible]* Fire. I don't know the answer to that.

586
587 Commissioner McAteer: Somebody from Fire? He's standing up. Come on down. You're the
588 next contestant.
589
590 Deputy Fire Marshal Collins: Good afternoon, Commissioners. It does apply to the new
591 construction, as in ADUs that don't have connection to a domesticated water system. So, they will
592 have a water tank on store based on the square footage of the new residence or dwelling going in,
593 and it's based on NFPA 1142, and it's a formula that calculates out the square footage, the water
594 flow, and everything like that. Does that answer your question?
595
596 Commissioner McAteer: Yes. And then my side question was, and so you come out and you see
597 this, what they want to do with this RV, and you say, "You have to have a 500-gallon tank" or
598 something, correct?
599
600 Deputy Fire Marshal Collins: Correct.
601
602 Commissioner McAteer: And so, you have that five..., is it connected to something? Is there a
603 pump associated with it? Or is it just sort of 500 gallons?
604
605 Deputy Fire Marshal Collins: It's 500 gallons, and it's separate from the domesticated water
606 system.
607
608 Commissioner McAteer: OK, so I have to buy this 500-gallon tank. And then do you turn to the
609 homeowner who's going to put this on their property and say, "Well, gee, by the way, you don't
610 ...you need... because your home was built in the 70s, you need a 1000-gallon tank?"
611
612 Deputy Fire Marshal Collins: No, they are grandfathered in under the current Building Code of
613 that year that residence.
614
615 Commissioner McAteer: Thank you very much.
616
617 Deputy Fire Marshal Collins: No worries.
618
619 Commissioner McAteer: Appreciate it.
620
621 Deputy Fire Marshal Collins: Any other questions?
622
623 Commissioner McAteer: Not... I'll have more. Now let's talk about defensible space for a minute,
624 which is No. 14.7 - Provide this Fuels Management Plan. So, we're going to write a plan. Do we
625 have to implement any of the plan?
626
627 Director Barrington: Correct.
628
629 Commissioner McAteer: You *do* have to implement the plan for defensible space, etc., etc.?
630
631 Director Barrington: Correct.
632
633 Commissioner McAteer: And what...? If you could teach me, what would be the defensible space
634 then on RV?

635
636 Director Barrington: My understanding would be similar to any other residential dwelling, which
637 is typically 100 feet, which is, you know, living up and clearing under storage. And then the
638 maintenance plan is, how are you going to maintain that over time?
639

640 Commissioner McAteer: So that would be another requirement placed on this RV to make it legal
641 is you also have to clear 100 feet perimeter around here?
642

643 Director Barrington: Correct. And in the part of the two-year inspection would be to ensure that
644 that fuel modification area is maintained over time.
645

646 Commissioner McAteer: You have a chart on page 12 that I have no idea what it says, so help me
647 out.
648

649 Director Foss: That's the permitting table. Adding a recreational vehicle dwelling as an allowable
650 land use, that's what the A stands for under the RA column, and then not permitted in R1. It's just
651 an internal consistency that recognizes if the ordinance was adopted that that's how these would
652 be permitted in the land use tables that are in each zoning district in the Zoning Code.
653

654 Commissioner McAteer: OK. Just a few more questions. Thank you. How many times...? We
655 adopted this Tiny Homes [On Wheels Ordinance]...I don't know, eight months ago, maybe a year,
656 I don't know - how many have we had apply since we put this Tiny Homes in?
657

658 Director Foss: I believe five have applied.
659

660 Commissioner McAteer: Thank you. My next question is, could you pull up the survey results
661 there? I want to sort of, I mean, you throw them out there for the public. I want to sort of see if I
662 can summarize them. The public says, "Yes, we should be allowing RVs as housing," but then
663 they say if allowed is housing, should RV motor coaches also be allowed for short-term rentals
664 and the people say no. So yes, they'd like them, but no, they don't want them as short-term rentals.
665 Explain to me the 30-day requirement put in here, if you don't mind, right in the beginning of this
666 ordinance.
667

668 Director Barrington: Commissioner McAteer, similar to tiny homes on wheels, there's a
669 prohibition from short-term rentals, so as a part of getting your Certificate of Use for this to habitate
670 in an RV, you do a deed restriction, essentially that states that "I shall not rent this property for
671 less than 30 days."
672

673 Commissioner McAteer: But you could be, it could be an Airbnb and saying, you know, you want
674 to come in for a summer to my RV and you can rent it for three months."
675

676 Director Barrington: Absolutely.
677

678 Commissioner McAteer: OK. Thank you for those clarifying questions.
679

680 Commissioner Garst: Thank you. A lot of my questions have been answered already, but I've got
681 some additional nitty gritty ones. I was wondering if at the two-year period if a homeowner wants
682 to extend their permit, are these \$2000 (approximately) fees reissued, or is there a lower renewal
683 fee?

684
685 Director Foss: It would be a lower just kind of inspection fee. We haven't come up with the fee
686 schedule yet, but it's not quite apples to apples, but like our Outdoor Event Ordinance, it has about
687 a \$1600 fee and then the renewal fee is less than half that. We're probably trying to model
688 something around a significantly lower fee, OK.

689
690 Commissioner Garst: Are there other additional impact fees that would be issued for this? Traffic
691 mitigation, fire, school?

692
693 Director Foss: There's some recent provisions in State Code that dwelling units under 750 square
694 feet and 500 square feet are not subject to many of those mitigation fees, do these would fall under
695 that exemption. I can't say if 100% of every single mitigation fee, but most likely not all of them,
696 if any. We would treat them like we would a small, you know, ADU or something like that, as it
697 pertains to mitigation fees.

698
699 Commissioner Garst: OK. For septic permitting, would an RV be considered a one-bedroom? Is
700 there a number of beds that, you know, that that's how septic sizes are sized?

701
702 Director Barrington: Yeah, my guess is, if it's a two-bedroom RV, it'd be considered two
703 bedrooms, is that correct? You want to clock in? Claire, can you speak the mic on the record?

704
705 Specialist Chapple: Hello, Commissioners. Just letting you know that we have a draft policy
706 going, and it currently states that the RV would not be an extra bedroom.

707
708 Chair Milman: I'm sorry. Can you state your name and position?

709
710 Specialist Chapple: Yes, it's Claire Chapple, and I'm with Environmental Health.

711
712 Commissioner Garst: I have some more Environmental Health issues.

713
714 Commissioner McAteer: Could you repeat what you just said? Thank you.

715
716 Specialist Chapple: The draft policy again, it's still in the works, but it suggests that the RV
717 connection would not be an extra bedroom for the capacity.

718
719 Commissioner Garst: OK, so then, any existing system could theoretically support it?

720
721 Specialist Chapple: As long as it's functional, and there's a 100% repair area available.

722
723 Commissioner Garst: OK, great.

724
725 Commissioner McAteer: Time out. Time out. Sorry, what does functional mean? I mean, who
726 determines that it's functional?

727
728 Specialist Chapple: A qualified professional septic service provider would look at the tank, pump
729 the tank, look at the leach line, sometimes load the leach lines with water to make sure that they're
730 functioning.

731
732 Commissioner McAteer: So, you call Navo and Sons, and Navo goes out there and they are

733 required by the County to pump the tank and look at the leach field, etcetera, etcetera, is that
734 correct?

735
736 Specialist Chapple: Correct.

737
738 Commissioner Garst: OK. Thank you. Another question is, would Environmental Health be
739 willing to accept, say, a dedicated 1000- or 1500-gallon tank with a pumping contract? Is that
740 something that was looked at?

741
742 Director Barrington: I'm going to let Environmental Health answer those questions.

743
744 Specialist Chapple: It's not currently in the draft, but mostly because it's not economically feasible.
745 We did a survey of pumping costs from the local pumpers and it's about \$800 to pump a regular
746 1000-gallon tank.

747
748 Commissioner Garst: Let's see. I think that's all I have for Environmental Health. Thank you very
749 much, Claire.

750
751 Commissioner Foley: Just for clarification for this specific ordinance, an RV does not count as a
752 bedroom for the existing septic system?

753
754 Specialist Chapple: Again, currently we have a draft policy, and in that draft policy, it's not being
755 counted as a bedroom.

756
757 Commissioner Foley: Is that the same policy for other ADUs?

758
759 Specialist Chapple: No for ADUs, we do count the number of bedrooms and the total capacity
760 design. Or tiny homes on wheels, we count the bed...it has typically one bedroom.

761
762 Commissioner Foley: And so what's the reason that this is different? I mean, it's great as a huge
763 cost savings, but as you know, people that are also building ADUs and tiny homes that are
764 essentially the same that we're basing this ordinance off of, it's kind of the same thing.

765
766 Specialist Chapple: Yeah, it's a good question. I don't know, but that's currently what it states.

767
768 Commissioner Foley: OK.

769
770 Commissioner French: Sorry, my turn. So again, this is kind of a big thing in my opinion. So,
771 you have a septic system proof for a three-bedroom, two-bath house, and the repair area and the
772 tank is sufficient for that. Now you're putting an RV with one or two bedrooms, whatever, and
773 attaching it to that existing septic tank and leach field and no further, nothing more needs to be
774 done to that system? I think that's what you said, I just want to clarify.

775
776 Specialist Chapple: Yeah. So, if it's an existing system and it's functional and there's a 100%
777 repair area available, should it fail, right now, it's proposed to just allow it as a connection and not
778 increase the capacity. Although, there is also another component to the draft right now suggesting
779 that the homeowner would record a covenant and agreement with the Recorder's Office, stating
780 that they're aware of potential impacts from RV holding tank wastes, which sometimes have

781 chemicals to keep odors down; those chemicals can impact septic systems. They can impact
782 groundwater. So, there would be an agreement they would record stating they're aware of that.
783
784 Commissioner French: Interesting. OK. Thank you.
785
786 Commissioner McAteer: Hold on. Sorry. So, I've got this RV I want to put on my property. How's
787 it going...what are you requiring it to "connect?" Does that mean I have to get a backhoe out there
788 and dig a dedicated line and somehow it wires into this other existing...?
789
790 Specialist Chapple: Yeah, I believe in the Plumbing Code there is a section that talks about, like,
791 RV parks and how they're supposed to be plumbed. Many of them tie into, like, a cleanout from
792 the existing sewer line. And so, we would lean on the Building Department for that connection.
793
794 Commissioner McAteer: I'm still trying to understand. Could I run a large hose from my RV to
795 the cleanout, or must it be a dedicated trench that I put fixed pipe in?
796
797 Specialist Chapple: *[To Director Schureck]* George? I think it would be fixed.
798
799 Commissioner McAteer: Sorry, I'm just trying to understand, get an idea of the costs here
800 associated with doing this.
801
802 Director Schureck: Hello, Commissioners. George Schureck, Building Director here in Nevada
803 County. Yes, the Plumbing Code would require hard dedicated pipe to that existing septic system.
804
805 Commissioner McAteer: Which would be trenched?
806
807 Director Schureck: Yes.
808
809 Commissioner McAteer: OK. Thank you very much, George.
810
811 Commissioner Garst: I had one more for EH, sorry. There was language in the ordinance, the
812 draft ordinance, that says, "Unless an alternative or temporary septic disposal method or water
813 supply is otherwise approved, such as a gray water system or waterless toilets." I know that
814 Environmental Health has typically been a little wary of composting toilets and things like that.
815 Under what circumstances would you imagine that Environmental Health would allow such
816 systems?
817
818 Specialist Chapple: I don't know exactly the answer. I could just tell you that the County Code
819 includes a waterless toilet section right now, and the gray water section currently. There are certain
820 fixtures that aren't supposed to be disposed of through the gray water. For example, like the kitchen
821 sink is not. So, we feel like it couldn't be 100% gray water.
822
823 Commissioner Garst: OK. Thank you.
824 Commissioner Garst: The other questions that I had were, would an HOA or CC&R be allowed
825 to exclude RVs as housing within their developments?
826
827 Director Foss: Commissioner Garst, the County wouldn't enforce CC&Rs, so that would be a legal
828 issue with the HOA. But even if there was a restriction in an HOA or CC&Rs, the County would
829 still issue a permit for allowing these.

830
831 Commissioner Garst: For the DMV registration, I'm assuming that it would be appropriate for
832 these to the "planned, not in use" type of registration, which are very low fees. Is that what the
833 County was imagining?
834
835 Director Foss: Yeah, I think just as long as... it depends on how they're going to be used, so if it's
836 non-operational, I guess that would be an allowed status with the DMV.
837
838 Commissioner Garst: OK. But these are not intended to be operational, correct? Hence the
839 skirting and the...
840
841 Director Foss: Correct. I don't know what DMV considers non-operational, in terms of if it's just
842 not working or if it's not planned to be moved, so whatever is acceptable would probably be
843 accepted by the County.
844
845 Commissioner Garst: OK. And then I had a question about the sites at 3,200 feet or above. There
846 were two lines in there about 1) a ramada being required over the RV, and the other being a
847 maintenance agreement for shoveling of snow over an RV, which seemed a little redundant. Can
848 you explain the thinking there to me?
849
850 Director Foss: Yeah, those were from our Building recommendations, and I think it's just to ensure
851 that the snow is removed so that the RV and/or the ramada doesn't accumulate snow and collapse
852 and create a safety hazard.
853
854 Commissioner Garst: OK, so the maintenance agreement would be to remove snow off the
855 ramada, not the RV? OK. I think there's maybe a little clarifying language in there.
856
857 Director Foss: I see what you mean.
858
859 Commissioner Garst: And then, can you explain the 10 days that are required that the RV be
860 unoccupied prior to the permit expiring?
861
862 Director Foss: Yeah, the intent is that if it's not renewed or if it's unpermitted, then it needs to be
863 vacated and not, you know, inhabited within 10 days of the permit expiring.
864
865 Commissioner Garst: And that wouldn't apply if it was being renewed?
866
867 Director Foss: Correct.
868
869 Commissioner Garst: OK, I think that's all I had. Thank you.
870
871 Commissioner Foley: I've got just a couple more. One of the big community topics that came up
872 through all the public comment was the question of insurance. Obviously that's on the forefront
873 of everyone's mind here in Nevada County. I guess my question is, can an RV be insured as a
874 rental under a homeowners policy?
875
876 Director Foss: I don't... We did have a recent meeting with Realtors and some appraisers and
877 some..., I don't know if the insurance lenders were there. I think there's still uncertainty on exactly
878 how they would be insured by that side. As far as assessment, they are not assessed as real

879 property. They're assessed as personal property. So, I don't know if that would affect the insurance
880 ability of it being in a unit. It could be insured like a vehicle would be insured, but I don't know
881 that it would be a residential policy.

882
883 Commissioner McAteer: John, I happened to phone Mike Bratton on this same topic. State Farm.
884 and Mike said within the industry, they're not able to insure RVs used as homes because they don't
885 recognize RVs as homes within the insurance industry.

886
887 Commissioner Foley: I guess my follow up question would be, did the County consult with
888 California Fair Plan or any other insurance providers that are still writing policies in this
889 community as to whether or not this ordinance would potentially affect the overlay maps that they
890 do to assess risk, and potentially increase fire insurance more?

891
892 Director Foss: We did not have that specific conversation, no.

893
894 Commissioner McAteer: Sorry to interject again, because I had that conversation with Mike, and
895 you know, this is one guy, I mean, there's a lot of Realtors who know insurance, but Mike is sort
896 of the standard of this county, and Mike said the most interesting thing was, if I own a home and
897 I'm renting out part of my property to an RV, now all of a sudden my home has gone from really
898 a home to a business. Now I'm in the business sector. And he said that insurance companies, that's
899 their number one way to getting you out of getting insurance these days is by, you know, they're
900 looking for ways to kick you out of the system. And so this is one of the ways to be able to say,
901 "Oh, I'm operating my home, my business in my home by having this contractual relationship and
902 receiving rent."

903
904 Commissioner Foley: And I'm not even so much concerned as ...personal, that's upon the property
905 owner to take that level of risk or not. I'm more concerned if, you know, when these insurance
906 companies create their risk assessments of areas and calculate how susceptible they are to fire, and
907 that's what they're basing their premium rates on. Can this in any way affect the overall community,
908 not just the single property? That's a concern that I have.

909
910 Commissioner Garst: I just wanted to add a comment. I think these would be covered under a
911 vehicle insurance policy. My understanding with tiny homes on wheels is that's how they're
912 insured, that they're considered a vehicle, and insurance is, say, \$700.00 a year rather than a home
913 insurance policy.

914
915 Commissioner Foley: And there hasn't been any... no discussion with insurance providers about
916 when the Tiny Homes On Wheels Ordinance was passed?

917
918 Director Barrington: Not that there was a discussion, but at the Board of Realtors, there were a
919 couple insurance people there that said you could get a policy similar to how Commissioner Garst
920 outlined it, and then Travis with Tiny Homes Sole Learning Institute indicated that some of his
921 clients are getting insurance for the year for about \$1,000 for the tiny homes. So, it's going to be
922 similar.

923
924 Commissioner Foley: OK, I guess just my last question would be, do we have any examples of
925 other jurisdictions throughout the state where this has worked, or it's been implemented and
926 worked positively?

927
928 Director Barrington: Not that I found. We did borrow some of the habitability standards from the
929 City of Oakland, who has, like, a Vehicle Residential Ordinance, which isn't as specific to RVs as
930 to vehicles, but otherwise I didn't find any other ones.

931
932 Chair Milman: OK. I thought I knew what we were talking about when we first came in, but as
933 the conversation has gone, it seems more and more to me like an RV as a vehicle, then to convert
934 to a home, that we haven't necessarily worked out exactly how that happens. So, I think the first
935 hint of it is the screening versus the keeping your tires inflated. Like, is this a vehicle that's
936 supposed to stay and be anchored, or is this a vehicle where the tires are supposed to be inflated?
937 But I think more importantly, it comes out in what we were talking about with the utilities. So, if
938 you have a box and then you're plugging it in, that's kind of what we're used to with an RV, if you
939 go to an RV park, right? There's the...But then, what I heard about the sewer is, now that's got to
940 be hard piped. Except that if you're going to... if you go to an RV park that has full hookups, you
941 pull into the pad, the pad has a clean out, and you take a hose, and you connect to that. Or water:
942 there's a water line, and again, you're taking a hose and you're hooking the hose bib up to the hose
943 connection on the RV, but somebody said no, it's going to need to be hard piped, and I don't how
944 you hardpipe an RV. And if you did, why would you inflate the tires? So, it feels like we're a little
945 unsure of how this comes together. Maybe on the Building Department side or...? Correct me if
946 I'm wrong here.

947
948 Director Foss: Yeah. I mean, I think we're definitely treading new ground here a little bit. I think,
949 you know, from a land use perspective, we're trying to treat it as close to a regular building as
950 possible. Insurance and those types of things are a different issue that aren't really related to just
951 strictly land use. Everything in the Zoning Code is geared toward land use, so that it needs to have
952 the appropriate hookups, whatever that is, from Environmental Health, from NID, from whoever
953 the service provider is, given the structure that it is. There may be some allowances if it's an RV
954 that you have a spicket nearby that you hook the water supply to, maybe it needs to be hard lined.
955 I think some of it's going to be site specific, given what type of RV it is, what type of camper it is.
956 So I think some of it is going to need to be determined on a case by case basis that's going to be
957 permitted to the satisfaction of the sewer septic provider, the Building Department, electrical hook-
958 ups, etc. Those are all done at the building permit stage with, you know, the proper inspections
959 given the specific plans of how the vehicle may be wired itself, and I mean wired not only
960 electrical, but plumbing-wise, that could affect how it's hooked up to the septic system, how it's
961 hooked up to electrical, how's it hooked up to water. So, from a land use perspective, in the code,
962 we are trying to treat it just as any other structure, as long as it has the inspected and approvable
963 hookups, whatever the site-specific cases dictate.

964
965 Chair Milman: OK. So, in terms of the way... what we're considering here, we're really talking
966 about the land use piece of it, and then the rest of it potentially gets worked out as part of the
967 Building permit.

968
969 Director Foss: Right. I think they are important questions, and we want to make sure that there is
970 a path to actually get them hooked up and approved. In speaking with the other departments, they
971 do feel confident that these can be permitted and meet inspections to pass electrical standards,
972 sewer, water standards, etc.

973
974 Chair Milman: OK. That makes sense to me. Thank you. Do any of my fellow Commissioners
975 have any other questions? We're running a little behind our schedule, but hopefully our

976 conversation has answered some of the comments or questions that maybe others have. OK. I
977 think at this point, let's take a 10-minute break and then we will come back and open this up for
978 the public comment. So, see you guys back here at 2:55.

979
980 Public hearing paused at 2:45 p.m.

981
982 Public hearing resumed at 2:55 p.m.

983
984 Chair Milman: All right, everybody. Let's get this show back on the road here. Thank you guys
985 very much for the break. I know I appreciated it. So, I think the best way to do this is, as we've
986 done on popular meetings before, is to maybe have five or so folks lined up, and then the rest of
987 you kind of hold your seats so that we cannot have just a mass of people, which it looks like you
988 guys are doing a pretty darn good job, so we'll give this a try. When you come up front, make sure
989 to state your name and where you live, and know that you'll have three minutes for your comments.
990 Is the microphone on there?

991
992 Mr. Durkin: Good afternoon, Commissioners. My name is Tom Durkin. I'm the director of the
993 No Place To Go project. Almost seven years ago, I proposed this idea, and, ...

994
995 Chair Milman: Mr. Durkin, sorry to interrupt you, my understanding was that you have five
996 minutes.

997
998 Mr. Durkin: Thank you very much. I was going to ask you. First of all, I want to compliment
999 you on the very intelligent questions you've asked. They are issues. But I'd like to change the
1000 narrative a little bit, talk about who the people are [who are] going to be served. There is a
1001 prevailing myth that hordes of homeless people are going to invade the county. I've been doing
1002 this for 15 years. I don't see people moving. The University of California, San Francisco,
1003 California, did a statewide study of people experiencing homelessness; 75% don't move, and when
1004 they do move, it's usually for a job or to go home to family and friends, so I don't think we're going
1005 to have to worry about an invasion. We are trying to house local residents: those are college
1006 students, unhoused youths, families (especially single-parent families), low-wage essential
1007 workers, aging and disabled people on fixed income, relative and friends of property owners, and
1008 self-employed creative - we're talking actors, writers, musicians, painters, weavers, architects - all
1009 the creative people to make this county such a special place to be. That's who we're trying to house.
1010 We are not trying to house street people with substance abuse problems or mental severe mental
1011 illness. We want to do a safe camp for them and that's a topic for another discussion. The County
1012 will do some placements with their Behavioral Health and Landlord Liaison Program, and we
1013 support that, but that's not what we're trying to do here. There's an assumption among the
1014 opposition that everybody who lives in a trailer, everybody who's unhoused or unhomed, is trash.
1015 I live in a trailer. I've lived here for seven years. I am not trash. The people I've interviewed with
1016 over the years: there's decent, good people out there. That's the only housing that is available right
1017 now that's affordable to a lot of people. It's the way out of homelessness. I distinguish between
1018 unhoused people who are housing-ready, and chronically homeless people who are not housing-
1019 ready and should not be in housing without supportive services. We heard talk about insurance.
1020 Well, it's a decision everybody has to make personally based on their priorities and values.
1021 Wildfires are a risk to everybody, and we already have people living in trailers; that's the main
1022 constituency that's going to be impacted by this ordinance: people who are already there. I
1023 evacuated. We don't take our homes with them; we leave, just like everybody else. It's too difficult
1024 to haul away an RV, and we don't want that to happen. We don't want RVs and tiny homes on the

1025 road during the fire evacuation, so we would actually like to put an amendment to say that, that
1026 you sign an agreement that you're not going to evacuate during a fire, not going to move your stuff
1027 during evacuation. Let's see. Quality of life - it's relative. If somebody in a house doesn't like an
1028 RV in the neighbor or even in the neighborhood, that impacts their quality of life. But let's talk
1029 about a single father with two children living in a minivan: their quality of life and health and
1030 safety are greatly impacted by this ordinance, which would allow them to live in a home instead
1031 of on the streets in a car. I've done that. It is not a pleasant way to live, and it's not healthy,
1032 especially for children. The code compliance is a problem, but that's not a reason to object to the
1033 ordinance. If a lot of complaints say that the Code Compliance doesn't enforce enough. Well,
1034 that's something to take up with the Code Compliance. But it's not a reason to deny people housing.
1035 Everybody in this county deserves housing. It's a human right. And like cannabis, Title 25, and
1036 title..., this regulation is so strict and so expensive. Very few people are going to be able to comply.
1037 So, I really like the idea of an amnesty for people who are already living.... That's who's going to
1038 be effective the most, whenever there's a complaint. They should have an opportunity to come
1039 into compliance. We support the ordinance fully, but we have the suggestions on how to make it
1040 a better ordinance. Amnesty is a good idea. Waiving fees and permits. Paying for property
1041 improvements or paying for repairs to the RVs are also an incentive, and the reason the County
1042 would do that is, every housing you bring online makes you more eligible for pro-housing
1043 designation. I talked to the State Community Development Department, and they said, "Yeah, we
1044 if we authorize this housing, that will count towards pro-housing designation, which means we get
1045 more money for housing. So, housing for the people, by the people, is a human right. *[Inaudible]*.

1046
1047 Chair Milman: Thank you, Sir.

1048
1049 Ms. Moore: Hi, I'm Beth Moore. I'm a 43-year resident, parent, teacher, homeowner and I own a
1050 business and a commercial property in Grass Valley. I want to thank the staff, Tyler and Brian,
1051 whom I have now seen at several of these, for their in-depth and inclusive and transparent and
1052 lengthy reports and addendums and fixes to try to develop housing solutions from a problem-
1053 solving perspective, and I really appreciate how inclusive these processes have been. I've been to
1054 a few of these now. I'm currently a business owner, but I was a transition special ed teacher for
1055 25 years, and one of the biggest things I did was supporting students in building independence. In
1056 particular, my last 12 years of teaching at Nevada Joint Union High School District and at the high
1057 schools across the county was helping our students with special needs develop all the resources
1058 they would need to live as independently as they could as adults. Singularly, in that effort, as the
1059 most difficult thing was finding a legal, safe, affordable homes for them, especially when they
1060 might need to have supported employment or need significant aids for hygiene and mobility and
1061 all that sort of thing. Some of them were able to be independent on their families' homes by living
1062 in casitas - small trailers, that kind of thing, because it's a fine line between having them be close
1063 enough where they can still get family and agency support and yet have a feeling of independence
1064 and autonomy. But they're not the only ones who need that. We have aging parents. Nevada
1065 County is the oldest per capita county of 58 California counties. And we have approximately 10%.
1066 We have more than 10% of people with access and disability and other challenges. But that's a
1067 typical standard; it's about 10% of our population has disability or access challenges. And so
1068 having aging parents be able to stay in home with caregivers' support or caregiver support for their
1069 children. But for aging people to stay as independent as they can, as long as they can, and even
1070 having caregivers be able to stay in an alternative dwelling, which can include RVs. Also, for
1071 traveling nurses. We see a lot of traveling nurses at our business coming through. They're often
1072 here for four or five months, and they sometimes have a very difficult time finding good standard
1073 living where they can be for just a few months and then go back to wherever they came from. I

1074 love the goals of this particular effort to solve our housing crisis with looking at reduced
1075 development costs, increase housing supply, and having flexible...*[Inaudible]*.

1076
1077 Ms. Banner: Thank you, Commissioners. My name is Janet Banner. I live east of Banner
1078 Mountain on Red Dog Road, and I am concerned about my safety and my husband's safety because
1079 our home is surrounded, our neighborhood is surrounded, by illegal encampments of RVs, RV
1080 trailers, RV campers. But that's not what I'm going to talk about here. I just want you to know
1081 this is why I'm invested in this decision that the County is making. I understand the dilemma that
1082 California faces with unhoused and underhoused residents, and I appreciate Nevada County's
1083 effort to expand affordable housing options. But the current draft ordinance raises significant
1084 safety, infrastructure, and community stewardship concerns. I think, instead of this ordinance to
1085 legalize distributed RV housing in locations many miles from necessary services like in my
1086 neighborhood, the County should provide centralized RV housing locations within town limits like
1087 Grass Valley or Truckee, which would allow residents to access employment, medical and mental
1088 health services, public transit, and just shopping, like, going to Safeway. Centralized RV locations
1089 could be built with full hookups, sewer, water, electricity, thereby eliminating many of the hazards
1090 of distributed RV housing located in our very high-fire-risk forested properties. Thank you.

1091
1092 Ms. Graber: Maureen Graber, District One. I appreciate you bringing up the whole homeowners
1093 insurance issue. A couple months ago, I called Department of Insurance and asked them if we
1094 were to have such a model, what would the impact [be] on wildfire insurance for us? And I was
1095 told, since this model does not yet exist, they were not willing to engage in that conversation. But
1096 I think it's a very important conversation. Local governments are under significant pressure and
1097 scrutiny to comply with state-mandated affordable housing requirements. Nevada County is ahead
1098 of the curve, as demonstrated by its recent pro-housing designation by California Department of
1099 Housing and Community Development. This has the potential to position Nevada County for
1100 additional housing funding. A very good thing, but striving to receive funding or avoid penalties
1101 or to avoid development costs should not be the sole consideration when seeking affordable
1102 housing options. Impacts must be thoughtfully considered. Simply checking a box to influence
1103 housing data on a state report is not a very good thing. County leadership is well aware of its very
1104 high wildfire risk rating. It is County leadership's responsibility to mitigate this risk, to protect its
1105 citizens. As a community member very interested in the causes and impact of wildfire, I have
1106 heard from fire officials over and over again, people start fires. Human ignorance, carelessness,
1107 and/or negligence starts fires. Adding more people into a very high wildfire risk area without
1108 addressing infrastructure deficits increases risk. Adding more people into unincorporated areas
1109 already identified by the County's own evacuation plan as having insufficient evacuation routes
1110 increases risk. Adding people into densely forested unincorporated areas without fire hydrants
1111 increases risk. Adding people into densely forested very high wildfire risk areas without sufficient
1112 evacuation routes or fire hydrants in RVs leading to a quasi-camping lifestyle increases risk.
1113 Increasing wildfire risk elevates the likelihood of loss of life, property, and local economic
1114 stability. As a governing body, you are tasked with understanding the risk/benefit analysis of this
1115 draft ordinance. Please take the time necessary to vet options, alternatives, and mitigation
1116 strategies to ensure you are not creating a very significant new risk for our county and its citizens,
1117 regardless of whether those citizens reside in traditional homes, tiny homes, or potentially RVs.
1118 Thank you.

1119
1120 Ms. Doolittle: Commissioners, staff. My name is Catherine Doolittle. I live in Nevada City, and
1121 I served as the outreach director for Nevada County Home Path starting in 2021, where we and
1122 our team presented a plan written by experts in the field of homelessness to community groups

1123 and churches in our county. This blueprint was for a safe camping area and safe parking area for
1124 RVs and campers in a central location close to all the services, and also for those who live in cars,
1125 along with the Navigation Center, which had not been realized at that time. Of the groups to whom
1126 we presented, we received 90% positive support. As a board member of United Way, a home
1127 owner, and an active community member, I appreciate your leadership and the hardworking
1128 County staff, again, for your serious consideration of both the real life experiences shared here
1129 today of living in fear of being forced from your home, and equally for your efforts identifying the
1130 concerns outlined by property owners that can be thoughtfully addressed through Planning. I ask
1131 that the permit requirement and the path to compliance be developed with a strong goal of
1132 affordability, as well as to ensure that rentals are reserved for locals who need housing and not for
1133 vacation rentals of any length. Thank you.

1134
1135 Ms. Nichols: Hi, my name is Robin Nichols. I'm District One. Thank you, Commissioners. I
1136 have a few questions. My understanding is that the purpose of this ordinance is fourfold. First, to
1137 provide much needed affordable housing in our county. Secondly, for the County to establish
1138 health, safety, and zoning standards for residential RVs. Third, as a vehicle for the County to
1139 inspect RVs currently being used as residences to bring them into health/safety compliance. And
1140 finally, for those who are currently using RVs as residences to come into compliance. I have a
1141 few concerns: I'm not understanding why RVs aren't being held to the same standards of ADUs
1142 in terms of setbacks, power supply, septic and water supply. I know that a lot of people are
1143 concerned about seeing RVs in their neighborhood, and they're concerned about the sightly issues.
1144 But honestly, there are RVs parked throughout all neighborhoods, even in \$1,000,000
1145 neighborhoods. My understanding is that ADUs may share the power, water, and sewer/septic
1146 supplies of a primary residence, so it makes sense that RV installations would be able to follow
1147 the same requirements. Again, I would suggest following the requirements of an RV park.
1148 Everything is hardwired and hard plumbed to the connection and it's on a gravel or a pavement
1149 base, as is required in the..., but then from the connection to the RV, it would be just as if you
1150 were in an RV park. Septic capacity should be sized to meet the added load of an RV and the
1151 occupancy in the RV should reflect the septic capacity. My understanding is that the current code
1152 is set to up to two occupants per bedroom. If Environmental Health requires 100% repair area
1153 within an ADU, this should be the same standard for RVs, without requiring..., I mean you could
1154 have five people in an RV and it could overload the system, and I think that would be an
1155 Environmental Health issue. Regarding Mike Bratton's concern about properties being designed
1156 as businesses, renting an RV is no more or less a business than renting an ADU, so that didn't quite
1157 make sense to me. If a ramada is built, it should be built to handle the snow load, so shoveling
1158 snow should not be required. Centralized RVs are a good idea, but they would still be rentals and
1159 would not provide a legal way for homeowners to house family members or provide additional
1160 housing. RVs should be allowed as a primary residence with the requirement of all infrastructure
1161 needed to be in place. A lot of people can afford to develop a piece of property, but they can't
1162 afford to build. Allowing them to put an RV, as long as they follow all the developmental standards
1163 and requirements, would give people a path to home ownership as opposed to renting in a mobile
1164 home park where maybe they're paying \$1,000 a month, or an RV park: the one across from the
1165 fairgrounds is \$100 dollars a night, so this is not meeting our affordable housing initiative or our
1166 intentions. I would also like to see that you allow one RV per every three acres, again with a
1167 requirement that septic, water, electricity, and egress be in place for each...[inaudible].

1168
1169 Mr. Triolo: Good afternoon. I'm Mark Triolo, I live in Nevada City. I'd like to address my
1170 comments toward the permitting process and specifically to respectfully ask you to consider the
1171 total cost of the permits and the upgrades that would be required per the conversations we've had

1172 here today. By the time you consider electrical, plumbing, sewer and the permit itself, plus sounds
1173 like numerous other possible upgrades that would be required, you're quickly approaching \$10,000
1174 or even more, I mean a very, very significant expense. It may be possible that people that are
1175 looking to use these kinds of dwellings may not have the financial wherewithal to bear that burden.
1176 So, personally, I'm feeling as though there is a very high probability that most of these units will
1177 go unpermitted, and then we'll have the safety issues and other issues that have been raised today
1178 as a follow on to that. So, I'd ask you to please consider that in your decision. Thank you.

1179
1180 Ms. Elden: Good afternoon. Chris Elden, District One up on Banner Mountain at 3,626 elevation.
1181 During "Snowmageddon," we had six feet of snow on the ground. I commend everyone for the
1182 tiny homes project. I'm a little dismayed that there's only been five in the months that it's been
1183 activated. However, I do understand the responsible homeowners and landowners want to play by
1184 the rules, and unfortunately, in allowing RVs to be used as primary homes for individuals, I know
1185 for a fact in our area, there have been numerous code enforcement requests put in and we have
1186 seen no resolution. We are in the process with our neighborhood watch organization to have
1187 additional meetings because of irresponsible property owners within our area that allow more than
1188 one, more than two, possibly upwards of 60 or more, illegal units allowing people to live without
1189 electricity, without water, and definitely without sewer in our area. There have been several
1190 instances of felons being arrested in our area, illegal fireworks that started fires July 4th evening,
1191 other fires that have been started by people living on the edge but by known property owners that
1192 are allowing this. I'm actually OK with the recommendations, but there needs to be additional
1193 code enforcement that can actually do something when the community points this stuff out. Thank
1194 you very much. I think there's a lot going on that's not understood and I just want to be on record
1195 that it's occurring. It's not our average homeowner and landowner, it's others.

1196
1197 Mr. Blake: Hello, thank you for your time. My name's Ariel Blake. I live in Nevada City, and I
1198 come here both as a representative for the safe program at Bright Futures for Youth, which attempts
1199 to provide services and housing for the youth in our community, and also a parent of two school-
1200 aged children here. Trailers are not an ideal situation for anyone, but without any substantial
1201 improvements in affordable housing in our community, I mean, it's a pretty necessary short-term
1202 solution. I think a lot of people have spoken a lot of things, but the homeless youth situation in our
1203 community is pretty serious and often unseen and overlooked, because they're not as visible as
1204 some of our other homeless. But currently our agency has 93 active clients, 60% of which are
1205 actively homeless. You know, these are our sons and daughters coming into adulthood without
1206 affordable places to live. These are good kids, oftentimes employed, and I don't know if anyone's
1207 been paying attention to how rents have just skyrocketed in our county in the past, you know, four
1208 or five years, but there is something that's not working for our kids as they come into adulthood,
1209 and anything that provides a meaningful option, that creates a little bit of stability, a little bit of
1210 care for them to come into this new stage of life: these are really important things to work on as a
1211 community. And so, I'm here to recommend relaxing of the three-acre limit; that provides much
1212 more options, especially closer to town, closer to services jobs for people who are actually in need
1213 and anything that creates less barriers, certainly the cost of these permits, reducing those, just
1214 trying to create as much access as possible, should be really important here. We want to create
1215 affordable housing. We don't want more, you know, \$1200 studio apartments that people with a
1216 full time job can't afford. So, thank you so much for your time.

1217
1218 Mr. Price: Yes, Charlie Price, I live on Zion St. in Nevada City. I want to address some of the
1219 issues here. Your clock started before I did. Hope I can squeeze this in now. *[Singing]* 🎵 You'll
1220 be told RVs aren't meant for full-time living. Yet retired folks do it all the time. They sell their

1221 homes, move in to an RV, they'll tell you full-time RV is fine. They're happy living in an RV,
1222 rolling from state to state. Ask them. They'll tell you, full-time RV-ing is great. You'll be told
1223 RVs lower home values, they're unsightly, drive around you see 'em everywhere. It's not the RV
1224 folks are worried about, it's who'll be living in them: drug-addicted alcoholics got 'em scared.
1225 Nobody wants a hobo living right next to them, near their house, on their land. Who'd they rent
1226 to ♪? *[Regular speaking]* That clock's got me bothered. *[Singing]* ♪Think about who they'd rent
1227 to, to be near their house, on their land: retired folks, kids in college, the working poor, might be
1228 their own adult son just starting out, or their elderly parents they want near their door. Now, some
1229 folks want this county to be their own HOA and they want CC&Rs to expand. This isn't just low-
1230 income housing; it's property rights, so an owner could have more control over their land ♪.
1231 *[Regular speaking]* Thanks, you guys. I've got an RV, and actually I let a waitress that was living
1232 in her car staying for a little while. Now I realize it was illegal. And I can tell you that moving an
1233 RV out during a fire isn't that hard when it's not hooked up. But, hooking up an RV the way you're
1234 talking about, nobody would spend the time getting it road-ready in the need of an evacuation. So,
1235 the reality is, your ordinance will keep RVs off of the road during an evacuation. Thank you.

1236
1237 Ms. Flores Lathan: Hi, thanks for your time. My name is Liz Flores Lathan. I'm a local Realtor
1238 and homeowner. My home is actually zoned RA-3, so I'm one of the homes that would qualify to
1239 have an RV legally for rent on it. I just want to say that I appreciate that all of these, like, safety
1240 standards and defensible space and all these concerns have been addressed in the ordinance. I think
1241 that documentation and knowledge of what's going on, it creates a path for follow-up and
1242 compliance and better safety standards. One concern I do have is affordability for compliance. If
1243 it's not affordable, it's not going to address the concerns of anybody who opposes this ordinance.
1244 So, I know there's a lot of people in the nonprofit sector here and hopefully we can all put our
1245 heads together and figure out a way to let people do this legally, because we don't want to create
1246 extra hazards or make our community members and our neighbors unhappy. I do feel that RA-3
1247 is great for use like this. My neighbors have horses, sheep, chickens, a woodshop: all these uses,
1248 and we don't really get in each other's way, and we are far enough away from each other where
1249 we're not even able to see what's going on on our next door neighbors' properties. I think that the
1250 three-acre lot size is perfect for something like this. I just want to comment that a lot of us, we are
1251 only a couple missed mortgage payments away from needing an alternative housing situation.
1252 Things are getting a lot more expensive. I have a friend who had to live in an RV for about a year
1253 until she got on her feet with her kids. We really need options like this for people, safe housing
1254 options, giving them extra time, extending some flexibility, because we don't want our community
1255 members to feel fearful, have to move to another state. We want our amazing people to stay here.
1256 But we're going through some large economic shifts, and we need creative solutions. I think that
1257 this is a creative solution. I don't see it being overused. Hopefully, we can make it more affordable.
1258 I think we can have a synergistic effect when people feel housed and safe, but we do need to have
1259 a balance, and we need to respect everybody's concerns and find an affordable way to make this
1260 legal. Thank you.

1261
1262 Ms. Ramsey: My name is Joan Ramsey. I'm a mental health professional living and working in
1263 Nevada County since 1985. I'm very concerned about the lack of affordable housing that has
1264 driven young and low-income working people and disabled people into living illegally in
1265 recreational vehicles. Many people are currently living under the threat of being discovered and
1266 forced out with nowhere else to go. Many of these existing situations include children. I'm
1267 concerned about the mental health consequences of the anxiety created by never knowing if you're
1268 about to be forced out of your home and the huge stress when it finally happens. People can be
1269 forced into the woods, which is far more dangerous for them, and with the community. I'm in

1270 favor of this ordinance to allow recreational vehicles to become legitimate homes. I would prefer
1271 that the ordinance allow preexisting inhabited wheel homes to be brought into alignment with a
1272 health and safety conditions that has flexibility for unique circumstances. Some might meet all
1273 requirements to ensure health and safety and neighbor concerns but not exactly meet the letter of
1274 the ordinance as written, for example, an already existing situation that is safe and not bothering
1275 anyone, but is located on a 2.5-acre lot. I believe this three-acre lot size limit is too restrictive. I
1276 would like for the ordinance to allow for common sense and compassion with enforcement aimed
1277 at supporting, bringing existing living situations into safe conditions acceptable to immediate
1278 neighbors, as opposed to eviction. Thank you.

1279
1280 Ms. Rabane: My name is Joanne Rabane. I live in District One. So far, the County has not
1281 demonstrated any capacity to enforce anything. That's a big problem. I believe it's premature to
1282 entertain permitting people to live permanently in an RV. Recent attempts by the County to
1283 increase the affordable, low-cost, low-income housing supply have not generated evidence of
1284 acceptance. According to Brian Foss, County Planning Director, in two years, only two ADUs
1285 have been permitted, and no preapproved ADU plans have been used. Only four tiny homes on
1286 wheels have been permitted, and only six Title 25 dwellings have made use of the lesser Building
1287 codes. Clearly, Nevada County property owners have no appetite for utilizing the tools like this
1288 proposed ordinance. We must give ourselves time to realize the benefits of what's here and what's
1289 coming. A split-level use psychiatric care facilities coming here, the County has grant funding
1290 available to repair and replace manufactured mobile homes, new housing developments have a
1291 new financing tool for infrastructure buildouts, and the Veterans Department here helps vets find
1292 housing. Hospitality House, Project Art, and the two women's shelters help with housing. The
1293 RV Dwelling draft seems reasonable until you study it closely. The cost of compliance could
1294 easily exceed \$25,000 or more, which will not incentivize anyone to undertake all the required
1295 steps to comply with these rules. If the measure is passed as it is, without major changes in penalties
1296 and enforcement provisions spelled out, it will continue and encourage continued scofflaw RVs
1297 and continuation of the well-known safety, health, fire safety issues, and dangers well known to
1298 everyone in this county. Everyone has seen an RV wreck on the freeway. You know that the walls
1299 and the roof are paper thin, and that the construction barely holds together. Trailers and RVs are
1300 not meant to be permanent residences. I've lived in one while my house was under construction.
1301 It's hard. It's not easy. So, I hope that you will read the stuff I prepared for you earlier, and I urge
1302 you to oppose this ordinance. Thank you.

1303
1304 Ms. Mazan: My name is Jackie Mazan. I'm a long-term resident up on top of Banner Mountain
1305 at 3,800 feet. I've lived there my whole life, practically. Built my house in '81, started in '77.
1306 Nobody was up there except one person in a trailer down the road who was going to eventually
1307 build their house, and one winter was so bad we had no power forever, and no plows went that far.
1308 So, I hiked it down to their trailer to see how they were doing. A mother and three kids. The dad
1309 was always away on business. I don't know what he did, but he was always gone from once at a
1310 time. I was horrified during this power outage to find... I knocked on the door, they were huddled
1311 in this little trailer with the burners on, with the stove for heat. And this happened all the time. We
1312 had blackouts constantly up there in the winter. But anyway, that's just a horrible memory of
1313 somebody living in a trailer. And I feel sorry for anybody that's now living in trailers up there,
1314 illegally. Living in these conditions, I really feel sorry for them, and I wish that there was an
1315 alternative other than this that we're proposing. What are the consequences? That's what I want
1316 to know. One of the consequences for people that do not permit and end up causing havoc because
1317 we've had havoc up in our neighborhoods: fires, trash, break ins, dogs fighting pets, all kinds of
1318 crap, loose chickens, loose goats...I don't know, it's been so strange. It was never like this. It's

1319 really bad up there. What are the consequences if they don't permit? I don't know. What are the
1320 consequences? Nobody ever talks about that. Do they just give him an extension or, "You poor
1321 thing, we'll just extend you another two years." You know, it's not acceptable. Also, now I have a
1322 new concern: Environmental Health said that when they dump their chemicals into the septic
1323 system, it's going to leach into the ground, poison my water. I don't want that. I'm really worried
1324 about that now. Thanks a lot. That's another concern on my list of 50 concerns I have for my
1325 safety. Fire safety: we've had fires up there on Banner. Nobody knows who starts them, but we
1326 know who starts them. Anyway, those are my concerns. I appreciate your listening, and I hope
1327 that you consider these things in your decision. Thank you.

1328
1329 Mr. Beal: Hi, I'm James Beal. I live in your South District. I currently see, within five miles of
1330 my place, RVs are already there. Most of them are already vacant and just sitting there on the
1331 property, and the whole thing in the South District, I've already gone through two fires: the Dog
1332 Bar Fire and the River Fire. Both of them are pretty scary. I mean, you see planes and it... like I
1333 said, having animals, having family, worrying about my house. Also, the other is,...sorry, I'm
1334 getting really emotional about this. I'm more worried about my insurance going up because of
1335 them bringing stuff in that...Why? I have a neighbor right now. He ends up bringing stuff on the
1336 property. I've already had to fight with my insurance company, saying that it's not my stuff, it's
1337 actually my neighbor's stuff. And I mean, it's just more and more, and I'm always going... when
1338 he shows up, I have to go out, I'm wondering what else is coming on the property. What is my
1339 insurance going to do for me? Nothing, except cancel me. The other is Code Enforcement. I'm
1340 dealing with Code Enforcement, with this person right now, and they're taking...they don't push
1341 the issue. They end up saying it's a slow process. I've been dealing with a grading permit for three
1342 years now, and nothing's being done. The only thing I get is, "It takes time; we can only do so
1343 much." I mean it's just..., I worry about my property value going down because of other stuff
1344 being brought on. I mean, having vacant RVs within...right next door to you, right on the property
1345 line. Like I said, it just infuriates me. I mean, I'm for it, but also, be respectful. You just need to
1346 be respectful of your other property owners with you. Thank you.

1347
1348 Mr. Silberstein: Good afternoon. I'm Ralph Silberstein, from the CEA Foundation. That's
1349 Community Environmental Advocates Foundation. I think this gentleman before me here raised...

1350

1351 Chair Milman: I believe, as representative of that organization, you get five minutes.

1352

1353 Mr. Silberstein: Oh, thank you. I'll hopefully only be a minute. Appreciate it, though. There's a
1354 lot of fear and concern about, you know, the impact of this. But then on the other hand, he and
1355 other people pointed out that we have a problem already, in the sense that we have so many people
1356 in the woods living in, you know, in trailers and such, because that's all they can manage, or
1357 abandoning trailers. So, I kind of feel like it's good to have a regulatory standard, at least, you can
1358 go out the door with and say, "Well, you're too close to the property line. You need to move
1359 your..., you know, plan to put it in the right spot, do these few things, and it'll be better. I think
1360 the County has done a good job of going through and looking at the needs in order to make this to
1361 where it will be minimally disruptive and will comply with existing code. In general, CEA
1362 Foundation supports this ordinance. We do have some concerns and a lot of them have been
1363 voiced. I think they all kind of come under the general heading of, like, aesthetics. There may be
1364 appropriate need for screening in cases where it's visible from the road, or something like that. Or
1365 setbacks that are sufficient to satisfy that. And then, other than that, I think that given the issues
1366 with Code Enforcement and the fact that this will be an additional responsibility, it seems like it
1367 should be planned to have staff dedicated to this task, you know, to enforce it. But also, I think

1368 there's a real narrow window of people who can utilize this. Just like with the ADUs, people with
1369 existing houses, they want to spend the money, do it right, get the code and so forth. And that'll be
1370 a lot better than just going and plopping another trailer down in their backyard and renting it out.
1371 So, that's my thoughts. Thank you very much.

1372
1373 Mr. Zapowski: My name is Matthew Zapowski. I live in Nevada City downtown. I am a lifelong
1374 local resident here. Moved here when I was two, so not quite lifelong, but close. Currently a
1375 certified financial planner. Before that, I was a bartender and a server at various restaurants in the
1376 county for about 20 years. Father of an 18-year-old son. What has struck me most about this
1377 conversation we've been having is the extent to which everybody in this room seems to genuinely
1378 want the same thing, which is for our community to be safe, for the people in it to be safe, and to
1379 be OK. None of us want an invasion of people come in here, burning things down, throwing their
1380 trash everywhere. None of us are here for that. What I'm so, so, so tired of is watching the people
1381 I care about get priced out of this community. It's been happening for decades. I've had to say
1382 goodbye to so many friends who just cannot afford rent here. You know, I was working the good
1383 jobs in the bars and restaurants. The people who were in the kitchens, the people who are bussing
1384 the tables, all of them, for the most part, had some sort of alternative housing solution. You cannot
1385 make the minimum rent in this county on minimum wage right now. It is not happening, and I
1386 don't think that those of you... You know, none of you up there have any higher responsibility
1387 than solving that problem. There is never going to be a perfect solution that crosses your desk.
1388 There's always going to be problems. Working out the technical details is, you know, nothing but
1389 respect for the work that the County, all of you on the Board, all of you on the Commission, you
1390 know, you're all trying to find these solutions, and I really respect that. It's never going to be
1391 perfect, and it's not enough to say, "Well, once we have a perfect solution, or once we see how
1392 everything else plays out, or we need to be patient, or we're trying to do so many things already..."
1393 Something needs to happen, and this is something that's going to help some people. The people,
1394 out of all of the hundreds and hundreds of RVs that are inhabited in this county, the narrow slice
1395 that are actually going to apply for these permits are going to be the people who want to follow
1396 the rules, who are actually committed to doing this right, and that is exactly what we should, all of
1397 us in this room, that's what we should be trying to support. These are not the ones who are going
1398 to be throwing their trash everywhere. These are not the ones who are going to be burning their
1399 RV down. But if these borderline people who are struggling to find housing right now actually
1400 fall through the cracks, a few of them might conveniently move away and be somebody else's
1401 problem on the streets. But most of them are going to end up in the woods here, end up in the
1402 streets here and up in the corner of the parking lots of the grocery stores here. They're going to get
1403 addicted to drugs. They're going to start doing crime. They're going to fall through the cracks.
1404 They're going to die. And those are the people that we are trying to save and that is what makes
1405 this community safe. The problems that people are afraid of are the problems that they're going to
1406 create if they don't work collaboratively. Thank you.

1407
1408 Ms. Vivang: Hi and thank you for all the work you've done. My name is Leilani Vivang, and I
1409 live in...[inaudible]. So, I want to say thank you, and I want to say thank you to everyone in the
1410 Building Department and Planning department. This is, I think, my third meeting. Anyway, to get
1411 to the point. We have a very kind-hearted community, and all of us want to have everyone have a
1412 home, you know, a Christmas tree, a puppy, you know, we want it all, for everybody. But some
1413 of these things, we try really hard, I think that this one isn't quite cutting it for a couple of things
1414 that became obvious today. Number 1: Code Compliance. I know nobody wants to be a bad guy,
1415 but they're just..., it's not happening. I mean, if there's no penalty, then what's your incentive to
1416 follow the code or do what you're supposed to do? So, I think it's pretty obvious that our Code

1417 Compliance is not going to be able to handle this. Then the septic issue: it was all going along
1418 pretty well for a while until I realized, “Wait a second, you're saying if someone's got a three-
1419 bedroom home and their septic is compliant and they hook up an RV, the RV people..., what?
1420 They don't go to the bathroom? I mean, come on. You have to include what their refuge is into
1421 the system too. So, I think Environmental Health has to look at that again and say, “You're adding
1422 people to the system, we want the system to work, let's look at that.” And then the last thing is,
1423 and this is where you're going to burn me at the stake: You know what? It's expensive to live in
1424 Nevada County. We can't all live where we want to. I know that doesn't sound nice. Nobody
1425 likes it. I mean, a part of me would like to live in Pebble Beach, but hey, instead I have to scrape
1426 my way and live on my land in Penn Valley, which I love, and really I prefer it. But what I'm
1427 saying is, I work in a lot of counties and I've seen the influx of people taking an advantage of new
1428 programs that are available, and I say that this looks like an open door. I mean, people say they
1429 don't want to think that people are going to come here. But I think it is true that they might. So,
1430 I'm saying, you know what, when you're young, sometimes you have to, like, rent in a building.
1431 You have to live in a small house. You may have to, like, move to Fresno or somewhere,
1432 Bakersfield, that you don't like. But then when you can afford it, you can move to a place that you
1433 like. I mean, I'm old. I'm working so I can live in a place I like. Anyway, thank you very much.
1434

1435 Ms. Kroger: Hello, thank you for having this meeting and I appreciated a lot of the questions,
1436 because they brought up things that I read through, some of the stuff online, a lot of things I hadn't
1437 thought about. So, I appreciate a lot of the things you brought up. I think this...
1438

1439 Chair Milman: Could you tell us your name and...?
1440

1441 Ms. Kroger: Oh, I'm sorry. I'm Karen Kroger. I'm a retired financial planner, and I live in Nevada
1442 City, and I've lived in the county since 1980. I've watched as community grow a lot. This
1443 ordinance is a good start. I think it has a lot of parts to be worked on. The insurance thing that was
1444 brought up, you know, fire mitigation, all those other things. I think three acres is too big. I think
1445 you should, once you get it all ironed out, someone who has an acre, but it... should be able to
1446 have a motor home, and that their uncle or their niece or their daughter live in it until they can get
1447 on their feet. This isn't going to be rented. This RV that I put on my property, I'm not going to
1448 rent it to some homeless person that's going to be doing meth or having parties. They're going to
1449 be on my property. I'm going to care who lives there. We need more affordable housing. The
1450 housing costs here are horrendous, and most of us don't want to move to Fresno. So, I think we
1451 need to find some better alternatives and I'm glad that you guys are at least addressing this. Thank
1452 you for your time.
1453

1454 Mr. Holman: Hello, my name is Dave Holman. I've been a resident of Nevada County for 45
1455 years. I have 10 acres in Penn Valley. I've lived on my property for 23 years now. My son has
1456 been there for 22 years. Another friend, 14 years. I have one other person, a newcomer whose
1457 been there for four years, all old friends of mine. We will be homeless if we just didn't have our
1458 RVs to live in. The way the ordinance is written up right now, it would be impossible for us to
1459 afford to do all the hookups in the permits. I was turned in to the County a little over a year ago,
1460 so I don't know why... I guess there's a moratorium on removing people from their RVs right now,
1461 and that's why I'm still there. But even if this ordinance is passed, as a few other people have
1462 mentioned, the costs are prohibitive. And as it is, it looks like two elderly people and two senior
1463 citizens are going to be homeless. Please do something about it. Thank you.
1464

1465 Mr. Lassoni: Good afternoon. My name is Joseph Lassoni. I'm a resident of Nevada County. I

1466 live at 1606 Mulberry Dr. in the Olympia Glade Mobile Home Park in Grass Valley. My purpose
1467 here today is to voice my objection to the RV Ordinance that is currently constituted. My attention
1468 was drawn to this only recently by very powerful and very well-reasoned editorial that was
1469 published in the Nevada Union. The editorial sets forth many reasons as to why this ordinance
1470 should not be approved of in its present state. I have forwarded and mailed a copy of that editorial
1471 to each of your offices; I don't know if you received it. I'm sorry it was sent in at such late notice.
1472 I have been a consumer protection attorney and environmental attorney for more than 40 years in
1473 California. It is my considered opinion, after reading that editorial and all the reasons set forth
1474 there and in verifying their accuracy, that this ordinance, in its presented state, constitutes a clear
1475 and present danger to the safety of every resident and every wildlife animal in the county that we
1476 currently reside in. It does not adequately address many issues, in my mind, most importantly the
1477 risk associated with wildfires. In my career, I had the privilege of being a presidential advisor to
1478 two presidents, Jimmy Carter and Ronald Reagan. Jimmy Carter, as you probably know, was the
1479 author of FEMA, the Federal Emergency Management Agency. Ronald Regan, after he took over
1480 from Jimmy Carter, did wonders in making sure that that agency's stated existence was well-
1481 funded and he was able to do his job. I'm here to urge you strenuously urge you to vote no on this
1482 RV Ordinance. Thank you very much for your time and consideration.

1483
1484 Ms. Donofrio: My name is Ursula Donofrio. I'm from District One. So, when passing the Tiny
1485 Homes Ordinance just in January, the County specified it did not include RVs because, to quote
1486 the County, "This distinction ensures that housing options meet safety and durability standards."
1487 So, I guess I'm confused. What changed since January? RVs are still a fire risk due to lower safety
1488 standards. They don't protect occupants from temperature extremes or outside contaminants like
1489 smoke because they lack the insulation and seals of an actual residential unit. RVs are not equipped
1490 for long-term waste disposal, so connections to a sewage system are critical, yet exceptions will
1491 be allowed, and it's these exceptions that will contribute to contaminated soils, creeks, rivers, and
1492 wells. My only source of water is a well, and I'm wondering if I have the right to clean drinking
1493 water. Just this summer we had E-coli warnings posted on lower Deer Creek in Downtown Nevada
1494 City. I mean, this is an issue. If this ordinance passes, a few may spend the time and money on
1495 permits, but most won't. As we've heard, they know the County won't bother them, and I think we
1496 will have an influx of RVs filling our hillsides, because essentially you would be normalizing
1497 camping as our affordable housing solution. You are increasing density because buying a tent
1498 camper on Craigslist for \$500 is cheap and easy, so you will have more residents. I'm just
1499 wondering how will insurers and the Fair Plan view this change in land use? I mean, to me the
1500 biggest issue is fire insurance, because if it goes up even more than it already is, you completely
1501 exacerbate housing affordability in this county. I know you can insure an RV and its contents, but
1502 the question that I've asked numerous insurance agents is, if a fire is created by RV tenants cooking
1503 outside under a tree canopy, and the primary house burns, will their insurance cover their property
1504 and their home? If it spreads to an adjoining property, will their insurer cover their loss? Or will
1505 they say, "Sue your neighbor; they're the ones who are renting."

1506
1507 Mr. Harris: Hello, I'm Don Harris. I'm with the No Place To Go project and also the Nevada
1508 County Arts Council. This is a very thorough proposal, and it needs to be more thorough, as we
1509 see from the kinds of questions that are asked. You know, the professionals that were involved
1510 and gave us a presentation earlier, I have a lot of faith in them. The ordinance is written in a very
1511 complex way. There's a lot of complex issues here. I think the woman just spoke before me in
1512 asking the insurance questions, we have to fight this on a number of fronts. First of all, if the
1513 neighbor is suing the neighbor, they're going to end up going through the Cal Fair play it anyway.
1514 We're all going to be suing through them; that's because they're the only ones that will insure us.

1515 I'm a veteran, and I could not get insurance on my property, even from the Veterans Insurance
1516 Association. They will serve veterans to do anything, but not here. The minute I said my ZIP code,
1517 they aced me out. You know the situation that we are going to be faced with, if this does go
1518 through, is that every issue, every detail is not going to be nailed down. I like what I heard earlier
1519 from you guys about, "You know, maybe..., oh, we see this here and there." Flexibility is not a
1520 bad thing when we're dealing with professionals. They're going to make the right decisions when
1521 they get there. They have the same stake in this county that we do, so I think that's important. For
1522 40 years I've seen this homeless problem. I worked in an emergency room in 1982 when we first
1523 saw the homeless veterans on the streets, and that was tough to see. And here we are, 40 years
1524 later, making only minimal progress, if any, and we haven't really come up with any new solutions.
1525 This is a creative solution that is in the hands of the private sector. We talk about not wanting the
1526 government to handle everything that we're doing. We're turning this over to the property owners.
1527 I own a three-acre piece of property. This ordinance turns it over to the property owners and allows
1528 them to make a decision about what they want on their property, how to manage it, how to work
1529 with their neighbors. This is bringing all of us together. Agreement or disagreement, we're talking
1530 about the same issues, and we're trying to get to some solutions, and this is a private sector solution
1531 and it's a very good one. So, in general, this is just one step in I think a longer process. If we try
1532 to do a "one size fits all," and think we're going to solve every problem right now, it's not going to
1533 happen. Through the 40 years that I've seen this problem develop, we continually stumble over
1534 the same old things. Every city, every municipality, just doing the same things. Here we have a
1535 chance for something fresh and new that our County officials have really put their, you know, they
1536 put their nose in the grindstone, really making something that is substantive. Is it perfect? Does
1537 it have everything nailed down? It's never going to have everything nailed down, but I appreciate
1538 the effort. I appreciate even the folks that I disagree with on some of this because some of the
1539 issues are really important. The water issue - super important; fire evacuation - super important.
1540 These are all things we need to look at, but it's not... none of these are reasons not to do this. This
1541 is step one in trying to get this whole problem solved. We have a county of about 102,000 people.
1542 We're not that large. I think we can craft some solutions that we can agree on and make it work
1543 and come back to the body like this where we all have oversight. I feel like I'm part of an oversight
1544 committee here because we get to comment to you about what we see. You get to take our
1545 observations and hopefully put them into place somehow. So again, thanks to everybody for all
1546 the efforts going to this. We really want to see this thing solved. This is step one. Thank you.

1547
1548 Mr. Norp: Hello, my name is Scott Norp. I'm the Firewise lead for my neighborhood in Nevada
1549 City, and I had a lot of comments written down, but realizing a lot of them covered already, so I'm
1550 it's quite spellbinding, but I'll just kind of cut to the chase. I do think this is a dangerous ordinance
1551 and mainly because RVs are not meant to be permanent dwellings. If you've ever looked on
1552 YouTube, just Google RVs burning, and you'll see they go up quite quickly and created a very
1553 dangerous situation for the rest of us. Also worried about enforcement. We've got... California
1554 has 50% of the nation's unsheltered homeless population. A lot of those people are in RVs and
1555 cities like San Francisco and Oakland, which apparently we're trying to emulate Oakland here.
1556 And those cities are cracking down on them, and once they hear we're the only county in this state
1557 that allows this, you're going to have people coming up in their RVs and they're going to hear,
1558 "Oh, the enforcement is not really that strong, so you know, we can probably get away with an
1559 illegal RV settlement." So those would be a couple of my concerns. My other concern is just
1560 health issues. I mean, see, if you have 17,000 people sued FEMA during the Katrina situation, it
1561 was for things like unhealthy things in in the trailers, which are built to RV specs. So, I think
1562 there's a lot more to consider here than just, you know, throw RVs out there, hook them up to
1563 septic and electric, and call it a day. So, other than that, thank you for your time.

1564
1565 Mr. Hanses: Hi there, greetings to everyone. My name is Tony Hanses. I've lived in Rough and
1566 Ready for nine years, and in the words of one of your Code Compliance officers...by the way, I'm
1567 against this and I think most people are. I have a bad actor in my neighborhood on a nine-foot
1568 gravel road that lives down the street, less than 500 feet away, and for almost four years, he has
1569 turned his property into a trailer park, had three trailers hidden on it. I went to the City, and it took
1570 over six months for those trailers to be removed. I don't know if he paid any fines. He lied to your
1571 inspectors. Then, three months after that, he put another RV on his property, hidden. It took nine
1572 months for one of your inspectors to get that off his property, and in the meantime I was worried
1573 about sewage, fires, the same thing everyone else is worried about. Then, less than a year ago,
1574 before the tiny homes were permitted, he put a tiny home on his property. Had not filed anything
1575 with the City. The bad actor again. This has put wear and tear on my road in front of me, traffic
1576 all the time. Now they took (the City) I think three months, the inspector to get the tiny home
1577 permitted properly. In the meantime, I was worried about the sewage, everything else that people
1578 are worried about, the fires. So, the unfortunately my experience has been the City doesn't even
1579 have a way of dealing with bad actors, currently, and liars, and no fines have been given to him
1580 for constantly lying to the City. I mean, shouldn't there be something against bad actors? I think
1581 so. And taxes - I pay my taxes. Are these people that are renting to his property...? People don't
1582 let someone put a tiny house on their property without charging rent. Is he paying taxes? Who
1583 does that question go to for, for the income that he's gaining on the rental of the tiny house? Does
1584 anyone know the answer to that? OK, so the City's not getting any benefit, I'm not getting any
1585 benefit. I listen to their noise, their barking dogs, and this is right now, currently, to pass this
1586 would just probably increase it for everyone, problems. So, I'm against this and I've had my
1587 experience, and it's all registered with the City. Thank you.

1588
1589 Mr. Lawrence: My name is Bill Lawrence. I live in Nevada County, just outside of Grass Valley.
1590 I don't live on three acres, so this wouldn't be a personal endeavor. But I want to thank you,
1591 Commissioners, for listening to us and hearing us. Change is hard. Change is very hard. I think
1592 back to the discussions over the health, education, and welfare building on Willow Valley Road,
1593 which could become housing. People don't want it. Some people don't want it. Think about the
1594 marijuana grow issue. We even have Cannabis Compliance and three inspectors. Here's my point:
1595 enforcement would be key if this ordinance were to pass. If we have illegal housing right now -
1596 as you mentioned, right? - we need to clean that up first. We need to make sure that the Building
1597 Department, Code Enforcement and Environmental Health can handle some of these issues,
1598 whether they be historic, current, or future. I think that would need to be evaluated. I've heard
1599 that some of these properties could become RV heaven for Airbnb. I don't think so. If someone
1600 has money to come up here and recreate, they're not going to recreate in a little 30-foot RV. I don't
1601 worry about that. I guess what I'm saying is, if we've only had five tiny house applications in the
1602 last year, that's not overwhelming. Given the hoops and the cost that the property owner and the
1603 renter, I guess you'd call that person, would have to go through, I don't see a lot of people applying
1604 for this in a formal way. I do see some potential for people doing it rogue under the carpet, under
1605 the rug or whatever, but I don't see that being a huge problem. And if we get five applications, I
1606 think Nevada County could handle it. What I...*[to audience member]* I only have 14 seconds, give
1607 me a break. *[to commissioners]* I also think that this could be an ordinance that could face a
1608 sunset should all hell break loose, and we see people coming in from wherever. Thank you for
1609 your time.

1610
1611 Mr. Branstrom: Good afternoon, Chair Milman and Commissioners. I'm Bob Branstrom, a
1612 resident of the City of Grass Valley and a former Grass Valley City Council member. I appreciate

1613 your discussion with staff and the breadth and depth of your questions. It's been informative, so
1614 thank you for that. A few weeks ago, I was walking to the grocery store and passed a guy with a
1615 backpack, obviously without a home, he wouldn't look me in the eye. In my experience, this is
1616 what happens when people feel undervalued and left out of mainstream society. This breaks my
1617 heart. A little over a year ago, an article on housing and homelessness in the Union opened with
1618 this sentence: "Low wages, high rents, and the lack of affordable housing are the primary causes
1619 of the homeless housing crisis in California, according to a study from the University of California,
1620 San Francisco." Nevada County can't do much about low wages. Affordable housing means
1621 subsidized housing in practice, and monies to subsidize housing are rare and insufficient.
1622 However, increasing the housing supply can ease pressure in the housing market and lower the
1623 price of rental housing. More importantly, increasing the supply of housing is what we need to
1624 help address the human tragedy that is our unhoused population. I want to make a point here.
1625 People are adaptable. People will find a way to solve their problems as best they can. That's
1626 already happened here with hundreds of people now living in RVs around Nevada County. People
1627 adapt faster than governments; that's a fact. So, what I am asking of you today is to catch up with
1628 an unhoused problem solvers have already figured out: RVs provide a viable source of housing.
1629 The County has an obligation to ensure that housing is safe. That's what this ordinance is about.
1630 It creates standards to ensure that housing is safe for both the people living in it and for their
1631 neighbors. Building traditional stick built homes and ADUs is costly beyond the reach of many
1632 investors and homeowners. This RV Ordinance provides property owners with the opportunity to
1633 put in lower cost housing. Lower cost means lower rents for people with lower incomes. In short,
1634 this ordinance provides a legal pathway for local homeowners to invest in our community to help
1635 solve a critical problem. Please support this ordinance. Let's let our unhoused people know that
1636 Nevada County cares. Maybe they'll be able to look us in the eye again. Thank you.

1637
1638 Public Commentor: My name is Jay. I'm a resident of Nevada City. I live up off Banner Lava
1639 Cap, towards the top of the hill. I'm going to echo some of the concerns with regards to Code
1640 Compliance. I have first-hand experience. I've just in the last three months submitted four
1641 complaints, one of which was addressed within three days, and the response to that was, "Your
1642 claim was unfounded." It took me five emails to try and get them to come forth and say, "Well,
1643 what did you discover? Did you talk to them?" Well, they said, "Yeah, I ended up talking to a
1644 lady. I'm not sure if she was the property owner or not, but there were no concerns at the time and
1645 so I didn't see anything." But here we have a backlog of over 300 concerns, yet this person was
1646 able to give me an answer in three days, and he actually went and talked to the landowner, so he
1647 says. Also, at a previous meeting, it was made clear that Code Enforcement does not have the
1648 resources to manage this. You can go back and look at video and you'll see it stated very clearly.
1649 They do not. Now, it was said earlier today that they feel they do. They don't. They have three
1650 people for cannabis control. I think he says there's one person per region, I'm not sure how that's
1651 all divided up. If there's 350 in the backlog right now, I can double that in a week. Take a drive
1652 from here, follow me home, and I can point out at least 20 or 30 that are in violation right now.
1653 I'm against this. Thank you.

1654
1655 Chair Milman: Looks like that concludes the public meeting. Did we hear everybody that wanted
1656 to speak? OK. We'll close the public hearing then and allow staff some time to summarize
1657 responses.

1658
1659 Chair Milman adjourned the meeting at 4:14 p.m.

1660
1661 Director Foss: Well, Commissioners, if you have any specific questions, I'm happy to answer

1662 them. To touch on a couple of points: First of all, creating the ordinance is definitely a balance
1663 with trying to achieve affordability, but also provide some standards and some oversight. So, you
1664 know, we heard a lot from, "It doesn't go far enough or it's too onerous and too expensive."
1665 Anytime the County is going to issue a permit, we're going to have to do it with some set of
1666 standards in mind. We are trying to make it as fair as possible but also apply basically the same
1667 standards that we would apply to stick-built buildings. The issue regarding enforcement: we've
1668 heard from the [Code Compliance] director that they feel they can handle the caseload. The
1669 passing of an ordinance doesn't create more violations. There's already..., it's not legal to live in
1670 an RV. People are living in an RV right now. Creating an ordinance that allows a path to
1671 compliance simply creates standards to be able to be enforced so that those that choose to try to go
1672 down that path and wish to be compliant can have a set of standards and a permitting path to be
1673 compliant. It's not going to erase the violations that occur now. It's not necessarily going to create
1674 new ones. It's simply an ordinance that sets out standards in order to be compliant, because right
1675 now the option is, there is no option. You can't live in an RV. So, what we've tried to do is come
1676 up with reasonable standards that will do as much as we can to protect the health and safety. We've
1677 talked a lot about the septic hookups, the water hookups, electrical hookups, and how all that's
1678 going to work, fire safety issues: All those same standards apply to a stick built building, and
1679 which would apply to a recreational vehicle. So yeah, there are costs involved in that. There are
1680 inspections and oversight that's required, but it's very difficult to have it both ways: to have either
1681 no cost and ensure safety, or to have high cost and guarantee safety, which is what we're trying to
1682 do at a reasonable cost and achieve that balance. We've talked about, you know, central RV camps.
1683 Again, this is one tool in the toolbox to try to address affordable housing. I know there's a lot of
1684 conversations that continue to occur with our Health and Human Services Agency, and even within
1685 CDA to look at other options. Running a camp, whether that's an RV camp or, you know, stick-
1686 build type structures, yeah, that option's always being looked at, considered. There's a whole
1687 different ball of wax in terms of issues and problems. Other cities, some do... are effective at it.
1688 We've seen problems with City of Sacramento, County of Sacramento, even Placer County. So,
1689 this ordinance is not meant to solve every problem. It's meant to be an option. We've tried to craft
1690 it to achieve a balance of, yeah, there's going to be some level of cost, but there is the oversight
1691 that tries to ensure that any development is done in a manner that's going to have the health and
1692 safety assurances that we would with the normal stick-built building while being a little bit more
1693 affordable, because there's not the construction costs, there's not the material costs, there's not the
1694 cost of a house. It's the cost of a 320-square-foot RV. Our attempt was to come up with reasonable
1695 standards that were more affordable. They're not going to be affordable for everyone. If we want
1696 to talk about some of the specific standards, I'm happy to go into more of those details. There was
1697 a comment regarding two ADUs, that I had said only two ADUs had been approved. We average
1698 about 20-25 ADUs a year. I'm not sure what comment she may have been referencing, but it may
1699 have been with the master plans where I think we've only maybe permitted two with those master
1700 plans as ADUs. Again, we're trying to achieve that balance, but happy to answer any other
1701 questions or discuss the standards of the ordinance with you further.

1702
1703 Chair Milman: Commissioner Garst, do you have any other questions?

1704
1705 Commissioner Garst: I had a question about the lot sizes. You stated earlier that three-acre parcels
1706 are about the size of a property that is viable for a septic and a well. My question is, why not
1707 include sites that can be tied to public utilities, which would be smaller properties? Is that the
1708 reason for excluding smaller properties, is mandating on-site wastewater treatment?

1709
1710 Director Foss: I mean, I think that's some of it. I think it's more likely that these will be located

1711 on septic or well type properties. Smaller properties are going to have smaller setbacks, so you're
1712 not going to find many parcels that are less than three acres in the zoning districts that we've
1713 identified. Most of those parcels and those zoning districts start at about three acres. Sure, there
1714 may be some that are less than three. But when you get under three acres, you have like a five or
1715 a 10-foot setback, versus a 30-foot setback for a three-acre parcel. They become a little
1716 bit...everything gets, you know, squeezed into a single lot, so it's going to be closer to the
1717 neighbors. It's going to be, you know, closer to the street. It's going to have to ensure that it has
1718 the proper setbacks if it's not on public water sewer. There's probably an option that we could
1719 build in it. It just potentially opens it up for the other issues about reduced setbacks or smaller
1720 setbacks, visibility, and so that was kind of the balance to try to accommodate on-site services with
1721 larger parcels, that they could be set back further and not be right on top of the neighbors.

1722
1723 Commissioner Garst: OK, thank you. I also want to just commend you guys for tackling this. I
1724 met with Tyler Barrington after the May 27th kick-off meeting and recognized the immense
1725 challenge that was before you in formulating something that hadn't really been done before, and I
1726 think that it strikes a really fine line between going too far and not doing enough. And I think you
1727 guys have done a good job at that difficult task and I appreciate that. Thank you.

1728
1729 Commissioner McAteer: Well, as you know, I'm not shy. I have a number of questions still. From
1730 the community, in reading 300 pages of comments, I'm interested in a couple comments from you.
1731 Michael Taylor says, "why shouldn't we just have the landlords be the applicant for such, instead
1732 of having this misinterpretation that you might have an RV owner come in and apply, compared
1733 to thedoes the does the homeowner landowner agree with such? Can you respond to that?"

1734
1735 Director Foss: Yeah, the landowner would have to apply.

1736
1737 Commissioner McAteer: Period?

1738
1739 Director Foss: We would need authorization from the landlord or landowner. Someone could be
1740 an applicant, but we cannot permit anything without owner permission.

1741
1742 Commissioner McAteer: So, I come in and I own a RV, and I say, "I've got the Smiths' approval
1743 to put it on their property." You say, "Show me the Smiths."

1744
1745 Director Foss: Mm-hmm. Yeah, we have an owner authorization form.

1746
1747 Commissioner McAteer: OK. Now you know, fixer upper homes: if they go into disrepair, people
1748 can fix them up and sell them, and that's the nature of home ownership. I'm concerned...and Paul
1749 Elias notes that a security bond might be a good idea in terms of what... at some point they... the
1750 RVs do not have a 100-year life to them. So, we have all these RVs that have run out of life or
1751 fallen down, or whatever else. Somebody said that they had three of them on their next door
1752 neighbors or so that they can't get rid of. Is there any movement towards ever getting rid of these
1753 things? And maybe that's a Code Compliance... I mean, do we actually have people being told,
1754 "Get your old RV off your property and it's your cost?"

1755
1756 Director Foss: Yeah, I can let Matt ask, but at some point they become solid waste. And so, those
1757 things... we do have programs, and you're not allowed to have excessive solid waste on site and
1758 so it can become a nuisance and a code violation for solid waste. It depends on if they're operable;

1759 if they're non-operable, then there's other non-operable vehicle requirements that you can only
1760 have certain... so many on a piece of property.

1761

1762 Director Kelley: Chairman, Commissioner McAteer. Yes, we do have provisions in our zoning
1763 code that do talk about abandoned vehicles, and there are limitations on how many abandoned
1764 vehicles or inoperable vehicles you can have on your property. An RV would be considered one
1765 of those. And there are provisions in code that require that they be screened from view, they're
1766 out of the public view - mostly it's from the public right-of-way; that's usually where Code
1767 Compliance is, as things that we can see from the public right-of-way. If an RV became
1768 dilapidated or became otherwise considered solid waste, we would be able to enforce the
1769 provisions of code that allow for it to be removed or if we have received a complaint for it.

1770

1771 Commissioner McAteer: So, a neighbor complained - since I'm getting that's the only way you
1772 sort of show up - a neighbor complaints that there's a piece of junk sitting over on somebody's
1773 property. It's falling down. Then that's that homeowner's responsibility to move that item and pay
1774 for its removal down to Mccourtney Road?

1775

1776 Director Kelley: Yes.

1777

1778 Commissioner McAteer: Can you answer Paul Elias's other question, which was: you have a
1779 reporting system, I gather, that you must tell who you are. You have to say, "I'm Bob Smith." And
1780 then when your officer goes out there, they say, "I got a complaint," and the homeowner can say,
1781 "Who filed the complaint?" You say Bob Smith, is that correct?

1782

1783 Director Kelley: Commissioner McAteer, no, we do not. Investigative services requests, or ISRs,
1784 they have to be submitted by a member of the public. However, the name on the ISR itself is not
1785 releasable except by court order. That's because there is confidentiality in those. We do allow
1786 people to submit confidential cannabis complaints for illicit cannabis grows because that's a little
1787 bit different. But for a code violation cases, we actually need the reporting party to sign the actual
1788 complaint form.

1789

1790 Commissioner McAteer: OK, thank you. Don't ever leave here with me. Alyssa Mayo brings up
1791 ag [agricultural] housing, you know, and I think that that's something that have... Did you take into
1792 account the idea that maybe some vineyards and horse farms, etc. need multiple housing and it
1793 might be in something other than a structure?

1794

1795 Director Foss: Yeah, and an RV could qualify for AG housing.

1796

1797 Commissioner McAteer: But that would be one; they could put one on their property?

1798

1799 Director Foss: Correct. Other AG housing: you can have multiple structures, but at this time, not
1800 RVs. They'd have to be manufactured homes or stick-built homes, but they can have multiple
1801 housing if they're qualified for agricultural workers.

1802

1803 Commissioner McAteer: And why isn't it allowed to be able to put an RV on a raw piece of land?
1804 If I say I'm willing to put the septic system in and do all these things, could I put one RV on a raw
1805 piece of land?

1806

1807 Director Foss: Not as the ordinance is currently written. It needs to be developed with a primary

1808 dwelling, and that's to cut down costs, to take advantage of already existing facilities, utilities that
1809 are on site, and there's a little bit of the oversight or the landlord oversight that can help with the
1810 maintenance and just to make sure that it's, you know, like you would oversee your rental unit.
1811 You have a little bit of site control.

1812
1813 Commissioner McAteer: OK, that's great.

1814
1815 Director Barrington: Commissioner McAteer, can I just clarify for the record? The County does
1816 have an employee housing ordinance that allows for temporary use of an RV for up to six months
1817 for agricultural use as a resource-based use, which is the County-permitted employee housing
1818 which will allow up to four units.

1819
1820 Commissioner McAteer: Great. Thank you. Hal Redlus wants to know - and I don't know, you've
1821 been in these conversations – does doing this help the County unlock more housing funds from the
1822 state of California? Or does this have absolutely no relationship to anything from the State?

1823
1824 Director Foss: It could in a roundabout, semi-indirect way. We have regional needs, regional
1825 housing need allocation numbers that need to be met, and these units could qualify if they are
1826 permitted and allowed for our very low and extremely low income levels, which is some of the
1827 criteria that we need to meet our RHNA [Regional Housing Needs Allocation] numbers in order
1828 to qualify for grants and loans through the state. So, in that sense, it could help just by providing
1829 additional housing stock at a lower affordability, which is looked on favorably by the state.

1830
1831 Commissioner McAteer: OK. Thank you. And Mr. Durkin notes questions: why not prohibit the
1832 removal of RVs during an evacuation? Why not put into this ordinance that provision?

1833
1834 Director Foss: I think some of it was just a fairness that we don't prohibit anybody else from
1835 removing any other type of vehicle or personal property during evacuation, and so we didn't want
1836 to single out someone who's living in an RV when the neighbor may have a recreational vehicle
1837 that they're not living in and they don't have any prohibition from removing that during an
1838 evacuation, so a fairness issue.

1839
1840 Commissioner McAteer: Joanne Rabane wants to know, and it's over to you, Matt. What are the
1841 penalties that people...if I live next door to a person that has an RV on their property, I phone you
1842 and it's an illegal RV, and you go over there and you say, "You've got an illegal RV, you have to
1843 do X, Y, and Z to be able to make it compliant," and they don't. Tell me, what can you give me?
1844 I've never heard this, so tell me what the process is.

1845
1846 Director Kelley: Certainly. So, that would be a code violation case, and each code violation case
1847 is very different. They're not all the same, because they all have different parts. We would go out
1848 and do...once we receive the investigative services request, we'll typically go out and see if we
1849 can verify the violation. We'd do it from the public right-of-way. If we have permission from the
1850 reporting party to go on their property, we will do that.

1851
1852 Commissioner McAteer: So, I don't give you permission to go. I mean, I'm now the owner of
1853 this... I say... you have to ask permission from the owner to be able to come on and say, "Hey,
1854 owner, I have a concern." Is that what I'm hearing?

1855
1856 Director Kelley: So, if I understand your question correctly, as the property owner who has the

1857 code violation, you can absolutely tell my staff to leave and we will. The reporting party if, say,
1858 they're the next door neighbor, is complaining about their property next door, if they give us
1859 permission to go onto their property, the reporting party's property, we can do that, but only by
1860 invitation. We do not trespass onto property. It's only if we can see the violation or verify the
1861 violation from the right-of-way itself.

1862
1863 Commissioner McAteer: OK, so you can't? So, let's just say you can't. You can't see this RV.
1864 It's behind a lot of trees. So, you just drive on the property, yes or no?

1865
1866 Director Kelley: Well, we can go to the front door, try to talk to the property owner, and we do not
1867 go beyond that. We do not trespass on property, so we would then reach out to the reporting party
1868 and generally say that we're not able to view the violation and go from there. We try to be as
1869 proactive as we can with the reporting party. However, we're not able to verify all violations
1870 because we just simply cannot see it.

1871
1872 Commissioner McAteer: This is news to me. I don't know about anyone else, but... So, the only
1873 way you can go on the property is if you see the violation?

1874
1875 Director Kelley: We have to be able to see the violation and verify it from the right of way, yes.
1876 Or the neighboring property if we...

1877
1878 Commissioner McAteer: And that's by law? Or by your way of doing business?

1879
1880 Director Kelley: I mean, I would defer to council, but that is typically... I mean, people have a
1881 right to private property, and the 4th Amendment guarantees private property rights. So, we are
1882 bound by California State law as well as federal law.

1883
1884 Commissioner McAteer: Well, an officer can drive up to my front door and say, "Knock, knock,
1885 knock." He doesn't have to see something going wrong.

1886
1887 Director Kelley: We can do that. We can go up to the front door and... I mean, we can, but we
1888 need to verify the violation from the public right-of-way.

1889
1890 Commissioner McAteer: Am I missing something? Go ahead.

1891
1892 Counsel Ely: No, Mr. Kelley is correct that there's a Fourth Amendment right to privacy, so if you
1893 wanted to go on without the owner's permission, you would require a warrant, which the Code
1894 Compliance Department can apply for a warrant if they need to.

1895
1896 Commissioner McAteer: OK, so now I drive up to the property cause I've seen this RV on the
1897 property. Now what takes place? And the owner of the home does not come to the front door.
1898 Now what happens?

1899
1900 Director Kelley: So, if we're able to verify the violation, we will then send the property owner a
1901 30-day notice of violation warning. It's a violation warning letter. The property owner has 30
1902 days to bring the property into compliance. From there, if there's no response to that, we will send
1903 a notice of violation or a citation warning letter - that's sixty days into the process. If there's no
1904 response to that, we will then start sending citations and we will do that every 30 days and
1905 continuing on until 3rd, 4th, 5th level citations. We could be six months in or more where we then

1906 start having a different conversation with a property owner to try to bring the property into
1907 compliance. We do issue citations.
1908
1909 Commissioner McAteer: So, you know, somebody just whiffs off the citations. You know, it's
1910 sort of like parking tickets, you know, forget it. OK, now I'm interested in... hold on, I just lost
1911 my train of thought. So sorry. It'll come back to me. Let's go on to.. stay there, don't... It'll come
1912 back. My pea brain. I'm really concerned that none of the letters to us came from any fire district
1913 or fire agency, and the biggest issue out there amongst everyone, whether you want to put an RV
1914 on a property or not, happens to be fire protection. Let me just tell you, since I do my homework,
1915 phoned the Chief of Consolidated Fire, Jason Robitaille, and I said, "Chief, are you coming to the
1916 to the ordinance meeting? Because I'm really interested in hearing what the fire departments have
1917 to say," and he said, "No, I haven't been invited." I said, "Well, that's too bad. I'm inviting you if
1918 you want to come," and moreover, he said, "I never received the ordinance." So, I'm sort of asking
1919 why didn't Consolidated, which happens to be overseeing many of these three-parcel acres, not
1920 been invited?
1921
1922 Director Foss: Commissioner McAteer, I don't know that they weren't invited. We route the draft
1923 ordinance to all the districts, and we have our fire planner, Dan Collins, who spoke earlier, review
1924 the ordinance and provide comments. It's not uncommon to not get comments from certain
1925 districts, but we did develop the ordinance with Dan's oversight, because he's in house. He's in the
1926 planning department, and he usually provides some of that correspondence and liaison with the
1927 other fire districts, but given the standards..., I don't know. They didn't comment,
1928 *[unintelligible]*...were not aware.
1929
1930 Commissioner McAteer: So, you're saying, you're telling me that every fire district received this
1931 ordinance and was asked to comment?
1932
1933 Director Foss: About four or five: Penn Valley, Higgins, Consolidated, ...
1934
1935 Commissioner McAteer: And we got no response from any of them that putting RVs out there, in
1936 in their districts, would have an effect?
1937
1938 Director Barrington: I don't have the file, but yeah, we've sent it to every everyone and we did not
1939 receive any comments from any of the fire districts.
1940
1941 Commissioner McAteer: OK, well, that's a different story than what I heard from the chief.
1942
1943 Director Barrington: We did an initial distribution, before we drafted the ordinance, to all those
1944 agencies saying, "Give us your comments and your thoughts and feedback to help inform the
1945 ordinance." Then once the ordinance was prepared, we also sent it out again to all those agencies,
1946 saying, "Here's the draft ordinance, provide us comments."
1947
1948 Commissioner McAteer: And zippo?
1949
1950 Director Barrington: Zippo.
1951
1952 Commissioner McAteer: Thank you. OK, now I'd like to focus in on my questions regarding the
1953 cost to the homeowner to be able to put this in place. I think I'm concerned that the costs are so
1954 high that what happens, what it forces people to do, will be to run end on the ordinance. We'll say

1955 there's an RV ordinance, but you look at it and you say, "Wow, the costs are so high that all of a
1956 sudden I'm not willing to do some of those standards." I'd like to sort of ferret out some of these
1957 costs. I've heard today that the inspection fee is somewhere around \$2300. I've heard that you
1958 have to purchase a 500-gallon tank. I have no idea what a 500-gallon tank is, but I'm just going to
1959 guess, for the sake of conversation, \$1,000 for a fairly big tank. Then to be able to make the
1960 property defensible space, there's going to have to be some clearing done of some sort, and so let's
1961 just say you get a crew in there and we say another \$1,000. Then we have this four-inch - the
1962 cheapest way to do this, according to the person I spoke to at Hanson Brothers, Brett, is to put a
1963 four-inch gravel bed compacted for your RV and your parking lot. He gave me a quote with some
1964 minor grading of \$5,000 to be able to do the grading and the rock, not including what it's going to
1965 cost for a driveway. Then we have the dedicated electrical; I don't know the cost on that, but I'll
1966 just sort of throw out \$1,500 to get an electrician to be able to run it from the house over
1967 somewhere. And then we have another...we didn't talk about ground-mounted propane tanks,
1968 you'll need... You can't operate off a five-gallon tank, I would suspect, so you need a permit for
1969 that. Then we come to the cost relative to the sewage system, which we've learned you have to
1970 pump it all out and do something to see that the lines are capable, and then you have to dig a trench
1971 and put a hard pipe in in the trench. I talked to Chris Navo, who is a former student of mine at
1972 Nava and Sons. I said, "Chris, what's it going to cost to be able to do that?" He said \$4000. Are
1973 there other costs, Brian, that I'm not seeing, as I've sort of outlined for you today?

1974
1975 Director Foss: Commissioner McAteer, I don't know, every property's going to be different.

1976
1977 Commissioner McAteer: Do you have to file a site plan, as an example?

1978
1979 Director Foss: Yes.

1980
1981 Commissioner McAteer: There's a cost in filing the site plan; is that included in the \$2,300?

1982
1983 Director Foss: Yes.

1984
1985 Commissioner McAteer: Do you have to do any property line verification in order to ensure that
1986 the RV is actually on the person's property?

1987
1988 Director Foss: Potentially.

1989
1990 Commissioner McAteer: Potentially. Is that included in the \$2,300?

1991
1992 Director Foss: No.

1993
1994 Commissioner McAteer: Tell me, how about the compaction of the rock bed? If we just put those
1995 rocks in there, there's another form of having to do the compaction. Is that something that's tested
1996 by the County?

1997
1998 Director Foss: There would be compaction reports given to the County.

1999
2000 Commissioner McAteer: And we have to test for the well, because we have to know that it gets
2001 six gallons or more per minute, correct?

2002
2003 Director Foss: Right. That'll be well drilling records.

2004
2005 Commissioner McAteer: Well drilling records that you could obtain? Or, you need a new report
2006 relative to that?
2007
2008 Director Foss: Depends on if we have the drilling records or if it's a new well or if it's an existing
2009 well. It's all dependent. It's just like any other development.
2010
2011 Commissioner McAteer: OK. Well, I think the average is that somebody's had a well in there for
2012 a long time and now they're going to have to be able to prove it, so there's going to have to be some
2013 potential cost of the well and even the hook up to the well. So, let's put that, another \$500. Is
2014 there anything that you have to do regarding structural calculations of the RV to ensure that it can
2015 withstand snow loads, etc.?
2016
2017 Director Foss: As long as it has the ANSI insignia, then...
2018
2019 Commissioner McAteer: Then it's OK?
2020
2021 Director Foss: Yeah, unless it's above 3,200 feet, then there would probably be structural
2022 requirements for the ramada or the cover.
2023
2024 Commissioner McAteer: So, I'm somewhere around \$20,000. Is that a...am I way out of the line
2025 on that?
2026
2027 Director Foss: Like I said, every parcel's different. I could see that being a cost for some parcels,
2028 for sure.
2029
2030 Commissioner McAteer: Well, that's not even putting in any new septic system. That's tying into
2031 the existing septic system. But it is putting down a pad, which I don't think anyone else would
2032 have. What I really am just, you know, what's going to happen is that all these people who want
2033 to get into these RVs and the homeowner who says, "Oh, sure, I can put an RV, you can put an
2034 RV on my property, I'm great with that." All of a sudden the homeowner looks at a \$20,000 cost,
2035 sort of a minimum cost, as I sort of see it. A \$20,000 cost and he says, "Oh, I don't want to go
2036 through that. I don't want to go through the process, the bureaucracy, everything else, the time.
2037 Why don't you just move on? We'll get the we'll get the water taken care of," et cetera, et cetera.
2038 And they skirt the ordinance. That's what I see that's about to happen here, OK? So, what we're
2039 doing, it's the magnet effect, that somebody said is, what you do is, you open the door, and you
2040 say, "Oh, we want people to do RVs for affordable housing." What we actually get is, we get more
2041 RVs, but they're all illegally placed because no one wants to jump through the \$20,000 hoop. How
2042 off am I on this, Mr. Foss?
2043
2044 Director Foss: I'm not sure. I think you're sharing your opinions.
2045
2046 Commissioner McAteer: I understand that, but do you share the idea that if it's so expensive that
2047 all of a sudden people might say, "The hell with working with the County, I'll run end on it"?
2048
2049 Director Foss: Yeah, I think that's happening now. That happens with everything.
2050
2051 Commissioner McAteer: Well, as I understand, in talking to Chief Robitaille, or whatever his
2052 name is - sorry, chief - I'll just say chief. He said, in Lake County, a similar ordinance took place,

2053 and it's been an absolute disaster from his fire perspective, from what's happened in Lake County.
2054 Do you have any understanding that it's occurred in Lake County?
2055
2056 Director Foss: No.
2057
2058 Director Barrington: Lake County passed the emergency proclamation that allowed you to stay in
2059 an RV in a burn scar.
2060
2061 Commissioner McAteer: I'm sorry, I completely missed what you said. Sorry, Tyler.
2062
2063 Director Barrington: Tyler Barrington. Yes, based on my research, Lake County passed an
2064 emergency proclamation and allowed people to live in an RV in the burn scar, so areas that were
2065 burnt. So, it's not the same apples to apples. Again, just to remind the Commission, we're talking
2066 about land use and so, you know, our purview in the Planning Department, formerly Planning
2067 Department, is to look at regulations specific to land use.
2068
2069 Commissioner McAteer: I understand that.
2070
2071 Director Barrington: And so I recognize that there's going to be costs, but that's not our charge...
2072
2073 Commissioner McAteer: Correct, but as a...
2074
2075 Director Barrington: ...as a department, nor is it the Planning Commission who also overseas land
2076 use.
2077
2078 Commissioner McAteer: Yeah, I think that it is a factor relative to my decision making for the
2079 fact that I'm concerned as a Planning Commissioner that this ordinance invites people to run end
2080 on it, OK? Thank you. Those are my questions.
2081
2082 Chair Milman: Commissioners, do you have any other questions?
2083
2084 Commissioner French: No. Nice thing about being on this with Terry, you know, you just sit back
2085 and listen to him ask all our questions. Thanks, Terry.
2086
2087 Commissioner McAteer: You're welcome, Steve.
2088
2089 Commissioner Foley: Yeah, I mean, I'll second that. Terry said a lot there. I think there's a
2090 good...I think the idea of this is in the right direction. I think for the people that want to be good
2091 actors, this is a way to transition and do that. I do feel the same questionable nature that Terry
2092 does, is that the unintended consequences of this are that the people that are advocating for this are
2093 not going to be able to afford to do it, and the property owner that goes through these steps is going
2094 to have to recover their cost and chart and pass that on to the people in need. However, you know,
2095 I think we all understand that housing is an issue in the county. I think if there's ways to do it that
2096 even helps some, it's a good thing, because, you know, we still have said the problem is still out
2097 there. I think the flip side of that is, if you create a legal pathway forward for people to do it, there
2098 has to be somewhat of an enforcement mechanism on the back end to ensure that that it works in
2099 some regard. It sounds like there's a lot of people out there that are minding their own business
2100 that are not causing problems, but it sounds like from not only the public comment today, but also
2101 all the letters that we received from the public that there are serious issues out there, and that the

2102 apprehension that people have to this ordinance is mainly due to those personal experiences that
2103 people are having. And so I think, you know, with one comes the other. We have to find a way
2104 to, you know, hold those bad actors to account so they're not, you know, trashing the
2105 neighborhoods and potentially starting fires. I'm not sure what the solution is there, other than
2106 maybe to make an amendment or suggestion to the Board that the enforcement mechanism be
2107 somewhat researched into some kind of a transition period, to allow for the change to take place,
2108 to reach some kind of balance. And then, some kind of tiered or structured approach to give the
2109 County enough teeth to go after the people that are actually impacting the neighborhoods
2110 negatively. That's where I'm at.

2111
2112 Chair Milman: I think we've heard a lot of these same arguments when we talked about whether
2113 or not we were going to do the ADUs. I think we heard a lot of these same arguments when we
2114 talked about tiny homes. I think that what we're really talking about here is not solving for the
2115 people that aren't going to do it the right way, but that we allow a path for the people that are
2116 looking for a good way or for another way. I know I've looked several times into building an ADU
2117 on my property, and it's an awful lot more than \$20,000 to create another house, and if I had the
2118 option of \$20,000 plus the cost of a trailer, versus the \$200,000 or \$300,000 that it's going to cost
2119 to place an ADU, I think that this is a good option to have. And I appreciate that you guys have
2120 put this together and brought this before us.

2121
2122 Commissioner McAteer: Steve, did you have any comment?

2123
2124 Chair Milman: Steve wanted to stand up and stretch.

2125
2126 Commissioner French: Yeah, I got a bad back, so this is torture for me. You know, kind of
2127 reiterating what you said, my thought is the initial cost is going to be prohibitive for the great
2128 majority of people that this would benefit. You outline some of the costs. You could be little off,
2129 but I think that's why we only had whatever the number is, five tiny homes to connect to the
2130 electricity that may be across the street and down where you've got to put in a new... I ran into that
2131 on one of my properties. You've got to put up a new transformer, because the electric to the main
2132 property is over here and the ADU is over here. So, there's no way to know, like Brian said, the
2133 exact cost, but it's going to be prohibitive, I think, for a lot of people and therefore I think there
2134 will be a lot of noncompliance, and then that goes to the Code Enforcement. I'm very worried
2135 about that. You've got, if my math is correct, 351 open violations and you have four officers, so
2136 that's 84 violations per officer right now. I again have personal experience, like a lot of these,
2137 where old folks died two doors down from me. People moved in. Lady, daughter, living in a car.
2138 No electricity, no water. Squatters everywhere. And it took a year for you guys to do anything
2139 about it, and it was very frustrating, with a number of neighbors calling. I can't say that I'm
2140 confident that you will be able to handle this increased load. I'm not against the ordinance. I just
2141 don't see how it's going to function properly. I'd like to see some way of ...it's a budgetary thing.
2142 I'm well aware of the budget, but hiring more code enforcement officers, that would be my
2143 suggestion. If there's more Code Enforcement officers, that may change my opinion, but I just
2144 don't see how your staff can handle this.

2145
2146 Chair Milman: Right, but we're talking about how we're needing to decide the land use side of
2147 things, right? If we think that this is a legitimate and useful tool for land use, to create this path,
2148 and then that creates a Code Enforcement, then that moves to another plate. That's another body.
2149 That's a budgeting issue in terms of later, right? I don't know that trying to solve the potential code

2150 enforcement problems through the ordinance is necessarily the place to look at it.

2151

2152 Commissioner French: I disagree.

2153

2154 Chair Milman: Fair enough.

2155

2156 Commissioner Garst: I'd also like to respond to Commissioner French's comments. My
2157 understanding from what the Planning Department and Code Enforcement has said today is that
2158 by passing this ordinance, we are not creating more code compliance issues. There are issues that
2159 exist at a scale to which they already exist, and this problem isn't going to get better by us not
2160 approving this. There's nothing..., no benefit to the bad, like, this problem that exists where bad
2161 actors are illegally living on RVs on properties, probably in ways that we prefer them not to when
2162 it comes to wastewater disposal and things like that. What this ordinance does and what we have
2163 the power to do today is to allow people a way to do that in a safe and respectful way that I think
2164 most people here would approve of if they saw it in practice. So, I think I disagree with the idea
2165 that we need more teeth behind approving this proposal, this ordinance, because I don't see an
2166 approval of this ordinance as causing a bigger problem than we already have.

2167

2168 Chair Milman: *[Trying to quiet crowd's applause and boos]* Hey, hey, hey.

2169

2170 Commissioner Foley: And just for the record, I wasn't suggesting that we don't pass the ordinance
2171 unless there's more teeth to it. I think that's something for the supervisors to discuss, that with this
2172 pathway forward that they're going to talk about all these concerns that we've discussed, and I'm
2173 sure they're going to deliberate on that and that and they're going to hear the same community
2174 issues that we have. They can decide what to do with it from there, but I wasn't suggesting that
2175 we not pass it.

2176

2177 Chair Milman: Are we ready to vote?

2178

2179 Commissioner McAteer: No. I have a comment, though. See, I'll say that I'm voting "no" today,
2180 and my no is really a statement to the Board of Supervisors, because I know that it's going...we
2181 all know it's going to the Board of Supervisors. We're not the end all, be all. So, my no vote is
2182 essentially saying to them, "You have to address the code enforcement issue. You have to address
2183 the cost issue before you can think that ... this body thinks that this is a good idea. And so those
2184 are my... That's why I'm voting no today. Not that I don't care about how unhoused people. I was
2185 a school superintendent. We have 700 young kids out there couch surfing. We need to address
2186 the issue, but you can't address the issue in my view until you address the cost of this and until you
2187 address how this is going to be enforced or lack there, because if this passes, then what it's saying
2188 to all the people out there who are illegally in RVs is, "Oh, well, that's OK." And I don't think it's
2189 OK. That's why we have laws, and that's why we have codes. We just can't sort of say, "Oh, well,
2190 all those people are not compliant and we'll just, we'll just close our eyes." That's my view.

2191

2192 Chair Milman: *[responding to crowd's applause]* Hey. Hey. We need to not have the reaction
2193 from the ...or we're going to need to have folks removed. That's how it always is in Planning
2194 Commission. So, we just need it to not be cheering section back and forth. We understand where
2195 you guys stand, and we need the space to be able to just have this conversation. Thank you.

2196

2197 Commissioner Garst: I have a quick question. Another thing I heard today was that there was a

2198 moratorium on removal of people living in RVs, and my question is, is that tied to this ordinance's
2199 review at this time? And what would happen if this ordinance were to be approved?
2200

2201 Director Kelley: Commissioner Garst, there is. We do have a moratorium presently that the Board
2202 asked us to put in place. The moratorium runs with the ordinance and at the direction of the Board.
2203 So if the ordinance was to not pass by the Board, then we would end the moratorium, unless the
2204 Board extended it, but that is up to the Board of Supervisors.
2205

2206 Commissioner Garst: Thank you. I have another question today that's more of a point of order.
2207 If this ordinance proposal is voted no today, it's not like a project proposal vote, what happens at
2208 that point?
2209

2210 Director Foss: Commissioner Garst, it would be moved to the Board of Supervisors that the
2211 Commission voted to not pass the ordinance, and then they would take that into consideration.
2212

2213 Commissioner Garst: So, it moves forward regardless?
2214

2215 Director Foss: Yes.
2216

2217 **Motion made by Commissioner Garst to recommend to the Board of Supervisors to find the**
2218 **project categorically exempt pursuant to Sections 15303 and 15305 of the California**
2219 **Environmental Quality Act guidelines, as the project does not increase density and permits**
2220 **recreational vehicles as dwellings within those zoning districts that would otherwise allow**
2221 **traditional build housing of the same type.**
2222

2223 Chair Milman: Do I have a second?
2224

2225 Clerk Patterson: How do you vote, Commissioner French?
2226

2227 Director Foss: Hold on a second.
2228

2229 Commissioner McAteer: Hold on, did we get a second? I'm sorry.
2230

2231 Commissioner Garst: Well, so this first vote to clarify is just to say that CEQA shouldn't be
2232 required, because it doesn't increase density.
2233

2234 Commissioner McAteer: Right. Correct.
2235

2236 Commissioner Garst: That's what the motion on the table is.
2237

2238 **Second by Commissioner McAteer. Motion carried on a 5/0 vote.**
2239

2240 **Motion made by Commissioner Garst to recommend that the Board of Supervisors adopt**
2241 **the ordinance, adding Nevada County Code Title 12: Zoning Regulations, Chapter 3:**
2242 **Specific Land Uses, Section 12.03.151: Recreational Vehicle Dwellings, to establish health**
2243 **and safety standards, permitting and certification requirements, and site development**
2244 **standards to allow recreational vehicles as dwelling units within those zoning districts that**
2245 **would otherwise allow traditional built housing of the same type; amending the definition of**
2246 **recreational vehicle in section 12.06.010; and amending Tables 12.02.220.B and 12.02.030 to**

2247 **allow recreational vehicles as dwellings in the Rural and Residential Single-Family zoning**
2248 **districts.**

2249 Chair Milman: We have a second?

2251
2252 Commissioner Foley: I think...is it possible to make a suggestion to the Board as an amendment?

2253
2254 Director Foss: Yes.

2255
2256 Commissioner Foley: I agree to approve this, but with the amendment that... I think there were
2257 still unanswered questions out there, particularly with fire insurance, with enforcement, and with
2258 costs, and for the County to perhaps provide some more thorough information to the Board of
2259 Supervisors before they make their determination.

2260
2261 Counsel Ely: And Commissioner Foley, you would, by amending the original motion, that would
2262 be a new motion. So, there would be no second; that would be a new motion, which would require
2263 a second to support that amendment.

2264
2265 I'm sorry. Can you say that again?

2266
2267 Counsel Ely: Yes. By making an amendment to Commissioner Garst's original motion, it doesn't
2268 second the motion; that creates a new motion...

2269
2270 Commissioner Foley: Correct.

2271
2272 Counsel Ely: ...and another Commissioner would then need to second your amended motion.

2273
2274 Commissioner Foley: OK, so I would create a new motion to recommend Project Action Two
2275 here, with the amendment suggestion that the County provide more thorough information
2276 regarding fire insurance and enforcement before they make their determination.

2277
2278 **Second by Commissioner Garst. Motion carried on a 3/2 vote.**

2279
2280 Chair Milman: I want to thank everybody for taking part in this and your participating in this, and
2281 have a good evening, everyone.

2282
2283 Chair Milman adjourned the meeting at 5:02 p.m.

2284
2285 □ There being no further business to come before the Commission, the meeting was adjourned at
2286 5:02 p.m. to the next meeting to be held on a date to be determined in the Board Chambers, Eric
2287 Rood Administration Center, 950 Maidu Avenue, Nevada City, California.

2288
2289
2290 Passed and accepted this day of , 2025.

2291
2292 _____ Brian Foss, Ex-Officio Secretary