



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
BUILDING DEPARTMENT**

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-8794 <http://mynevadacounty.com>

Sean Powers
Community Development Agency Director

Craig Griesbach
Building Director

**NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo**

MEETING DATE: April 25, 2017

TO: Board of Supervisors

FROM: **Craig Griesbach, Building Director**

SUBJECT: A Public Hearing amending Chapter V, Article 5 of the Nevada County Land Use and Development Code, adopting Fire Standards and Local Amendments associated to the 2016 California Fire Code; and making express findings of reasonable necessity for changes and modification to the California Building Standards Code in response to local climatic, geological, or topographical conditions.

RECOMMENDATION:

- 1) Receive report.
- 2) Open public hearing.
- 3) Approve conclusion that CEQA general rule exceptions apply, finding this action reflects the independent judgment of the Nevada County Board of Supervisors.
- 4) Introduce and waive further reading of entire Ordinance.

FUNDING: No direct fiscal impact to the county.

ATTACHMENTS:

1. Ordinance Amending Chapter V, Article 5 of the Nevada County Land Use and Development Code
2. Recommendation Letter from Building and Accessibility Standards Board of Appeals
3. Letters of Support from Local Fire Districts

BACKGROUND:

The California Building Standards Commission has adopted and published the 2016 triennial edition of the California Building Standards Code with an effective date of January 1, 2017. The California Building Standards Code includes the 2016 California Fire Code. The Code is required

to be enforced in all parts of the State in accordance with California Health and Safety Code Section 17958. The California Building Standards Law provides that a local jurisdiction may, as reasonably necessary, establish more restrictive amendments based upon local climatic, topographical or geological conditions.

Chapter V, Article 5 (Fire Safety Standards and California Fire Code Amendments) has not been substantially updated in several California code adoption cycles. Article 5 is enforced by all fire districts that do not have their own adopted ordinances. This includes all County fire districts with the exception of the Truckee Fire Protection District. All affected fire districts have reviewed the amendments to Article 5 and recommend adoption of the amended ordinance. The County of Nevada Building and Accessibility Board of Appeals also reviewed the amended ordinance on April 3, 2017 and recommend adoption of the amended ordinance.

Adoption of the proposed ordinance is exempt from CEQA review pursuant to the CEQA guidelines, including Section 15378(b)(5) as an organizational or administrative governmental activity that will not result in direct or indirect physical changes to the environment, and Section 15060(c)(2) as an activity covered by the general rule that CEQA applies only to projects that have the potential for direct, indirect or reasonably foreseeable physical change in the environment.

County Counsel has reviewed the findings for exception for CEQA, the resolution of findings for amendment of the California Building Standards Code, and the ordinance to amend Chapter V, Article 5 of the Land Use and Development Code.

Item Initiated and Approved by: Craig Griesbach, Director of Building