

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



Chair Heidi Hall, 1st District
Edward C. Scofield, 2nd District
Vice Chair Dan Miller, 3rd District
Susan Hoek, 4th District
Richard Anderson, 5th District

Julie Patterson Hunter,
Clerk of the Board

July 14, 2020

Honorable Assembly Member Cecilia Aguiar-Curry
Chair, Assembly Local Government Committee
California State Assembly
1020 N Street, Room 157
Sacramento, CA 95814

RE: Letter of Opposition to Senate Bill 474 (Stern) as Amended June 19, 2020

Dear Assembly Member Aguiar-Curry,

On behalf of the Nevada County Board of Supervisors, I am sending you this letter opposing SB 474 as amended on June 19, 2020. SB 474 will have substantial negative economic impacts on Nevada County through the prohibition of all retail, commercial, industrial, or residential developments in specified Very High Fire Hazard Zones and State Responsibility Areas (SRA). Nevada County knows all too well the real impacts that wildfire brings, as it did in October 2017. However, halting all new development in these areas would exacerbate other high priority issues related to housing, homelessness, homeowner's insurance, and economic development. Importantly, SB 474 would erode local jurisdictional authority over land use and development as guided by the County's General Plan.

The County is mandated by the State Housing and Community Development (HCD) Department through the Regional Housing Needs Allocation (RHNA) process to demonstrate that there are an adequate number of undeveloped parcels in the unincorporated area to accommodate new housing construction for all levels of income. Typically, the low and very low-income level affordability needs are accommodated by identifying undeveloped high-density zoned parcels that are located near developed infrastructure and not located within very high fire severity zones. However, the County demonstrates compliance with the mandated RHNA moderate and above moderate-income levels by identifying vacant parcels that are zoned for less dense development including agricultural parcels that range in size between 5 and over 100 acres and are sometimes located within the very high fire severity zones. Banning development in these areas could negatively impact the County's ability to comply with State housing mandates from HCD. All three incorporated jurisdictions with Nevada County that include the City of Grass valley, City of Nevada City, and Town of Truckee are either surrounded or directly adjacent to areas that would be impacted by SB 474.

Approximately 14,771 improved parcels are in areas identified in extreme high-fire danger areas, also referred to as Tier 3 Areas. By prohibiting all commercial and residential development that includes mobile homes, accessory dwelling units, and any industrial/retail/commercial project in all of these areas, the County's ability to address housing and homelessness will be severely limited, not to mention

950 Maidu Avenue, Suite 200, Nevada City CA 95959-8617
phone: 530.265.1480 | fax: 530.265.9836 | toll free: 888.785.1480 | email: bdofsupervisors@co.nevada.ca.us
website: <http://www.mynevadacounty.com/nc/bos>

the unintended consequences that could further drive up the costs of insurance for property owners in those designated areas.

As a member of Rural County Representatives of California (RCRC) and California State Association of Counties (CSAC), we agree that SB 474 fails to accomplish a balance between addressing the increasingly catastrophic wildfires in California and the shortage of adequate affordable housing, but conversely implements draconian and litigious policies that will have far-reaching unintended consequences to residents throughout the County and State overall. The Fire Hazard Severity Zone (FHSZ) Map purpose is to designate areas where California's wildland urban interface building codes apply to new buildings, are factored into real estate disclosures, and used by local governments in the safety elements of their general plans. Instead, SB 474 repurposes this tool without proper safeguard protections of unintended consequences outlined above.

As the State legislature considers policies to help mitigate catastrophic wildfires, it is imperative that such efforts do not exacerbate affordable housing crisis or other priority issues by stripping local jurisdictions of the authority to take actions to address these and any other pressing issues. Therefore, we strongly oppose Senate Bill 474 (Stern) as amended on June 19, 2020.

Please feel free to contact me with any questions.

Sincerely,

Heidi Hall
Chair, Board of Supervisors

Copied:
Honorable Senator Brian Dahle
Honorable Assembly Member Megan Dahle
Honorable Senator Henry Stern
California State Association of Counties
Rural County Representatives of California
Shaw Yoder Antwih Schmelzer & Lange