

**C O U N T Y O F N E V A D A**  
**COMMUNITY DEVELOPMENT AGENCY**  
**PLANNING DEPARTMENT**

950 Maidu Avenue, Suite 170  
Nevada City, California 95959-8617  
Phone (530) 265-1222 or *Fax* (530) 265-9851

**APPLICATION FORMS for a SECOND DWELLING UNIT**  
**CONSISTENT WITH ALLOWED DENSITY**

Nevada County Zoning Regulations allow for one single-family dwelling unit to be established on a single parcel, in residential and rural districts. Sec. 12.03.190 of the Nevada County Code (Zoning Regulations) establishes an administrative permit process and the requirements for establishing a second dwelling unit on properties that have the density for more than one single-family dwelling. This application packet applies only to second dwellings that are consistent with zoning. Proposals to establish more than two units require a Use Permit for a Dwelling Group. If you have any questions, please contact a Planner to discuss your plans.

“Consistent with allowed density” means that a particular parcel has enough acreage for a potential subdivision. Density refers to the minimum parcel size established by zoning and the General Plan, for a particular parcel. In most cases, allowed density will be reflected in the zoning of your property. For example, a 5-acre parcel that is zoned “RA-10” has the potential to be subdivided into two parcels, or, in other words, has density for two dwelling units. A parcel zoned “AG” and which does not have a specific numerical parcel size attached to it, utilizes the density provided on the General Plan map. For parcels that are less than 3-acres in size, the minimum parcel size/density is further restricted by the availability of public water or sewer (for example, if you have 3 acres served by public water but not public sewer, the minimum parcel size is 1.5 acres, regardless of your zoning). It is always important to verify, with a Planner, your allowed density before proceeding with any permit plans.

Before you can obtain a building permit for a second dwelling, you must obtain an Administrative Development Permit (ADP). Application forms are available from the Planning Department. When you have filed a complete Administrative Development Permit application, attaching all required information and completing all attached forms, your application will be distributed to affected agencies, including the Department of Transportation/Sanitation, the County Fire Marshal and your Fire District for review. Within approximately thirty days, after receiving agency comments, the Planning Department will prepare a letter of conditional approval or denial. **Administrative Development Permits can only be approved if the project satisfies all State and local code regulations.** A list of regulations applicable to this type of second dwelling unit, including Fire Safe Regulations, is attached

You are advised to investigate County ordinances for the sewage disposal system and for the water supply that will serve the second dwelling unit. Appointments with Environmental Health Department staff are available, at their current hourly rate, to research County records for your parcel.

**Sec. 12.03.190 (Zoning Regulations)**

**D. 2<sup>ND</sup> DWELLING UNITS CONSISTENT WITH ALLOWED DENSITY**

1. A second dwelling unit, consistent with allowed density, shall be permitted on all parcels within the “RA”, the “R1”, the “AE”, the “AG”, the “FR” and the “TPZ” zoning districts, subject to an Administrative Development Permit pursuant to Section 12.05.050, but not subject to design review, provided the following standards are satisfied:
  - a. The second unit shall comply with zoning density established for the parcel on which the second unit is located.
  - b. No more than one second dwelling may be allowed on any one parcel pursuant to this section.
  - c. The unit must comply with all applicable standards of the Nevada County Code, including all water supply and sewage disposal requirements, as administered by the Department of Environmental Health.
  - d. The unit shall comply with all conditions, including payment of any mitigation fees, which are imposed upon the issuance of any permit authorizing it.
  - e. Compliance is required with all local Fire Safety Regulations, including Section 12.04.218 and Title 4 of the Nevada County Code, certified as equaling or exceeding the California Fire Safe Regulations pursuant to Public Resources Code Sec. 4290.

Title 12 (Zoning), Title 4 (Fire Safe Regulations), and Title 16 (Road Standards) can be viewed on the County Website: <https://nevadacountyca.gov/349/County-Codes>.

## CALIFORNIA FIRE SAFE STANDARDS

Section 12.04.218, Wildland Fire Hazard Areas, of the County Zoning Regulations, requires that all second dwelling units satisfy the requirements of County Codes, including the County Fire Safe Regulations, and County Road Standards. The following fire safety standards must be satisfied in order for you to establish a second dwelling on your property:

1. **ROADS:** State law and County Code requires that roads be a minimum 18' in width and capable of supporting a 40,000-pound load; grades shall not exceed 16% and there are maximum lengths for dead-end roads (one-mile maximum length for properties zoned for 20 acres or more; ½ mile maximum length for properties zoned for 5-19.99 acres and ¼ mile maximum length for properties zoned for 1-4.99 acre minimums). County ordinance requires that all roads serving more than two parcels must be named and posted. Contact the County Department of Transportation or the County Fire Planner for information.
2. **WATER STORAGE:** County ordinance requires that all second dwellings provide water for fire protection. If you are not served by public water or a community water system, you will be required to provide at least 2,500 gallons of on-site water storage. Ponds and doughboy pools are seldom acceptable and there are restrictions on using storage tanks that previously held fuels. You should consult the County Fire Planner before designing a system.
3. **DRIVEWAYS:** Driveway permits are required for all dwellings that are constructed more than 50' from the access road. Driveways that have a slope of 16-20% must be paved and no driveways are permitted to exceed 20%. A turnaround will be required at the end of the driveway. If you have a driveway that exceeds 150' in length, you will be required to construct turnouts. If your driveway or road is gated, there may additional requirements.
4. **FUEL MODIFICATION:** State law requires that flammable vegetation be removed from within 30' of structures. County ordinance requires clearance of flammable vegetation for a distance of 10' along both sides of driveways. Flammable vegetation and fuels caused by development and construction, including road and driveway construction, must be disposed of prior to the final inspection of a building permit. When brushing, keep in mind that burning is only possible during the non-fire season months and some other method may be necessary for brush disposal during the summer.

**Ref:** Title 4, County Fire Safe Standards (driveways, water and fuel modification)  
Title 16 County Road Standards

**SECOND DWELLINGS CONSISTENT WITH DENSITY**  
**INSTRUCTIONS & CHECKLIST**

This form must be filed with your application. Please check off (✓) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

- ( ) 1. The signed and completed Application Form #1, including a letter of authorization from the property owner(s) if forms are signed by a Representative.
- ( ) 2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors.
- ( ) 3. One copy of the property Grant Deed, verifying ownership and the legal description of each effected parcel. Also include documentation of a 50-foot road right-of-way (row) for access to your parcel. If right-of-way is less than 50-feet in width, include a Petition for Exception to Road Standards with your application.
- ( ) 4. Proof of legal primary access to the project site. If your property is beyond dead-end road limits (see Section 12.04.218 and 16.10.040), proof of legal secondary access is required
- ( ) 5. The completed Road & Driveway Information, Form #7.
- ( ) 6. The Hazardous Waste Statement Form #4.
- ( ) 7. Four copies of a site plan drawn per instructions. All plans must be folded to a maximum 8-1/2" X 14" size. **Plans must be Folded.**
- ( ) 8. Thumb drive with digital copies of all project materials. Thumb drive will be retained by the Planning Department.

**FORM/CONTENT OF SITE PLAN**

The following information shall be provided on all site plans if applicable.

- ( ) 1. The site plan shall be fully dimensioned and drawn to a commonly recognized architect's or engineer's scale. The legal lot size shall be shown.
- ( ) 2. Provide a vicinity map showing the general project location (1" = 2000' scale) in relationship to the surrounding area with the mileage from the nearest County road shown.
- ( ) 3. Provide a North arrow and the scale to which the plan is drawn.
- ( ) 4. Provide a legend which includes:
  - a. property owners name
  - b. date of site plan preparation
  - c. Assessor's Parcel Number

- ( ) 5. Show the location and names of all abutting roads, including rights-of-way boundaries, road centerlines, width of traveled way, type of surfacing and grades.
- ( ) 6. Show location of existing and proposed sewage disposal systems and wells.
- ( ) 7. Delineate any "ME" (Mineral Extraction) zoning within 1,000 feet of the project boundaries.
- ( ) 8. Delineate the following environmentally sensitive areas:
  - a. Slopes in excess of 30%.
  - b. All areas subject to inundation, and the location, width and direction of flow for all watercourses on or adjacent to the property. Delineate the boundaries of any 10 or 100 year floodplain.
  - c. Riparian areas and/or wetlands
- ( ) 9. Show the location and purpose of all existing public and private utility easements.
- ( ) 10. Show the location of all existing, proposed and proposed to be removed, structures on the property; show their setbacks from property lines and label their use.
- ( ) 11. Show the size of all existing and proposed buildings (gross square footage by floor).

**ROAD & DRIVEWAY INFORMATION FORM**

*Note: A road serves more than two parcels. A driveway serves two parcels or less.*

***ROADS***

1. List all roads that provide access to this site.

<u>ROAD NAME</u>	<u>ACTUAL WIDTH</u>	<u>RECORDED R/W WIDTH</u>
------------------	---------------------	---------------------------

a. \_\_\_\_\_

b. \_\_\_\_\_

2. What kind of surfacing does each road have (gravel, pavement, dirt)?

a. \_\_\_\_\_

b. \_\_\_\_\_

3. Do any of the listed roads have a slope in excess of 16%? If so, explain:

\_\_\_\_\_  
\_\_\_\_\_

4. Who maintains your access road(s) (County, private Road Association, property owners)?

\_\_\_\_\_

5. Is your road a dead-end road? If so, what is its length (to your driveway)?

\_\_\_\_\_

***DRIVEWAY***

6. What is the length of your driveway from the access road? \_\_\_\_\_

7. What is the surfacing of your driveway? \_\_\_\_\_

8. Does your driveway slope exceed 16%? If so, explain:

\_\_\_\_\_  
\_\_\_\_\_

NEVADA COUNTY PLANNING DEPARTMENT  
LAND USE APPLICATION

PLN \_\_\_\_\_

Please print or type in black ink

ENT \_\_\_\_\_

Type of application(s) for which you are applying:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Tentative Map              | <input type="checkbox"/> Ordinance Amendment    | <input type="checkbox"/> Certificate of Compliance   |
| <input type="checkbox"/> Use Permit                 | <input type="checkbox"/> Zone Change            | <input type="checkbox"/> Voluntary Merger            |
| <input type="checkbox"/> Development Permit         | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Home Business               |
| <input type="checkbox"/> Administrative Dev. Permit | <input type="checkbox"/> Variance               | <input type="checkbox"/> Temporary Commercial Permit |
| <input type="checkbox"/> Boundary Line Adjustment   | <input type="checkbox"/> Setback Easement       | <input type="checkbox"/> Management Plan             |
| <input type="checkbox"/> Other (specify): _____     |   |  |

**PROJECT DESCRIPTION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Assessor's Parcel No(s): \_\_\_\_\_

Applicant Name(s): \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Telephone #: ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_ FAX#: \_\_\_\_\_

Property Owners Full Names: \_\_\_\_\_  
\_\_\_\_\_

Property Owner Mailing Address: \_\_\_\_\_

Telephone #: ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_ FAX#: \_\_\_\_\_

Name of Representative (if applicable): \_\_\_\_\_

Address of Representative: \_\_\_\_\_

Telephone #: ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_ FAX#: \_\_\_\_\_

Site address(es): \_\_\_\_\_ Acreage(s): \_\_\_\_\_

Water Source: \_\_\_\_\_ Method of Sewage Disposal: \_\_\_\_\_

\*\*\*\*\*  
I hereby acknowledge that I have read the instructions for filing this application and state under penalty of perjury that the information provided on all attached documents is correct.

Signature of ( ) Property Owner(s) or ( ) Authorized Representative\*

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**\*Representative may sign application if a Letter of Authorization from the owner(s) is provided.**

**NEVADA COUNTY  
HAZARDOUS MATERIALS / WASTE STATEMENT**

APN: \_\_\_\_\_ Property Owner: \_\_\_\_\_

Hazardous sites: General Plan policy requires the County pursue the cleanup of sites contaminated by mine waste or other hazardous materials prior to approving land use projects. Where hazardous waste or hazardous materials may occur on a project site, a Phase I site assessment may be required prior to processing or approving your project. Respond to the following questions and provide the requested information:

1. Is there evidence of any past, potentially hazardous use on or near the project site, including underground fuel storage tanks, dumpsites, artillery ranges, surface or subsurface mining activity?

**Yes** Provide a Memo from the County Dept. of Environmental Health that adequate information is on file to accept the project for processing.

**No** List the research and/or source of information justifying your response.

\_\_\_\_\_  
\_\_\_\_\_

Hazardous use. It is the applicant's responsibility to understand the definition of "hazardous material" and "hazardous waste," as defined in the California Health & Safety Code, Chapter 6.5. The storage of hazardous materials and the generation of hazardous waste are regulated under federal, state and county codes. The storage of hazardous materials in quantities equal to or greater than, a total weight of 500 pounds, or a total volume of 55 gallons, or 200 cubic feet at standard temperature and pressure for compressed gas; or the generating of hazardous wastes in any quantity, requires a permit from the Nevada County Department of Environmental Health.

2. **Will hazardous materials be used, or will hazardous waste be generated from the facility resulting from this project? Check the appropriate response and provide the listed information.**

**Yes** A Hazardous Materials Inventory Statement (HMIS), obtained from the Department of Environmental Health, must be filed with this project application.

**No** Explain why no hazardous materials are used for the proposed use or business:

\_\_\_\_\_  
\_\_\_\_\_



## AGREEMENT TO PAY

Nevada County Community Development Agency fees are based on Board of Supervisor approved fee schedules. Hourly fees and fees for services in excess of a minimum fee collected, including re-inspections, are billed to the applicant based on the Board approved fee schedule in effect at the time the work is performed by staff. This *Agreement To Pay* form must be signed and original signatures submitted to the NCCDA along with the completed permit forms and the initial payment of fees. Copies of current fee schedules are available from our Customer Service Staff or on the web at <http://www.nevadacountyca.gov>

I/We understand that the NCCDA will bill as services are rendered, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing for the project/permit. If payments on outstanding invoices are not made within thirty (30) days after the date of the invoice, County staff may cease work on the project until the required payment is made, subject to any other provisions of the law. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. The collection of fees, however, does not guarantee the granting of any permits, approvals, or land use entitlements for which I/We are applying.

**Site Information:**

**Invoices and/or notices to be mailed to:**

APN:                    —            —	Name:
Property Owner/Business Name (if applicable):	Address:
Address:	
Phone Number:	Phone Number:
Email:	Email:

NCCDA Staff is authorized to consult with necessary governmental agencies and the following individuals concerning this project: \_\_\_\_\_

*I certify under proof of perjury that I am the property owner or that I am authorized to enter into this fee agreement on his/her behalf. I have read the conditions concerning Nevada County Community Development Agency Fees and I understand that in the event that the billing party I have indicated does not pay required fees, I will be responsible for payment. I further agree to advise the department in writing should I no longer be associated with the above referenced project/property, rendering this agreement invalid as of the change of the date that the letter is received by the Nevada County Community Development Agency.*

\_\_\_\_\_ Dated: \_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Signature

**THIS SECTION FOR OFFICE USE ONLY**

Service: \_\_\_\_\_ Department: \_\_\_\_\_ Job No: \_\_\_\_\_  
Amount: \$ \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date of Receipt: \_\_\_\_\_



Community Development Agency

## Planning Department

[Planning@nevadacountyca.gov](mailto:Planning@nevadacountyca.gov)  
[www.nevadacountyca.gov/Planning](http://www.nevadacountyca.gov/Planning)

950 Maidu Avenue, Suite #170

PO BOX #599002

Nevada City, CA 95959

PH: (530) 265-1222 ext. 2

FAX: (530) 265-9854

### **LEVINE ACT DISCLOSURE STATEMENT**

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Commissioner, Board of Supervisors member, or any Other Elected County Officer ("County Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$500 (as of Jan. 1, 2025) within the previous 12 months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a County Officer who has received such a contribution to disclose the contribution on the record of the proceeding.

County Elected Officials and Appointed Commissions include, but may not be limited to, the list provided below, and individual officers or commissioners are listed at the following site:

<https://www.nevadacountyca.gov/3140/Committee-Board-and-Commission-Information>

- Board of Supervisors- <https://www.nevadacountyca.gov/731/Board-of-Supervisors>
- Planning Commission
- Agricultural Advisory Commission
- South County Municipal Advisory Council
- Penn Valley Municipal Advisory Council
- Regional Housing Authority
- Nevada County Transportation Commission
- Nevada County Airport Land Use Commission- Grass Valley/Truckee
- Nevada County Airport Commission
- Local Area Formation Commission (LAFCo)
- Historical Landmarks Commission
- Fish and Wildlife Commission
- Nevada County Sanitation District No. 1 Advisory Commission

**Proposers are responsible for accessing the link above to review the names prior to answering the following questions:**

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any County Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any Board or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the County Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$500 to any County Officer in the 12 months following any Board or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the County Officer(s):

Answering yes to either of the two questions above does not preclude the County of Nevada from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified County Officers from participating in any actions related to this license, permit, or contract.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of authorized individual

\_\_\_\_\_  
Type or write name of authorized individual

\_\_\_\_\_  
Signature of authorized individual

\_\_\_\_\_  
Type or write name of company