

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

**PETITION FOR EXCEPTIONS**  
**to waive Subdivision and/or Road Standards**

Title 13 (County Subdivision Ordinance) and Title 16, Chapter 10, Section 16.10.110 (County Road Standards) allow the filing of a Petition for Exceptions to waive certain County standards, as follows:

**Subdivisions:** A Petition may be filed to waive the requirements of the Subdivision Ordinance when the land involved in a subdivision is of such size or shape, or is subject to such title limitations of record, or is to be devoted to such use, or is subject to such regulation by the zoning ordinance, that it is impractical to conform to the strict application of the Ordinance.

**Road Standards:** A Petition may be filed to request an exception to any required Road Design Standard.

To grant an exception the Advisory Agency (Zoning Administrator or Planning Commission) must be able to make the specific findings listed below. **Petitions can only be considered relative to the amount and type of information provided;** make sure your information is accurate and complete. Petitions must be filed with the land use application.

- A. **Standard(s) to be Waived:** List the specific standard(s) requested to be waived. Include the County Ordinance and Section number of the requirement.

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- B. **ROAD STANDARDS:** All requests for road design exceptions must be reviewed and approved by the County Engineer. Provide the following information on a separate sheet:

1. **Existing conditions:** Describe the existing facility (if any), including number of lanes and the median, shoulder, right-of-way and surfacing widths. **Attach an exhibit** showing existing conditions and any constraints precluding the required improvements.
2. **Accidents, 3-Year Period:** Describe the number and types of accidents that are occurring and what effect the design exception is expected to have on them.
3. **Design Year Traffic Volumes:** Use a 20-year design period.
4. **Describe Additional Work to Enhance Safety:** Describe any additional work being constructed in the location of the design exception which would qualify as a safety enhancement, i.e. guardrail upgrade, slope flattening, superelevation correction, etc.
5. **For County-funded projects only: Cost of Providing Standard:** Detail the cost of meeting the standard for which the exception is being requested.

**C. Justification for an Exception:** Attach a separate sheet, justifying your Petition per the five required findings listed below:

1. There are special circumstances or conditions affecting the subject property;
2. The exception is necessary for the preservation of a substantial property right of the petitioner;
3. The exception will not be detrimental or injurious to other property in the area;
4. The exceptions will not constitute a grant of special privilege inconsistent with the limitations placed upon similar properties; and
5. In the case of waiving a State Fire Safe Road Standard, cite the health, safety, environmental, historical or physical site limitation reason that prevents the standard from being provided. **You must also propose a substituted means of fire protection that provides the "same overall practical effect" of fire protection.** Your same practical effect measures must be approved by the California Department of Forestry in order for the Advisory Agency to approve your Exception.

**D. FILING 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, including a letter of authorization from the property owner(s) if the applicant is not the property owner.
- ( ) 2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors.
- ( ) 3. The signed and completed Agreement to Pay Form.
- ( ) 5. 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
- ( ) 6. Photos of the site and a site plan reduction indicating where photos were taken.
- ( ) 7. The completed, attached Information Form, providing documentation as to the need for this Exception to an adopted ordinance requirement.
- ( ) 8. 4 folded copies of a site plan drawn per following instructions. All **plans must be folded** to a maximum 8-1/2" X 14" size. Unfolded plans will not be accepted.
- ( ) 9. One copy 8½" X 11" reduction of the site plan.
- ( ) 10. 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 submitted site plans.

1. **General**

- ( ) 1. The site plan shall be fully dimensioned and drawn to a commonly recognized architect's or engineer's scale, IN INK.
- ( ) 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. the project proposal (Exception to Fire Safe Standard for a .....)
  - b. property owner/applicant name(s)
  - c. applicant's representative, if any
  - d. date of site plan preparation
  - e. Assessor's Parcel Number
- ( ) 5. Topography shown with sufficient detail for proper study of building site, drainage, sewage disposal and driveway or road locations.

2. **Roads, Drainages & Easements**

- ( ) 1. 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.
- ( ) 2. Show radius of all curves on existing and proposed roads.
- ( ) 3. Show location of and size of existing culverts on and abutting the property.
- ( ) 4. Show the location and purpose of all existing public and private utility easements.
- ( ) 5. Show all required setbacks for buildings, waterways, sewage disposal and well sites.
- ( ) 6. Show the location and purpose of all existing public and private utility easements.
- ( ) 7. Show location of all existing and proposed structures in proximity to road improvements; show their setbacks from property lines, label their use and show their size (gross square footage by floor).
- ( ) 8. Delineate environmentally sensitive areas, i.e. wetlands, riparian areas.

**for County use only:**

**CO. FILE NO:** \_\_\_\_\_

**ACTION OF COUNTY ENGINEER:**

*Recommendation to Advisory Agency:*                       *Approval*               *Denial*

*Comments:*

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\_\_\_\_\_  
*County Engineer*

\_\_\_\_\_  
*Dated*

\_\_\_\_\_  
*County Fire Marshal*

\_\_\_\_\_  
*Dated*

***Must be signed and returned to Planning Department; to be copied to PC/ZA***

NEVADA COUNTY PLANNING DEPARTMENT  
LAND USE APPLICATION

Planner use only:

PLN \_\_\_\_\_

ENT \_\_\_\_\_

Please print or type in black ink

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: \_\_\_\_\_

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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.



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:

Table with 2 columns: Site Information and Invoices and/or notices to be mailed to. Rows include APN, Property Owner/Business Name, Address, Phone Number, and 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.

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