

**C O U N T Y O F N E V A D A**  
**P L A N N I N G D E P A R T M E N T**  
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950 Maidu Avenue  
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**EMPLOYEE HOUSING GUIDELINES**

Employee Housing is private housing provided by an employer, to house employee(s) in rural and residential areas. There are two types of employee housing, that which is regulated by the State of California and the County, and that which is regulated solely by the County. **All employee housing requires the issuance of permits by the County of Nevada, and compliance with County zoning regulations.**

State regulated employee housing: Employee housing for 5 or more employees, regardless of the housing type, requires an annual Permit to Operate, issued by the California Department of Housing & Community Development (HCD). Prior to issuing a permit to operate, the State will require confirmation that County permits have been obtained for construction, for sewage disposal and for water supply systems. State employee housing must also comply with certain County zoning regulations. Generally, applicable zoning regulations are those that otherwise would apply to either a single-family residence, or an agricultural use, within the same zoning. For example, employee housing that consists of a bunkhouse for 5-12 employees, within a single structure, within an agricultural zoning, is subject to the same requirements that apply to an agricultural use in the same zoning, without additional land use permits. See the attached zoning regulations for specific County criteria for residential versus agricultural zoning.

For information regarding State permits to operate, contact HCD at: (916) 255-2501.

County-regulated employee housing: Housing for less than 5 employees does not require State approval, and is subject to the following County regulations:

- a. Planning Department review for compliance with County Zoning Regulations (see (attached)).
- b. Building Department review for compliance with the California Building Code.
- c. Environmental Health Department review for compliance with the Nevada County Code Section 15.01.040 (sewage disposal regulations) and Section 13.03.020 (water supply regulations).
- d. Department of Transportation for encroachment permits onto County maintained roads, if applicable.

For information regarding County permits or approvals, call the Community Development Agency at (530) 265-1222, and ask for the applicable department.

## Nevada County Zoning Regulations

### Sec. 12.03.100 Employee Housing

- A. Purpose.** To identify applicable standards for employee housing regulated by the California Employee Housing Act, and to facilitate additional housing opportunities for agricultural and resource-based workers.
- B. Definitions.**
1. **State-Regulated Employee Housing.** Employer-provided housing accommodations regulated and permitted by the State of California Department of Housing and Community Development (HCD) in compliance with the California Employee Housing Act, codified in Health and Safety Code Sections 17000-17062, as may be amended.
  2. **Resource-Based Employee Housing:** Employer-provided housing for employees engaged in the production, processing, sales or management of resources, including agricultural operations, mineral extraction and timber harvesting.
- C. Standards.** The following standards and permitting requirements shall apply to employee housing:
1. **State-Regulated Employee Housing.** Employee housing for 5 or more employees is subject to the permitting requirements of the California Employee Housing Act, requiring issuance of a permit to operate from the State Department of Housing and Community Development and compliance with County regulations related to building construction, sewage disposal, water supply, and the following zoning regulations:
    - a. Employee housing for 5-6 non-agricultural workers within a single structure within the R1, RA, AG, AE, and FR districts shall be allowed subject to the same development standards, permits and fees applicable to a single family residence.
    - b. Employee housing for agricultural workers, consisting of 5–12 units or 36 beds in a single structure within the AG, AE, FR, and TPZ districts, shall be allowed subject to the same site development standards, permits and fees applicable to an agricultural use.
    - c. The property owner shall complete an Employee Housing Information form to identify the type of proposed housing accommodations and to acknowledge the occupancy limitations of State-mandated employee housing (Planning Department Form #44a).

2. **Resource-Based Employee Housing.** Employee housing consisting of 4 or less attached or detached dwelling units within a Rural district, is allowed subject to zoning compliance and building permit issuance, regardless of General Plan or zoning density, if all of the following standards are satisfied:
- a. Employee housing may be established provided that no other dwelling unit, other than a primary, single-family dwelling, is established on the parcel.
  - b. Employee housing shall be located on the same parcel as the resource use, or adjacent parcels, under the same business ownership.
  - c. Employee housing shall be clearly subordinate to and incidental to resource production or management on the site. Concurrent with any application to establish employee housing, the property owner shall submit an Employee Housing Information form to verify the resource-based use (Planning Department Form #44a).
  - d. Employee housing shall not be subdivided from the primary parcel.
  - e. Employee housing shall not exceed the following size limitations:
    - 1) Employee housing units which are not consistent with General Plan density shall not exceed 1,200 square feet, allowing no more than one 480 square foot attached non-habitable accessory structure.
    - 2) Employee housing consistent with General Plan density shall not exceed 1,800 square feet in size.
    - 3) Subject to approval of a Use Permit by the County Zoning Administrator, an employee dwelling may be increased in size.
  - f. Group quarters. Employee housing may consist of a single structure which provides group or dormitory living facilities for 4 or less employees, where the structure has no more than one kitchen, subject to all Resource-based employee housing standards within this Section.
  - g. Seasonal Temporary Recreational Vehicle (RV) Use. Employee housing in a Recreational Vehicle as defined by Section 18010 of the California Health & Safety Code may be allowed subject to all standards within this Section and those provided below.
    - 1) Seasonal Temporary RV use for the cultivation of Agricultural Products as defined by Nevada County Code Section 12.03.030, land use shall require approval of an Administrative Development Permit to be renewed annually.

- 2) Seasonal Temporary RV use for employee housing may be allowed for a period not exceeding one contiguous six-month period in any calendar year.
  - 3) Seasonal Temporary RVs shall be disconnected from utilities and placed in a location that provides screening from neighboring residences and public roadways to the greatest extent possible and/or removed from the site when not being used as employee housing.
  - 4) The placement of a Seasonal Temporary Recreational Vehicle shall adhere to the standards outlined in Nevada County Code Sec. 12.03.150, except those standards that restrict density (Sec. 12.03.150) and prohibit the collection of rent or fees for occupants of employee housing (Sec. 12.03.150).
- h. Occupancy of employee housing shall be limited to the resource operator and employees of the operator and their immediate families.
  - i. Employee housing shall comply with all codes, standards and fees applicable to the type of housing being proposed.
  - j. A deed restriction shall be recorded limiting occupancy to employee housing, prior to authorizing occupancy.
  - k. High and very high fire hazard areas. Employee housing sites that are mapped within a high or very high fire hazard zone on the CAL FIRE-adopted Fire Severity Map, shall be subject to the following additional standards:
    - 1) Sites that are served by a road located beyond the dead-end road limits established by Title 16 of the Nevada County Code shall provide one turnout along the property road frontage for every 800 feet of property frontage. The turnout(s) shall be visible from both directions and shall be constructed to a 30-foot long, 10-foot wide standard with a 25-foot taper on each end.
    - 2) Where two or more employee housing units exceed General Plan density, the housing units shall be clustered in close proximity to each other, utilizing a common driveway with direct access to a road that is maintained by a public entity, a road-maintenance district, or where it is demonstrated that the housing site adequately participates in a property owner's road association, and which road is improved to a minimum Fire Safe Road Standard pursuant to Title 16 of the Nevada County Code.