

**NEVADA COUNTY PLANNING COMMISSION**  
**STAFF REPORT**

**APPLICANT:** County of Nevada

**HEARING DATE:** August 28, 2014

**FILE NOs:** GP14-002; ORD14-001; EIS14-003

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**PROJECT:** A proposed General Plan amendment to update Chapter 9: Noise Element and Chapter 10: Safety Element for land use policy consistency purposes, and a proposed amendment to the Land Use and Development Code to replace the current Chapter III Airport Zoning with new language referencing the policies of the adopted Airport Land Use Compatibility Plans.

**LOCATION:** Countywide, although some specific sections only apply to airport influence areas as noted.

**PROJECT PLANNER:** Kimberly Hunter, Senior Planner

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**ATTACHMENTS:**

1. Draft Resolution: Initial Study/Negative Declaration
2. Draft Resolution: Amendments to General Plan Noise and Safety Elements
3. Draft Ordinance: Amendment to Land Use and Development Code Chapter III Airport Land Use Compatibility
4. Draft Amended Chapter 9 Noise Element (Showing Changes)
5. Draft Amended Chapter 10 Safety Element (Showing Changes)
6. Draft Amendment Land Use and Development Code Chapter III Airport Land Use Compatibility
7. Existing Land Use and Development Code Chapter III Airport Zoning
8. Nevada County and Truckee Tahoe Airport Land Use Commission Resolutions
9. Department of Forestry Comments

**RECOMMENDATION:**

- I. Environmental Action: Recommend the Board of Supervisors approve the attached draft Resolution (Attachment 1) for Negative Declaration (EIS14-003), as may be modified, pursuant to Section 15704 of the California Environmental Quality Act Guidelines, making findings A-C.

- II. Project Action: Recommend the Board of Supervisors approve the attached draft Resolution (Attachment 2) for the General Plan Amendment (GP14-002), as may be modified, to update the Noise and Safety Elements, making findings A-B.
  - III. Project Action: Recommend the Board of Supervisors approve the attached draft Ordinance (Attachment 3) for the Ordinance Amendment (ORD14-001), as may be modified, to update the Land Use and Development Code Chapter III, making findings A-B.
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## **STAFF COMMENT**

### **Background**

The draft language of the updates to the Noise and Safety Elements, and a comprehensive revision to the Land Use and Development Code (LUDC) Chapter III Airport Zoning is being presented to the Planning Commission for consideration and a recommendation to the Board of Supervisors. This update project began as a result of the consistency findings of the recent Land Use Element Update, which was adopted on January 28, 2014, and continues the approach of incrementally updating the General Plan. The incorporation of the 2010 Truckee Tahoe and 2011 Nevada County Airport Land Use Compatibility Plans was a part of the Land Use Element update as reflected in the Introduction and Setting section, Goal 1.10, Policies 1.1.0.1 and 1.10.2, and Program 1.10.1. Consequently, the updates to the Noise and Safety Elements, and LUDC Chapter III Airport Zoning, were identified as necessary follow-up actions to insure land use policy consistency both within the General Plan itself and with the LUDC. For the Safety Element, the need to recognize the 2011 Local Hazards Mitigation Plan (LHMP) was also a main factor to initiate the update process.

With the intent of ensuring consistency with the adopted Airport Land Use Compatibility Plans (ALUCPs), it was determined that both the Noise and Safety Elements were due to be updated and reformatting and “refreshment” similar to the recent Land Use Element. As project work progressed, staff also determined that the Chapter III Airport Zoning policies of the LUDC were outdated and in need of a comprehensive revision. When adopted by reference, the land use compatibility criteria contained in the ALUCPs will replace the prior land development standards and policies of LUDC Chapter III.

Aside from the reformatting, the proposed amendments to the Noise Element are minor in nature and strictly focused on updating the existing policy language of noise impacts within the vicinity of airports. While the proposed amendments to the Safety Element are a bit more extensive, and are found throughout the chapter, they also are minor in nature and were made only when deemed necessary. As mentioned above, these changes include the incorporation of the LHMP, which replaced the 2000 Multi-Jurisdictional, Multi-Hazard Mitigation Plan, and the addition of ‘Severe Weather Hazards’ as a potential safety hazard in Nevada County. Throughout the Safety Element update process, the Planning Department staff worked closely with a number of County Departments and local agencies. Office of Emergency Services Program Manager, Vic Ferrera worked closely with the Planning Department staff throughout the process on proposed amendments and authored many of the revised sections of text.

The proposed amendments to LUDC Chapter III Airport Zoning are comprehensive. The entire body of the text has been replaced with new wording which directly references specific sections of each of the ALUCPs. This allows the County to adopt portions of the ALUCPs by reference. Since zoning is not the only implementation measure used for land use compatibility within airport influence areas, a new title of “Airport Land Use Compatibility” is proposed for LUDC Chapter III. This title reflects that the chapter establishes policies to achieve land use compatibility with areas surrounding the general aviation airports through implementation of the ALUCPs. While the Land Use, Noise and Safety Elements contain policies for consistency with the ALUCPs, it is the LUDC Chapter III which is the actual mechanism that adopts the ALUCP land use compatibility standards by reference.

### **Project Location**

Generally, policy-level text amendments to the General Plan are considered to have countywide implications. However, the proposed amendments which are specifically ALUCP-related, only affect the designated airport influence areas and amendments which are related to Military Operations Areas (MOAs) only apply to the one designated MOA which is an area of airspace located in the eastern portion of Nevada County. The airport influence area for the Nevada County Airport extends 1.7 miles from the airport’s runways. For the Truckee Tahoe Airport, the airport influence area extends roughly 2.7 miles from the airport runways. The amended LUDC Chapter III only applies to lands within the airport influence areas. (See Appendices F and G of the initial study provided as Attachment 1 for airport influence maps.)

### **Relationship to Government Code Sections**

The following State of California Government Code Sections directly relate to the proposed Update and Ordinance Amendment:

- Section 65302(f) establishes the requirements of the purpose and contents of a noise element;
- Section 65302(g) establishes the requirements of the purpose and contents of a safety element including the recently requirement that prior to the next housing element update (on or after January 1, 2014), the safety element shall be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas.
- Section 65302.3 that requires that each county and city affected by an airport land use compatibility plan must make its general plan and any applicable specific plan consistent with the adopted airport land use compatibility plan pursuant to Section 21675 of the Public Resources Code.
- Section 65302.5 that requires the State Board of Forestry and Fire Protection to review and provide recommendations to the safety element of county government general plans.

## **AMENDMENTS**

### **Noise Element**

The proposed amendments modify the existing Noise Element (Chapter 9) which is contained in 'Attachment 4'. As previously discussed, the proposed amendments to the Noise Element are minor in nature. Revised language focuses on incorporation of the ALUCPs by revising the existing language of Objective 9.4 and Policies 9.17, 9.18, and 9.19. The Noise Element has also been reformatted to be consistent with recent updates to the General Plan. Specific amendments to the Noise Element are as follows:

1. **Introduction and Setting**

- No changes

2. **Goals, Policies and Objectives**

- Reformatted to 'Goals, Policies and Programs' (utilizing formatting approach used for the 2014 Land Use Element update) which included renumbering the policies and programs, removing reference notes and removing the descriptions of policies as being 'directive' or 'action'.
- Reformatted and assigned table number to Table 9.1.2 *Noise Standards* (no changes made to the content contained in the table).
- Revised language of former Objective 9.4 and Policies 9.17, 9.18, 9.19 to incorporate and recognize the adopted Airport Land Use Compatibility Plans for the Nevada County and Truckee Tahoe Airports (now Policies 9.1.20, 9.2.21, 9.1.22 and 9.1.23).
- Assigned figure number to Figure 9.1 *Airport / Land Use Noise Compatibility Criteria* (no changes made to the information contained in the table).

### **Safety Element**

The proposed amendments (Attachment 5) update the existing Safety Element (Chapter 10) which was last updated in 2010. The changes are found throughout the Chapter. Outdated references have been updated with current information and additional information has been provided for severe weather hazards, flooding, the 2011 LHMP, the adopted the ALUCPs and the one MOA located in the eastern portion of the County. Similar to other recent General Plan updates, the Safety Element has also been reformatted. Specific amendments to the Safety Element area as follows:

1. **Introduction and Setting**

- Added Severe Weather Hazards as a safety hazard in Nevada County; added "Military Airspace" to Airport Hazards; and added Public Safety Services and Facilities to list of safety and hazard issues which was already addressed in the previous Goals, Objectives and Policies Section.
- Updated document references and information within the Emergency Preparedness, Geologic Hazards/Seismic Activity, Flood Hazards, and Hazardous Materials subsections.

- Comprehensively revised the Airport Hazards subsection to reflect Military Operations Areas (MOA) and recognize the adopted Airport Land Use Compatibility Plans for the Nevada County and Truckee Tahoe Airports.
- Updated and restructured the Fire Hazards and Protection subsection as needed with more current information and references.
- Added subsection to discuss Severe Weather Hazards.

## 2. Goals, Policies and Objectives

- Reformatted to ‘Goals, Policies and Programs’ (utilizing formatting approach similar to the approaches used for the 2010 Housing and Circulation Element updates, and the 2013 Land Use Element update) which included renumbering of the policies and programs, removing reference notes and removing the descriptions of policies as being ‘directive’ or ‘action’.
- Replaced references to the 2006 Multi-Jurisdiction, Multi-Hazard Mitigation Plan (MJMHMP) with the 2012 Local Hazard Mitigation Plan (LHMP) and other document references as needed.
- Added “and military airspace” to Goal AH-10.4 to address safety concerns regarding Military Operation Areas.
- Revised Policy and Program language to incorporate the adopted Airport Land Use Compatibility Plans; added new Policy (AH 10.4.1) and Program (AH-10.4.2) to ensure the early notification to the military of proposed development projects within the MOA located in the eastern portion of Nevada County.
- Restructured and made minor and necessary updates to the Policy and Program language that supports the Fire Hazards and Protection (FP) Goals FP-10.7 – FP-10.12.
- Formatted and numbered Table 10.1; moved original language of Objective FP-10.7.3 to Program FP-10.12.6; moved original language of Policy 10.7.3 to Program FP-10.12.30; added new language regarding the support of Firewise Communities USA<sup>®</sup> program.
- Added Goal WH-10.13, Policy 10.13.1 and Policy 10.13.2, and Program WH-10.13.1 to address safety and hazards issues associated with severe weather hazards.
- Updated List of Acronyms.

### **LUDC Chapter III**

The proposed Ordinance Amendment (Attachment 6) effectively replaces the existing LUDC Chapter III Airport Zoning (Attachment 7). This amendment of this section of the LUDC meets the intent of General Plan Land Use Element Program 1.10.1, which directs that the County:

“Amend the Land Use and Development Code Chapter III Airport Zoning to reflect the revised airport land use compatibility zones and land use policies established by the adopted Airport Land Use Compatibility Plans.”

A result of the proposed ordinance amendment, there is a drastic reduction of the size of Chapter III (from 27 to 4 total pages). The proposed amendment also corrects the existing

redundancy of LUDC Chapter III Articles 1. ‘Loma Rica Airport’ and Article 3. ‘Nevada County Airpark’ as these articles establish the development standards for the same airport. Currently, the official name of this airport is not the Loma Rica Airport or the Nevada County Airpark, but the Nevada County Airport.

LUDC Chapter III was last updated in May of 2000. Since that time, the Nevada County and Truckee Tahoe Airport Land Use Commissions (ALUCs) were designated and have adopted ALUCPs. In accordance with state law, these documents contain the required policies and compatibility standards for development within the airport influence areas as required by state law. The fundamental relationship between the ALUCs and Nevada County is set by the State Aeronautics Act. While the ALUCS adopt the ALUCPs, it is the local governments who have the authority and responsibility for implementing the plan. Furthermore, Government Code Section 65302.3 establishes that each county and city affected by an ALUCP must make its general plan consistent with the ALUCP. Therefore, the proposed ordinance amendment accomplishes the following required tasks and completely replaces the existing ordinance with specific sections of the ALUCPs:

1. Table of Contents and Article 1. Purpose
  - Revised to reflect updated content for the adopted Airport Land Use Compatibility Plans.
  - Revised Table of Contents
2. Article 2. Nevada County Airport Land Use Compatibility Plan
  - Replaced existing language with new language that recognizes the applicability, geographic scope and the specific sections that are adopted by reference for the Nevada County Airport Land Use Compatibility Plan.
3. Article 2. Truckee Tahoe Airport Land Use Compatibility Plan
  - Replaced existing language with new language that recognizes the applicability, geographic scope and the specific sections that are adopted by reference for the Truckee Tahoe Airport Land Use Compatibility Plan.

## **AGENCY REVIEW**

### **Additional Required Agency Reviews**

In accordance with State Laws, there were several required reviews of that were associated with this project in addition to the standard distribution to interested agencies. Those reviews include:

- The Nevada County and Truckee Tahoe and Airport Land Use Committees (Attachments 8) regarding the adoption or approval of any amendment to a general plan, specific plan or zoning ordinance affecting property within the airport influence areas or involves the types of airport impact concerns contained in the applicable ALUCP (Public Utility Code Section 21676(b)). Both Commissions approved the proposed ALUCP revisions to the Noise and Safety Element and LUDC Chapter III;

- The California Geological Survey regarding the review of any amendments to the General Plan Safety Element that involve geologic or seismic hazard information (Government Code Section 65302.5(a)). No comments have been received to date; and
- The Board of Forestry and Fire Protection (Attachment 9, and every local fire agency that provides fire protection services within the County, regarding the review of any amendments to the General Plan Safety Element that involve fire safety when State Responsibility Areas are present within jurisdiction with Very High Fire Hazard Severity Zones (Government Code Section 65302.5(b)). Comments were received from the Board of Forestry on July 15, 2014 which found the Safety Element to be adequate in addressing potential fire safety hazards and the prevention of wildland fires. Additionally, Planning Department staff met with Terry McMahan the Nevada County Consolidated Fire District Deputy Fire Marshal on June 2, 2014 to review the proposed amendments and discuss some concerns that were addressed. No further comments have been received to date; and
- Tribal Consultation Requests regarding any general plan amendments (Government Code Section 65352.3). A request for future environmental documents was received on February 21, 2014 from the United Auburn Indian Community of the Auburn Rancheria. No further comments have been received to date.

## **ENVIRONMENTAL REVIEW**

The changes which are proposed to the Noise Element, Safety Element and LUDC Chapter III Airport Zoning, are strictly policy document text amendments only. These amendments do not include any development associated with the proposed legislative action. The adoption of the proposed Noise and Safety Element updates and amendment to LUDC Chapter III will not grant any land use entitlements for development projects. Therefore, the proposed amendments to the text of the Noise and Safety Elements, and LUDC Chapter III, are not anticipated to create significant impacts to environmental resources. The Nevada County Planning Department has prepared a draft initial study/Negative Declaration (ND) for the proposed project that was circulated for a 30-day public comment between July 22 and August 22, 2014 (Attachment 1).

The Notice of Availability (NOA) was sent to several local responsible agencies as well as interested groups, organizations and interested members of the public. In addition, the initial study and proposed negative declaration were sent to the State Clearinghouse for review by the responsible state agencies. The NOA was also sent to all Nevada County Fire Districts, eight Nevada County Departments, the Sierra Planning Organization, both the Nevada County and Truckee Tahoe ALUCs, all school districts, all chambers of commerce, Nevada County LAFCO, the Cities of Grass Valley and Nevada City, the Town of Truckee, two water districts and one irrigation district, all property owners associations on the Planning Departments distribution list, four utility companies, Native American tribal groups, the

Department of Defense, and all special interest groups that are on the notification list. To date, no written comments have been received

## **SUMMARY**

The proposed amendments to the Noise and Safety Elements and LUDC Chapter III Airport Zoning are a result of consistency findings made during the recent Land Use Element Update. As the Planning Department has proceeded with this project, ongoing efforts have focused on interagency coordination, adhering to state laws regarding additional required agency review and insuring land use policy consistency.

The proposed amendments to the Noise Element are minor in nature and strictly focused on updating the existing policy language of noise impacts within the vicinity of airports. While the proposed amendments to the Safety Element are a bit more extensive, and are found throughout the chapter, they also are minor in nature and were made only when deemed necessary. These changes include the incorporation of the 2011 Local Hazards Mitigation Plan (LHMP), and the addition of ‘Severe Weather Hazards’ as a potential safety hazard in Nevada County. The proposed amendments to LUDC Chapter III Airport Zoning are comprehensive in nature, resulting in a completely revised Chapter. While the Land Use, Noise and Safety Elements contain policies for consistency with the ALUCPs, it is the LUDC Chapter III which is the actual mechanism that adopts the ALUCP land use compatibility standards by reference. These amendments will ensure the County is in compliance with the California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) and will assist in ensuring that future development near the airports is consistent with the applicable ALUCP compatibility criteria. Subsequently, staff is recommending that the Planning Commission provide a recommendation to the Board of Supervisors to approve the proposed General Plan and Land Use and Development Code Amendments.

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## **RECOMMENDATION**

Staff recommends the Planning Commission take the following actions:

- I. Recommend the Board of Supervisors approve the attached draft Resolution (Attachment 1) for Negative Declaration (EIS14-003), as may be modified, pursuant to Section 15704 of the California Environmental Quality Act Guidelines, making findings A-C:
  - A. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment;
  - B. That the proposed Negative Declaration reflects the independent judgment of the Board of Supervisors; and

- C. That the location and custodian of the documents which constitute the record of these proceedings in the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.
  
- II. Recommend the Board of Supervisors approve the attached draft Resolution (Attachment 2) for the General Plan Amendment (GP14-002), as may be modified, to update the Noise and Safety Elements, making findings A-B:
  - A. That the proposed amendment is consistent with and furthers the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Nevada County Land Use and Development Code Chapter II zoning Regulations; and
  - B. That the proposed amendment will not be detrimental to the public interest, health safety, convenience, or welfare of the County.
  
- III. Recommend the Board of Supervisors approve the attached draft Ordinance (Attachment 3) for the amendment of Land Use and Development Code (ORD14-001), as may be modified, to replace the Chapter III Airport Zoning with the Chapter III Airport Land Use Compatibility, making findings A-B:
  - A. That the proposed amendment is consistent with and furthers the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Nevada County Land Use and Development Code Chapter II zoning Regulations; and
  - B. That the proposed amendment will not be detrimental to the public interest, health safety, convenience, or welfare of the County.

Respectfully Submitted,

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Brian Foss  
Director of Planning



# **RESOLUTION NO. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **A RESOLUTION ADOPTING A NEGATIVE DECLARATION (EIS14-003) FOR AMENDMENTS TO THE NEVADA COUNTY GENERAL PLAN CHAPTER 9: NOISE ELEMENT, CHAPTER 10: SAFETY ELEMENT AND AMENDMENTS TO THE LAND USE AND DEVELOPMENT CODE CHAPTER III: AIRPORT ZONING (FILE NOs. GP14-002, ORD14-001 AND EIS14-003)**

WHEREAS, on July 18, 2014, the Planning Department staff prepared an Initial Study and Negative Declaration (“IS/ND”) for the Project, a copy of which is attached to this Resolution as Exhibit A; and,

WHEREAS, the IS/ND was submitted directly to affected local, regional and state agencies, including the State Clearinghouse, and was released for a 30-day public review period, commencing on July 22, 2014, and ending August 22, 2014; and,

WHEREAS, the IS/ND analyzes all of the potential environmental impacts of the proposed Project and found that no significant impacts would result from the approval of the Project; and,

WHEREAS, on August 28, 2014, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/ND together with all comments received during the public review period, and recommended adoption of this same Negative Declaration before making a recommendation to the Board on the proposed Project.

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors has reviewed and considered the recommendation of the Planning Commission and has independently reviewed the Initial Study and proposed Negative Declaration (EIS 14-003), together with all comments received during the public review period, and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. On the basis of the whole record before the Board of Supervisors, there is no substantial evidence that the proposed Project will have a significant effect on the environment.
3. The IS/ND reflects the Board’s independent judgment and analysis.

4. The documents and materials constituting the record of the proceedings on which this decision is based are located and in the custody of the Nevada County Planning Department at 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Negative Declaration (EIS14-003) for amendments to the Nevada County General Plan Chapter 9: Noise Element, Chapter 10: Safety Element, and Land Use and Development Code Chapter III: Airport Zoning and that the Clerk of the Board is directed to file a Notice of Determination pursuant to CEQA Guidelines Section 15075 within five working after adoption of this resolution and approval of the proposed Project.

DRAFT

# NEVADA COUNTY, CALIFORNIA

## PROPOSED NEGATIVE DECLARATION NOTICE OF AVAILABILITY FOR PUBLIC REVIEW

**Date:** July 18, 2014

**To:** State Clearinghouse  
County Counsel  
NC Dept. of Public Works  
NC Agricultural Commissioner\*  
NC Dept. Information and General Services\*  
All NC Fire Districts\*  
Sierra Planning Organization\*  
All NC School Districts\*  
All NC Chambers of Commerce\*  
NC LAFCo  
Washington County Water District\*  
Nevada Irrigation District\*  
AT&T\*  
All Property Owners Associations\*  
Donner Summit Public Utilities District\*  
NAVFACSW Intergovernmental Branch AM-3\*  
Brian Wallace\*  
Truckee Tahoe Airport Land Use Committee  
United Auburn Indian Community of the Auburn Rancheria\*  
All Special Interest Groups (on notification list) \*

Board of Supervisors (All Districts)\*  
Planning Commissioners\*  
NC Environmental Health Department  
NC Dept. of Public Health\*  
NC Office of Emergency Services  
NC Fire Safe Council  
City of Grass Valley  
City of Nevada City  
Town of Truckee  
NC Transportation Commission/NCALUC  
North San Juan Ridge Water District\*  
Truckee Donner Public Utility District\*  
PG&E\*  
Rural Quality Coalition\*  
General Plan Defense Fund  
Federation of Neighborhoods Association\*  
T'Si-akim Maidu\*

\*Note: NOA only

**From:** Kimberly Hunter, Senior Planner  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959  
(530) 265-1423  
Email: Kimberly.Hunter@co.nevada.ca.us

**File Number(s):** GP14-002; ORD14-00; EIS14-003

**Applicant:** Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959  
(530) 265-1222

**Project Location:** Countywide

**Project Description:** The project proposed to update the General Plan Noise Element (Chapter 9) and Safety Element (Chapter 10) according to the 2003 OPR General Plan Guidelines and more recent updates to state planning and zoning laws. The proposed General Plan text amendments (GP14-002) include: 1) incorporating the 2010 Truckee Tahoe and 2011 Nevada County Airport Land Use Compatibility Plans; 2) incorporating structural and formatting changes; 3) incorporating minor corrections and editing to clarify information; and, 4) incorporating minor corrections and editing issues

to clarify information, replace acronyms with complete terms, and correct minor grammatical and reference errors. Additional amendments are proposed that specifically apply to the Safety Element which include: 1) updating the data, information and references with more current sources; 2) incorporating additional language to recognize that severe weather events present safety hazards in Nevada County; 3) revising policies where progress has been made or changes in situation have occurred; and 4) incorporating the 2011 Local Hazards Mitigation Plan (which replaced the 2000 Multi-Jurisdiction, Multi-Hazard Mitigation Plan) in accordance with AB 2140 (Qualifying for Additional California Disaster Assistance Act State Share). Also included in this project is a proposed ordinance amendment (ORD 14-001) to amend the Land Use and Development Code (LUDC) Chapter III Airport Zoning ordinance to comprehensively update outdated policies by adopting specific sections of the Nevada County and Truckee Tahoe Airport Land Use Compatibility Plans by reference.

This is the Public Notice that the County of Nevada has prepared a Negative Declaration (ND) for the project identified above. As mandated by State Law (21091 PRC), the minimum public review period for this document is 30 days (ND was submitted to the State Clearinghouse for review). Therefore, The Nevada County Planning Department requests that you provide your comments in writing no later than 5:00 p.m. on **August 22, 2014**.

An Initial Study prepared for this project and the documents used in preparation of this Study can be reviewed at the Nevada County Planning Department, 950 Maidu Avenue, Suite 170 Nevada City, California. A copy of the Initial Study can be downloaded from the Nevada County Planning Department website located at:

<http://www.mynevadacounty.com/nc/cda/planning/Pages/Environmental-Documents.aspx>

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970", as amended to date, a Draft Negative Declaration has been prepared because no substantial evidence exists, as indicated in the Initial Study, that the proposed project may have a significant environmental effect *or* the proposed project impacts as mitigated by the incorporation of mitigation measures in the Initial Study, have been mitigated to a less than significant level.

Prepared by:



Kimberly Hunter, Senior Planner  
(530) 265-1423



July 18, 2014

cc: County Counsel

## NEVADA COUNTY, CALIFORNIA INITIAL STUDY

**To:** State Clearinghouse  
County Counsel  
NC Dept. of Public Works  
NC Agricultural Commissioner\*  
NC Dept. Information and General Services\*  
All NC Fire Districts\*  
Sierra Planning Organization\*  
All NC School Districts\*  
All NC Chambers of Commerce\*  
NC LAFCo\*  
Washington County Water District\*  
North San Juan Ridge Water District\*  
Nevada Irrigation District\*  
AT&T\*  
All Property Owners Associations\*  
Donner Summit Public Utilities District\*  
NAVFACSW Intergovernmental Branch AM-3\*  
Brian Wallace\*  
United Auburn Indian Community of the Auburn Rancheria\*

Board of Supervisors (All Districts)\*  
Planning Commissioners\*  
NC Environmental Health Department  
NC Dept. of Public Health\*  
NC Office of Emergency Services  
NC Fire Safe Council  
City of Grass Valley  
City of Nevada City  
Town of Truckee  
NC Transportation Commission/NCALUC  
Truckee Tahoe ALUC  
Special Interest Groups (on notification list) \*  
Truckee Donner Public Utility District\*  
PG&E\*  
Rural Quality Coalition\*  
General Plan Defense Fund  
Federation of Neighborhoods Association\*  
T'Si-akim Maidu\*

\*Note: NOA only

**Date:** July 18, 2014

**Prepared by:** Kim Hunter, Senior Planner  
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**File Number(s):** GP14-002; ORD14-001; EIS14-003

**Applicant:** Nevada County  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959  
Telephone: (530) 265-1222

**Project Location:** Countywide  
(General Plan and Land Use and Development Code Policy Text Amendments)

**Project Description:**

The project proposed to update the General Plan Noise Element (Chapter 9) and Safety Element (Chapter 10) according to the 2003 OPR General Plan Guidelines and more recent updates to state planning and zoning laws. The proposed General Plan text amendments (GP14-002) include: 1)

incorporating the 2010 Truckee Tahoe and 2011 Nevada County Airport Land Use Compatibility Plans; 2) incorporating structural and formatting changes; 3) incorporating minor corrections and editing to clarify information; and, 4) incorporating minor corrections and editing issues to clarify information, replace acronyms with complete terms, and correct minor grammatical and reference errors. Additional amendments are proposed that specifically apply to the Safety Element which include: 1) updating the data, information and references with more current sources; 2) incorporating additional language to recognize that severe weather events present safety hazards in Nevada County; 3) revising policies where progress has been made or changes in situation have occurred; and 4) incorporating the 2011 Local Hazards Mitigation Plan (which replaced the 2000 Multi-Jurisdiction, Multi-Hazard Mitigation Plan) in accordance with AB 2140 (Qualifying for Additional California Disaster Assistance Act State Share). Also included in this project is a proposed ordinance amendment (ORD 14-001) to amend the Land Use and Development Code (LUDC) Chapter III Airport Zoning ordinance to comprehensively update outdated policies by adopting specific sections of the Nevada County and Truckee Tahoe Airport Land Use Compatibility Plans by reference.

The draft language of the Noise Element update is attached to this initial study as Appendix B and the draft language of the Safety Element is attached as Appendix C. The draft language of the revised LUDC Chapter III Airport Zoning ordinance is attached as Appendix D.

The proposed draft language and additional project information for this project (Noise and Safety Element Update) can be downloaded from the Nevada County website at:

<http://www.mynevadacounty.com/nc/cda/planning/Pages/Noise-and-Safety-Element-Update.aspx>

Electronic copies of this environmental study document and attachments can also be found at:

<http://www.mynevadacounty.com/nc/cda/planning/Pages/Environmental-Documents.aspx>

### **Project Objectives:**

The primary objective of this project is to update the Noise and Safety Elements of the General Plan (hereto referred to as the “Update”) and to amend the LUDC Chapter III Airport Zoning ordinance (hereto referred to as the “Ordinance Amendment”) to incorporate the adopted Airport Land Use Compatibility Plans for the Nevada County and Truckee Tahoe Airports, update information and references, and restructure and reformat the text as needed.

### **Proposed Amendments:**

The proposed Update modifies the existing Noise Element (Chapter 9) which is found in ‘Appendix B’. Specific amendments to the Noise Element are as follows:

#### 1. Introduction and Setting

- No changes

#### 2. Goals, Policies and Objectives

- Reformatted to ‘Goals, Policies and Programs’ (utilizing formatting approach similar to the approaches used for the 2010 Housing and Circulation Element Updates) which included renumbering the policies and programs, removing reference notes and removing the descriptions of policies as being ‘directive’ or ‘action’.
- Reformatted and assigned table number to Table 9.1.2 *Noise Standards* (no changes made to the content contained in the table).

- Revised language of former Objective 9.4 and Policies 9.17, 9.18, 9.19 to incorporate and recognize the adopted Airport Land Use Compatibility Plans for the Nevada County and Truckee Tahoe Airports (now Policies 9.1.20, 9.2.21, 9.1.22 and 9.1.23).
- Assigned figure number to Figure 9.1 *Airport / Land Use Noise Compatibility Criteria* (no changes made to the information contained in the table).

The proposed Update modifies the existing Safety Element (Chapter 10) which is found in ‘Appendix C’. Specific amendments to the Safety Element area as follows:

1. Introduction and Setting

- Added Severe Weather Hazards as a safety hazard in Nevada County; added “Military Airspace” to Airport Hazards; and added Public Safety Services and Facilities to list of safety and hazard issues which was already addressed in the previous Goals, Objectives and Policies Section.
- Updated document references and information within the Emergency Preparedness, Geologic Hazards / Seismic Activity, Flood Hazards, and Hazardous Materials subsections.
- Comprehensively revised the Airport Hazards subsection to reflect Military Operations Areas (MOA) and recognize the adopted Airport Land Use Compatibility Plans for the Nevada County and Truckee Tahoe Airports.
- Updated and restructured the Fire Hazards and Protection subsection as needed with more current information and references.
- Added subsection to discuss Severe Weather Hazards.

2. Goals, Policies and Objectives

- Reformatted to ‘Goals, Policies and Programs’ (utilizing formatting approach similar to the approaches used for the 2010 Housing and Circulation Element updates, and the 2013 Land Use Element update) which included renumbering of the policies and programs, removing reference notes and removing the descriptions of policies as being ‘directive’ or ‘action’.
- Replaced references to the 2006 Multi-Jurisdiction, Multi-Hazard Mitigation Plan (MJMHMP) with the 2012 Local Hazard Mitigation Plan (LHMP) and other document references as needed.
- Added “and military airspace” to Goal AH-10.4 to address safety concerns regarding Military Operation Areas.
- Revised Policy and Program language to incorporate the adopted Airport Land Use Compatibility Plans; added new Policy (AH 10.4.1) and Program (AH-10.4.2) to ensure the early notification to the military of proposed development projects within the MOA located in the eastern portion of Nevada County.
- Restructured and made minor and necessary updates to the Policy and Program language that supports the Fire Hazards and Protection (FP) Goals FP-10.7 – FP-10.12.
- Formatted and numbered Table 10.1; moved original language of Objective FP-10.7.3 to Program FP-10.12.6; moved original language of Policy 10.7.3 to Program FP-10.12.30; added new language regarding the support of Firewise Communities USA<sup>®</sup> program.
- Added Goal WH-10.13, Policy 10.13.1 and Policy 10.13.2, and Program WH-10.13.1 to address safety and hazards issues associated with severe weather hazards.
- Updated List of Acronyms.

The proposed Ordinance Amendment includes a comprehensive revision of the LUDC Chapter III Airport Zoning Ordinance (Appendix D) which accomplishes the following tasks and completely replaces the existing ordinance:

1. Table of Contents and Article 1. Purpose

- Revise to reflect updated content for the adopted Airport Land Use Compatibility Plans.
2. Article 2. Nevada County Airport Land Use Compatibility Plan
    - Comprehensively revised to recognize the applicability, geographic scope and the specific sections that are adopted by reference for the Nevada County Airport Land Use Compatibility Plan.
  3. Article 2. Truckee Tahoe Airport Land Use Compatibility Plan
    - Comprehensively revise to recognize the applicability, geographic scope and the specific sections that are adopted by reference for the Truckee Tahoe Airport Land Use Compatibility Plan.

**Relationship to Government Code Sections:**

The following State of California Government Code Sections directly relate to the proposed Update and Ordinance Amendment:

- Section 65302(f) establishes the requirements of the purpose and contents of a noise element;
- Section 65302(g) establishes the requirements of the purpose and contents of a safety element including the recently requirement that prior to the next housing element update (on or after January 1, 2014), the safety element shall be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas.
- Section 65302.3 that requires that each county and city affected by an airport land use compatibility plan must make its general plan and any applicable specific plan consistent with the adopted airport land use compatibility plan pursuant to Section 21675 of the Public Resources Code.
- Section 65302.5 that requires the State Board of Forestry and Fire Protection to review and provide recommendations to the safety element of county government general plans.

**Other Permits Which May Be Necessary:**

The proposed Update and Ordinance Amendment consists of text amendments to policy documents. No land use permits are necessary in order to implement these general plan amendments and ordinance amendment. The adoption of these general plan updates and/or the ordinance amendment will not result in the approval of specific development projects or result in changes to the physical environment. All future development projects and/or amendments to the Nevada County General Plan and/or the Land Use and Development Code will require that a project-specific environmental review occur prior to specific project approval.

## SUMMARY OF IMPACTS AND PROPOSED MITIGATION MEASURES

### Environmental Factors Potentially Affected:

All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

1. Aesthetics	2. Agriculture / Forestry Resources	3. Air Quality
4. Biological Resources	5. Cultural Resources	6. Geology / Soils
7. Greenhouse Gas Emissions	8. Hazards / Hazardous Materials	9. Hydrology / Water Quality
10. Land Use / Planning	11. Mineral Resources	12. Noise
13. Population / Housing	14. Public Services	15. Recreation
16. Transportation / Circulation	17. Utilities / Service Systems	18. Mandatory Findings of Significance

*No mitigation measures are proposed for this Update project.*

## INITIAL STUDY AND CHECKLIST

### Introduction:

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). The information, analysis and conclusions contained in the checklist are the basis for deciding whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. If an EIR is determined to be necessary based on the conclusions of the Initial Study, the checklist is used to focus the EIR on the effects determined to be potentially significant.

This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows:

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

### Project Location:

The proposed Noise and Safety Element updates applies to all unincorporated areas of Nevada County and covers privately owned parcels in all zoning districts and General Plan designations. The Project Area is located in Nevada County in the Sierra Nevada mountain range. The County is characterized by small towns and rural development that is largely integrated into the natural environment. The County spans over 974 square miles, and climbs from 300 mean feet above sea level (msl) on the western boundary to 9,143 feet msl at the highest point on the Sierra Crest before meeting the State of Nevada boundary on the County's eastern boundary.

The project area does not include city, state and federal lands. Of the County's approximate 625,000 acres, the Project Area occupies approximately 375,000 acres, or 61 percent of the total acres within the County. Various land ownerships, municipalities, and managers can be found in the County, including three incorporated cities/towns, County land, state land (predominantly the Spenceville Wildlife Management and Recreation Area, Malakoff Diggins State Historic Park, and Empire Mine State Historic Park) (approximately 23,600 acres), and federal land including US Forest Service (USFS) land (including Tahoe National Forest, which covers approximately 175,700 acres, Toiyabe National Forest land, which covers approximately 2,700 acres in the eastern area of the County, and Bureau of Land Management (BLM) land which is approximately 10,500 acres.)

The amendment to the Land Use and Development Code Chapter III Airport Zoning applies to those areas located within the airport influence areas that are defined by the adopted Nevada County and Truckee Tahoe Airport Land Use Compatibility Plans. The airport influence for the Nevada County Airport extends 1.7 miles from the airport's runway (Appendix D) and the Truckee Tahoe Airport extends roughly 2.7 miles from the airport runways (Appendix E).

**Relationship to Other Projects:**

There is no direct relationship to any other proposed project.

**Relationship to Other Environmental Review Documents:**

The following environmental documents are directly related to the Project:

- Notice of Determination was filed for the Truckee Tahoe Airport Land Use Compatibility Plan on December 20, 2004 with the Nevada County Clerk. A Negative Determination was prepared for this project pursuant to the California Environmental Quality Act (CEQA). Mitigation measures were not made a condition of approval for the project.
- A Notice of Determination was filed for the Nevada County Airport Land Use Compatibility Plan on September 22, 2011 with the Nevada County Clerk. A Negative Determination was prepared for this project pursuant to the CEQA. Mitigation measures were not made a condition of this project.

**1. AESTHETICS**

**Existing Setting:**

The aesthetic character of the County is generally rural, natural, and historic. Important aesthetic resources in the County include natural and historic forms, including river gorges, creeks, mountains, hills, meadows, geologic formations, and native vegetation, which consist of grass-oak woodlands, montane, brush lands, mixed conifer forest, and eastside pine with sage. Historic forms within the County include bridges, homes, and other structures more than 50 years old. Sites and natural forms with cultural importance to, or repeated use by, Native American tribes also contribute to aesthetic significance.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in demonstrable, negative, aesthetic effects on scenic vistas or views open to the public?				✓	A
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓	A
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				✓	A
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				✓	A
e. Create a visually incompatible structure within a designated historic district?				✓	A, 14, 15

**Impact Discussion:**

(1a-e) The General Plan contains an Aesthetics Element (Chapter 18) which establishes specific goals, objectives and policies related to aesthetic resources in Nevada County. No amendments are currently proposed for the Aesthetics Element of the General Plan.

The adoption of the Update, in itself, will not result in impacts to aesthetic resources, nor will it conflict with existing zoning or result in damage to scenic resources or the degradation of the visual character or quality of a site. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, **no impact** would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required

**2. AGRICULTURAL/FORESTRY RESOURCES**

**Existing Setting:**

Farmlands of local importance is scattered throughout western Nevada County with major concentrations occurring northeast and east of Nevada City, near Penn Valley, and in the south and southwest portions of the County. Countywide, there are 18,424 acres of Farmlands of Local Importance, 1,789 acres of Farmlands of Statewide Importance, 547 acres of Unique Farmlands and 435 acres of Prime Farmlands. There are no important agricultural lands mapped in eastern Nevada County.

Generally, Nevada County soils are poor for intensive agricultural use; however, some soil types could support limited intensive agricultural use, including timber production. Nevada County supports extensive commercial timber resources, the majority of which are under the jurisdiction of the Tahoe National Forest in the eastern areas of the County. County zoning allocates 162,800 acres for primary agricultural use, allowing an additional 39,000 acres for agriculture as an accessory use to residential development. Agricultural operations comprise an approximate 80,000 acres, averaging 12-13% of total lands, with an approximate 600 farms in operation in 2006; the average farm size is in approximate 137 acres. A total 5,410.19 acres are currently under Williamson Act contract, preserving those lands from development.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation’s Division of Land Resource Protection, to non-agricultural use?				✓	A, J, 6
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				✓	A, 16
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland zoned				✓	A, 16

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
Timberland Production Zone (per Section L-II 2.3.C of the Nevada County Land Use and Development Code)?					
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓	A
e. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓	A

**Impact Discussion:**

(2a-e) The General Plan contains a Forest Element (Chapter 15) and an Agriculture Element (Chapter 16), that establish specific Goals, Objectives and Policies related to forestry and agricultural and resources in Nevada County. No amendments are currently proposed for the Forest or Agriculture Elements.

The adoption of the Update, in itself, will not result in impacts to Important Farmlands (Prime, Unique, Statewide or Local Important Farmlands), nor will it conflict with existing zoning or result in conversion of agricultural, timberland or timberland uses or a Williamson Act contract. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

The adoption of the proposed Update will not grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**3. AIR QUALITY**

**Existing Setting:**

Nevada County is located in the Mountain Counties Air Basin. The overall air quality in Nevada County has improved over the past decade, largely due to vehicles becoming cleaner.

State and Federal air quality standards have been established for specific “criteria” air pollutants, including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and particulate matter. In addition, there are State standards for visibility reducing particles, sulfates, hydrogen sulfide and vinyl chloride. State standards are called California Ambient Air Quality Standards (CAAQS) and federal standards are called National Ambient Air Quality Standards (NAAQS). NAAQS are composed of health-based primary standards and welfare-based secondary standards.

Western Nevada County is Moderate Nonattainment for the 1997 ozone NAAQS, with a “Finding of Attainment” based on three years of “clean” data. The area is also Marginal Nonattainment for the 2008 ozone NAAQS and is Nonattainment for the ozone CAAQS. Most of western Nevada County’s ozone is transported to the area by wind from the Sacramento area and, to a lesser extent, the San Francisco Bay Area. Ozone is created by the interaction of Nitrogen Oxides and Reactive Organic Gases (also known as Volatile Organic Compounds) in the presence of sunlight, especially when the temperature is high. Ozone is mainly a summertime problem, with the highest concentrations generally observed in July and August, especially in the late afternoon and evening hours.

Nevada County is also Nonattainment for the PM10 CAAQS, but Unclassified for the PM10 NAAQS. The number after “PM” refers to maximum particle size in microns. PM10 is a mixture of dust, combustion particles (smoke) and aerosols, whereas PM2.5 is mostly smoke and aerosol particles. PM2.5 sources include woodstoves and fireplaces, vehicle engines, wildfires and open burning. PM10 sources also include dust, such as from surface disturbances, road sand, vehicle tires and leaf blowers. Some pollen and mold spores are also included in PM10, but most are larger than 10 microns. All of Nevada County is Unclassifiable/Attainment for the PM2.5 NAAQS and Unclassified for the PM2.5 CAAQS.

Ultramafic rock and its altered form, serpentine rock (or serpentinite), both typically contain asbestos, a cancer-causing agent. Ultramafic rock and serpentine exist in several locations in Nevada County, mainly in the western half. Disturbance of this rock and nearby soil can result in the release of microscopic cancer-causing asbestos fibers into the air, resulting in potential health and safety hazards.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial air pollutant emissions or deterioration of ambient air quality?				✓	A, F
b. Violate any air quality standard or contribute to an existing or projected air quality violation?				✓	A, F
c. Expose sensitive receptors to substantial pollutant concentrations?				✓	A, F
d. Create objectionable smoke, ash, or odors?				✓	A, F
e. Generate dust?				✓	A, F
f. Exceed any potentially significant thresholds adopted in County Plans and Goals?				✓	A, F
g. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?				✓	A, F

**Impact Discussion:**

(3a-g) The General Plan contains an Air Quality Element (Chapter 14) which establishes specific Goals, Objectives and Policies related to air quality in Nevada County. No amendments are currently proposed for the Air Quality Element.

The adoption of the Update, in itself, will not result in impacts to air quality in Nevada County. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The Update does not revise, replace or attempt to supersede any

existing air quality standards adopted by the County or the State of California. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

The adoption of the proposed Update will not grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County's land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

#### **4. BIOLOGICAL RESOURCES**

##### **Existing Setting:**

Nevada County contains a wide range of plants, animals, and habitat types. With elevations ranging from 300 feet msl in the west to 9,143 feet msl in the east and precipitation amounts varying from 30 inches in the west to 60 inches near the crest of the Sierras, the County supports a true diversity of habitat types. Generally, the County can be characterized by gently rolling oak woodlands in the west that transition to coniferous forest in the middle ranges and a desert-like association on the eastern slope of the Sierras. A given type of vegetation association, with associated animal life, is referred to as a life zone. A life zone is an area with generally uniform of homogeneous characteristics located within general geographic boundaries. The life zones in Nevada County include Upper Sonoran, Transition, Canadian, Hudsonian, Arctic-Alpine and Mixed Conifer-Jeffrey Pine-Sagebrush.

Five primary wildlife habitat types in California are recognized by the California Department of Fish and Wildlife (DFW): tree dominated; shrub dominated; herbaceous dominated; aquatic; and developed. These habitats occur in continuous stretches and isolated pockets depending on the overall topography, elevation, climate and pattern of development in a particular area. Wildlife may move between various habitat types to satisfy their life requirements. Wildlife utilize riparian corridors, low lying or "saddle" areas of ridges, established trails, and other corridors for their inter-habitat movement. In addition, many species, including deer, move seasonally in response to their seasonal habitat requirements. In this context, it is possible that loss of a habitat could constitute an adverse effect (because of local or regional scarcity and ecological value of a habitat) even though the individual species of plants that make up the habitat, or animal species which use the habitat may not, in and of themselves, be endangered or rare.

Habitats throughout the County have been modified by human activity. The western portions of the County, especially the Upper Sonoran and Transition life zones, have experienced rapid residential growth in recent decades. The resultant parcelization, fencing, alteration of vegetation, introduction of domestic animals, roadways, noise, and night lighting have served to reduce the habitat values throughout the area. In the mid to high elevations, logging, mining, and development of second homes and subdivisions have also served to alter habitats. Habitat values can be reduced by both direct (construction of housing) and indirect (increased density in wide movement corridors) activities. Although the overall trend in the County is toward a decline in habitat values as identified by the DFG, there is a wide localized variation in habitats, tolerances of species, and degrees of human disturbance.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓	A, 3
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓	A, 3
c. Result in a substantial reduction in the extent, diversity, or quality of native vegetation, including brush removal for fire prevention and flood control improvements?				✓	A, 3
d. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓	A, 3
e. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓	A, 2, 3
f. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓	A, 2, 8
g. Introduce any factors (light, fencing, noise, human presence and/or domestic animals), which could hinder the normal activities of wildlife?				✓	A, 16

**Impact Discussion:**

(4a-g) The General Plan contains a Wildlife and Vegetation Element (Chapter 13) which establishes specific Goals, Objectives and Policies related to sensitive biological resources in Nevada County. No amendments are currently proposed for the Wildlife and Vegetation Element.

The adoption of the Update, in itself, will not result in potential impacts to biological resources. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within in the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the Ordinance Amendment.

All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**5. CULTURAL RESOURCES**

**Existing Setting:**

This region has been occupied by Native American people for a period of at least 1,000 to 2,000 years in duration. The local people who occupied the territory where this project site is located were known as the Hill Nisenan, or “Southern Maidu.” In 1848, gold brought immigrants into the local area. By 1852 and the advent of placer mining, the population of Nevada County was estimated at more than 21,000 people. Supporting industry including stores, transportation companies, saloons, toll roads and stage lines, foundries, lumber mills, and water companies continued the growth rate of the County.

The varied environmental zones, the geological characteristics and the geographical position of Nevada County account for an exceedingly rich and exceptionally complex cultural resource base. There are a relatively large number, and wide array, of recorded prehistoric site types in Nevada County. A number of State laws regulate the disturbance of archaeological sites and the Nevada County General Plan and Zoning Regulations establish procedures for identifying potentially sensitive sites.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?				✓	A
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?				✓	A
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓	A
d. Disturb any human remains, including those interred outside of formal cemeteries?				✓	A

**Impact Discussion:**

(5a-d) In accordance with Government Code §65352.3, notifications were sent to California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans. The notification of the proposed amendments to the Noise and Safety Elements were mailed to tribes listed on the NAHC consultation list on January 14, 2014. No requests for tribal consultation have been received to date, although the United Auburn Indian Community of the Auburn Rancheria requested that any further information regarding the Update be forwarded to them when available.

The General Plan contains a Cultural Resources Element (Chapter 19) which establishes specific General Plan Goals, Objectives and Policies related to cultural resources in Nevada County. No amendments are currently proposed for the Cultural Resource Element.

The adoption of the Update, in itself, will not result in ground disturbance and/or potential impacts to cultural resources. The proposed Update consists only of text amendments to policy documents, which

are intended to guide the development in the County and will not directly result in any ground disturbance. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

All future development projects, whose outcome assists in meeting the County’s development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, **no impact** would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

## 6. GEOLOGY / SOILS

### Existing Setting:

The Sierra Nevada Range, a geologic block nearly 400 miles long and 80 miles wide, runs through Nevada County. This formation is represented by gentle rolling foothills on the western flank to steep mountainous terrain in the middle section of the County, and the crest of the Sierra near Donner Summit in the eastern portion of the County. Eastward from the crest, the terrain begins a downslope trend towards the Nevada state line. The substructures in the western section of the County range from metavolcanic to granitic formations, while the central section includes sedimentary, metasedimentary, and volcanic formations. The eastern sections of the County contain volcanic or granitic formations. In general, the formations are relatively seismically inactive. However, there are seismic faults in both western and eastern Nevada County.

Soil surveys conducted by U.S. Department of Agriculture Natural Resources and Conservation Service and the Tahoe National Forest Division of the USFS have identified 55 general soil types in the County. The soil types are described by topography, slope, permeability, dwelling limitations, septic limitations, erosion hazards, and agricultural and timber capacities. In general, the County soils are variable: the soil permeability ranges from very slow to very rapid, and the erosion hazard ranges from slight to very high. The soil erosion hazard ratings of moderate to high are typically associated with slopes 15% or greater.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?				✓	A, C, H, 5, 9, 10, 14
b. Result in disruption, displacement, compaction, or over-covering of the soil by cuts, fills, or extensive grading?				✓	A
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓	A, 9, 10, 14

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓	A, C, 9
e. Result in any increase in wind or water erosion of soils, on or off the site?				✓	A
f. Changes in siltation, deposition or erosion, which may modify the channel of a river, or stream, or the bed any bay, inlet or lake?				✓	A
g. Result in excessive grading on slopes of over 30 percent?				✓	A, J

**Impact Discussion:**

(6a-g) The Safety Element addresses safety hazards that are associated with geologic and seismic activity which includes: avalanches, landslides and earthquakes. Information contained in the Introduction and Setting Section has been revised and refreshed with more current data as part of the Update. The Goals, Policies and Programs Section (previously referred to as the “Goals, Objectives and Policies” section) of the Safety Element has been reformatted. However, no amendments have been made to the existing language (Goal GH-10.2, Policies GH-10.2.1-4).

The General Plan contains a Soils Element (Chapter 12) which establishes specific Goals, Objectives and Policies related to soil erosion control in Nevada County by enforcement of the grading ordinance, implementing erosion control measures for county projects, and encouraging ongoing cooperation with the local Resource Conservation District. No amendments are currently proposed for the Soils Element.

Adoption of the Update, in itself, will not upset existing geologic or soil conditions. The proposed Update consists only of text amendments to policy documents, which are intended guide the development in the County. Potential geologic impacts associated with the construction of new development will vary, and be assessed, on a project-by-project basis. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

All development projects will be subject to site-specific environmental review at the time that the project is proposed. At that time, a comprehensive review of potential geologic impacts will be performed to ensure that future development does not result in significant environmental impacts without sufficient mitigation. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**7. GREENHOUSE GAS EMISSIONS**

**Existing Setting:**

Greenhouse gases (GHGs) are those gases that trap heat in the atmosphere. GHGs are emitted by natural and industrial processes, and the accumulation of GHGs in the atmosphere regulates the earth’s

temperature. GHGs that are regulated by the State and/or EPA are carbon dioxide (CO2), methane (CH4), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6) and nitrous oxide (NO2). CO2 emissions are largely from fossil fuel combustion. In California, approximately 43% of the CO2 emissions come from cars and trucks. Electricity generation is another important source of CO2 emissions. Agriculture is a major source of both methane and NO2, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agents and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO2. The adverse impacts of global warming include impacts to air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and an increase in health related problems.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act, was adopted in September 2006 and requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through regulations to reduce emissions from stationary sources and from vehicles. The California Air Resources Board (ARB) is the State agency responsible for developing rules and regulations to cap and reduce GHG emissions. In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009. The Northern Sierra Air Quality Management District has not adopted Thresholds of Significance for GHGs. Therefore, in order to satisfy CEQA requirements, projects should make a reasonable attempt to quantify, minimize and mitigate GHG emissions as feasible.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				✓	A
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				✓	A

**Impact Discussion:**

(7a-b) At this time there is no approved CEQA threshold adopted by either the State or the County for GHG emissions and global warming. However, adoption of the Update, in itself, will not result in a significant impact to greenhouse gas emissions. The proposed Update consists only of text amendments to policy documents, which are intended to guide the development in the County. All future development proposals will be subject to site-specific greenhouse gas emissions review as deemed appropriate by the County. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

The adoption of the proposed Update will not grant any entitlements for development projects. Additionally all future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, a *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**8. HAZARDS / HAZARDOUS MATERIALS**

**Existing Setting:**

The interface of the natural and manmade environments within the County creates potential safety hazards associated with wildfires, landslides, earthquakes and seiches. Other potential safety hazards include naturally occurring asbestos, past mining operations and airport operations.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓	A, C
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓	A, C
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓	A, C
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?				✓	A, C, M
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓	A, 21, 22
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓	A
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓	A, H
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓	A, K, N, 4

**Impact Discussion:**

(8a-g) The Safety Element addresses the following hazards:

- Hazardous materials. The discussion contained in the Introduction and Setting Section includes additional and updated information on: stationary sources of hazardous materials, transported hazardous materials, and hazardous materials that resulted from the County’s mining legacy. References and outdated information contained in the Introduction and Setting section has been revised and refreshed with more current data as part of the Update. The Goals, Policies and

Programs section of the Safety Element has been structurally reformatted. However, no amendments have been made to the language that addresses hazardous materials at a policy level (Goal HM-10.5, Policies HM-10.5.1-4).

- Airports and military airspace safety hazards. The discussion contained in the Introduction and Setting Section provides background information and guidance regarding airport land use compatibility planning and military operation areas. References and outdated information contained in the Introduction and Setting section has been revised and refreshed with more current data as part of the Update. The Goals, Policies and Programs section of the Safety Element has been structurally reformatted. Amendments have been made to reference the adopted Nevada County and Truckee Tahoe ALUCPs and recognize military airspace which includes minor amendments to the existing language (Goal AH 10.4, Policy AH-10.4.1) and the introduction of new language (Policy AH-10.4.2 and Program AH-10.4.1). The added language recognizes the importance of coordinating with the military to ensure that new development is compatible with military air operations and that early notification of discretionary development projects within a military operations area is required by state law.
- Emergency preparedness. Background information and guidance on emergency plans and guides, the emergency notification system and evacuation planning is provided in the revised Safety Element. The Introduction and Setting Section has been revised as needed to update reference documents and replace outdated information. Similarly, some minor revisions have been made to the language of the Goals, Policies and Programs section to update reference documents (Goal EP-10.1, Policies 10.1.1-9).
- Fire hazards. References and outdated information contained in the Introduction and Setting section has been updated as needed regarding fire hazards. The discussion provides background information on wildland fires, fire-safe infrastructure, fire agencies and support organizations, and fire protection plans and programs. Language has been added (Policy FP-10.9.7) regarding the Firewise Communities USA<sup>®</sup> program within Nevada County. Additionally, some minor restructuring, revisions and edits have been made to the Goals, Policies and Programs (Goals FP-10.7-12, Policies FP 10.7.1-10.11.6, Programs FP-10.12.1-30).
- Severe weather hazards. As part of the Safety Element as part of the Update project, new language has been added to address potential hazards associated with wind, lightning, snow, freezing, heavy rains and blizzards. An additional subsection has been added to describe and provide information on severe weather hazards in the Introduction Setting Section. A new Goal, Policy and Program have been added to the Goals, Policies and Program section to provide guidance on minimizing injury and property damage due to severe weather hazards (Goal WH-10.13, Policy WH-10.13.2, and Program WH-10.13.1). Severe weather hazard incidents in Nevada from 1960 to 2013 have included: high wind, freezing or extreme cold, lightning, heavy rain, winter storms or snow, and one tornado. Blizzards are also identified as a severe weather hazard which commonly affects elevations above 5,000 feet mean sea level in the Sierra Nevada.

The proposed Update and Ordinance Amendment consist only of text amendments to policy documents, which are intended to guide the development in the County. Adoption of the Update or Ordinance Amendment will not directly create significant safety hazards or grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County's land use development objectives, will be considered a project under CEQA and will require site/project-specific

environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Update and Ordinance Amendment.

(8h) The County's single largest risk for human life and financial loss is fire. Wildland fires and, in particular, fires that impinge on the wildland urban interface have cost County residents the most financially and in loss of life. Accordingly, the Safety Element addresses fire hazards and protection in extensive detail. Residential developments in wildland areas and limited forestland management resources have created and will perpetuate an environment of dense fuel reserves with seasonal wildland fire risk to the County's residents and their improvements. The most effective strategy to date has been to thin fuel sources at wildland urban interfaces, educate residents, and provide a rapid response to wildland fires when they start.

The Goals, Policies and Programs of the Safety Element recognize and incorporate the combined efforts of all involved parties maintain a tapestry of vigilance, preventative efforts and rapid response to the wildland fires threat. As previously discussed, the Update involves only restructuring, revisions and edits. The language and intent of the Goals, Policies and Programs remain intact.

As part of the update of the Safety Element, the State Board of Forestry and Fire Protection is required to review the Safety Element when being amended as Nevada County contains State Responsibility Areas and Very High Fire Hazard Severity Zones. This review was completed in accordance with Government Code §65302.5 on June 19, 2014 (Appendix E). Based on the comments provided by the State Board of Forestry and Fire Protection, the Nevada County General Plan Safety Element contains the essential Goal, Policy and Program language for providing greater protection and reduced cost and losses from wildfires.

The adoption of the Update, in itself, will not directly create significant safety hazards or expose people or structures to a significant risk of loss, injury or death involving wildland fires. Furthermore, the adoption of the proposed Update will not grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County's land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

## **9. HYDROLOGY / WATER QUALITY**

### **Existing Setting:**

The County is located within the watersheds of Truckee River, the Yuba River and the Bear River. Combined, these rivers drain about 420 square miles. The smaller watercourses and creeks that flow into these watersheds are supplied from melting snow pack, annual rainfall, springs, and surfacing groundwater. In general, the County's water quality varies with topography and development. Water quality tends to be good in the mountainous, less developed areas, and is impacted at lower elevations or in more developed areas. Water quality is influenced by several sources, including soil erosion, sedimentation, septic systems, pesticides, and agriculture. Water resources have a multitude of uses from agricultural to domestic, as well as fish and aquatic/riparian habitat, wildlife and plant habitat, and year-round recreation. A number of historic irrigation ditch systems are located throughout the western County, owned and maintained by the Nevada Irrigation District, and on a much smaller scale, by the San Juan Ridge County Water District.

There are a number of public water purveyors within the County; the Nevada Irrigation District, and the Cities of Grass Valley and Nevada City primarily serve western Nevada County with the Washington County Water District providing service to the small community of Washington. In the eastern Nevada County the Donner Summit and Truckee Donner Public Utility Districts, and the Glenshire Mutual Water Company provide domestic treated water service.

Nevada County has reported 13 flooding disasters since 1950 the most recent being in 2008. Fortunately these events have not resulted in loss of life or catastrophic property damage in Nevada County. Primarily due to the significant east to west elevation change in the western part of the county, most of the heavy storm rainfall moves quickly out of the watershed. In the eastern part of the County, higher elevation causes most precipitation to fall as snow during the first 4 months of the winter season. Flooding affecting Nevada County normally occurs when heavy rainfall combines with unseasonably warm temperatures that begin a premature melt of the snow pack. This phenomenon is most dramatically seen on the Yuba River with its steep canyon walls and the Truckee River with its smaller river channel. The Bear River because of its lower elevations and shallow riverbed tends to be impacted more by heavy rain over an extended period.

Flooding as a result of dam failure can occur as a result of manmade or natural causes. Such causes include improper siting, structural design flaws, erosion of the face or foundation, earthquakes, massive landslides, and rapidly rising flood waters. Inundation as a result of dam failure would most likely be the result of an earthquake. However, the area of Nevada County in which these dams exist is not located within an historical seismic zone. In fact, the western half of Nevada County is within the lowest earthquake intensity zone in California.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Violate any water quality standards or waste discharge requirements?				✓	A
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?				✓	A, C
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?				✓	A
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				✓	A
e. Create or contribute to runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial				✓	A

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
additional sources of polluted runoff?					
f. Otherwise substantially degrade water quality?				✓	A, C
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓	A, 11
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓	A, 11
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓	A, 11
j. Create inundation by mudflow?				✓	A, 10, 14

**Impact Discussion:**

(9a-j) The General Plan contains a Water Element (Chapter 11) which establishes specific goals, objectives and policies related to water resources in Nevada County. No amendments are currently proposed for the Water Element.

The Safety Element addresses safety hazards that are associated with flood hazards, which includes: flooding of streams and rivers, dam failures and seiches. Information contained in the Introduction and Setting Section has been revised and refreshed with more current data as part of the Update. For example, the addition of Table 10.1 which lists the primary areas of flooding in both the eastern and western portions of the County and adding detailed information on the 13 flood events reported in the County since the 1950’s. The Goals, Policies and Programs Section (previously the Goals, Objectives and Policies) of the Safety Element has been structurally reformatted as part of this effort. However, no amendments are proposed to the existing language (Goal FH-10.3, Policies FH-10.3.1-4).

The Federal Emergency Agency (FEMA) provides guidance for floodplain management. FEMA manages the National Flood Insurance Program (NFIP), which provides insurance to communities that participate in the program, and works with State and local agencies to adopt floodplain management policies and flood mitigation measures. Nevada County has been a participating community in the NFIP program since January 1, 1983. Nevada County’s Floodplain Management Regulations are contained in the Land Use and Development Code Chapter XII of the Nevada County Code which was updated in 2009. Additionally, the Nevada County Local Hazard Mitigation Plan contains a completed assessment of flooding hazards, flood hazard mapping and recommended flood hazard mitigations. No changes are proposed for these sections of the Land Use and Development Code Chapter XII or the Nevada County LHMP.

Adoption of the Update, in itself, will not result in a significant impact to hydrology, water quality, or flooding hazards. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of Updates and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**10. LAND USE / PLANNING**

**Existing Setting:**

The project area is the 375,000 acres of privately held land in the unincorporated area of Nevada County, excluding incorporated cities, state and federal lands. Land uses in the unincorporated County range from rural and forested areas to residential-rural and suburban lands, which include a mix of residential, agricultural and commercial uses. Federal and state public lands in the County total 314 square miles of the County’s 943 square miles, or approximately 33% of the County’s total land area. The unincorporated County contains a variety of resources and constraints, diverse topography and sensitive environments.

Nevada County is composed of a mosaic of residential, commercial, industrial, agricultural, and public land use patterns. While the City of Grass Valley, City of Nevada City, and Town of Truckee are focal points for the development of multiple land uses, there has also been considerable growth in the unincorporated areas of the County since the 1970s. With just under 100,000 residents, Nevada County was ranked as the 36<sup>th</sup> most populated county in California in 2012. The incorporated areas of Grass Valley, Nevada City and Truckee are home to 33% of the county’s population. The remaining 67% of residents live in outlying unincorporated areas. The populace has grown from 92,053 in July 2000 to 98,764 in 2010 with a slight decline in 2012 to 97,182. Population estimates for future growth show a slow but gradual population increase of the next 20 years.

Residential and rural development is governed by the General Plan that provides an overall policy guide, and Zoning Regulations which establish specific standards, varying with each zoning district, which includes 4 residential districts, 4 rural districts, 5 commercial districts, 3 industrial districts and 5 Special Purpose Districts.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in structures and/or land uses incompatible with existing land uses?				✓	A, 15, 16
b. The induction of growth or concentration of population?				✓	A, 20
c. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?				✓	A, B
d. Result in the loss of open space?				✓	A, 17
e. Substantially alter the present or planned land use of an area, or conflict with a general plan designation or zoning district?				✓	A, 15, 16, 21, 22
f. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction				✓	A, 15, 16, 21, 22

over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					
g. Disrupt or divide the physical arrangement of an established community, including a low-income or minority community?				✓	A, 15, 16

**Impact Discussion:**

(10a-g) The General Plan contains a Land Use Element (Chapter 1) which establishes specific goals, objectives and policies related to land use planning and community development in Nevada County. No amendments are currently proposed for the Land Use Element of the General Plan as part of this Update project.

The adoption of the Update and Ordinance Amendment will not conflict with any applicable land use plans. One of the primary component of the Update is to amend current policy documents to incorporate the Nevada County ALUCP (adopted September 2011), and the Truckee Tahoe ALUCP (adopted October 2010) to ensure land use policy consistency. Each of the ALUCP’s would be considered as land use plans that are applicable within the identified airport influence areas. In addition to being required by state law (Public Utilities Code Section 21676(b) and Government Code Section 65302.3), these amendments are being made to ensure consistency between land use policy documents and avoid potential conflict.

Adoption of the Update or Ordinance Amendment will not result in a significant impact to land use and/or planning. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**11. MINERAL RESOURCES**

**Existing Setting:**

Mineral resources in Nevada County include gold, copper, silver, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, and small amounts of limestone, asbestos, clay and mineral paint. In addition, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County.

In western Nevada County, large areas classified as Mineral Resource Zones (MRZs) that have existing deposits measured or indicated by actual site data (MRZ-2a), or inferred from other sources (MRZ-2b), are located in the immediate vicinity of Nevada City (lode gold, placer gold, chromite, sand and gravel) and Grass Valley (lode gold, placer gold, chromite, crushed stone); between Scott’s Flats Reservoir and Red Dog/You Bet (placer gold, sand and gravel); north of State Route 20 between Grass Valley and Lake Wildwood (placer gold, lode gold, chromite, gold, sand and gravel); and north of the South Yuba River (gold, sand and gravel, placer gold). Smaller areas are located west of Penn Valley (copper-zinc,

sand and gravel, crushed stone); east of the Spenceville area (copper-zinc); north of Iron Mountain (copper-zinc); around Pine Hill (lode gold); and in various spots along the Bear River running northeast from Lake Combie (crushed stone, sand and gravel).

In central Nevada County there are three large areas classified as MRZ-2a or MRZ-2b stretching from the Nevada-Sierra County line south to the Nevada-Placer County line. The westernmost area extends from the Sleeping Beauty Mine through Washington to south of the Alpha Mine (lode gold, placer gold, sand and gravel, chromite, barite); the middle area extends from the Republic (South) Mine to the Zeibright Mine south of Lowell Hill Ridge (lode gold, placer gold, sand and gravel); and the easternmost area extends from the North Wisconsin Mine south to the Last Change Mine (lode gold). Smaller areas occur near Relief (placer gold); near Dutch Flat (placer gold, barite); and in an area extending from Graniteville south to the Gaston Ridge (placer gold, lode gold).

Eastern Nevada County has one long stretch of land classified as MRZ-2a or MRZ-2b extending along the Truckee River through the Town of Truckee east to Hirschdale (sand and gravel, crushed stone). A smaller area occurs on the northeast side of the Boca Reservoir (sand and gravel).

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓	A, 1
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓	A, 1

**Impact Discussion:**

(11a-b) The General Plan contains a Mineral Management Element (Chapter 17) which establishes specific goals, objectives and policies related to mineral resources in Nevada County. No amendments are currently proposed for the Mineral Management Element of the General Plan.

The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. Adoption of the Update, in itself, will not directly result in the loss of mineral resources. Furthermore, the adoption of the proposed Update will not grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**12. NOISE**

**Existing Setting:**

In general, most noise in Nevada County is adjacent to major transportation routes that include Interstate 80 and State Routes 20, 49, 89, 147, and 267. Significant noise sources in the County include traffic on

major roadways, railroad operations, airports, and localized noise sources such as from industrial uses. However, the overall noise environment in the County is such that most activities do not exceed the established background ambient noise levels.

The General Plan Noise Element and the Land Use and Development Code (Section L-II 4.1.7) establish noise standards for rural and residential designations within the unincorporated areas of the County. Daytime (7 a.m. to 7 p.m.) exterior noise limits are set between 55 and 75 dBA, while evening noise limits (7 p.m. to 10 p.m.) are lowered to between 50 and 65 dBA. Nighttime noise standards are the lowest threshold at 40 to 55 dBA for rural designations and 45 to 60 dBA for residential designations.

The adopted Nevada County and Truckee Tahoe Airport Land Use Comprehensive Land Use Plans (ALUCPs) promote development that is compatible with the airports. Development projects within the airport influence areas are subject to the policies and standards within these ALUCPs which set forth specific noise compatibility criteria to prevent the creation of new noise-generated complaints around the two airports, and to minimize the public’s exposure to excessive aircraft-generated noise.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Expose persons to or generate noise levels in excess of the County’s adopted standards established in the General Plan and Land Use and Development Code?				✓	A, 13, 15, 21, 22
b. Expose persons to or generate excessive ground borne vibration or ground borne noise levels (e.g., blasting)?				✓	A, 13, 15, 21, 22
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				✓	A, 15, 21, 22
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				✓	A, 15, 21, 22
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓	A, J, 21, 22
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓	A, J

**Impact Discussion:**

(12a-e) As discussed above, significant noise sources in the County are generally created adjacent to transportation routes which includes major highways, railroad routes and airports. Guidance from land use patterns in relation to transportation facilities along with mitigation measures in new development are means to ensure that future noise impacts can be minimized.

The proposed revisions to the Noise Element specifically focus on noise impacts generated from airports by referencing the adopted ALUCPs for the Nevada County and Truckee Tahoe Airports. Both ALUCPs establish specific noise compatibility criteria for locations exposed to potentially disruptive levels of aircraft noise within the identified airport influence areas. Basic compatibility criteria are established

(in Chapter 2 of both ALUCP documents) for assessing whether a land use plan, ordinance, or development proposal is considered to be a compatible use. Identified as “supporting compatibility criteria”, noise is specifically addressed in both ALUCP documents. The purpose of noise compatibility policies is to avoid establishment of noise-sensitive land uses in portions of the airport environs that are exposed to significant level of aircraft noise.

Adopted by the State of California, Airport noise impacts are described by the Community Noise Equivalent Level (CNEL). The noise impacts are typically depicted by a set of contours, each of which represents points having the same CNEL value. Noise contour maps (Table 2 B in the Nevada County ALUCP and Figure 2B in the Truckee Tahoe ALUCP) are included as part of the ALUCP documents (Appendices F and G). The locations of CNEL contours are among the factors used to define the airport compatibility zones boundaries. Factors considered in setting the noise compatibility criteria include the following:

- Established federal and state guidelines;
- The ambient noise levels in a community;
- The extent to which noise would intrude upon and interrupt the activity associated with a particular use;
- The extent to which the activity itself generated noise;
- The extent of outdoor activity associated with a particular use; and
- The extent to which indoor uses associated with a particular land use may be made compatible with application of sound attenuation through structural design to comply with the indicated amount of exterior-to-interior noise level reduction.

The objective of the proposed language that references the adopted ALUCPs is the avoidance of future development that would result in development exposing people residing or working in the project area of an airport to excessive noise levels. Amendments to the Noise Element (Chapter 9), includes revised and/or new language relating to noise associated with airport operations (Policies 9.1.20-23) by referencing the adopted ALUCPs. Similarly, the amended LUDC Chapter III Airport language directly references the applicable parts of the ALUCP documents which apply to noise impacts from the Nevada County and Truckee Tahoe Airports.

The proposed Update and Ordinance Amendment consists only of text amendments to policy documents, which are intended to guide development within the County. Adoption of the Update and Ordinance Amendment will not directly impact significant noise levels or expose persons to excessive noise levels. The adoption of the proposed amendments will not grant any entitlements for development projects. All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

### **13. POPULATION / HOUSING**

#### **Existing Setting:**

In January 2013, the State of California Department of Finance (DOF) estimated that the unincorporated area of Nevada County had a population of 65,375. Small towns and rural development that is largely

integrated into the natural environment characterize the unincorporated County. Single-family residential development is the predominant housing type within the unincorporated area of the County; much of which occurs in rural areas and small communities.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓	A
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓	A
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓	A

**Impact Discussion:**

(13a-c) The General Plan contains a Land Use Element and Housing Element (Chapter 8) that establish specific Goals, Policies and Programs related to land use, population and housing in Nevada County. However, no amendments to the Land Use or Housing Elements are included as part of this Update project.

The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. Adoption of the Update, in itself, will not directly impact population and/or housing. Furthermore, the adoption of the proposed Update will not grant any entitlements for development projects. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**14. PUBLIC SERVICES**

**Existing Setting:**

Public services within the unincorporated County are provided by the County of Nevada, state and federal agencies, and numerous special districts, including fire protection districts, school districts, park and recreation districts, and an irrigation district.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial adverse physical impacts					

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following the public services:					
1. Fire protection?				✓	A
2. Police protection?				✓	A
3. Schools?				✓	A
4. Parks?				✓	A
5. Other public services or facilities?				✓	A

**Impact Discussion:**

(14a) The General Plan contains a Public Facilities and Services Element (Chapter 3) which establishes specific goals, objectives and policies related to public services in Nevada County. No amendments are currently proposed for the Public Facilities and Services Element of the General Plan.

The Safety Element addresses the need to ensure adequate public safety services and facilities through development standards, development fees, and land use patterns. The Safety Element is part of the Update project. However, no amendments are proposed that would alter the existing language that addresses public safety services and facilities (Goal SF-10.6, Policies SF-10.6.1-6).

The adoption of the Update, in itself, will not result in impacts to public services. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally all future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**15. RECREATION**

**Existing Setting:**

Recreational opportunities within Nevada County are varied, ranging from public parks with intensively used recreational facilities, to vast tracts of forestlands and drainage systems, which provide a natural environment for passive recreation. Three separate Recreation and Park districts are formed within the County, including the Bear River and Western Gateway Recreation and Park Districts in western Nevada County and the Truckee Donner Recreation & Park District in eastern Nevada County.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓	A
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				✓	A
c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?				✓	A

**Impact Discussion:**

(15a-c) The General Plan contains a Recreation Element (Chapter 5) which establishes specific goals, objectives and policies related to recreational uses and facilities in Nevada County. No amendments are currently proposed for the Recreation Element of the General Plan.

The adoption of the Update, in itself, will not result in impacts to recreational uses or facilities. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally, the proposed changes to the LUDC Chapter III Airport Zoning are regulatory in nature. No physical construction or any change to the existing land uses would result, either directly or indirectly, from the adoption of the proposed Ordinance Amendment.

All future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Noise and Safety Element Updates, and the LUDC Chapter III Ordinance Amendment.

**Mitigation:** None Required.

**16. TRANSPORTATION / CIRCULATION**

**Existing Setting:**

The Nevada County street system is composed of a combination of roadways, including the interstate highway and freeways, principal arterial roads, minor arterials roads, collector roads and local roads. Approximately 38% of the County’s 2,942-mile circulation system is publicly maintained. The remainder of the roadways are privately owned and maintained, with maintenance entities ranging from individuals and unofficial maintenance groups to recorded road maintenance associations and agreements. Travel characteristics vary widely according to the region in which it occurs.

Western Nevada County is served by State Routes 20, 49 and 174. The rolling hills, rugged terrain, and stream channels of this foothill area of the Sierra Nevada have greatly affected road and utility patterns. Existing land use patterns in the western portion of the County typically consist of more residential uses than commercial or industrial uses. The Grass Valley/Nevada City area has become the primary urban center in this portion of the County. Outside the urban areas, a combination of large residential area

such as Lake of the Pines, Lake Wildwood and Alta Sierra with significant amounts of low density residential uses produces more trips than are attracted.

In Eastern Nevada County, traffic issues are related to the heavy volumes of regional traffic. This mountainous area of the Sierra Nevada offers a full range of winter and summer recreational opportunities. These recreational opportunities and the proximity of this area to Reno and the Lake Tahoe Basin increased its popularity as a tourist destination. This land use pattern causes many trips to end within the area that originate outside the area, or are trips that pass through the area. The “Truckee Community” (including the Donner Lake area) is the major urban area for the eastern portion of the County. In addition to being a station for rail freight and passenger service, the Town of Truckee is at the crossroads of Interstate 80 and State Routes 89 and 267. Interstate 80 is a major transcontinental route and the two state routes are northern entrances to the Tahoe Basin.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?				✓	A, 20
b. Result in a need for private or public road maintenance, or new roads?				✓	A
c. Result in effects on existing parking facilities, or demand for new parking?				✓	A
d. Substantially increase hazards due to a design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)?				✓	A
e. Result in a substantial impact upon existing transit systems (e.g., bus service) or alteration of present patterns of circulation or movement of people and/or goods?				✓	A, 20
f. Result in an alteration of waterborne, rail, or air traffic patterns or levels?				✓	A
g. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic?				✓	A, 20, 21
h. Result in inadequate: Sight distance? Ingress/egress? General road capacity? Emergency access (4290 Standard)?				✓	A, B
i. Result in inconsistency with adopted policies supporting the provision of transit alternatives to automobile transportation on an equitable basis with roadway improvements, e.g. clustered development, commuter-oriented transit, bus turnouts, sidewalks, paths, and bicycle racks?				✓	A, B

**Impact Discussion:**

(16a-i) The General Plan contains a Circulation Element (Chapter 4) which establishes specific goals, objectives and policies related to transportation and traffic hazards in Nevada County. No amendments are currently proposed for the Circulation Element of the General Plan.

The Safety Element contains language that addresses emergency access issues, including the implementation of the regulations established by Public Resources Code §4290. As contained in the Safety Element, roads are recognized as critical infrastructure supports for suppressing wildfires. They serve as ingress and egress routes to and from wildfires, staging areas, safety zones, coordinating locations, anchor points for fire suppression activities, and evacuation routes. Most initial incident command posts are established as roadside locations to coordinate with incoming fire equipment. However, no amendments are proposed that would alter the existing language that addresses emergency access issues as contained in the policy document.

The adoption of the Update, in itself, will not result in impacts to transportation or traffic hazards. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally all future development projects, whose outcome assists in meeting the County's land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Update.

**Mitigation:** None Required.

## **17. UTILITIES / SERVICE SYSTEMS**

### **Existing Setting:**

*Electricity and Gas:* Nevada County is served primarily by Pacific Gas and Electric Company (PG&E) for natural gas and electricity. The Truckee Donner Public Utility District also supplies electricity. Sources of electrical energy for PG&E include hydroelectric power, fossil fuel, geothermal, and nuclear fuel. Propane is a common fuel source used in Nevada County by individual homes and businesses. Electricity and gas service providers expand service on an as-needed basis.

*Water:* Public water purveyors including the Nevada Irrigation District (NID), Nevada City, Grass Valley, Washington County Water District, and the San Juan Ridge County Water District. The primary purveyor of treated domestic and agricultural water in western Nevada County is the NID. The Truckee-Donner Public Utility District and the Donner Summit Public Utility District serve Eastern Nevada County.

The California Urban Water Management Planning Act requires urban water suppliers to initiate planning strategies that make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry-water years. The Land Use and Development Code also contains standards for water wells, the treatment of surface water for domestic purposes, and water availability for the division of land (Chapter X), and requirements for emergency water supplies in new residential subdivisions and remote single-family dwellings (Chapter XVI).

*Wastewater:* In County areas outside the Cities' service areas, wastewater treatment is largely provided by private septic systems. Nevada County Sanitation District No. 1 provides sewage collection and treatment facilities for the wastewater needs of western Nevada County for the areas outside of Grass

Valley and Nevada City and the communities of Lake Wildwood, Lake of the Pines, Kingsbury Greens, Gold Creek, Penn Valley, Mountain Lakes Estates, North San Juan, Cascade Shores, and Glenbrook. The Tahoe-Truckee Sanitation Agency provides wastewater treatment services for the Truckee area.

The Nevada County Environmental Health Department regulates private septic systems throughout the County, while all other wastewater discharge generated by public wastewater treatment facilities of the Nevada County Sanitation District No. 1 and Tahoe-Truckee Sanitation Agency is regulated under an NPDES direct discharge permit. The Central Valley Regional Water Quality Control Board administers this permit. Chapter VI of the Land Use and Development Code contains policies related to sewage disposal, and Section L-II 4.2.13 contains conditions for solid and waste recycling facilities at new developments.

*Solid waste:* Solid waste generated in Nevada County is currently collected at McCourtney Road Transfer Station and then disposed of at the Anderson Landfill in Shasta County for solid waste generated in the western portion of the County and the Eastern Regional Landfill in Placer County for solid waste generated in the eastern portion of the County. The County's green waste program provides curbside removal in many locations throughout Western County. County residents may also dispose of green waste at the McCourtney Road Transfer Station in Western County. All green waste is collected at the McCourtney Road Transfer Station, chipped onsite, and then transported to a biomass energy facility in the Central Valley. State law requires that any "development project" for which an application for a building permit is submitted after the effective date of this ordinance to provide an adequate storage area for collection and removal of recyclable materials. Section L-II 4.2.13 of the Land Use and Development Code contains conditions for solid and waste recycling facilities at new developments.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in a need for the extension of electrical power or natural gas?				✓	A
b. Require the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓	C
c. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓	C, L
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓	C
e. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓	B
f. Be served by a landfill or transfer station with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓	B
g. Comply with federal, state, and local statutes and regulations related to solid waste?				✓	A, B
h. Require a need for the extension of communication systems?				✓	A

**Impact Discussion:**

(17 a-h) The adoption of the Update, in itself, will not result in impacts to utilities. The proposed Update consists only of text amendments to policy documents, which are intended to guide development within the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally all future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, *no impact* would result from the adoption of the Update.

**Mitigation:** None Required

**18. MANDATORY FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECT**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California's history or prehistory?				✓	A
b. Does the project have environmental effects that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of the project are considered when viewed in connection with the effects of past, current, and probable future projects.)				✓	A
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				✓	A
d. Does the project require the discussion and evaluation of a range of reasonable alternatives, which could feasibly attain the basic objectives of the project?				✓	A

**Impact Discussion:**

(18 a-d) The proposed Update is strictly a policy document, intended to guide the development of land in the County. The adoption of the proposed Update will not grant any entitlements for development projects. Additionally all future development projects, whose outcome assists in meeting the County’s land use development objectives, will be considered a project under CEQA and will require site/project-specific environmental review at the time of project submittal. Therefore, a *no impact* would result from the adoption of the Update.

**Mitigation:** None Required

### RECOMMENDATION OF THE PROJECT PLANNER

On the basis of this initial evaluation:

  X   I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

       I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

       I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

       I find that the proposed project MAY have a "potentially significant impact" or a "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

       I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Original Signed \_\_\_\_\_  
Kimberly Hunter, Senior Planner

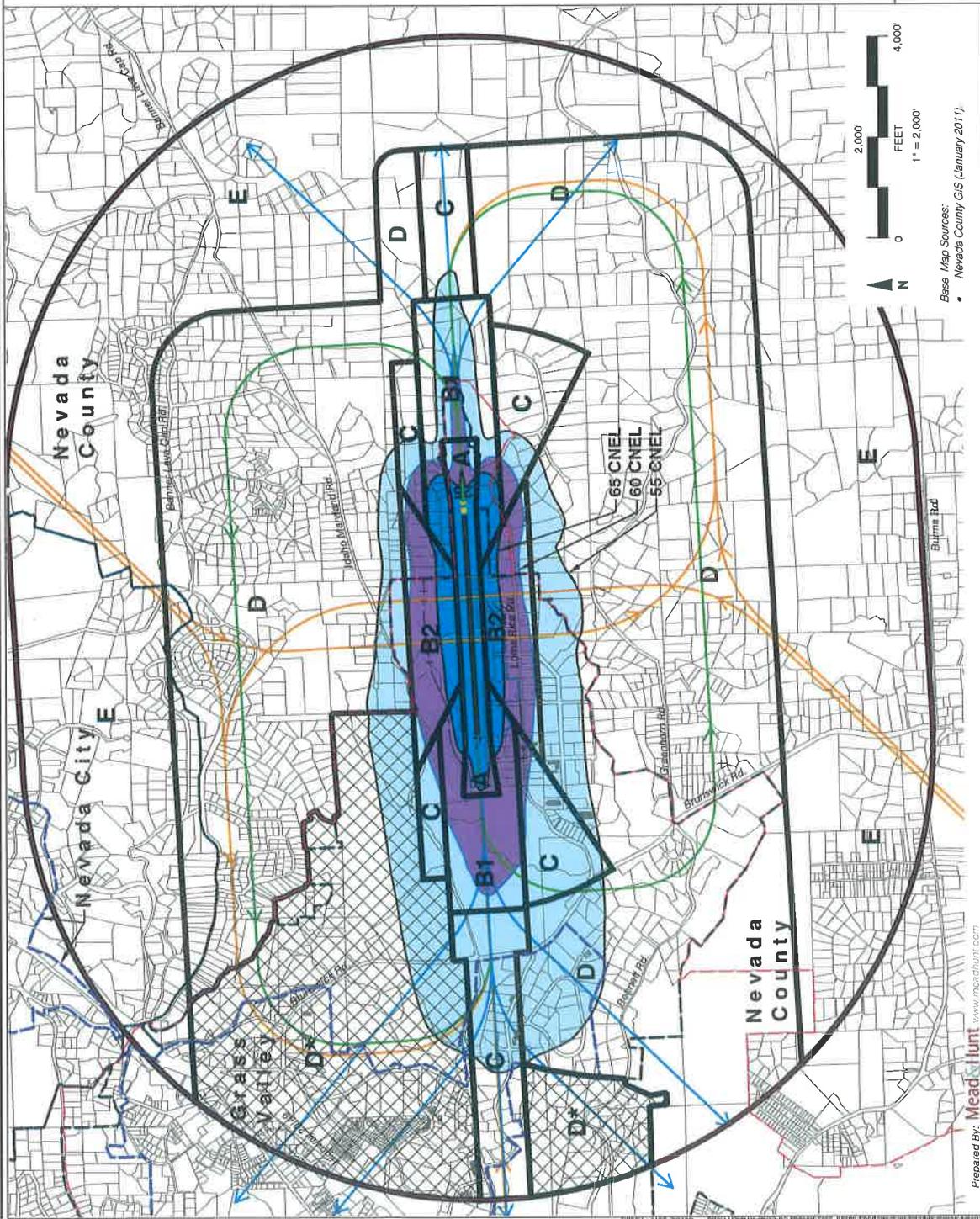
7/18/14 \_\_\_\_\_  
Date

## APPENDIX A – REFERENCE SOURCES

- A. Planning Department
  - B. Department of Public Works
  - C. Environmental Health Department
  - D. Nevada Irrigation District
  - E. Natural Resource Conservation Service/Resource Conservation District
  - F. Northern Sierra Air Quality Management District
  - G. Caltrans
  - H. Office of Emergency Services
  - I. Department of Fish & Wildlife
  - J. Nevada County Geographic Information Systems
  - K. California Department of Forestry and Fire Protection (Cal Fire)
  - L. Central Valley Regional Water Quality Control Board
  - M. Department of Toxic Substances Control
  - N. State Board of Forestry and Fire Protection
1. State Division of Mines and Geology. *Mineral Classification Map*, 1990.
  2. State Department of Fish and Wildlife. *Migratory Deer Ranges*, 1988.
  3. State Department of Fish and Wildlife. *Natural Diversity Data Base Maps*, as updated.
  4. CAL FIRE. *Fire Hazard Severity Zone Map for Nevada County*, 2007. Adopted by CAL FIRE on November 7, 2007. Available at: <[http://www.fire.ca.gov/wildland\\_zones\\_maps.php](http://www.fire.ca.gov/wildland_zones_maps.php)>.
  5. State Division of Mines and Geology. *Fault Map of California*, 1990.
  6. California Department of Conservation, Division of Land Resource Protection. 2008. *Nevada County Important Farmland Data*. Available at: <[http://redirect.conservation.ca.gov/DLRP/fmmp/county\\_info\\_results.asp](http://redirect.conservation.ca.gov/DLRP/fmmp/county_info_results.asp)>.
  7. State Dept. of Forestry & Fire Protection. *Nevada County Hardwood Rangelands*, 1993.
  8. U.S. Fish and Wildlife Service. *National Wetlands Inventory*, December 1995.
  9. Natural Resources Conservation Service. 2007. *Official Soil Series Descriptions (OSD) with series extent mapping capabilities*. Accessed November 3, 2010, 2008. Available at [http://soildatamart.nrcs.usda.gov/manuscripts/CA619/0/nevada\\_a.pdf](http://soildatamart.nrcs.usda.gov/manuscripts/CA619/0/nevada_a.pdf).
  10. U.S. Geological Service. *Nevada County Landslide Activity Map*, 1970, as found in the Draft Nevada County General Plan, Master Environmental Inventory, December 1991, Figure 8-3.
  11. Federal Emergency Management Agency. *Flood Insurance Rate Maps*, as updated.
  12. Northern Sierra Air Quality Management District. *Guidelines for Assessing Air Quality Impacts of Land Use Projects*, 2000.
  13. County of Nevada. *Nevada County General Plan Noise Contour Maps*, 1993.
  14. Nevada County, 1991. *Nevada County Master Environmental Inventory*. Prepared by Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
  15. Nevada County. 1995. *Nevada County General Plan: Volume 1: Goals, Objectives, Policies, and Implementation Measures*. Prepared with the assistance of Harland Bartholomew & Associates, Inc. (Sacramento, CA), and as amended. Nevada County, CA.
  16. *Nevada County Zoning Regulations*, adopted July 2000, and as amended.
  17. Western Nevada County Non-Motorized Recreational Trails Master Plan, September 21, 2010.
  18. Nevada County Transportation Commission, 2010. *Nevada County Regional Transportation Plan*.
  19. Nevada County Transportation Commission, 2011. *Nevada County Pedestrian Improvement Plan*.
  20. Nevada County, 2010. *Nevada County Housing Element 2009-2014*.
  21. Nevada County Airport Land Use Commission. *Nevada County Airport Land Use Compatibility Plan*, 2011. Prepared by Mead & Hunt, Inc., Aviation Services (Santa Rosa, CA).

22. Truckee Tahoe Airport Land Use Commission. *Truckee Tahoe Airport Land Use Compatibility Plan*, 2010. Prepared by Mead & Hunt, Inc., Aviation Services (Santa Rosa, CA).

# Appendix F



- Legend**
- Boundary Line
  - Airport Property Line
  - Proposed Airport Property Acquisition
  - City Limits
  - Grass Valley Planning Area
  - Grass Valley Sphere of Influence
  - Nevada City Sphere of Influence
  - Existing Runway (4-3507)
  - Future Runway (4-6507)
  - Airport Influence Area

- Compatibility Zones<sup>1</sup>**
- Zone A - Runway Clear Zone
  - Zone B1 - Inner Approach Zone
  - Zone B2 - Sideline Zone
  - Zone C - Inner Turning Zone & Extended Approach Zone
  - Zone D - Traffic Pattern Zone
  - Zone D\* - Urban Overlay Zone
  - Zone E - Other Airport Environs

- Calculated Noise Contours<sup>2</sup>**
- 55 dB CNEL
  - 60 dB CNEL
  - 65 dB CNEL
  - 90,000 Annual Operations (164 Average Annual Day)

- Calculated Flight Tracks<sup>3</sup>**
- Arrival
  - Departure
  - Touch-n-Go

**Notes**

- See Chapter 2, Table 2B, Compatibility Zone Delineation.
- Source: Mead & Hunt, Inc., using Integrated Noise Model (INM) 7.0b (April 2011). Contours represent average daily noise exposure for 60,000 annual operations on future runway. Contours modeled using USGS terrain data. Terrain results in shorter contours to west and wider contours near center of airport.
- Flight tracks represent general arrival and departure routes.
- Prevailing winds out of the west. Runway 25 is designated calm wind runway.
- Departures on Runway 7 and arrivals on Runway 25 not recommended at night due to severe runway gradient (rising from west to east). Fire attack aircraft typically land on Runway 7.
- Aircraft departing Runway 25 advised to climb to 3,800' MSL (648' above airport elevation) before turning (source: Airport management).

**Nevada County Airport  
Land Use Compatibility Plan  
(Adopted September 2011)**

Exhibit 3-5

**Compatibility Factors Map:  
Noise and Overflight**

Base Map Sources:  
Nevada County GIS (January 2011)

Prepared By: Mead & Hunt  
www.mcaadigital.com

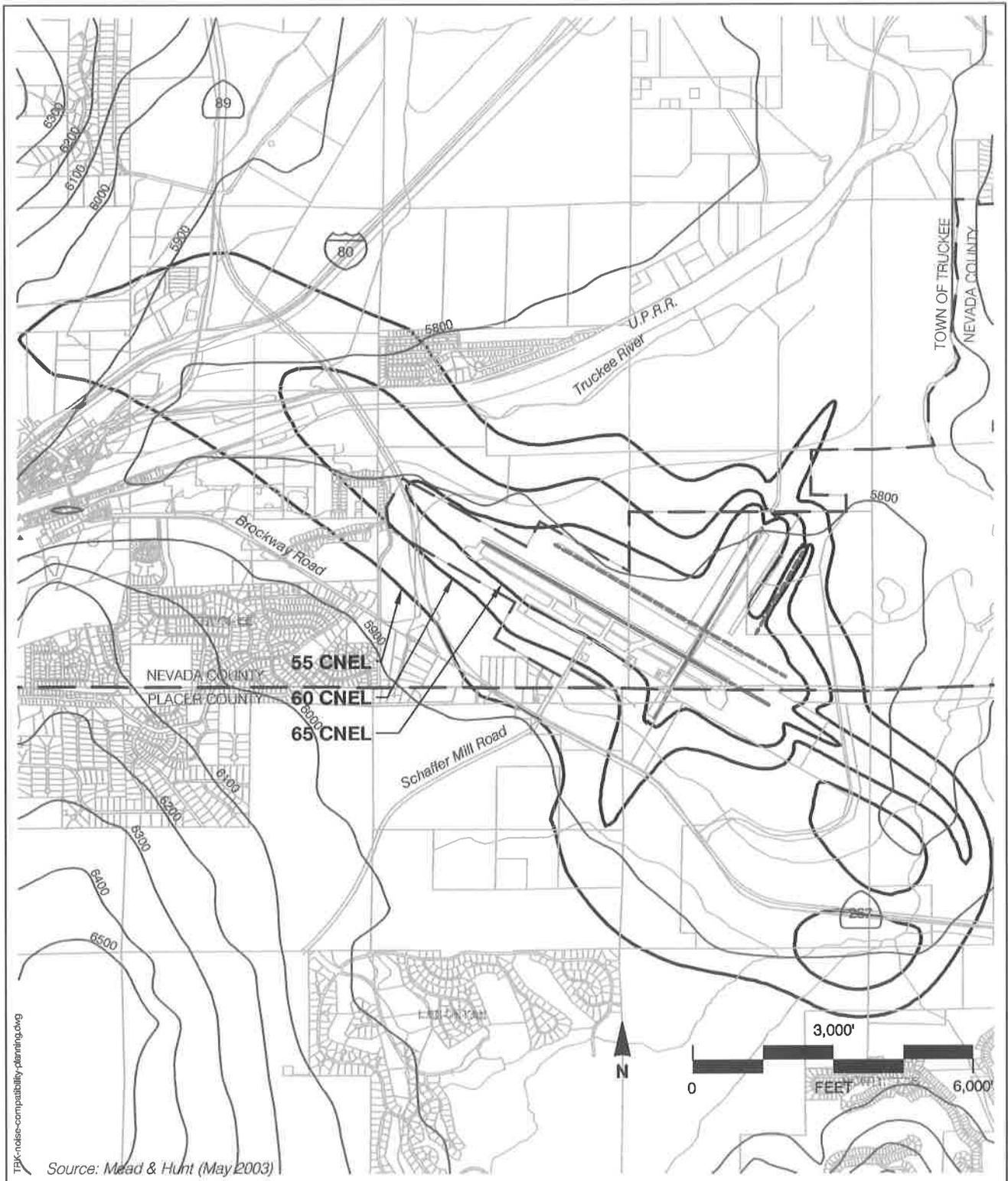


Figure 2B

## Noise Contours for Compatibility Planning Truckee Tahoe Airport



# **RESOLUTION NO. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **A RESOLUTION AMENDING THE NEVADA COUNTY GENERAL PLAN CHAPTER 9: NOISE ELEMENT AND CHAPTER 10: SAFETY ELEMENT TO INCORPORATE POLICIES OF THE 2010 TRUCKEE TAHOE AND 2011 NEVADA COUNTY AIRPORT LAND USE COMPATIBILITY PLANS BY REFERENCE, TO INCORPORATE STANDARDS OF THE 2011 LOCAL HAZARD MITIGATION PLAN, AND TO ACHIEVE INTERNAL CONSISTENCY WITH THE GENERAL PLAN (FILE NO. GP14-002)**

WHEREAS, on November 14, 1995, the County of Nevada adopted a General Plan for the County of Nevada, as evidenced by Resolution 95-530; and

WHEREAS, the County of Nevada has established a General Plan Amendment procedure; and

WHEREAS, on September 15, 2008, the County of Nevada adopted amendments to the General Plan Safety Element in accordance with the established General Plan Amendment procedures as evidenced by Resolution 08-452; and

WHEREAS, the proposed amendments to the Noise Element and Safety Elements of the Nevada County General Plan have been prepared pursuant to Government Code section 65358(b) and according to adopted procedure; and

WHEREAS, the proposed amendments to the Noise Element and Safety Element have initiated to ensure land use policy consistency and have been deemed to be in the public interest; and

WHEREAS, all State and local agencies requiring notice of all proposed General Plan Amendments, including all local Native American tribes pursuant to Government Code Section 65352.3, were provided notice within the timelines established by said codes; and

WHEREAS, all State and local agencies requiring notice of the proposed amendments specific to the Safety Element, pursuant to Government Code Section 65302.g(1), 65302.5(a) and 65302.5(b), and the Nevada County and Truckee Tahoe Airport Land Use Commissions pursuant to Public Utility Code Section 21676.5, were provided notice within the timelines established by the said codes; and

WHEREAS, on May 21, 2014, the Nevada County Airport Land Use Commission adopted a Resolution (No. 14-01) finding that the proposed amendments to the Noise and Safety

Elements and Land Use and Development Code Chapter III are consistent with the Nevada County Airport Land Use Compatibility Plan; and

WHEREAS, on May 30, 2014, the Truckee Tahoe Airport Land Use Commission adopted a Resolution (No. 14-01) finding that the propose amendments to the Noise and Safety Elements and Land Use and Development Code Chapter III are consistent with the Truckee Tahoe Airport Land Use Compatibility Plan; and

WHEREAS, the proposed amendments to the Nevada County General Plan Chapter 9: Noise Element, and Chapter 10: Safety Element, have been prepared pursuant to Government Code Section 65358(b) and according to adopted procedure and are attached to this Resolution; and

WHEREAS, pursuant to the California Environmental Quality Act, an initial study (EIS14-003) was prepared and circulated for public review and concluded that no potentially significant environmental impacts will occur as a result of the proposed Noise and Safety Element updates as stated in the Negative Declaration, circulated July 22, 2014; and

WHEREAS, the Nevada County Planning Commission, held a duly noticed public hearing on August 28, 2014 at which time written and verbal public testimony was received and considered; and

WHEREAS, after reviewing and considering the proposed Negative Declaration and the propose amendments to the Nevada County General Plan Chapter 9: Noise Element, and Chapter 10: Safety Element, the Planning Commission recommended that the Nevada County Board of Supervisors adopt the Negative Declaration for the project and approve the proposed General Plan Amendmetns; and

WHEREAS, the Nevada County Board of Supervisors held a duly noticed public hearing on the proposed amendments to the General Plan Chapter 9: Noise Element and Chapter 10: Safety Element on \_\_\_\_\_, 2014; and

WHEREAS, by separate Resolution the Board of Supervisors adopted the Negative Declaration (EIS14-003) for the Noise and Safety Elements update project; and

WHEREAS, the Board of Supervisors, after reviewing and considering the recommendations of the Nevada County Planning Commission regarding the proposed amendments to the Nevada County General Plan, all information and evidence submitted in favor and against the proposed amendments, and the complete record before it, has determined that amendments to update the County's General Plan Chapter 9: Noise Element, and Chapter 10: Safety Element are now warranted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors for the County of Nevada that the Board hereby finds and determines pursuant to the provisions of Section 65358 of the Government Code of California, that:

- A. That the proposed amendments are consistent with and furthers the goals, objectives, policies, programs and implementation measures of the General Plan

and the provisions of the Nevada County Land Use and Development Code Chapter II Zoning Regulations; and

- B. That the proposed amendments will not be detrimental to the public interest, health safety, convenience, or welfare of the County.

BE IT FURTHER RESOLVED that, based on the foregoing findings, and the entire record before it, the Nevada County Board of Supervisors does hereby approve and adopt amendments to the Nevada County General Plan Chapter 9: Noise Element, set forth in Exhibit A, and Chapter 10: Safety Element set forth in Exhibit B, attached hereto.

DRAFT



# ORDINANCE NO. \_\_\_\_\_

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**AN ORDINANCE AMENDING LAND USE AND DEVELOPMENT CODE  
CHAPTER III: AIRPORT ZONING TO INCORPORATE BY REFERENCE, THE  
POLICIES OF THE 2010 TAHOE TRUCKEE AIRPORT AND 2011 NEVADA  
COUNTY AIRPORT LAND USE COMPATIBILITY PLANS (FILE NO. ORD14-  
001)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS

### CHAPTER III:

The title of Chapter III of the Nevada County Land Use and Development Code is hereby amended to read as follows:

CHAPTER III: AIRPORT LAND USE COMPATIBILITY”

### CHAPTER III, ARTICLE 1:

Article 1 of Chapter III of the Nevada County Land Use and Development Code is hereby amended to read as follows:

#### ARTICLE 1. PURPOSE

##### Sec. L-III 1.1 Purpose

The purpose of this ordinance is to adopt specific sections of the *Nevada County Airport Land Use Compatibility Plan* (NCALUCP) and of the *Truckee Tahoe Airport Land Use Compatibility Plan* (TTALUCP) as local land use policy by reference in accordance with the California State Aeronautics Act (Public Utilities Code 21676(a)) .

##### Sec. L-III 1.2 Basic Function of Airport Land Use Compatibility Planning

The basic function of airport land use planning is to promote compatibility between the airport and surrounding land uses. As adopted by an Airport Land Use Commission (ALUC), an Airport Land Use Compatibility Plan (ALUCP) serves as a tool for use by the commission in fulfilling its duty to review airport and adjacent land use development proposals. The ALUCP sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to land owners in their design of new development.

Any city, special district, community college district, or school district that exists, or may be established or expanded into the identified airport influence area defined by an ALUCP are also subject to the provisions of the plan. However, the authority of an ALUCP does not extend to state, federal, or tribal lands.

### Section L-III 1.3 Principal ALUC Compatibility Concerns:

The ALUCs are concerned only with the potential impacts related to:

- A. Exposure to aircraft noise.
- B. Land use safety with respect both to people on the ground and the occupants of aircraft.
- C. Protection of airport airspace from tall objects and certain other land use characteristics (e.g., bird attractions, sources of smoke, glare, etc.).
- D. General concerns related to aircraft overflight.

### CHAPTER III, ARTICLE 2:

Article 2 of Chapter III of the Nevada County Land Use and Development Code is hereby amended to read as follows:

#### ARTICLE 2. NEVADA COUNTY AIRPORT LAND USE COMPATIBILITY PLAN

##### Section L-III 2.1 Applicability

The NCALUCP was adopted on September 21, 2011 by the Nevada County ALUC to articulate the procedures and criteria, established in accordance with the California State Aeronautics Act, Public Utilities Code Section 21670 et seq. The NCALUCP sets forth compatibility criteria applicable to Nevada County in the preparation or amendment of land use plans and ordinances and to land owners in their design of new development.

##### Section L-III 2.2 Geographic Scope

The Nevada County Airport lies in the western portion of Nevada County. The influence area for the Nevada County Airport extends 1.7 miles from the airport's runway. This influence area encompasses land within the jurisdictions of Nevada County and the City of Grass Valley.

As established and adopted by the Nevada County ALUC, the geographic scope of the NCALUCP encompasses all lands on which the uses could be negatively affected by present or future aircraft operations at the Nevada County Airport, as well as lands on which the uses could negatively affect airport usage.

The specific limits of the Nevada County Airport influence area and the compatibility zones are depicted by NCALUCP Map 2A (Compatibility Policy Map) contained therein.

##### Section L-III 2.4 Adopted by Reference

The following sections of Chapter 2 of the NCALUCP are hereby incorporated as Nevada County local land use policy:

- A. Section 1. General Applicability
- B. Section 2. Review Process
- C. Section 3. Compatibility Criteria for Land Use Actions
- D. Section 5. Specific Compatibility Criteria

CHAPTER III, ARTICLE 3:

Article 3 of Chapter III of the Nevada County Land Use and Development Code is hereby amended to read as follows:

ARTICLE 3. TRUCKEE TAHOE AIRPORT LAND USE COMPATIBILITY PLAN

Section L-III 3.1 Applicability

The TTALUCP was adopted by the Truckee Tahoe ALUC on October 19, 2010 to articulate the procedures and criteria, established in accordance with the California State Aeronautics Act, Public Utilities Code Section 21670 et seq. The TTALUCP sets forth compatibility criteria applicable to Nevada County in the preparation or amendment of land use plans and ordinances and to land owners in their design of new development.

Section L-III 3.2 Geographic Scope

The influence area for the Truckee Tahoe Airport extends roughly 2.7 miles from the airport runways. This influence area encompasses lands within three local jurisdictions: County of Nevada, County of Placer and the Town of Truckee.

As established and adopted by the Truckee Tahoe ALUC, the geographic scope of the TTALUCP encompasses all lands on which the uses could be negatively affected by present or future aircraft operations at the Truckee Tahoe Airport, as well as lands on which the uses could negatively affect airport usage.

The specific limits of the Truckee Tahoe Airport influence area and compatibility zones are depicted in TTALUCP Figure 2A (Compatibility Map) contained therein.

Section L-III 3.4 Adopted by Reference

The following sections of Chapter 2 of *the Truckee Tahoe Airport Land Use Compatibility Plan* are hereby incorporated as Nevada County local land use policy:

- A. Section 1. General Applicability
- B. Section 2. Review Process
- C. Section 3. Basic Compatibility Criteria
- D. Section 4. Supporting Compatibility Criteria

# Chapter 9: Noise

## Introduction and Setting

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California State law requires that all Counties adopt a noise element which identifies and appraises noise problems and the solutions to these problems. Consistent with this mandate, this element has been divided into two parts. This chapter includes a brief summary of existing and projected noise problems, goals and objectives based on this analysis and implementing policies necessary to achieve the goals and objectives. The Noise Analysis, contained in Volume 2, Section 3 of the General Plan, provided that detailed discussion of noise problems summarized in this chapter.

Noise has been defined in many different ways. It has been described as discordant sound resulting from non-periodic vibrations in the air, disagreeable vibrations in atmospheric pressure caused by a vibrating source, or more simply, unwanted sound. Noise is normally defined in terms of its amplitude (loudness), frequency (pitch), and duration (time).

Noise can be evaluated in many different ways. More sophisticated testing normally records noise over a given period of time. Some noise standards simply determine the “average” amount of noise for this time period. Others “weight” this average with a built-in bias toward nighttime activity penalizing that noise generated at night. Many private and public bodies have developed noise standards for specific land uses to assist local government and private industry in determining what is an acceptable levels of noise

The Noise Analysis contained in Volume 2 of the General Plan includes data from the Nevada County Noise Monitoring Study. This study, through the use of several Sound Level Meters, has determined the existing level of noise for many areas within Nevada County. Both noise generators, such as highways, airports, railroads, and industrial land uses, as well as those residential and rural areas of the County sensitive to noise, have been monitored. This monitoring forms the foundation upon which the goals, objectives and implementing policies are based.

In general, most noise is created in Nevada County adjacent to transportation routes. Noise contours show that major highways in the County, as well as local streets and roads, impact nearby residences. The Southern Pacific Railroad also strongly impacts Eastern Nevada County, particularly downtown Truckee. Local airports impact nearby noise sensitive land use to only a limited degree.

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Because most industrial areas in the County are considered to be “light”, such areas do not appear to be major noise generators.

However, specific industrial land uses involved in resource development, primarily lumber mills and mining operations would appear to impact surrounding land uses depending upon their location, level of activity, and nature of affected areas.

Most noise sensitive land uses, including residences, schools, hospitals, nursing homes, churches, and libraries exist in relatively quiet areas of the County. Higher noise levels for such areas are normally caused by transportation routes and/or the noise sensitive land uses themselves.

Projected noise problems will likely continue to center around the above-mentioned sources. As transportation routes become more heavily used, it is likely they will provide for greater noise impacts on nearby land uses. The County will also have to deal with the noise-related issues of resource development and ways to minimize their impacts on residential and rural areas. Finally, as the County’s population growth continues, it can be expected that the overall ambient noise level for many residential and rural areas will slowly increase commensurate with the population growth.

Additional discussion of noise and the noise environment in the County is contained in Section 3: Noise Analysis, of Volume 2 of the General Plan, and in Section 10 of the Nevada County Master Environmental Inventory, which is part of Volume 3 of the General Plan.

## **Goals, Objectives, and Policies, and Programs**

Significant noise sources in the County include traffic on major roadways, railroad operations, airports, and localized noise sources. However, the overall noise environment in the County is such that most activities do not exceed the background ambient noise levels. Guidance of land use patterns in relation to transportation facilities along with mitigation measures in new development are means to ensure that future problems can be minimized.

~~Additional goals, objectives, and policies generally related to noise are located in Chapter 1: Land Use; Chapter 4: Circulation; and Chapter 17: Minerals Management.~~

### **GoalGOAL 9.1**

**Provide for the health, safety, and welfare of the people of Nevada County through a set of policies designed to encourage an environment free of unnecessary and annoying noise.**

#### *Objective*

##### *Policy 9.1.1*

Determine the existing noise environment and continue to reassess this environment so that a realistic set of noise standards can be developed reflecting the varying nature of different land uses.

~~Determine the existing noise environment and continue to reassess this environment so that a realistic set of noise standards can be developed reflecting the varying nature of different land uses.~~

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**Directive Policies**

**Policy 9.1.2**

The following noise standards contained in Table 9.1 below, as performance standards and land use compatibility standards, shall apply to all discretionary and ministerial projects excluding permitted residential (including tentative maps) land uses.

**TABLE 9.1  
NOISE STANDARDS**

<i>Exterior Noise Limits</i>				
Land Use Category	Zoning Districts	Time Period	Noise Level, dBA	
			<b>L<sub>eq</sub></b>	<b>L<sub>max</sub></b>
Rural	“A1” “TPZ”	7 am - 7 pm	55	75
	“AE” “OS”	7 pm - 10 pm	50	65
	“FR” “IDR”	10 pm - 7 am	40	55
Residential and Public	“RA” “R2”	7 am - 7 pm	55	75
	“R1” “R3”	7 pm - 10 pm	50	65
	“P”	10 pm - 7 am	45	60
Commercial and Recreation	“C1” “CH” “CS”	7 am - 7 pm	70	90
	“C2” “C3” “OP”	7 pm - 7 am	65	75
	“REC”			
Business Park	“BP”	7 am - 7 pm	65	85
		7 pm - 7 am	60	70
Industrial	“M1” “M2”	any time	80	90

- a. Compliance with the above standards shall be determined by measuring the noise level based on the mean average of not less than three (3) 20 minute measurements for any given time period. Additional noise measurements may be necessary to ensure that the ambient noise level is adequately determined.
- b. Where two different zoning districts abut, the standard applicable to the lower, or more restrictive, district plus 5 dBA shall apply.
- c. The above standards shall be measured only on property containing a noise sensitive land use as defined in Policy 9.8 and may be measured anywhere on the property containing said land use. However, this measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement or as determined in a recorded letter of agreement between all affected property owners and approved by the County.

- d. If the measured ambient level exceeds that permitted, then the allowable noise exposure standard shall be set at 5 dBA above the ambient.
- e. Because of the unique nature of sound, the County reserves the right to provide for a more restrictive standard than shown in the Exterior Noise Limits table contained in this policy. The maximum adjustment shall be limited to be not less than the current ambient noise levels and shall not exceed the standards of this policy or as they may be further adjusted by Policy 9.1**2.b**. Imposition of a noise level adjustment shall only be considered if one or more of the following conditions are found to exist:
  - 1. Unique characteristics of the noise source:
    - (a) The noise contains a very high or low frequency, is of a pure tone (a steady, audible tone such as a whine, screech, or hum), or contains a wide divergence in frequency spectra between the noise source and ambient level.
    - (b) The noise is impulsive in nature (such as hammering, riveting, or explosions), or contains music or speech.
    - (c) The noise source is of a long duration.
  - 2. Unique characteristics of the noise receptor when the ambient noise level is determined to be 5 dBA or more below the Policy 9.1**2** standard for those projects requiring a General Plan amendment, rezoning, and/or conditional use permit. In such instances, the new standard shall not exceed 10 dBA above the ambient or the Policy 9.1**2** standard, whichever is more restrictive.
- ~~f.~~ **f.** The above standards shall not apply to those activities associated with the actual construction of a project or to those projects associated with the provision of emergency services or functions.

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~~g.~~ **g.** The standards of this policy shall be enforced through compliance inspections and/or complaints.

~~h.~~ **h.** Recognizing that this chapter must work toward the solution to existing noise problems, those land uses that are inconsistent with the above standards and are therefore non-conforming in nature, shall comply with said standards as these land uses are upgraded or intensified or after abandonment through the use permit or site plan process. Said standards shall apply only to that portion of the land use requiring approval. In any event, the use or portion subject to a land use permit must meet the standards in the Exterior Noise Limits table in this policy and cumulatively the noise generated from the entire site must be equal to or less than the pre-land use permit ambient noise level. All such projects will require a comprehensive noise analysis per ~~Policy~~**Policy** ~~9.10-1.13~~ and the Nevada County Noise Element Manual.

***Policy 9.1.3~~2~~*** The Nevada County Planning Department shall be the lead agency responsible for coordination of all local noise control activities and intergovernmental group activities and subsequent enforcement efforts.

***Policy 9.1.4*** The County will continue an ongoing County-wide noise monitoring program. The purpose of this program is to assess the changing noise environment in the County in terms of the existing ambient noise level for typical rural, residential, commercial and industrial areas and to ensure that the Policy 9.1.1 standards realistically reflect the current needs of the County.

***Policy 9.1.5*** This chapter of the General Plan shall be implemented, in part, through the incorporation of the Policy 9.1.1 noise standards within the Land Use and Development Code and the adoption of the Noise Element Manual providing detailed direction and implementation measures. This Manual is adopted as a part of the Plan and can be found in Volume 2, Section 3-Noise Analysis, Appendix A.

~~***Objective 9.2***~~

***Policy 9.1.6*** Encourage public awareness of noise and its hazards and means to minimize its existing and future impacts.

**Directive Policies**

- Policy 9.1.7*** Encourage heavy truck traffic to those routes outside residential areas.
- Policy 9.1.8*** Encourage cities within Nevada County to adopt noise control programs compatible with County efforts.
- Policy 9.1.9*** Develop a realistic policy framework designed to function as a guide to planning for appropriate land uses in relation to hazardous and annoying noise.
- Policy 9.1.10*** Strongly discourage those General Plan amendments and zone changes that would likely create land use conflicts relative to noise.
- Policy 9.1.11*** Strongly encourage future noise sensitive land uses, including residences, schools, hospitals, nursing homes, churches, and libraries, to those location of the County where the impact of noise generators is limited so that compliance with standards found in Policy 9.1 will be maintained. This policy shall apply to the approval of all tentative maps for residentially zoned parcels. As an additional guide in evaluating land use compatibility, those standards as found in Figure 1 shall be used.
- Policy 9.1.12*** Limit future noise generating land use to those location of the County where their impacts on noise sensitive land uses will be minimized, consistent with the standards found in Program 9.1.
- Policy 9.1.130*** Require the preparation of a comprehensive noise study for all land use projects determined to have a potential to create noise levels inconsistent with those standards found in ~~Policy-Program~~ 9.1, and in accordance with the methodology identified in the Noise Element Manual contained in General Plan Volume 2, Section 3 - Noise Analysis Appendix A.
- Policy 9.1.14*** Provide for adequate design controls to assist in mitigating on-site the significant adverse impacts of future noise generating land uses through increased setbacks, landscaping, earthen berms, and solid fencing.
- Policy 9.1.152*** Strictly enforce the noise insulation standards for new construction as required by Title 24 of the California Administrative Code.

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**Policy 9.1.163** Minimize the noise impact from automobiles, trucks, motorcycles, and off-road vehicles by continuing to request enforcement of those sections of the California Vehicle Code relative to vehicle exhaust system maintenance by the County Sheriff and State Highway Patrol.

**Policy 9.1.174** Where realistically possible, encourage noise sensitive land uses away from railroad operations.

**Policy 9.1.185** The routing and design of new or expanded transportation facilities by the County shall incorporate feasible measures necessary to mitigate increases in noise levels.

**Policy 9.1.196** Encourage the minimization of noise emission from all County-controlled activities consistent with Policy 9.1.1 standards.

**Objective**

**Policy 9.1.204** Protect the safety and general welfare of people in the vicinity of the Nevada County Airport and the Truckee Tahoe Airport port by implementing the appropriate noise compatibility policies to avoid the establishment of noise-sensitive land uses in the portion of the airport environs that are exposed to significant levels of aircraft noise.

~~Protect the safety and general welfare of people in the vicinity of the Truckee Tahoe Airport and Nevada County Airpark by promoting the overall goals and objectives of the California Airport Noise Standards (California Administrative Code, Title 21, Section 5000 et seq.) and the California Noise Insulation Standards (California Administrative Code, Title 25, Section 28), to prevent the creation of new noise-generated complaints around the two airports, and to minimize the public's exposure to excessive aircraft-generated noise.~~

**Directive Policies**

**Policy 9.1.217** Ensure the development of compatible land uses adjacent to the Nevada County ~~Airpark~~ Airport ~~through the approval of development consistent with the land use maps of the General Plan, recommendations of the Airport Land Use Commission, and the continued by enforcing~~ ement of the Airport Land Use Noise Compatibility Criteria as found in the Nevada County ~~Airpark Master Airport Land Use Compatibility Plan as adopted by the Nevada County Airport Land Use Commission on September 21, 2011, as those standards are in effect and may be hereafter amended.~~ (See Figure 9.14.)

***Policy 9.1.228***

Ensure the development of compatible land uses adjacent to the Truckee-Tahoe Airport ~~through the approval of development consistent with the land use maps of the Nevada County General Plan, recommendations of the~~ by implementing the noise criteria as found in the -Truckee Tahoe Airport Land Use Compatibility Plan as adopted by the Truckee Tahoe Airport Land Use Commission on October 19, 2010, as those standards are in effect and may be hereafter amended. mmission, and by encouraging the implementation of the Truckee Tahoe Airport Master Plan.

~~***Policy 9.19***~~

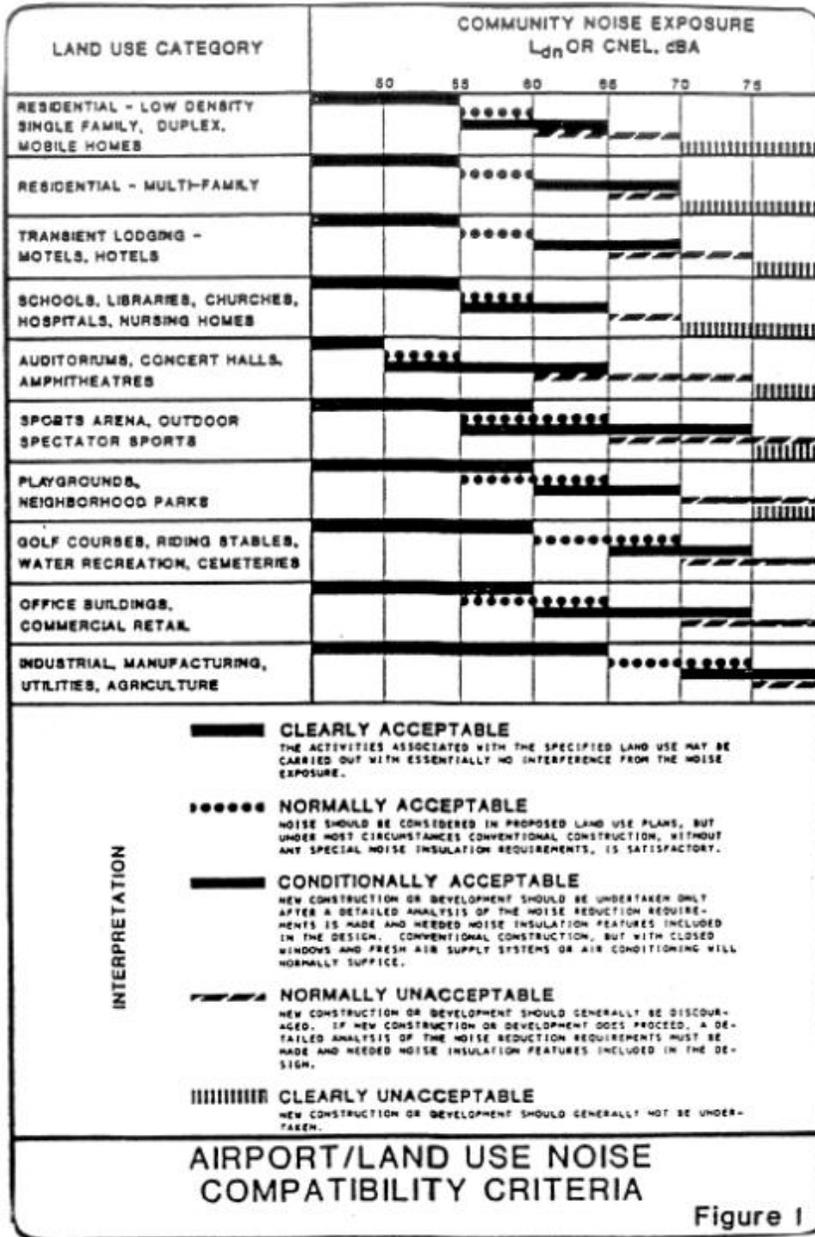
~~The County shall enforce noise standards consistent with the airport noise policies included in the Foothill Airport Land use Commission Comprehensive Land Use Plans for the Truckee-Tahoe Airport, adopted on December 3, 1986, and for the Nevada County Airpark, adopted on June 3, 1987, as those standards are in effect and may hereafter be amended.~~

***Policy 9.1.23***

The County shall continue to enforce noise criteria standards consistent with the airport noise policies adopted by the Nevada County Airport Land Use Commission and the Truckee Tahoe Airport Land use Commission based on the considerations of the following factors:

- a. Established federal and state regulations and guidelines.
- b. The ambient noise levels in the community. Ambient noise levels influence the potential intrusiveness of aircraft noise upon a particular land use and vary greatly between *Community Regions* and *Rural Regions*.
- c. The extent to which noise would intrude upon and interrupt the activity associated with a particular use.
- d. The extent to which the activity itself generates noise.
- e. The extent which the activity itself generates itself generates noise.
- f. The extent of outdoor activity associated with a particular land use.
- e. The extent to which indoor uses associated with a particular land use may be made compatible with application of sound attenuation in accordance with the policies set forth for maximum acceptable interior noise levels.

**FIGURE 9.1**  
**COMMUNITY NOISE EXPOSURE**



# Chapter 10: Safety

## Introduction and Setting

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The interface of the natural and manmade environments creates potential safety hazards associated with avalanches, landslides, earthquakes, floods, and wildfires. Other potential safety hazards, such as airport operations and transportation of hazardous materials, arise from the potential for accidents during the transport of goods and people. Each of these hazards has particular characteristics that affect the future development of the County. Some of these safety hazards can be minimized with emergency planning, while other hazards are reduced by development standards and land use planning. The setting section of the Safety Element addresses the following hazards and hazardous materials issues:

- Emergency Preparedness [\(EP\)](#)
- Geologic Hazards / Seismic Activity [\(GH\)](#)
- Flood Hazards [\(FH\)](#)
- Airport [and Military Airspace Hazards \(AH\)](#)
- [Hazardous Materials \(HM\)](#)
- [Public Safety Services and Facilities \(SF\)](#)
- [Fire Hazards and Protection \(FP\)](#)
- [Severe Weather Hazards \(WH\)](#)

A complete list of acronyms used in the Safety Element is located at the end of this chapter. Additional discussion related to safety is contained in Section 4: Open Space/Recreation Inventory, and Section 5: Resource Capability Analysis, of Volume 2 of the General Plan, and in Section 8 of the Nevada County Master Environmental Inventory, which is part of Volume 3 of the General Plan.

### Emergency Preparedness

#### Emergency Plans and Guides

In the event of a major disaster, it is in the interest of the federal government to ensure that local governments have made efforts toward minimizing disasters. [The Disaster Mitigation Act of 2000 \(DMA\), requires that each State develop a hazard mitigation plan, in order to receive future disaster mitigation funding following a disaster. The DMA also requires the development of local or county plans for that particular county to be eligible for post-disaster mitigation funding. The purpose of these requirements is to encourage State and local government to engage in systematic](#)

and nationally uniform planning efforts that will result in locally tailored programs and projects that help minimize loss of life, destruction of property, damage to the environment and the total cost of disasters before they occur.

The Nevada County Office of Emergency Services (OES), in coordination with the Nevada County Operational Area Emergency Services Council, has developed a Local Hazard Mitigation Plan (LHMP) for Nevada County to meet the requirements of the DMA on behalf of the County, its incorporated cities and towns and participating districts. Approved by the Nevada County Board of Supervisors in July 2012 and by FEMA in August of 2012, the LHMP enables Nevada County to be eligible for future post-disaster mitigation funding. The current LHMP is a required 5-year written update of the Multi-Hazard Mitigation Plan approved in 2006. The LHMP recognizes the threat natural disasters and hazards pose to people and property within Nevada County and that undertaking hazard mitigation action delineated in the LHMP reduces the potential for harm to people and property from future disaster and hazardous incidents. The LHMP identified a list of potential hazards each evaluated for severity of hazard, vulnerability and exposure and then listed in order of perceived likely impact. The top five hazards listed in the LHMP are: urban and wildland fire, severe weather, flood, drought, dam failure.

The Nevada County and Nevada Operational Area Emergency Operations Plan (EOP) prepared by the OES and adopted by the Board of Supervisors in June 2011, delineates responsibilities of First Responders and other response support organizations, e.g., Office of Emergency Services, Department of Public Health, Environmental Health., etc., for natural disasters and manmade incidents in or affecting Nevada County.

Community Emergency Preparedness Guides which are specific to individual communities in Nevada County, provide the basic information for residents to be prepared for potential disaster. If government funds are utilized to develop such a guide, it must be coordinated and approved by the Nevada County Office of Emergency Services, the local fire district, and the local law enforcement agency.

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~~In order to maintain federal grant eligibility and disaster emergency assistance, the Federal Disaster Mitigation Act of 2000 (DMA) stipulates that local governments must develop a plan to address disasters and provide measures to minimize or prevent the costs and losses from a disaster. The Nevada County Office of Emergency Services (OES), in coordination with the Nevada County Emergency Services Council, developed a Multi-Jurisdiction, Multi-Hazard Mitigation Plan (MJMHMP) for Nevada County to meet the requirements of the DMA. The MJMHMP, based on hazard identification and analysis, provides a risk assessment of all potential natural and selected human-caused hazards, and identifies all potential types of disaster likely to occur in Nevada County. Potential disasters include urban and wildland fire, flood, dam failure, avalanche, earth subsidence (cave ins), severe weather, and agricultural and natural health hazards. Human-caused hazards include hazardous materials incidents, arson and structural fire, and airborne hazards. The MJMHMP incorporates implementation and monitoring processes, including submittal of a 5 year written update to the OES and Federal~~

~~Emergency Management Agency (FEMA) Region IX. The MJMHMP, approved by the Nevada County Board of Supervisors in June 2006 and approved by FEMA in August 2006, enables Nevada County to be eligible for federal assistance and funding under the DMA.~~

~~The Nevada County Emergency Operations Plan, prepared by OES and adopted by the Board of Supervisors in December 2003, provides the foundation for coordinating and implementing emergency evacuations by emergency responders, as well as information for communities to develop local emergency response guides. For an actual emergency, command and control operations are implemented by the fire agencies and typically include the Sheriff's Office, volunteer support services, and other support services.~~

~~Community Emergency Preparedness Guides, which are specific to their areas, provide the basic information for citizens to be prepared for potential disasters. If government funds are utilized to develop such a guide, it must include a map of the area, evacuation levels, road closure levels, animal evacuation procedures, important area phone numbers, a family emergency plan, and the date of publication. Customized information for the local area may also be added. A Community Emergency Preparedness Guide developed with government funds requires final approval by OES.~~

### **Emergency Notification System**

~~In June of 2014, the Emergency Communications Network completed a transition to the CodeRED mass notification system which allows access to patented technologies that were not previously available. The current service agreement includes this high-speed notification technology allows Nevada County to more effectively communicate time sensitive messages and includes the following provisions:~~

- ~~• Access to a web based alert notification system~~
- ~~• Eight user accounts with unique access/security codes~~
- ~~• Ability to access and activated the service via phone or web~~
- ~~• Integration and geocoding of supplied 911 database~~
- ~~• 50,000 minutes of actual service usage~~
- ~~• Unlimited SMTP texting~~

~~In late 2007, a service agreement was enacted between CityWatch and OES to provide emergency notification systems services to Nevada County. These systems are commonly called "reverse 911" systems due to their ability to contact phone numbers stored in a public safety 911 database. The County's service agreement includes the following provisions:~~

~~The ability to send emergency messages to Nevada County residents at the rate of 400 calls per minute;~~

~~A base authorization of 10,000 minutes with the ability for more minutes with additional fees;~~

~~Offsite location and maintenance of all hardware, software and telephone lines by CityWatch;~~

~~The ability to send emergency messages to phones, pagers, and e-mail;~~

~~The ability to select calls by geographical area, situs addresses, or a pre-loaded notification list; and  
The ability to generate calls using any internet connection (password-protected).~~

### **Evacuation Planning**

~~Evacuations normally occur due to incidents or disasters that cause large numbers of people to flee the area in all types of vehicles over all roads regardless of sized or legal restrictions. The evacuation is marked by a sense of panic among the evacuees as stress and the fear levels are high. Individuals, groups, and families, including pets, evacuate as quickly as possible and, usually only after finding themselves away from their residence do they consider food, water, clothing, medical care, and possibly, shelter.~~

~~During an evacuation the responsible jurisdictional law enforcement agency under the direction of the incident commander is responsible for directing and facilitating the continued movement of evacuees. Fire departments and fire protection districts may be requested to assist law enforcement with traffic control. The Office of Emergency Services coordinates with the American Red Cross and the County Department of Social Services to establish temporary shelters if requested to do so by the Incident Commander.~~

~~Evacuation plans during an incident are developed on-site and are dependent on the type of incident, the urgency of the impending threat, and the direction of threat. The public may be notified using door-to-door notification methods; local media via radio, television, and internet; activation of the emergency alert notification system.~~

~~Evacuation planning is one component of emergency planning, and is conducted by safety agencies such as fire departments and districts, law enforcement agencies, and OES. Evacuation planning considers the nature of the emergency, including type of disaster, location, spreading directions, weather conditions, proximity to people, advanced warning, etc. The types of emergencies that could necessitate the evacuation of an affected area could include natural, technological, or human caused disasters.~~

~~During an evacuation, the key participants include the incident commander, fire agencies, law enforcement agencies, OES, and the Joint Information Center. Fire agencies are charged with the responsibility of containing the hazard within the perimeter of the area being evacuated, while law enforcement agencies are charged with the responsibility of civil order and traffic control. OES has the responsibility of coordinating with all supporting agencies and assisting the incident commander with implementation of the evacuation. The Joint Information Center is the single source for accurate information regarding evacuation information passed to the general public and the local media.~~

~~Evacuation plans are developed on-site and are dependent on the type of incident and the urgency of the impending threat. The public may be notified using door-to-door notification methods (including PA systems on law enforcement vehicles); local media via radio and television (including activation of the Emergency Alert System for local media outlets); the Special~~

~~Assistance for Emergencies system, if available, which identifies persons requiring special assistance or unable to self evacuate); and mass notification via land line and cellular telephone and e-mail. There are four evacuation levels:~~

~~Level One, shelter in place, allows persons to remain at their location;~~

~~Level Two is a recommended evacuation in which the incident poses a threat to spread into the community and residents are notified to gather their family members, animals and belongings and depart to the sheltering location;~~

~~Level Three is an immediate evacuation, which requires immediate evacuation of all non-emergency personnel; and~~

~~Level Four is a defensive action, for which there is no safe evacuation; first responders would give survival directions to civilians in this scenario.~~

Routes designated on the Nevada County General Plan Land Use Maps as interstates, freeways, highways, and other principal arterial routes are considered primary evacuation routes. Such routes provide the highest levels of capacity and contiguity and serve as the primary means of egress during an evacuation from the County. Routes designated on the General Plan Land Use Maps as minor arterial and major collector routes are considered secondary evacuation routes. These routes supplement the primary evacuation routes, and provide egress from local neighborhood and communities.

## **Geologic Hazards / Seismic Activity**

### **Avalanches**

Avalanche hazard areas are generally located on high, mountainous slopes and terrain at elevations above 7,000 feet. The most important factor necessary to release an avalanche is heavy snowfall. A rapidly increasing snow layer is unable to stabilize or bond with the old layer of snow or the ground below it, so that after a certain amount of time the new snow layer will simply slide off as an avalanche.

~~The location of avalanche hazard areas depends upon the location of snow accumulation areas, where snow tends to drift during peak winter storms. Wind velocity and the density of vegetation determine the pattern of snowdrift and accumulation. In general, snow drifts from areas of little or no vegetation to areas such as woodland terrain, where the wind is less able to exert its influence. The most important factor necessary to release an avalanche is heavy snowfall. A rapidly increasing snow layer is unable to stabilize or bond with the old layer of snow or the ground below it, so that after a certain amount of time the new snow layer will simply slide off as an avalanche.~~

Four avalanche hazard zones are defined, ranging from no hazard to high hazard. High hazard areas are those where avalanches that could damage standard wood-frame structures and/or bury automobiles are expected to occur with a probability of one chance in twenty per year. Identified high hazard areas within Nevada County include portions of the Donner Lake, Tahoe-Donner, and Soda Springs areas.

## **Landslides**

A landslide can be defined as an event in which surface masses of slope-forming earth move outward and downward from their underlying and stable floors in response to the force of gravity. Unstable or potentially unstable slopes are those areas susceptible to slides, falls, creeps, or flows. Topography, climate, geology, and hydrology are factors contributing to slope instability. The degree of severity of these factors and their interactions is what determines potential hazard. Although slope movements can occur in any type of rock material, certain bedrock formations exhibit a high susceptibility to such movement. This type is found in the central portion of the County. However, most of the County's soils are underlain with dense bedrock formations and lack the characteristics contributing to landslide susceptibility.

Triggers such as an earthquake, heavy rainfall and human activities can set a landslide in motion. Mining is a human activity that can greatly increase the potential of a landslide. Nevada County contains many historic hydraulic mining sites, one of which, located northeast of Nevada City, and is an area of over 20,000 acres. Because of the extreme methods used in hydraulic mining to "wash away" hillsides in the mid to late nineteenth century, these areas are extremely prone to slope failure resulting in landslides.

## **Earthquakes**

According to the U.S. Geological Service, Nevada County falls within five earthquake ground movement intensity zones. The western half of the County is in the lower intensity zones (5-20 %gravity), the middle portion is in the moderate zone (21-30%gravity) and the eastern edge is in the 31-40%gravity zone. No part of Nevada County is exposed to an earthquake probability of gravity 40 or more.

Lake of the Pines is the primary community developed in the 8-10% peak ground acceleration zone of Nevada County. Developed primarily since the 1960's, Lake of the Pines would not be expected to suffer significant damage during a normal earthquake event for this area. Grass Valley, Nevada City, Penn Valley, Cedar Ridge, Lake Wildwood, Rough and Ready, and North San Juan are the communities primarily in the 10-15% peak ground acceleration zone. Of these communities, Grass Valley, North San Juan, Rough and Ready and Nevada City are those, which have structures of un-reinforced masonry buildings in their older neighborhoods and commercial districts. While possible, it is not expected that normal seismic activity in this area would result in significant damage. Truckee is the major community of Nevada County located in the 30-40% peak ground acceleration zone. Truckee is similar to Nevada City and Grass Valley in terms of the location of un-reinforced masonry buildings being located in the historic portions of town and the commercial district. Previous local earthquake history has not shown these structures to be at significant risk during normal events.

~~Earthquakes are naturally occurring events that involve primary and secondary seismic related impacts. Primary impacts are those caused by the actual breaking and shaking of the ground.~~

~~For example, a potential primary impact would be dam failure resulting from severe ground shaking, which in turn would result in flooding. Secondary impacts include ground settlement, soil liquefaction, landslides, and seiches, which, in a worst case scenario, have the potential to be moderate in Nevada County due to the characteristics of the County's soils and bedrock.~~

~~Generally, the hazard of an earthquake is based on the interrelationships between faults, weak geologic materials, and human activity. Faults within the State of California are divided into three categories: prequaternary (older than two million years), quaternary (younger than two million years), and historic (less than 200 years). Prequaternary faults can be found in the County's western half, running generally in a north-south direction. Quaternary and historic active faults can be found in the eastern portion of the County near the Town of Truckee.~~

~~According to the US Geological Service, Nevada County falls within all three earthquake severity zones. The western half of the County is in the low intensity zone, the middle quarter is in the moderate zone and the eastern quarter is in the highest intensity zone. Since 1887, the Nevada County area has experienced 36 earthquakes. The latest earthquake to affect Nevada County was the Boca or Truckee earthquake of 1966, which had a Richter magnitude of 5.4. Twenty one aftershocks at a magnitude of four or greater were felt in the area, with Russell Valley generally believed to be the location of the earthquake's epicenter. Although damage was extensive in the area, it was minor in scale, occurring almost entirely in unconsolidated natural fill. Relatively slight damage occurred to bridges along Highway 80 and both Prosser and Boca earth-fill dams. The earthquake was also noticeably felt in Western Nevada County.~~

## **Flood Hazards**

### **Flooding of Streams and Rivers**

Nevada County has reported 13 flooding disasters since 1950 the most recent being in 2008. Fortunately these events have not resulted in loss of life or catastrophic property damage in Nevada County. Primarily due to the significant east to west elevation change in the western part of the county, most of the heavy storm rainfall moves quickly out of the watershed. In the eastern part of the County, higher elevation causes most precipitation to fall as snow during the first 4 months of the winter season. In general, flood hazard areas are generally confined to the area adjacent to the County's rivers and streams. Flooding affecting Nevada County normally occurs when heavy rainfall combines with unseasonably warm temperatures that begin a premature melt of the snow pack. This phenomenon is most dramatically seen on the Yuba River with its steep canyon walls and the Truckee River with its smaller river channel. The Bear River because of its lower elevations and shallow riverbed tends to be impacted more by heavy rain over an extended period. The primary areas within Nevada County that are subject to flooding are shown below in Table 10.1.

~~Flooding of lands adjacent to streams and rivers are caused by flows that exceed the capacity of the normal watercourse. Those areas subject to overflow are referred to as the stream or river's flood plain. Areas within Nevada County subject to flood hazard from stream flooding are~~

**TABLE 10.1**

**PRIMARY AREAS SUBJECT TO 100-YEAR FLOODING**

<i>Eastern County</i>	<i>Western County</i>
Truckee River*	South Fork Yuba River
South Fork Prosser Creek	Greenhorn Creek
North Fork Prosser Creek	Deer Creek
Summit Creek*	Wolf Creek
Trout Creek*	Little and South Forks of Wolf Creek*
Little Truckee River	Squirrel Creek (and tributaries)*
Donner Creek*	Clear Creek
South Fork Yuba River	Bear River

\*Detailed flood hazard information is provided by the Flood Insurance Study for the unincorporated areas of Nevada County, California, Community Number -060210, by FEMA, revised February 5, 1997.

The Federal Emergency Agency (FEMA) provides guidance for floodplain management. FEMA manages the National Flood Insurance Program (NFIP), which provides insurance to communities that participate in the program, and works with State and local agencies to adopt floodplain management policies and flood mitigation measures. Nevada County has been a participating community in the NFIP program since January 1, 1983. Nevada County’s Floodplain Management Regulations are contained in the Land Use and Development Code Chapter XII of the Nevada County Code which was updated in 2009. Additionally, the Nevada County LHMP contains a completed assessment of flooding hazards, flood hazard mapping and recommended flood hazard mitigations.

A key element of the NFIP is the identification of floodplain boundaries which are depicted on the FEMA Flood Insurance Rate Maps (FIRM). The concept of the 100-year flood represents a flood event that is likely to occur once in every 100 years or, in other words, has a 1 percent chance of occurring in a given year. Areas prone to be impacted by 100-year flood events are identified on the FIRM as Special Flood Hazard Zones (Zones A, AE, AO and AH). Federal food [insurance is required for any structure within a Special Flood Hazard Zone, for any property that has a federally insured loan.](#)

**Dam Failure**

Dam failure is another form of flood hazard. Failure can occur as a result of manmade or natural causes. Such causes include improper siting, structural design flaws, and erosion of the face of foundation, earthquakes, massive landslides, and rapidly rising flood waters. Nevada County has identified 21 regulated and non-regulated privately owned dams in Western Nevada County and 25 such dams in eastern Nevada County. Twelve of the 46 dams are regulated and owned by organizations such as the Nevada Irrigation District, Pacific Gas and Electric, the Army Corps of [Engineers or other organizations. Regulated Dams have filed dam inundation plans with the State of California, the appropriate federal agency and the County. There are populated areas within the inundation zone of several of these dams; others have public property \(such as roads\) located down creek. However, the area of Nevada County where these dams exist is not located within a](#)

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~~historically seismically active zone. In fact, the western half of the County resides within the lowest earthquake intensity zone in California.~~

~~Flooding in the event of failure of either the Upper or Lower Scott's Flat Dams would inundate a wide area extending from east of Nevada City to Lake Wildwood. The failure of such a dam would most likely be the result of an earthquake. However, the area of Nevada County in which these dams exist is not located within an historical seismic zone. In fact, the western half of the County resides within the lowest earthquake intensity zone in California.~~

~~Within the eastern portion of Nevada County, classified in a higher earthquake intensity zone, are three major dams: Prosser Creek Reservoir Dam, Stampede Reservoir Dam (located with Sierra County) and Boca Reservoir Dam. One of the two major faults believed to be potential seismic sources appears to be relatively active and of special significance due to its close proximity to the three dams noted above. However, the Truckee earthquake of 1966 had a magnitude of 5.4 but only relatively slight damage occurred to both Prosser and Boca earth fill dams. Martis Creek Dam, found near the town of Truckee has been the subject of recent concern receiving national attention. The dam is managed by the Army Core of Engineers and has been listed by the Core as one of nation's six dams most at risk of failure. Three key risks of failure sited by the Core are: seepage under the dam leading to foundation failure, a too small spillway leading to overflowing events in heavy rains, and an earthquake fault-line located within 200 yards of the dam. The dam is on an active monitoring program, not in use for water storage and has extensive remediation work underway.~~

~~In the western portion of the County, flooding in the event of failure of the Upper and Lower Scotts Flat Dams would inundate a wide area from east of Nevada City, through Nevada City and west to Lake Wildwood. The failure of such a dam would most likely be the result of a significant earthquake. Also in western Nevada County is the Rollins Reservoir on the Bear River, which flows into Combie Lake. The Nevada Irrigation District owns both. Inundation plans are in place for both bodies of water. It is predicted that a collapse of the Rollins Reservoir may impact Camp Far West reservoir in Yuba County. Three dams are owned by PG&E in the Spaulding Lake complex. Collapse of the three dams would cause significant flooding at the 2700 foot level in the Town of Washington.~~

~~Within the eastern portion of the County classified in the highest earthquake intensity zone area are three major dams: Prosser Creek Reservoir Dam, Stampede Reservoir Dam (located within Sierra County), and Boca Reservoir Dam. One of two major faults believed to be potential seismic sources appears to be relatively active and of special significance due to its close proximity to the three dams listed above. However, the Truckee earthquake of 1966 had a magnitude of 5.4, but only relatively slight damage occurred to both the Prosser and Boca earth-fill dams.~~

### **Seiches**

Seiches are seismically induced waves in bodies of water that can be particularly hazardous where lakes and reservoirs are bordered by campgrounds or other facilities on flat banks. Because of the large number of recreational lakes in Nevada County, seismically induced seiches

could prove very damaging. However, most recorded seiches have not been of significant magnitude, and considering the overall seismic risk in this County, seiche risk should be considered only a moderate hazard.

### **Airport Hazards**

Nevada County has within its boundaries several small private airports and two public airports, the Nevada County Airport and Truckee-Tahoe Airport. The Nevada County Airport lies within the foothills near Grass Valley and Nevada City, and the Truckee-Tahoe Airport is located east of the Town of Truckee, with portions of airport lands crossing the County line into Placer County. Safety issues arise as a result of compatible use and non-compatible land uses existing side by side with one another. The Federal Aviation Administration (FAA) defines the most critical areas as those that are immediately beyond the runway ends, the initial climb out and final approach sectors. It is within these approach/departure sectors that a concentration of aircraft accidents occurs. In addition, there are studies indicating that about half of all airport accidents occur on airport property and an additional 15 percent of accidents occur within one mile outside the airport property. This information suggests that those areas immediately off the ends of the runway and under the airport traffic pattern should be carefully evaluated for compatible future land use and development.

### **Airport Land Use Compatibility Planning**

State law requires that any county with an airport operated for the benefit of the general public establish an airport land use commission (ALUC). ALUCs were first established under the California State Aeronautics Act in 1967 for the fundamental purpose to promote land use compatibility around airports. ALUCs have three primary functions under state law:

1. The adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of noise.
2. Prevent the encroachment of incompatible land uses around public-use airports.
3. The preparation of an Airport Land Use Compatibility Plan (ALUCP) for the area around each public use airport that defines compatible land uses for noise, safety, airspace protections, and overflight.

Government Code Section 65302.3 establishes that each county and city affected by an airport land use compatibility plan must make its general plan, any applicable specific plans and zoning ordinance consistent with the ALUCP. Alternatively, local agencies can take the series of steps listed in the Public Utilities Code to make specific findings to overrule the ALUCP policies or portions of it. While the ALUC has the sole authority to adopt the ALUCP and conduct compatibility reviews, the implementation of the compatibility policies rests with local governments.

Nevada County Airport Land Use Compatibility Plan

The *Nevada County Airport Land Use Compatibility Plan (NCALUCP)* was adopted by the Nevada County ALUC on September 21, 2011. Guidelines and requirements for fulfilling the ALUC's duty to review airport and adjacent land use development proposals are set forth in this land use policy document. The NCALUCP identifies the compatibility zones and sets the criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to land owners in their design of a proposed project or new development. Land areas within both the City of Grass Valley and Nevada County are affected by the NCALUCP.

#### Tahoe Truckee Airport Land Use Compatibility Plan

Adopted in by the *Truckee Tahoe Airport Land Use Compatibility Plan (TTALUCP)* on October 19, 2010, the TTALUCP identifies the land use safety and compatibility zones and the associated guidelines for development that is compatible with airport operations. The TTALUCP identifies compatibility zones that include land areas within the local jurisdictions of the Town of Truckee, Placer County and Nevada County.

#### **Military Airspace Compatibility**

Comment [KH1]: New language added

In guiding growth and development in Nevada County, it is important to consider the critical role of Military Operation Areas (MOAs) in support of national defense. A military operations area is a three dimensional airspace designated for military training and transport activities that has a defined floor (minimum altitude) and ceiling (maximum altitude). In Nevada County the MOA consists of a Military Training Route (MTR) which is a low-level high speed route that is not only used for commutes between installations but allows the pilots to develop the skills necessary to avoid detection by enemy radar. There is one MOA located in the eastern portion of Nevada County that is used by military aircraft to practice high- and low-altitude training exercises and to traverse between military installations. Any development or new construction that seriously impacts or hinders the function and viability of a MOA is considered incompatible land use. As Nevada County's population and economic activity grow in the future, public safety within the MOA shall be coordinated with the military through compatible land use planning in accordance with California Government Code Sections 65352 (a)(5) and (6)(A), 65940, and 65944.

#### **Airport Comprehensive Land Use Plans**

~~State law requires that any county with an airport operated for the benefit of the general public establish an airport land use commission (ALUC). ALUCs assist local agencies with their airport related land use planning efforts by preparing airport Comprehensive Land Use Plans (CLUPs) for airports in their jurisdiction, and by reviewing local agencies' land use plans, land use policies, and airport plans. CLUPs define safety zones around an airport and prescribe recommended land uses for each zone based on risk and accident levels appropriate to that zone and land use. General and specific plans must be consistent with adopted CLUPs. The Sierra Economic Development District, acting as the Foothills ALUC, is Nevada County's ALUC. The Nevada County Airpark CLUP was adopted in 1992, and the Truckee Tahoe's Airport CLUP was updated in 2004. CLUPs are updated in response to changing conditions at an airport and/or its surrounding communities. Where no CLUP identifies the Airport Impact area, it is by default an area defined by a line 2 miles from the airport boundary in all directions. The CLUPs designate impact zones within the Airport Influence Area and identify policies for compatible land uses~~

~~within the zones. Safety areas for the Nevada County Airpark are bordered by, but not encroached upon by residential and industrial developments. No incompatible land uses are developed adjacent to the Truckee Tahoe Airport, within Nevada County.~~

### **Hazardous Materials**

The significance of hazardous materials to the environment, property, and human health depends on the type, location, and quantity of the material released. Certain areas of the County are at higher risk of encountering a hazardous material incident. Roadways, railways, waterways, and airways are frequently used for transporting hazardous materials. Areas with industrial facilities that use, store, or dispose of such materials all have an increased potential to exposure.

**Comment [KH2]:** Added second paragraph to reflect updated document reference

The County's pre-incident planning and preparedness for hazardous materials releases is contained in the Nevada County Hazardous Materials Plan that was approved in July 2010. The Hazardous Materials Plan fulfills state law and is used as a resource document in conjunction with the Nevada County Emergency Operations Plan, and other local and state plans.

### **Stationary Sources of Hazardous Materials**

~~The majority of the hazardous waste stream within Nevada County is generated by small quantity generators with the In 1988 it was estimated that approximately 97 percent of the hazardous waste stream within Nevada County is generated by "small quantity generators" generating less than 2,200 pounds of waste per month. The major contributor to the hazardous waste stream being is "waste oil."~~ Miscellaneous waste, which includes types of waste such as asbestos, metal dust, chemical toilet waste, and photo processing waste, is another major group. Other groups include non-halogenated solvents, dye and paint sludges, resins, and non-metallic inorganic liquids. The Nevada County Department of Environmental Health maintains a complaint site list of contaminated sites within Nevada County. The most commonly found form of groundwater contamination on this list occurs from hydrocarbons (gasoline, diesel, and other fuels).

**Comment [KH3]:** Removed outdated estimate

### **Transport of Hazardous Materials**

#### **Hazardous Materials Transportation**

Interstate 80, the Union Pacific Railroad, and the Kinder Morgan petroleum pipeline are the three major transportation routes by which tons of hazardous materials are transported through the County. Interstate 80 weaves in and out of the County from the State Route 20 interchange to the Nevada state line. It is within this corridor that the incident of an accidental release of hazardous material is most likely to occur. Traffic volumes, the winding character of the Interstate, and snow and ice make this corridor especially dangerous during the winter months. In addition to the character of the interstate, the remoteness of the County from outside help creates even a greater potential for a major incident. Assistance from areas outside the County would be unavailable for a period of one to four hours in the event of a hazardous materials spill.

## **Mining**

More than a century of placer and hardrock mining in Nevada County leaves a legacy of both physical and chemical hazards. Of the approximately 50 contaminated sites identified by the state Department of Toxic Substances Control (DTSC) in Nevada County, the most common contaminants are arsenic, lead, and mercury from past mining activities. The County is also home to Lava Cap Mine, a Federal Superfund site. Historic mining practices, processing techniques, and improper closures at hundreds of abandoned mine sites pose potentially hazardous conditions in both *Rural* and *Community Regions*. Potential hazards vary from one site to another. Mine waste cleanup is regulated by a number of federal and state agencies, including the US Environmental Protection Agency, the DTSC, and the Regional Water Quality Control Board.

## **Fire Hazards and Protection**

### **Wildland Fires**

Comment [KH4]: Revised

The County's single largest risk for human life and financial loss is fire. Wildland fires and, in particular, fires that impinge on the wildland urban interface have cost County residents the most financially and in loss of life. The combined efforts of all involved parties maintain a tapestry of vigilance, preventative efforts and rapid response to the wildland fires threat. Residential developments in wildland areas and limited forestland management resources have created and will perpetuate an environment of dense fuel reserves with seasonal wildland fire risk to the County's residents and their improvements. Our best strategy to date has been to thin fuel sources at wildland urban interfaces, educate residents, and provide a rapid response to wildland fires when they start.

Today, people in Nevada County are attracted to live and build their homes in remote areas, on hillsides, and in and among the native woodlands. There is a misconception held by many of us that today's grasslands, oak woodlands, and forests are "natural" and as such, think if we just keep suppressing fires, these vegetation types will remain the same. This is a grave error. All of our fire-adapted ecosystems are complex entities. They are not like a photograph and non-changing over time; they are constantly changing. There is a tremendous amount of growth and in-growth every year. As a result, without periodic fire or treatment, these vegetation types have ever-increasing unnaturally high fuel loads that, over time, have created hazardous fire conditions.

We now understand that the extreme fire behavior we are witnessing is a result of the long-term interruption of the natural fire cycle. The combination of our topography, climate, and present day fuel conditions produces large, high severity and intense wildland fires; e.g., the Forty-niner fire in September 1988, (33,500 ac/185 homes); the Martis fire, June 2001, (14,500 ac/4structures); the Trauner fire, August 1994 (500 ac/12 homes); and the Cottonwood, fire, August 1994, (46,800 ac). The Forty-niner fire, the Martis fire and the Trauner fire resulted in over 33 million dollars damage and more than 27 million dollars in suppression cost. The Cottonwood fire cost 12.5 million dollars to suppress.

We can never go back to the natural fire cycles as land use has changed dramatically since the mid-1800's and we now have life and property intermixed within the wildland environment. However, we can, with vegetation management, reduce fuels to those pre-settlement "natural" levels in target areas in and around our communities.

Accepting Nevada County's terrain, climate, rainfall, and forest land/urban mix, it is a certainty that significant wildland fires are going to continue as a threat. Contributing to the threat over the last 75 years have been the fire suppression techniques and policies that have allowed a large fuel load to accumulate.

Generally, the fire season extends from early spring to late fall. Fire conditions arise from a combination of hot weather, an accumulation of vegetation, and low moisture content in the air. These conditions, when combined with high winds and years of drought, increase the potential for wildfire to occur. The wildfire risk is predominantly associated with Wildland-Urban Interface (WUI) areas. WUI is a general term that applies to development interspersed or adjacent to landscapes that support wildland fire. WUI areas have been a major focus of California Department of Forestry and Fire Protection's (CAL FIRE) fire management strategy since at least 1972. A fire along this wildland/urban interface can result in major losses of property and structures. Potential losses from wildfire include: human life, structures and other improvements; natural and cultural resources; the quality and quantity of the water supply; other assets such as timber, range and crop land, and recreational opportunities; and economic losses. In addition, catastrophic wildfire can lead to secondary impacts or losses such as future flooding landslides during the rainy season. Generally, there are three major factors that sustain wildfires and predict a given area's potential to burn. These factors are fuel, topography, and weather.

**Fuel** – Fuel is the material that feeds a fire and is a key factor in wildfire behavior. Fuel is generally classified by type and by volume. Fuel sources are diverse and include everything from dead tree needles and leaves, twigs, and branches to dead standing trees, live trees, brush, and cured grasses. Also to be considered as a fuel source, are man-made structures, such as homes, and other associated combustibles. The type of prevalent fuel directly influences the behavior of wildfire. Light fuels such as grasses burn quickly and serve as a catalyst for fire spread. In addition, "ladder fuels" can spread a ground fire up through brush and into trees, leading to a devastating crown fire. The volume of available fuel is described in terms of Fuel Loading. Certain areas in and surrounding Nevada County are extremely vulnerable to fires as a result of dense grassy vegetation combined with a growing number of structures being built near and within rural lands. The presence of fine fuels, 1000hr fuels, and needle cast combined with the cumulative effects of previous drought years, heavy vegetation mortality, tree mortality and lowdown of timber across Nevada County has added to the fuel loading in the area. Fuel is the only factor that is under human control.

**Topography** - An area's terrain and land slopes affect its susceptibility to wildfire spread. Fire intensities and rates of spread increase as slope increases due to the tendency of heat from a fire to rise via convection. The natural arrangement of vegetation throughout a hillside can also contribute to increased fire activity on slopes.

Weather - Weather components such as temperature, relative humidity, wind, and lightning also affect the potential for wildfire. High temperatures and low relative humidity dry out the fuels that feed the wildfire creating a situation where fuel will more readily ignite and burn more intensely. Wind is the most treacherous weather factor. The greater a wind, the faster a fire will spread, and the more intense it will be. Winds can be significant at times in Nevada County. North winds in Nevada County are especially conducive to hot, dry conditions, which can lead to “red flag” days indicating extreme fire danger. Winds coming from the southeast have also been noted as a concern in the western third of the County. In addition to wind speed, wind shifts can occur suddenly due to temperature changes or the interaction of wind with topographical features such as slopes or steep hillsides. Lightning also ignites wildfires, often in difficult-to-reach terrain for firefighters. Related to weather is the issue of recent drought conditions contributing to concerns about wildfire vulnerability. During periods of drought, the threat of wildfire increases.

Other factors contributing to the wildfire problem in Nevada County include:

- Overstocked forests, severely overgrown vegetation, and lack of defensible space around structures;
- Excessive vegetation along roadsides and hanging over roads, fire engine access, and evacuation routes;
- Conditions such as drought and overstocked forests contribute to increased beetle kill in weakened and stressed trees;
- Narrow and often one lane and/or dead end roads complicating evacuation and emergency response as well as subdivisions that have only one means of ingress/egress;
- Inadequate or missing street signs on private roads and house address signs;
- Nature and frequency of lightning ignitions; and
- Increasing population density leading to more ignitions.

Three other organizations have also been very active. The Fire Safe Council of Nevada County has been active in providing free public information and education for County residents as well as a free wood debris-chipping program on site for property owners. The Nevada County Resource and Development Council and the Nevada County Resource Conservation District have been sponsoring shaded fire breaks in conjunction with Tahoe National Forest in the area around Scotts Flat Lake. Tahoe National Forest has been working on strategically placed fire control points using thinning processes. Additional projects are proposed in this plan’s mitigation measures.

~~fire cycle has led to a surplus of vegetation and, consequently, hazardous fire conditions. Regions where homes and communities encroach into wildlands are known as wildland urban interface areas and constitute a higher risk to public safety. In the unincorporated areas of Nevada County, approximately 28,000 parcels are developed in the wildland urban interface area.~~

~~Level of service is a calculated value that determines the success of extinguishing wildfires by initial attack firefighting resources. The level of service rate is relatively high for Nevada County. The California Department of Forestry and Fire Protection (CAL FIRE) Nevada-Yuba-Placer Unit Fire Plan indicates that the overall average level of service for the local area is near 98% successful, while the unsuccessful rate is 2% for all wildfires. The unsuccessful rate typically requires additional fire suppression resources and usually generates significant unacceptable losses.~~

~~Nevada County fire history provides examples of costs and losses. Recent large fires include the 49er Fire in September 1988, which charred nearly 33,500 acres and destroyed 185 homes; the Martis Fire in June 2001, which destroyed approximately 14,500 acres and 4 structures; the Trauner Fire in August 1994, which destroyed approximately 500 acres and 12 homes; and the Cottonwood Fire in August 1994, which burned approximately 46,800 acres. These fires resulted in over \$33 million in damage and about \$40 million in suppression costs.~~

~~While the MJMHMP identifies a wide variety of hazards in Nevada County, wildfires are identified in the greatest threat category for natural disasters. The 49er Fire of 1988, which did most of its damage in less than 48 hours, demonstrates that Nevada County has a high potential for wildland fires of devastating intensity. "Fire Hazard Severity Zone" mapping developed by CAL FIRE provides a means for determining the likelihood of an area burning and how it burns in terms of intensity, speed, or ember production. The SRA in Nevada County includes private and state lands, and is ranked in the "moderate," "high" and "very high" severity zones (33% of the County falls under federal jurisdiction and is not ranked). The majority of private lands within the SRA are located in the high and very high fire hazard severity zone areas: 9% are within the moderate Fire Hazard Severity Zone, 29% in the high zone, and 62% in the very high zone.~~

~~Factors influencing the potential for fire hazard rating include population growth, vegetation and slope, and weather. Generally, terrain that exceeds 8 percent in slope is defined as fire hazardous. The steeper the slope, the faster the fire climbs. Weather also plays a critical role in determining fire hazard. Summer and early fall are the primary periods for wildfires in Nevada County, with the typical wildfire season for Nevada County ranging from May 15 to October 31 (almost half the year), and the peak fire season ranging from June 15 to October 15 (one third of the year). Seasonal conditions are typically dry periods, with little or no precipitation, and high temperatures that contribute to very low relative humidity. In Nevada County, summer and early fall winds tend to dry out vegetation and increase the amount of oxygen to wildfire, increasing the fire hazard danger. Vegetation is categorized based on the following fuel burning, or "fuel loading" characteristics:~~

- ~~Light fuels: flammable grass and annual herbs~~
- ~~Medium fuels: scrub brush of lighter species~~
- ~~Heavy fuels: timber, woodland, and heavier brush species~~

~~Native vegetation is the primary fuel source for wildland fires because it is the predominant vegetative component of wildlands. However, in the wildland urban interface, non native or exotic species can also be fuel sources if they are allowed to become combustibile during normal summer weather from lack of maintenance and irrigation. Vegetation that is pruned and irrigated appropriately does not form as rapid a means of fire transmission.~~

## **Fire-Safe Infrastructure**

### **Fire-Safe Circulation**

Roads are critical infrastructure supports for suppressing wildfires. They serve as ingress and egress routes to and from wildfires, staging areas, safety zones, coordinating locations, anchor points for fire suppression activities, and evacuation routes. Most initial incident command posts are established as roadside locations to coordinate with incoming fire equipment.

Private roads, which network between residences and public roads, provide another avenue for firefighting operations and evacuation. The Nevada County road system consists of 3,000 miles of public and private roads, of which nearly 60% are private roads, which equates to approximately 1,800 miles of roadway. The quality and conditions of these roads are variable. Some private roads fail to meet the minimum fire safety standards established in the Nevada County Land Use and Development Code.

More detailed information on circulation is provided in General Plan Chapter 4: Circulation Element.

### **Roadside Vegetation Management**

The width of and clearance around roads is a primary factor affecting firefighting operations. Only 585 miles of the County's approximately 1,200 miles of public roads are treated for fire fuel, and then only in conjunction with road maintenance, generally repaving or chip sealing. This vegetation management occurs under the Nevada County Public Works Department's Roadside Vegetation Management Program, which currently treats approximately 35 miles or approximately 6% of the County road system on an annual basis. This figure equates to rotational roadside treatment of approximately 17 years for each mile of roadside vegetation.

### **Emergency Water Storage Systems**

Emergency water storage throughout the County involves a mixture of systems. A hydrant system is the dominant source in cities, towns, and major subdivisions. Rural areas of the County depend on a mixture of individual water tanks, pools, ponds, lakes, and ditches. The Nevada County Land Use and Development Code specifies the minimum size for individual water tanks for proposed subdivisions and other applicable projects. The placement of emergency water storage has been incremental, resulting in small storage tanks on development sites. Given the development patterns, densities, and locations of existing water storage tanks, fire experts recognize the need for improving the emergency water storage system.

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## **Fire Agencies and Support Organizations**

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### Fire Protection Agencies and Services

The County is protected by multiple fire protection agencies, including eight local fire districts, one water district, two City fire departments, CAL FIRE, the Bureau of Land Management (BLM), and the US Forest Service (USFS). In Eastern Nevada County, the Truckee Fire Protection District provides fire protection services. In Western Nevada County, the following fire districts and departments provide fire protection services for the cities and unincorporated areas of the County:

- Grass Valley City Fire Department
- Higgins Fire Protection District
- Nevada City Fire Department
- Nevada County Consolidated Fire District
- North San Juan Fire Protection District
- Ophir Hill Fire Protection District
- Peardale-Chicago Park Fire Protection District
- Penn Valley Fire Protection District
- Rough and Ready Fire Protection District
- Washington County Water District

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Fire protection services are determined by jurisdiction and responsibilities. In general, local fire districts and city departments provide emergency medical services, other emergency responses, and fire protection for structures within their respective jurisdictions. Many fire districts are staffed with volunteers. CAL FIRE provides wildland fire protection services on private, non-federal lands for the purpose of life, property and resource protection. USFS and BLM provide wildland fire protection services on federal lands in Federal Responsibility Areas for watershed and resource protection. Some areas are also identified as Local Responsibility Areas, including those within the cities of Grass Valley and Nevada City, as well as the area under the jurisdiction of the Truckee Fire Protection District. Various agreements between the fire protection agencies enable cooperative fire protection services. The Grass Valley Emergency Command Center, a cooperative facility between the USFS and CAL FIRE, provides emergency dispatching services through cooperative agreements with all the fire districts and cities within Nevada County.

### Fire Safety Support Staff and Organizations

The Nevada County Fire Marshal enforces, inspects and reviews County projects based on fire safety codes and regulations, unless —the project is located within the jurisdiction of a local fire protection district that has paid staff. The Fire Marshal also reviews and recommends changes to the County fire safety regulations. The Nevada County Fire Chief's Association also participates in the review of community, County, and state fire safety codes and regulations.

The Fire Safe Council (FSC) of Nevada County is a public benefit, non-profit 501(c)(3) corporation formed in 1998 by citizens concerned about the very high potential for catastrophic wildfire in our communities and adjacent forestland. The mission of the FSC is “To provide fire wise education and programs to enhance emergency preparedness for catastrophic wild to all citizens in Nevada County in order to reduce the loss of life, property and natural resources and to promote Firewise Communities; to network with other Fire Safe Councils, Firewise Communities, government agencies and foundations for the benefit of citizens of Nevada County.”

Comment [KH5]: Revised

~~Throughout California, Fire Safe Councils (FSCs) are developing fire safe plans for local communities, providing an integrated planning process that effectively links many levels of government, and ensuring that planning and funding are most effectively coordinated. The Nevada County FSC, formed in 1998, is a non-profit organization consisting of state and federal fire agencies, local fire districts, and local concerned citizens. The Nevada County FSC is dedicated to educating and assisting the public with protection from the effects of catastrophic wildland fires.~~

#### Fire Protection Regulations

Fire science research indicates the area around a home or other buildings requires at least 100 to 200 feet of reduced and modified vegetation to minimize structure ignition from radiation and convection heat, and/or firebrands landing and accumulating directly on the home. Fire science also indicates that structure fires can produce sufficient amounts of heat and firebrand to ignite wildland vegetation.

Nevada County Land Use and Development Code Chapter XVI requires new projects and construction meet fire safety standards described in PRC 4290, and establishes requirements for fuel modification and emergency water supply, as well as minimum fire safe driveway and road standards. New structures built in Nevada County must also comply with fire safety building regulations. These building codes require the use of ignition-resistant building materials and establish design standards to improve the ability of a building to survive a wildfire.

State-mandated PRC 4291 requires the management of flammable vegetation around buildings or structures as a firebreak within 30 feet or to the property line from a structure, and as a fuelbreak, within 30 to 100 feet or to the property line from the structure. This regulation applies to all buildings or structures in a mountainous area; forest-covered, brush-covered, or grass-covered lands; or any land that is covered with flammable material in the SRA.

#### Fire Protection Plans and Programs

##### Federal and State Plans

The Land and Resource Management Plan and the Sierra Nevada Forest Plan Amendment guide fire planning for the Tahoe National Forest. The Sierra Nevada Forest Plan Amendment provides guidance for minimizing wildfires on federal and tribal lands. California addresses

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wildfire issues through the California Fire Plan and its local version, the Nevada-Yuba-Placer Unit Fire Plan. These documents focus on reducing fire hazards by addressing pre-fire fuels management for strategic fire suppression. Roads, water storage, buildings, evacuation planning, and other factors associated with private property development are not included in these documents.

The Nevada County FSC has developed a Community Wildfire Protection Plan (CWPP) based on the requirements of the Healthy Forest Restoration Act of 2003, which identifies measures that protect and restore forest land. The CWPP coordinates with the MJMHMPLHMP on wildfire issues as required by the DMA. The CWPP provides educational opportunities for the public to understand the complex issues of fire and fuels and to engage in the decision-making process for community safety. An adopted CWPP increases opportunities for pre-disaster funding to the County from the USFS and BLM.

The Nevada County MJMHMPLHMP provides a risk assessment of all potential natural and selected human-caused hazards, and identifies all potential types of disaster likely to occur in Nevada County, including wildland fire. One purpose of the MJMHMPLHMP is to minimize the magnitude of potential wildfire disasters.

#### Community / Area Plans

Two communities within the unincorporated areas of the County, Lake Wildwood and Lake of the Pines, have localized defensible space/fire safety regulations. These fire safety regulations require fuels treatment around homes and vacant parcels. Additionally, the Nevada County Consolidated Fire District may enforce hazard abatement requirements on vacant parcels pursuant to Health and Safety Codes.

The South Yuba River Comprehensive Management Plan provides strategies for the management of public lands in Nevada County's Lower South Yuba River area, including support of existing fire suppression and fuel reduction strategies developed by public resource agencies, FSCs, fire districts, and others for the Yuba River watershed.

The Lake Vera-Round Mountain Fire Safe Plan applies to an area north of Nevada City and south of the South Yuba River, generally identified as the Lake Vera-Round Mountain area. The Plan identifies actions to reduce fire hazard, including a determination of circulation, emergency road access, fuels modification and use of cluster and building setbacks. The 550 parcels within the Plan area are zoned by the County with a restrictive "SP" zoning that requires development to comply with the specific fire safe standards contained within the Plan.

The Community Fire Plan for the North San Juan Fire Protection District area provides for brush thinning, evacuation route clearing, and other related assistance ~~in order~~ to reduce fuel loads, decrease the intensity of wildfire, and limit fire danger to structures and life. The plan promotes safe evacuation and citizen protection in the event of wildfire, ongoing public education, training

of cooperative citizen teams, improvement of neighborhood fire safety, and professional assessment of fire-related infrastructure needs throughout the District.

#### Fire Prevention Programs

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Nevada County's Fire Prevention Assistance Program provides annual wildland fire safety inspections based on the requirements of PRC 4291. Each fire season, temporary County employees typically complete approximately 2,000 fire safety inspections. The primary focus of the program is to provide education through fire safety inspections and helpful brochures.

The Nevada County Roadside Vegetation Management Program treats vegetation in conjunction with road maintenance such as repaving or chip sealing. This program includes protocols for fuels treatment, herbicide use, and other issues related to maintaining roadside vegetation.

The Nevada County FSC has numerous grant-funded fire protection programs that are active as grant funds become available. All programs and services offered by the FSC are free of charge to the residents of Nevada County and provide education and assistance to those living in the wildfire prone environment. These programs include the following:

The Defensible Space Advisory Visit Program brings a qualified volunteer to private homes to help property owners understand and implement effective defensible space clearing

The Defensible Space Chipping Program provides free chipping of brush and other hazardous vegetation that has been cleared 100 feet from any permanent structure and/or 30 feet from any roadside or driveway used for evacuation purposes

Community Green Waste Drops at various locations throughout the County offer another method of disposal

The Special Needs Assistance Program provides defensible space clearing for property owners who are unable to clear their property due to age, physical disability, or financial need; have no other person to assist in the clearance; and cannot afford to hire a contractor to do the work

The Scotch Broom Challenge provides methods of controlling the invasive non-native plant Scotch broom, a highly flammable ladder fuel, including a weed wrench loan program to remove the invasive weed from your property

The Firewise Communities/USA® program is a unique opportunity available to America's fire-prone neighborhoods and communities. Its goal is to encourage and acknowledge action that minimizes home loss to wildfire. It teaches you to prepare for a fire before it occurs. The program adapts well to small communities, developments and residential associations of all types. The FSC of Nevada County has assisted a number of communities in Nevada to become designated Firewise Communities USA.

The FSC also works to implement community fuel reduction projects such as roadside evacuation clearing and fire fuel breaks as defined in the Nevada County CWPP.

**Severe Weather Hazards**

Comment [KH6]: New safety hazard added

Wind, Lightning, Snow, Freezing, Heavy Rain

Severe weather across the County routinely leads to regional power outages, isolation of vulnerable regions (single access road closures), and white-out conditions on roadways. Deep snow, strong winds and severe cold have also created unsafe living conditions for vulnerable members of our community. Rain, snow, lightning and high winds are likely to continue as one of the natural threats to Nevada County.

Numerous severe weather incidents affecting Nevada County were documented in the period from 1960 to 2013:

- 33 incidents related to high wind
- 8 incidents related to freezing or extreme cold
- 6 incidents related to lightening
- 27 incidents were reported as heavy rain
- 26 incidents related to winter storms or snow
- 1 incident tornado

(Note: some incidents included more than one cited cause)

**Blizzards**

Not specifically mentioned above were blizzards, which are the combination of wind and blowing snow. Closure of roads and highways due to blowing snow is a common and annual event above elevations of 5,000 feet in the Sierra Nevada.

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**Goals, Objectives, Policies, and Policies Programs**

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The following sections identify the eight primary types of goals, policies and programs of the Safety Element, which are grouped by subject categories as follows:

- Emergency Preparedness (EP)
- Geologic Hazards / Seismic Activity (GH)
- Flood Hazards (FH)
- Airport and Military Airspace Hazards (AH)
- Hazardous Materials (HM)
- Public Safety Services and Facilities (SF)
- Fire Hazards and Protection (FP)
- Severe Weather Hazards (WH)

Specific Safety Element goals, objectives, and policies are grouped by subject categories as follows:

- ~~Emergency Preparedness (EP)~~
- ~~Geologic Hazards / Seismic Activity (GH)~~
- ~~Flood Hazards (FH)~~
- ~~Airport Hazards (AH)~~
- ~~Hazardous Materials (HM)~~
- ~~Public Safety Services and Facilities (SF)~~
- ~~Fire Hazards and Protection (FP)~~

~~Summary of Safety Element Goals: Objectives, policies, and actions corresponding to each goal are found on the page adjacent to each goal.~~

~~• **Emergency Preparedness**~~

~~GOAL EP 10.1~~

~~Provide a coordinated approach to hazard and disaster response preparedness.~~

~~**Geologic Hazards / Seismic Activity**~~

~~GOAL GH 10.2~~

~~Minimize injury and property damage due to geologic and seismic hazards.~~

~~**Flood Hazards**~~

~~GOAL FH 10.3~~

~~Reduce the potential for injury, property damage, and environmental damage from flooding.~~

~~**Airport Hazards**~~

~~GOAL AH 10.4~~

~~Ensure the safety and compatibility of land uses in the vicinity of airports.~~

~~**Hazardous Materials**~~

~~GOAL HM 10.5~~

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~~Protect the community's health, safety, natural resources, and property through regulation of use, storage, transport, and disposal of hazardous materials.~~

~~**Public Safety Services and Facilities**~~

~~GOAL SF 10.6~~

~~Ensure adequate public safety services and facilities through development standards, development fees, and land use patterns.~~

~~**Fire Hazards and Protection**~~

~~GOAL FP 10.7~~

~~Enhance fire safety and improve fire protection effectiveness through infrastructure and service improvements.~~

~~GOAL FP 10.8~~

~~Reduce fire risk to life and property through land use planning, ordinances, and compliance programs.~~

~~GOAL FP 10.9~~

~~Encourage fire safety education and support programs to promote participation, voluntary compliance, and community awareness of fire safety issues.~~

~~GOAL FP 10.10~~

~~Involve all stakeholders in collaborating on countywide fire safety goals and plans to consistently and efficiently implement fire safety related best management practices.~~

~~GOAL FP 10.11~~

~~Reduce fire severity and intensity through fuels management.~~

~~GOAL FP 10.12~~

~~As desirable and as funding becomes available, the County should consider Advisory Policies FP 10.12.1.1 through FP 10.12.1.28, prioritized by the order in which they appear.~~

~~The following section identifies the goals, objectives, and policies of the Safety Element. Additional goals, policies and objectives generally related to safety are located in Chapter 1: Land Use; Chapter 4: Circulation; Chapter 11 Water; Chapter 12: Soils and Chapter 17: Minerals Management.~~

Emergency Preparedness (EP)

**GOAL EP-10.1**

**Provide a coordinated approach to hazard and disaster response preparedness.**

*~~Objective EP-10.1.1~~*

~~*Policy EP-10.1.1* To Ensure a coordinated, interagency program for disaster preparedness that will facilitate federal and state disaster assistance by planning for the reduction of the effects of natural hazards.~~

**Directive Policies**

~~*Policy EP-10.1.21.1* The Multi-Jurisdiction, Multi-Hazard-Local Hazard Mitigation Plan (LHMP), adopted by the County on ~~June 13, 2006~~ July 17, 2012, in accordance with the Federal Disaster Mitigation Act of 2000 and Government Code 65302.6, shall serve as the implementation program for the coordination of hazard planning and disaster response efforts within the County.~~

The ~~Multi-Jurisdiction, Multi-Hazard Mitigation Plan~~ LHMP shall be reviewed annually by the County Office of Emergency Services and updated as necessary to ensure compliance with the Federal Disaster Mitigation Act of 2000, as it exists or as may be amended.

~~*Policy EP-10.1.31.2* Coordinate with the State Office of Emergency Services for wildfire, awareness of implementation of state programs. The local earthquake preparedness plan shall be coordinated with regional plans for earthquake preparedness through the local and State Office of Emergency Services.~~

~~*Objective EP-10.1.2*~~

~~*Policy EP-10.1.4* Provide for adequate evacuation routes in areas of high fire hazard, high potential for dam failure, earthquake, seiches, avalanche, flooding or other natural disaster.~~

**Directive Policies**

~~*Policy EP-10.1.52.1* Promote the continued effectiveness and public awareness of the Nevada County and Nevada Operational Area Emergency Operationsat Plan, and Community Emergency Preparedness and Evacuation Guides, through the local Office of Emergency Services, as the focus for planning for emergency evacuation of threatened populations. ~~The Plan identifies procedures and~~~~

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~~responsibilities for designating and preparing local evacuation routes on an area specific and event specific basis.~~

**Policy EP-10.1.62.2** ~~Transportation r~~ Consistent with the Emergency Operational Plan, ~~the routes that are~~ designated on the General Plan Land Use Maps as Interstates, freeways, highways, and other principal arterial routes shall be considered primary evacuation routes on a countywide basis. Such routes provide the highest levels of capacity and contiguity and serve as the primary means for egress from the County.

The routes designated on the General Plan Land Use Maps as minor arterial or major collector routes shall be considered secondary evacuation routes on a countywide basis. These routes supplement the primary evacuation routes, and provide egress from local neighborhood and communities.

~~Objective EP-10.1.3~~

~~Existing and future land use patterns shall provide for alternative routes for emergency access.~~

~~See: Policy EP-10.1.2.2  
Policy FP-10.8.5.2  
Chapter 4, Circulation  
Circulation Maps~~

**Policy EP-10.1.7** Support the development and maintenance of countywide and local emergency evacuation plans.

**Directive Policies**

**Policy EP-10.1.84.1** Recognize that the Emergency Preparedness and Evacuation Guides will be ~~developed and included in the Emergency Operational Plan~~ developed as supporting plans to the Nevada County and Nevada Operational Area Emergency Operations Plan.

**Policy EP-10.1.94.2** Support the development of Community Emergency Preparedness and Evacuation Guides by local community members in collaboration with the County Office of Emergency Services. ~~community level evacuation plans by the County Office of Emergency Services, which will contain the same elements found in the Emergency Evacuation Guide within the Emergency~~

**Comment [KH7]:** Deletion per VF (OES)  
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~~Operational Plan, including an educational program for citizens and agencies.~~

~~Policy EP-10.1.4.3 Incorporate the Special Assistance for Emergencies program into the Emergency Evacuation Guide.~~

Comment [KH9]: Delete per VF (OES)

Geologic Hazards / Seismic Activity (GH)

**GOAL GH-10.2**

**Minimize injury and property damage due to geologic and seismic hazards.**

*Policy GH-10.2.1* Ensure that new construction meets current structural and safety standards.

*Policy GH-10.2.2* Continue to cooperate with the State Department of Conservation – California Geological Survey, the State Office of Emergency Services and other appropriate federal, state and local agencies and incorporate the most current data concerning the following as the basis for the County's Site Development Standards, and project site plan review:

- a. geologic hazards; and
- b. seismic hazard data for sensitive land uses such as schools, medical facilities, high-density residential uses, and intensive commercial uses.

The project review shall consider the need to mitigate development in such areas in accordance with federal, state and local standards.

As part of the project site review process, require sufficient soils and geologic investigations to identify and evaluate the various geologic and seismic hazards that may exist for all proposed development, including subdivisions. Such investigations shall be required within an area determined to be seismically active by the State Department of Conservation – California Geological Survey, or within an area having potential geologic hazards, including slope instability and excessive erosion.

**Directive Policies**

*Policy GH-10.2.1.32* Carry out the requirements of the California Building Code, particularly with regard to seismic design.

*Policy GH-10.2.1.4* Require that underground utility lines, particularly water and natural gas mains, be designed to withstand seismic forces.

Flood Hazards (FH)

**GOAL FH-10.3**

**Reduce the potential for injury, property damage, and environmental damage from flooding.**

*Policy FH-10.3.1* Implement development standards to ensure new construction does not result in increased peak run-off or flood potential.

*Policy FH-10.3.2* Avoid potential increases in downstream flooding potential by protecting natural drainage and vegetative patterns through project site plan review, application of Comprehensive Site Development Standards, use of clustered development and project subdivision design. The Comprehensive Site Development Standards shall include measures applicable to all discretionary and ministerial projects to avoid downstream flooding resulting from new development. Such measures, shall include, but not be limited to:

- a. Avoidance of stream channel modifications;
- b. Avoidance of excessive areas of impervious surfaces; and
- c. Use of on-site retention or detention of storm water.

~~*Objective FH-10.3.2*~~

~~*Policy FH-10.3.3*~~ Participate in County flood studies and programs.

**Directive Policies**

*Policy FH-10.3.42.1* Continue to work with appropriate local, state and federal agencies (particularly FEMA) in maintaining the most current flood hazard and flood plain information as a basis for project review in such areas in accordance with federal, state and local standards.

*Policy FH-10.3.52.2* Continue to participate in the National Flood Insurance Program.

Airport Hazards (AH)

**GOAL AH-10.4**

Ensure the safety and compatibility of land uses in the vicinity of airports and military airspace.

~~*Objective AH-10.4.1*~~

~~*Policy AH-10.4.1*~~ Maintain land use and development patterns in the vicinity of airports that reflect and are consistent with policies for the different ~~impact~~ airport land use compatibility zones within the defined Airport Influence Areas as set forth by the Nevada County and Truckee Tahoe Airport Land Use Compatibility Plans (ALUCPs).

~~Directive Policy~~

~~*Policy AH-10.4.2*~~ Through appropriate zoning regulations, the County shall enforce airport ground and height safety areas, and land use compatibility standards, consistent with the ALUCPs ~~Comprehensive Land Use Plans~~ adopted by ~~the Foothill Airport Land Use Commission for the Truckee-Tahoe Nevada County and Truckee Tahoe Airport Land Use Commissions~~ and the Nevada County Air Park, as those plans are currently in effect.

~~Changes in the Comprehensive Land Use Plans shall be reflected in the General Plan and/or Zoning Regulations, where appropriate.~~

*Policy AH-10.4.2* Ensure early notification to the military of proposed discretionary development projects within the Military Operation Area (MOA) by implementing California Government Code Sections 65352 (a)(5) and (6)(A), 65940, and 65944 to facilitate the exchange of project related information pertinent to military operations within the MOA.

*Program AH-10.4.1* Identify the airspace used by the military in Nevada County and develop procedures to coordinate with the military the

review of new development to ensure that it is compatible with military air operations.

Hazardous Materials (HM)

**GOAL HM-10.5**

**Protect public health, safety, natural resources, and property through regulation of use, storage, transport, and disposal of hazardous materials.**

~~Objective HM-10.5.1~~

~~Policy HM-10.5.1~~ Provide means for the identification, safe use, storage, transport, and disposal of hazardous materials.

~~Directive Policy~~

~~Policy HM-10.5.2~~ ~~1.1~~—In siting on and off-site hazardous waste management facilities, the County shall follow the criteria and mitigation measures set forth in the Nevada County Hazardous Waste Management Plan, and attendant Final Environmental Impact Report, in order to minimize safety hazards associated with hazardous material and hazardous waste incidents.

~~Objective HM-10.5.2~~

~~Policy HM-10.5.3~~ The County will encourage the cleanup of sites contaminated by mine wastes or other hazardous materials.

~~Directive Policy~~

~~Policy HM-10.5.4~~ ~~2.1~~ The County will actively promote prompt clean-up or remediation of properties contaminated by mine waste or other hazardous materials and shall not grant any discretionary or ministerial land use approvals to develop or change boundaries or reconfigure parcels believed to be contaminated unless and until the nature, extent, type and location of the contamination is determined and satisfactory arrangements are made for clean-up or remediation, in accordance with Nevada County standards or state regulations.

Public Safety Services and Facilities (SF)

**GOAL SF-10.6**

**Ensure adequate public safety services and facilities through development standards, development fees, and land use patterns.**

~~Objective SF-10.6.1~~

~~Policy SF-10.6.1~~ Maintain appropriate levels of safety and protection services and facilities on land and water for both *Community* and *Rural Regions*.

~~Policy SF-10.6.2.1~~ County public safety facilities shall be included in the County's development impact fee program, as provided in Policy 3.8 to provide for new facilities or upgrading of existing facilities necessary to serve new development.

Action Policy

~~Policy SF-10.6.3.2~~ The following shall be included in the adopted Comprehensive Site Development Standards ~~to be adopted by the County~~ as the basis for site plan review:

- a. Standards to enhance the ability of the County law enforcement personnel to protect multi-family, commercial, industrial, and business park uses, including but not limited to:
  - (1) exterior building and parking area lighting; and
  - (2) trimming and maintenance of on-site vegetation to provide adequate view of parking areas, building entrances, and other areas accessible to the public.
- b. Standards to ensure adequate site and building access for fire and emergency medical access.

~~Objective SF-10.6.2~~

~~Policy SF-10.6.4~~ Land use patterns and development standards shall minimize hazards resulting from flooding, earthquake, slope failure, avalanche, and other natural occurrences.

~~*Objective SF-10.6.3*~~

~~*Policy SF 10.6.5*~~ Encourage appropriate levels of consolidated services to provide for efficiency and cost containment.

~~*Policy SF-10.6.6.1*~~ The County will encourage joint service agreements and consolidation of police, fire, and emergency services between the County, cities, and service districts.

Fire Hazards and Protection (FP)

**GOAL FP-10.7**

**Enhance fire safety and improve fire protection effectiveness through infrastructure and service improvements.**

~~*Objective FP-10.7.1*~~

~~*Policy FP-10.7.1*~~ Identify existing County-maintained roads not meeting design standards for current or anticipated use as designated on the General Plan Land Use Map.

~~*Objective FP-10.7.2*~~

~~*Policy FP-10.7.2*~~ Ensure that proposed private roads are maintained.

Action Policy

~~*Policy FP-10.7.3.1*~~ As a condition of development, require long-term maintenance of private roads to the standards of the original improvements, including roadside vegetation management.

~~*Objective FP-10.7.3*~~

~~*Policy FP-10.7.4*~~ Research the feasibility of a countywide rural fire protection water system that provides a cost-effective, adequate water supply.

Action Policy

~~*Policy FP-10.7.3.1*~~ Upon implementation of a countywide water storage program, amend Land Use and Development Code Chapter XVI to eliminate the requirement for individual water storage tanks. Develop a transition process to coordinate the change in the water storage program.

~~*Objective FP-10.7.4*~~

**Comment [KH10]:** Moved to programs under Goal 10.12

**Policy FP-10.7.5** Encourage fire protection agencies to determine appropriate levels of fire protection facilities and services for both *Community* and *Rural Regions*.

**Directive Policies**

**Policy FP-10.7.64.1** Encourage the upgrading of facilities within existing fire protection districts, and encourage the expansion of existing districts where warranted by the population density allowed under the General Plan.

**Policy FP-10.7.74.2** Cooperate with CAL FIRE, US Forest Service, local fire districts, and the Nevada County Fire Safe Council in fire prevention programs.

**GOAL FP-10.8**

**Reduce fire risk to life and property through land use planning, ordinances, and compliance programs.**

~~**Objective FP-10.8.1**~~

**Policy FP-10.8.1** As needed, review and revise existing wildland fire-related codes and ordinances to address the recognized hazards of development in the wildland urban interface.

**Directive Policy**

**Policy FP-10.8.24.1** Recognize the ignition-resistant building standards in Land Use and Development Code Chapter V, Building.

~~**Objective FP-10.8.2**~~

**Policy FP-10.8.3** Comply with air quality regulations by encouraging alternatives to debris burning.

**Directive Policy**

**Policy FP-10.8.42.1** Support removal of fuels and chipping and onsite distribution of chipped material as preferred alternatives to burning.

**Policy FP-10.8.5** Consider new wildfire safety codes and ordinances to meet the County's fire safe needs.

**Action Policy**

**Policy FP-10.8.63.1** Review wildfire safety policies, codes, and ordinances, and report the findings to the Board of Supervisors at least every three years.

~~**Objective FP-10.8.4**~~

~~**Policy FP-10.8.7**~~ Review and recommend improvement of the “same practical effect” process for meeting the intent of the fire safety regulations.

**Directive Policy**

**Policy FP-10.8.84.1** Recognize the value of the “same practical effect” or “exception” process when the letter of the law may not be practically applied, but the intent of the law may be achieved through application of other measures. Develop a public information sheet to increase public awareness and understanding regarding the application of these processes.

~~**Objective FP-10.8.5**~~

~~**Policy FP-10.8.9**~~ Land use patterns and development standards shall minimize fire hazard.

**Action Policies**

**Policy FP-10.8.105.1** The County shall coordinate and centralize firesafe reviews which will include coordination of development with respect to fire prevention and safety, and implementation of Nevada County fire safety programs, standards and procedures.

**Policy FP-10.8.115.2** The following shall be included in the Comprehensive Site Development Standards ~~to be adopted by the County~~ as the basis for site plan review:

- a. Standards for roads and private driveways which will enhance the ability of emergency service providers to respond to structural and wildland fires, and calls for medical and law enforcement emergency assistance. The standards shall provide for secondary road access to new projects where necessary for fire safety or emergency access;
- b. Water supply standards which will provide necessary on-site water supply for fire protection;

- c. Sign and address standards which will provide for easy identification of roads, streets, driveways and buildings by emergency service providers; and
- d. Standards to reduce hazards associated with the structural and wildland intermix including:
  - (1) Fuel modification; and vegetation management procedures adjacent to structures;
  - (2) Vegetation management adjacent to roads and driveways to provide safe travel of residents and fire fighting personnel; and
  - (3) Building setbacks.

*Also see: Chapter 1: Land Use Policy 1.17*

**Directive Policy**

***Policy FP-10.8.125.3*** In those areas outside *Community Regions*, which are identified as having a high fire hazard, and/or lack adequate year-round fire protection facilities, maintain low-density land use designations (Rural or Forest) in order to minimize the potential fire hazard.

**GOAL FP-10.9**

**Encourage fire safety education and support programs to promote participation, voluntary compliance, and community awareness of fire safety issues.**

~~*Objective FP-10.9.1*~~

~~***Policy FP-10.9.1***~~ Inform the public how to undertake fuels management activities in accordance with environmental regulations and guidelines.

**Action Policy**

***Policy FP-10.9.21.1*** Make available educational materials regarding environmental regulations, guidelines, and protection measures that property owners should be aware of and are responsible for when planning and undertaking fuels management activities. These educational materials shall be available to members of the public at the County.

~~*Objective FP-10.9.2*~~

**Policy FP-10.9.3** Increase public education and outreach on wildfire safety issues by utilizing the Fire Safe Council and collaborating with community and business associations.

**Directive Policies**

**Policy FP-10.9.4-1** Provide a better understanding to the public and to the architectural and building industry about the benefits and material/design options available with ignition-resistant building materials.

**Policy FP-10.9.5-2** Support the development of a fuels management consulting and technical service contact list for private property owners by the appropriate fire agency.

**Policy FP-10.9.6-3** Encourage the development and organization of a property owner assistance program for fuels treatment.

**Policy FP-10.9.7** Encourage and support the effort for local neighborhoods and communities to become certified under the Firewise Communities USA<sup>®</sup> certification program through the Fire Safe Council.

~~**Objective FP-10.9.3**~~  
**Policy FP-10.9.8** Create a cooperative business environment that encourages business, professional services, and governmental agencies to provide landowners with prudent, safe, economical, and environmentally sensitive services.

~~**Objective FP-10.9.4**~~  
**Policy FP-10.9.9** Create incentives ~~to~~ encourage voluntary compliance with fire safe regulations.

**Directive Policy**

**Policy FP-10.9.10-1** The County shall work with the California Department of Insurance to obtain recognition that Nevada County has developed fire safety programs that promote compliance with fire safety regulations.

~~**Objective FP-10.9.5**~~  
**Policy FP-10.9.11** Assist the Fire Safe Council with identifying fuel reduction priorities for grant-funded projects.

~~Objective FP-10.9.6~~

~~Policy FP-10.9.12~~ Support the Fire Safe Council's public education efforts in order to ensure projects are consistent with County policies, resource standards, and ordinances.

~~Objective FP-10.9.7~~

~~Policy FP-10.9.13~~ Improve public awareness regarding Nevada County's ecosystem and fire history.

Directive Policies

*Policy FP-10.9.147.1* Encourage landowners to obtain fire safety educational information from the appropriate fire and resource agencies.

*Policy FP-10.9.157.2* Support collaboration among CAL FIRE, the US Forest Service, the Bureau of Land Management, the Nevada County Superintendent of Schools, and other interested groups to develop a school curriculum based upon the role of cyclical historic fire in Sierra Nevada forests.

*Policy FP-10.9.167.3* Explore the feasibility of a forest school within the Tahoe National Forest to provide students a laboratory in which to study and understand the dynamics of the Sierra Nevada forests.

**GOAL FP-10.10**

**Involve all stakeholders in collaborating on countywide fire safety goals and plans to consistently and efficiently implement fire safety-related best management practices.**

~~Objective FP-10.10.1~~

~~Policy FP-10.10.1~~ Create a collaborative process for integration of countywide common goals into each fire agency's fire prevention program.

~~Objective FP-10.10.2~~

~~Policy FP-10.10.2~~ Facilitate a collaborative process with public and private land managers for integrated wildland-urban interface fuels management.

**GOAL FP-10.11**

**Reduce fire severity and intensity through fuels management.**

~~Objective FP-10.11.1~~

**Policy FP-10.11.1** Recognize Public Resources Codes 4290 and 4291, and other defensible space standards and guidelines in order to protect structures from wildfire, protect wildlands from structure fires, and provide safe access routes for people and firefighters.

**Action Policies**

**Policy FP-10.11.21.1** Recognize the Nevada County Defensible Space Standard as described in this policy. The Defensible Space Standard provides the basic protection measures for life and property from encroaching wildfire, and minimizes structure fires or other fires which may threaten to spread into the wildlands. The standard utilizes Public Resources Code 4291 and includes one component of Public Resources Code 4290, fuels treatment next to driveways, as the minimum fire safety standard in Nevada County.

The following definitions apply to the Nevada County Defensible Space Standard:

- a.** Flammable vegetation: Any live or dead vegetation that is combustible during normal summer weather. Vegetation which is pruned, limbed, cultivated, or considered ornamental shrubbery or plants, provided they are maintained and/or irrigated and they do not form a means of rapidly transmitting a fire from the surrounding wildlands, is not considered flammable vegetation and is permissible to be retained;
- b.** Firebreak: An area where flammable vegetation and other combustible growth are removed and cleared to create a condition that avoids the spreads of fire to other vegetation or to a building or structure;
- c.** Fuelbreak: An area that has been changed from dense, heavy vegetation to lower fuel volumes with tree pruning, intermediate shrub, brush, and dead fuel removed, and grasses and forbs replacing the shrub species;
- d.** Structure Ignition Zone: A firebreak area free of flammable vegetation and other combustible growth around any structure.
- e.** Reduced Fuel Zone: A fuelbreak area of separated vegetation, both vertically and horizontally, which extends beyond the Structure Ignition Zone;
- f.** Extended Reduced Fuel Zone: An extension of the Reduced Fuel Zone on downslope areas that varies depending on

slopes and vegetation characteristics, as shown in the table below; and

- g. Safe Access Route: A fuelbreak of spatially separated vegetation, both vertically and horizontally, adjacent to driveways that connect homes with roadways.

**Extended Reduced Fuel Zone: Vegetation-Steep Slope Chart**

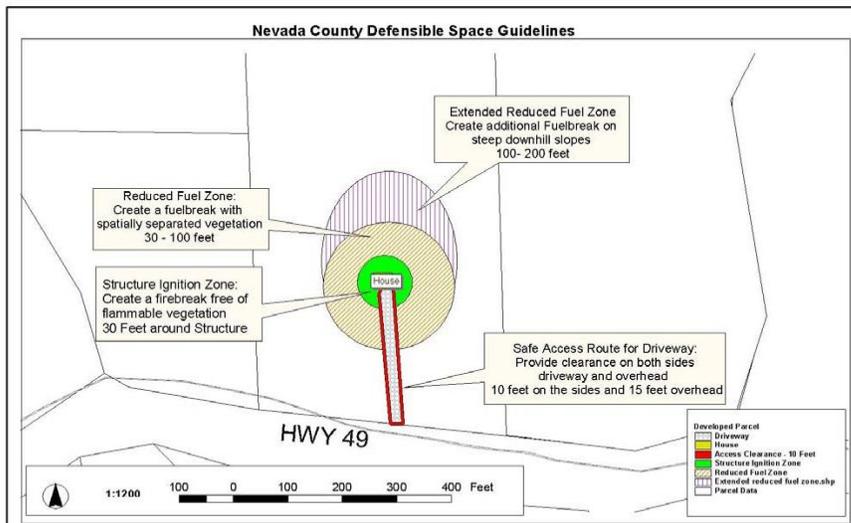
Vegetation Type	Down Slope: 0 – 20%	Down Slope: 21 – 30%	Down Slope: >31%
Grass-Oak Woodlands	100 feet	100 feet	100 feet
Montane Brush	100 feet	150 feet	200 feet
Mixed Conifer Forest	100 feet	150 feet	200 feet
Eastside Pine w/Sage	100 feet	125 feet	150 feet

**TABLE 10.2  
DEFENSIBLE SPACE EXTENDED REDUCED FUEL ZONES**

Vegetation Type	Down Slope: 0 – 20%	Down Slope: 21 – 30%	Down Slope: >31%
Grass-Oak Woodlands	100 feet	100 feet	100 feet
Montane Brush	100 feet	150 feet	200 feet
Mixed Conifer Forest	100 feet	150 feet	200 feet
Eastside Pine w/Sage	100 feet	125 feet	150 feet

The defensible space zones listed above are shown in Figure 10.1 below.

**FIGURE 10.1: NEVADA COUNTY DEFENSIBLE SPACE ZONES**



The following criteria, in items *a* through *c* below, comprise the Nevada County Defensible Space Standard, which should apply to property within the unincorporated portions of Nevada County:

- a. Vegetation may only be maintained and treated on one's own property. Fuel modification is limited to the property line;
- b. Defensible space should be maintained; and
- c. The recommended guidelines in Policies FP-10.11.~~31-2~~ and 10.11.~~52-4~~ should be observed when undertaking fuels treatment in the Extended Reduced Fuel Zone.

***Policy FP-10.11.~~31-2~~***

Recognize the following fuels treatment guidelines, which serve as recommendations for appropriate spatial arrangement, width, depth, and pruning/limbing height of vegetation in the Extended Reduced Fuel Zone during declared fire season. The guidelines also distinguish appropriate fuels treatment for the various vegetation types in the County: grass-oak woodlands, montane brush, mixed conifer forest and eastside pine with sage. These guidelines supplement the Extended Reduced Fuel Zone standards in Policy FP-10.11.~~21-4~~.

- a. **Guidelines for grass-oak woodlands:** Grass and oak trees dominate the western lower foothills of Nevada County. This vegetation type primarily consists of blue oaks, valley oaks and interior live oaks with brush and occasional conifer species. Fuel loadings are typically low to moderate with low fire resistance, and fire burns very fast. Fire Hazard Severity Rating ranges from moderate to high depending on slope and aspect.

Montane brush lands are generally localized areas in the western lower foothills of Nevada County. This vegetation type primarily consists of brush species such as manzanita, deer brush, and scrub oak, with occasional oaks and pines in the overstory. Fuel loadings are typically moderate to high with moderate fire resistance time, and fire burns very fast. Fire Hazard Severity Ratings range from high to very high depending on slope and aspect.

Fuels treatment guidelines for grass-oak woodlands and montane brush lands are as follows:

- (1) Grass vegetation: A height of 3 inches or irrigated greenbelt should be maintained.
- (2) Brush plants: Dead or dying brush species should be removed at least 30 feet from the structure and gradually extending out to 100 feet. Individual plants or groups of plants can be retained, based on species, size, and slope conditions, with the following conditions:
  - (a) Plants should be healthy and free of dead branches and leaves;
  - (b) Plants should be 10 feet or less in canopy width;
  - (c) Brush plant canopies should be horizontally separated at 3 times their height;
  - (d) The lower branches of plants should be vertically separated from understory vegetation; and
  - (e) For grass-oak woodlands, a break in the ladder fuels should be created between grass, brush, and tree species, retaining spatially separated healthy plants.
- (3) Oak and conifer tree species: Dead or dying oaks or conifers should be removed, along with suppressed conifer species. Individual trees or groups of trees can be retained, based on species, size, and slope conditions, with the following conditions:
  - (a) Heritage oak trees and landmark oak groves should be retained;
  - (b) Trees should be healthy and generally free of dead branches and leaves;
  - (c) Trees should be horizontally separated a distance of 10 to 30 feet between trunk of trees; and
  - (d) The lower canopy of trees should be vertically separated from the understory, with limbing or pruning to a height of 8 feet in order to prevent canopy fires.

- (4) Dead and down woody vegetation: Dead and down woody vegetation that is 8 or fewer inches in diameter and 2 or more feet in length should be removed. Dead material can be incorporated into the soil.

- b. **Guidelines for mixed conifer forest and eastside pine with sage:** Conifer forest dominates the mid-elevation on the west side and east side of the Sierra Nevada Range with pines, cedars, firs and deciduous oak trees in the canopy, and brush species in the understory. Fuel loadings are typically moderate to very high and have very high fire resistance time, and fire burns moderately fast. Fire Hazard Severity Ratings range from high to very high on most aspects and slopes.

Eastside pine dominates the mid-elevations on the east side of the Sierra Nevada Range with pines and sagebrush species in the understory. Fuel loadings are moderate and have moderately to high fire resistance time, and fire burns moderately to very fast. Fire Hazard Severity Ratings range from high to very high on most aspects and slopes.

Fuels treatment guidelines for mixed conifer forest and eastside pine with sage are as follows:

- (1) Pine needles and leaves: Pine needles and leaves should be raked to a height of 3 inches or less.
- (2) Brush plants: Flammable brush plants should be removed. Individual plants or groups of plants are acceptable, based on species, size, and slope conditions, with the following conditions:
  - (a) Plants should be healthy and free of dead branches and leaves;
  - (b) Plants should be 5 feet or less in canopy width;
  - (c) Brush plant canopies should be horizontally separated at 3 times their height; and
  - (d) The lower branches of plants should be vertically separated from understory vegetation.

- (3) Oak and conifer tree species: Remove dead or dying trees. Remove suppressed conifer species. Individual trees or groups of trees can be retained, based on species, size, and slope conditions, with the following conditions:
  - (a) Trees should be healthy and free of dead branches and leaves;
  - (b) Trees should be horizontally separated a distance of 10 to 30 feet between trunk of trees; and
  - (c) The lower canopy should be vertically separated from the understory, with limbing and pruning to 8 feet in height in order to prevent canopy fires.
  
- (4) Dead and down woody vegetation: Dead and down woody vegetation that is 8 or fewer inches in diameter and 2 or more feet in length should be removed. Dead material can be incorporated into the soil.

**Objective FP-10.11.2**

**Policy FP-10.11.4**

Recognize a stewardship program focusing on the management of flammable, hazardous vegetation in and around community areas to effectively reduce wildfire intensity and severity, while considering other valuable resources and public interest.

**Directive Policies**

**Policy FP-10.11.52.1**

Support the Nevada County Wildland Stewardship Program, which provides flexible guidelines for managing hazardous vegetation and promotes property owners' understanding of the wildland environment and responsible land stewardship concepts, including voluntary property management and collaboration with neighbors. The Wildland Stewardship Program focuses on the area adjacent to the defensible space area -to enhance protection for structures and protect surrounding natural resources. The Wildland Stewardship Program is described in educational materials which shall be available at the County. The Wildland Stewardship Program includes the following:

- a.        The **educational material**, which provides background and supporting information describing the wildfire and regulatory setting, as well as other important information for property owners in understanding and maintaining defensible space.
- b.        A **property owner’s guide** to help property owners develop goals, identify types of fire fuels, select treatment processes, estimate cost and time frames, and understand environmental constraints and regulations.
- c.        **Good neighbor practices** to help achieve adequate defensible space in situations where structures cannot achieve it due to parcel size or other constraints.
- d.        **Fuels management environmental protection measures** to inform property owners of various regulations, provide contacts at resource and regulatory agencies, and explain how best to comply with the regulations.
- e.        **Technical and funding assistance** information to facilitate fuels management activities.
- d.        **Networking and coordination** information to facilitate the coordination of fuels treatment programs.

The County may issue a Statement of Cooperation for property owners who demonstrate effective stewardship practices, in order to provide an incentive for property owners to engage in fuels treatment activities. The County may also monitor the effectiveness of the Wildland Stewardship Program and provide reports to the Board of Supervisors to assess the effectiveness of the program.

**Objective FP-10.11.3**

**Policy FP-10.11.6** The County shall collaborate with the Fire Safe Council in updating and maintaining the countywide Community Wildfire Protection Plan according to Healthy Forest Restoration Act guidelines.

**GOAL FP-10.12**

As desirable and as funding becomes available, the County should consider **Advisory Policies-Programs** ~~FP-10.12.1-1~~ through ~~FP-10.12.291-28~~, prioritized by the order in which they appear.

**Advisory Policies**

~~Program Policy~~ ~~FP-10.12.1-1~~ Establish an official Nevada County Fire Marshal’s Office, and provide funding for the appropriate staffing of the

County Fire Marshal's Office to provide oversight and implement fire protection policies.

~~Program~~ ~~FP-10.12.1-2~~ Support the Fire Safe Council as a significant contributor of providing fire safe education and information to the residents of the County by assisting in funding their services and programs.

~~Program~~ ~~FP-10.12.1-3~~ Coordinate with the Fire Safe Council in their efforts to update and maintain the countywide Community Wildfire Protection Plan. These efforts include:

a. Identifying areas within the County that potentially could be the source of large and damaging wildfires; ~~and~~ ~~and~~

b. ~~PP~~ Prioritizing those potentially hazardous areas for grant funds to reduce the fire hazard and risk.

~~Program~~ ~~FP-10.12.1-4~~ Provide a permanent funding mechanism for the Fire Safe Council's chipping program and services.

~~Program~~ ~~FP-10.12.1-5~~ Develop a water storage inspection program.

~~Program~~ ~~FP-10.12.1-6~~ Sponsor workshops that develop cooperative efforts between businesses, professional services, and governmental agencies in the fuel and resource management industry, including those that provide fire-safe operations, fuel management services, and environmental compliance services.

~~Program~~ ~~FP-10.12.1-7~~ Support the establishment and publication of a list of business resources that includes businesses and professionals that have attended the County's fire safety workshop and are knowledgeable of County fire-safe programs.

~~Program~~ ~~FP-10.12.1-8~~ Support and expand greenwaste pickup and chipping programs and develop a mulching-composting program as the preferred methods for leaf and pine needle disposal.

- | ~~Program Policy~~ FP-10.12.1-9 Provide consulting services for private landowners for the restoration and rehabilitation of wildlands impacted by fire, insects, and disease.
- | ~~Program Policy~~ FP-10.12.1-10 Create a directory of assistance programs for large landowners, including CAL FIRE's Vegetation Management Program, CAL FIRE's California Forest Improvement Program, and the Natural Resources Conservation Service's Environmental Quality Incentives Program.
- | ~~Program Policy~~ FP-10.12.1-11 Provide financial aid to those landowners who can demonstrate financial need based upon established criteria and who are incapable of accomplishing the fuels management on their own to meet the requirement of the Nevada County Defensible Space Standards.
- | ~~Program Policy~~ FP-10.12.1-12 Nevada County Department of Public Works and the Fire Marshal's Office should work together to identify County-maintained arterial and collector roads or segments of these roads that are not meeting design standards for current or anticipated average daily trips, and prioritize these roads for upgrading as funds become available.
- | ~~Program Policy~~ FP-10.12.1-13 Direct the Fire Marshal's Office to coordinate with the Fire Safe Council to create a multimedia format lending library. The lending library shall focus on proper land stewardship, defensible space, fire prevention, disaster preparedness and application of fuels management prescriptions. The Fire Marshal's Office should seek outlets to inform the public of this library.
- | ~~Program Policy~~ FP-10.12.1-14 Develop a compliance program for future development to ensure that proposed roads are maintained over the long term to the same standard as they were originally approved and conditioned.
- | ~~Program Policy~~ FP-10.12.1-15 Encourage the Board of Supervisors to reconvene a Fire Safety Committee at least every five years for a comprehensive review of the effectiveness of the fire protection policies in the General Plan.

~~Program~~ ~~FP-10.12.1~~16 Develop an evacuation road standard and private landowner incentives to participate in the standard.

~~Program~~ ~~FP-10.12.1~~17 Encourage the Board of Supervisors to explore feasible funding mechanisms for those County roads not meeting the evacuation road standard.

~~Program~~ ~~FP-10.12.1~~18 Conduct a study for funding a countywide system of strategically located rural fire protection water storage tanks.

~~Program~~ ~~FP-10.12.1~~19 Conduct an analysis of private roads with offers of dedication on them and identify those of significant regional importance for public safety and evacuation. Once identified, those roads should be prioritized for inclusion into the County-maintained mileage program through a public process.

~~Program~~ ~~FP-10.12.1~~20 Explore feasible funding mechanisms to add roads that are regionally important for connectivity and public safety access under County maintenance.

~~Program~~ ~~FP-10.12.1~~21 Support the Fire Safe Council's effort to create a biomass reutilization center.

~~Program~~ ~~FP-10.12.22~~ Upon implementation of a countywide water storage program; amend Land Use and Development Code Chapter XVI to eliminate the requirement for individual water storage tanks. Develop a transition process to coordinate the change in the water storage program.

~~Program~~ ~~FP-10.12.23~~22 Create a forum to bring together private and public groups with a statutory or general interest in wildfire risk reduction with the intent of creating and maintaining a consistent public message regarding fire prevention and risk reduction requirements and activities.

~~Program~~ ~~FP-10.12.24~~23 Task the County Fire Marshal, in cooperation with the Fire Safe Council, to develop and maintain a forum with public and private land managers to treat hazardous vegetation on their lands in order to increase community wildfire protection.

Program Policy FP-10.12.1.2425 Conduct seminars for landowners on proper stewardship techniques based upon County fuels management guidelines and programs.

Program Policy FP-10.12.1.2526 Provide educational workshops on environmental protection measures for property owners to minimize environmental impacts while implementing fuels treatment projects on their property.

Program Policy FP-10.12.271-26 Increase the County roadside vegetation management program treatment rate from the current rate of 6% to a minimum of 10% of County-maintained road miles, thus decreasing the rotational period from an estimated 17-year return interval to a 10-year return interval.

Program Policy FP-10.12.1.2728 Implement recommendations based on the countywide water storage study.

Program Policy FP-10.12.291-28 Provide cost-share assistance through grant programs to property owners who have collectively organized and develop a project based on the Community Wildfire Stewardship Program.

Severe Weather Hazards (WH)

**GOAL WH-10.13**

**Minimize injury and property damage due to severe weather hazards (rain, snow, lightning, and high winds).**

Policy WH-10.13.1 Ensure a coordinated, multi-jurisdictional preparedness program that will educate residents of Nevada County on how to best prepare for the hazards that severe weather can cause.

Policy WH-10.13.2 Continue to promote public awareness of emergency preparedness for potential severe weather hazards by:

- a. Providing education opportunities to local community groups; and
- b. Distributing the latest educational documents on emergency preparedness.

Program WH-10.13.1      Continue to maintain qualification as a National Weather Service StormReady® County.

## **List of Acronyms**

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The following acronyms are used in the Safety Element:

AH	_____	Airport Hazards
ALUC	_____	Airport Land Use Commission
<del>ALUCP</del>	_____	<del>Airport Land Use Compatibility Plan</del>
BLM	_____	Federal Bureau of Land Management
CAL FIRE		California Department of Forestry and Fire Protection
<del>CLUP</del>	_____	<del>Airport Comprehensive Land Use Plan</del>
CWPP	_____	Community Wildfire Protection Plan
DMA	_____	Federal Disaster Mitigation Act of 2000
DTSC	_____	California Department of Toxic Substances Control
EP	_____	Emergency Preparedness
FAA	_____	Federal Aviation Administration
FEMA	_____	Federal Emergency Management Agency
FH	_____	Flood Hazards
FP	_____	Fire Hazards and Protection
FSC	_____	Nevada County Fire Safe Council
GH	_____	Geologic Hazards / Seismic Activity
HM	_____	Hazardous Materials
<del>LHMP</del>	_____	<del>Local Hazard Mitigation Plan</del>
<del>MJMHP</del>	_____	<del>Multi-Jurisdiction, Multi-Hazard Mitigation Plan</del>
<del>MOA</del>	_____	<del>Military Operation Area</del>
NFPA	_____	National Fire Protection Association
OES	_____	Nevada County Office of Emergency Services
PRC	_____	California Public Resources Code
SRA	_____	State Responsibility Area
USFS	_____	US Forest Service
<del>WH</del>	_____	<del>Severe Weather Hazards</del>



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## ARTICLE 1. PURPOSE

Sec. L-III 1.1 Purpose

The purpose of this ordinance is to adopt specific sections of the *Nevada County Airport Land Use Compatibility Plan* (NCALUCP) and of the *Truckee Tahoe Airport Land Use Compatibility Plan* (TTALUCP) as local land use policy by reference in accordance with the California State Aeronautics Act (Public Utilities Code 21676(a)).

Sec. L-III 1.2 Basic Function of Airport Land Use Compatibility Planning

The basic function of airport land use planning is to promote compatibility between the airport and surrounding land uses. As adopted by an Airport Land Use Commission (ALUC), an Airport Land Use Compatibility Plan (ALUCP) serves as a tool for use by the commission in fulfilling its duty to review airport and adjacent land use development proposals. The ALUCP sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to land owners in their design of new development.

Any city, special district, community college district, or school district that exists, or may be established or expanded into the identified airport influence area defined by an ALUCP are also subject to the provisions of the plan. However, the authority of an ALUCP does not extend to state, federal, or tribal lands.

Section L-III 1.3 Principal ALUC Compatibility Concerns:

The ALUCs are concerned only with the potential impacts related to:

- A. Exposure to aircraft noise.
- B. Land use safety with respect both to people on the ground and the occupants of aircraft.
- C. Protection of airport airspace from tall objects and certain other land use characteristics (e.g., bird attractions, sources of smoke, glare, etc.).
- D. General concerns related to aircraft overflight.

## ARTICLE 2. NEVADA COUNTY AIRPORT LAND USE COMPATIBILITY PLAN

### Section L-III 2.1 Applicability

The NCALUCP was adopted on September 21, 2011 by the Nevada County ALUC to articulate the procedures and criteria, established in accordance with the California State Aeronautics Act, Public Utilities Code Section 21670 et seq. The NCALUCP sets forth compatibility criteria applicable to Nevada County in the preparation or amendment of land use plans and ordinances and to land owners in their design of new development.

### Section L-III 2.2 Geographic Scope

The Nevada County Airport lies in the western portion of Nevada County. The influence area for the Nevada County Airport extends 1.7 miles from the airport's runway. This influence area encompasses land within the jurisdictions of Nevada County and the City of Grass Valley.

As established and adopted by the Nevada County ALUC, the geographic scope of the NCALUCP encompasses all lands on which the uses could be negatively affected by present or future aircraft operations at the Nevada County Airport, as well as lands on which the uses could negatively affect airport usage.

The specific limits of the Nevada County Airport influence area and the compatibility zones are depicted by NCALUCP Map 2A (Compatibility Policy Map) contained therein.

### Section L-III 2.4 Adopted by Reference

The following sections of Chapter 2 of the NCALUCP are hereby incorporated as Nevada County local land use policy:

- A. Section 1. General Applicability
- B. Section 2. Review Process
- C. Section 3. Compatibility Criteria for Land Use Actions
- D. Section 5. Specific Compatibility Criteria

## ARTICLE 3. TRUCKEE TAHOE AIRPORT LAND USE COMPATIBILITY PLAN

### Section L-III 3.1 Applicability

The TTALUCP was adopted by the Truckee Tahoe ALUC on October 19, 2010 to articulate the procedures and criteria, established in accordance with the California State Aeronautics Act, Public Utilities Code Section 21670 et seq. The TTALUCP sets forth compatibility criteria applicable to Nevada County in the preparation or amendment of land use plans and ordinances and to land owners in their design of new development.

### Section L-III 3.2 Geographic Scope

The influence area for the Truckee Tahoe Airport extends roughly 2.7 miles from the airport runways. This influence area encompasses lands within three local jurisdictions: County of Nevada, County of Placer and the Town of Truckee.

As established and adopted by the Truckee Tahoe ALUC, the geographic scope of the TTALUCP encompasses all lands on which the uses could be negatively affected by present or future aircraft operations at the Truckee Tahoe Airport, as well as lands on which the uses could negatively affect airport usage.

The specific limits of the Truckee Tahoe Airport influence area and compatibility zones are depicted in TTALUCP Figure 2A (Compatibility Map) contained therein.

### Section L-III 3.4 Adopted by Reference

The following sections of Chapter 2 of *the Truckee Tahoe Airport Land Use Compatibility Plan* are hereby incorporated as Nevada County local land use policy:

- A. Section 1. General Applicability
- B. Section 2. Review Process
- C. Section 3. Basic Compatibility Criteria
- D. Section 4. Supporting Compatibility Criteria

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ARTICLE 1. LOMA RICA AIRPORT

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## ARTICLE 1. LOMA RICA AIRPORT

### Sec. L-III 1.1 Purpose of Ordinance

Pursuant to the authority conferred by the Airport Approaches Zoning Law of the State of California, and in conformity with Sections 21402 and 21403 of the Public Utilities Code and standards of the Civil Aeronautics Administration of the United States Department of Commerce, the Board of Supervisors of the County of Nevada, State of California, deems it necessary to create an "Airport Zoning Ordinance" for the purpose of promoting the health, safety and general welfare of the inhabitants of the County of Nevada, by preventing the creation or establishment of airport hazards, thereby protecting the lives and property of the users of the Loma Rica Airport and of the occupants of the land in its vicinity and preventing destruction and impairment of the utility of the airport and the public investment therein.

### Sec. L-III 1.2 Short Title

This Ordinance shall be known and may be cited as the Loma Rica Airport Zoning Ordinance of the County of Nevada.

### Sec. L-III 1.3 Definitions

As used in this ordinance, unless the context otherwise requires:

- A. AIRPORT means the Loma Rica Airport.
- B. AIRPORT HAZARD means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to such landing or taking of aircraft.
- C. NONCONFORMING USE means any structure, tree or use of land which does not conform to a regulation prescribed in this ordinance or an amendment thereto, as of the effective date of such regulations.
- D. PERSON means any individual, firm, co-partnership, corporation, company, association, joint stock association, city or county, or district, and includes any trustee, receiver or assign.
- E. STRUCTURE means any object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, and overhead lines.
- F. LANDING AREA means the area of the airport used for the landing, take-off, or taxiing of aircraft.
- G. TREE means any object of natural growth.

- H. PLANNING COMMISSION means the County Planning Commission of the County of Nevada, State of California.

Sec. L-III 1.4 Zones; Height Limits

In order to carry out the purposes of this ordinance, all of the land within the boundaries of the Loma Rica Airport, and within two (2) miles of the landing area of the airport, is hereby divided into several zones, boundaries of which are shown on the Loma Rica Airport Zoning Map approved by California Aeronautics Commission on January 23, 1959.

All the land within the boundaries of the Loma Rica Airport and within two (2) miles of the end of any runway is hereby divided into:

- A. Inner turning zones.
- B. Outer turning zones.
- C. Runway approach zones.
- D. Transition zones.

The Loma Rica Airport Zoning Map is hereby approved as the official map for such zoning purposes, and is made a part hereof and incorporated herein by reference, and shall be on file at the office of the County Clerk of Nevada County. A copy of said map shall be available for examination at all times that said respective office shall be open for business.

HEIGHT LIMITS: Except as otherwise provided in this ordinance, no structure shall be erected, altered, or maintained in any airport approach zone or airport to a height in excess of the height limit established for each zone, nor shall any tree be permitted to grow to a height in excess of such limit. For purposes of determining the height limits as hereafter specified, the Coast and Geodetic Survey has established the official elevation reference point to be 3,159 feet and all height limits will begin at said elevation. For purposes of this regulation, the following height limits are hereby established for each of the zones in question:

- A. Inner-turning zone, one hundred fifty (150) feet.
- B. Outer-turning zone, one hundred fifty (150) feet at the inner perimeter, and increasing in height in the ratio of twenty to one (20:1) to the outer perimeter.
- C. Runway approach zone eleven (11) and twenty-nine (29) as designated on said Loma Rica Airport Map, not to exceed a height greater than permitted on a forty to one (40:1) slope and in no event to exceed one hundred fifty (150) feet.

### Sec. L-III 1.5 Use Restrictions

Notwithstanding any other provision of this ordinance, no use may be made of land within any airport approach zone, airport turning zone or airport transition zone, in such a manner as to create electrical interference with radio communication between the airport and aircraft, making it difficult for flyers to distinguish between airport lights and other lights, resulting in glare in the eyes of the flyers using the airport, impairing visibility in the vicinity of the airport, or otherwise endangering the landing, take-off, or maneuvering of aircraft.

### Sec. L-III 1.6 Nonconforming Uses

The regulations prescribed in Sections L-III 1.4 and L-III 1.5 of this Article shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date hereof, or otherwise interfere with the continuance of any nonconforming use, except as provided in Section L-III 1.7 of this Article. Nothing herein contained shall require any change in the construction, alteration or intended use of any structure the construction or alteration of which was begun prior to the effective date of this ordinance, and is diligently prosecuted and completed within two years thereof.

### Sec. L-III 1.7 Variances

Any person desiring to erect any structure or increase the height of any structure or permit the growth of any inferior use of this property or to replace, substantially alter, repair, build or replant any structure or tree that is presently a non-conforming use not in accordance with the regulations prescribed in this Ordinance may apply to the Board of Zoning Administration for a Variance therefrom. When it has been determined that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Board of Zoning Administration shall have the power to vary or modify any of the rules, regulations or provisions contained herein so that the spirit of the ordinance shall be observed, public welfare secured and substantial justice done. No permit shall be granted that will allow the establishment or creation of an airport hazard or permit a non-conforming structure or tree or a non-conforming use to make or become higher or become a greater hazard to air navigation and it was effective when this Ordinance becomes effective.

### Sec. L-III 1.8 Administrative Agency

The chairman of the Airport Zoning Commission of the County of Nevada is hereby designated the administrator charged with the duty of administering and enforcing the regulations herein described. The duties of the chairman of the Airport Zoning Commission shall include that of reviewing all applications for building permits within the approach zones, turning zones, and transition zones for the Loma Rica Airport, and that said chairman shall report his findings to the Planning Commission.

### Sec. L-III 1.9 Violation

In the event any person should erect, construct, move, alter or attempt to erect, construct, move, or alter any structure or allow any tree to grow to a height, in violation of the provisions of this ordinance, the same is hereby declared a public nuisance, and it shall be the duty of the District Attorney of the County of Nevada to bring and prosecute an action in any court of competent jurisdiction to enjoin such person from continuing such erection, construction, moving, alteration or growth, or if such erection, construction, moving, alteration or growth is being or has been accomplished, the District Attorney shall bring and prosecute an action to enjoin such person from maintaining same.

### Sec. L-III 1.10 Penalty

Any person violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Such person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed, continued or permitted, by such person, and shall be punishable as herein provided.

### Sec. L-III 1.11 Conflicting Regulations

Where this ordinance imposes a greater or more stringent restriction upon the use of land than is imposed or required by any other ordinance or regulation, the provisions of this ordinance shall govern.

### Sec. L-III 1.12 Validity

Should any section or part of a section, clause or provision, of this ordinance be declared by the court to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid. (Ord. #229, Sections 1-12.)

Urg. Ord. #372, 6/27/67; Ord. #949, 3/31/80

## ARTICLE 2. TRUCKEE-TAHOE AIRPORT

Sec. L-III 2.1	Purpose of Ordinance
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## ARTICLE 2. TRUCKEE-TAHOE AIRPORT

### Sec. L-III 2.1 Purpose of Ordinance

Pursuant to the authority conferred by the Airport Approach Zoning Law of the State of California and in conformity with Sections 21402 and 21403 of the Public Utility Code and Standards of the Public Utility Code and Standards of the Federal Aviation Administration of the United States Department of Transportation, the Board of Supervisors of the County of Nevada, State of California, have hereby found that an airport hazard endangers the lives and property of the users of the Truckee-Tahoe Airport and of the occupants of land or to property in its vicinity and also, if of the obstruction type, in effect reduces the size and area available for landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of the Truckee-Tahoe Airport and the public investment therein.

### Sec. L-III 2.2 Short Title

This ordinance shall be known and may be cited as the Truckee-Tahoe Airport Zoning Ordinance of the County of Nevada.

### Sec. L-III 2.3 Definitions

As used in this ordinance, unless the context otherwise requires:

- A. AIRPORT means Truckee-Tahoe Airport.
- B. AIRPORT ELEVATION means the established elevation of the highest point on the usable landing area.
- C. AIRPORT HAZARD means any structure, tree or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport.
- D. AIRPORT REFERENCE POINT means the point established as the approximate geographic center of the airport landing area and so designated.
- E. HEIGHT - For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
- F. NON-PRECISION INSTRUMENT RUNWAY means a runway having an existing instrument approach procedure utilizing air navigation, facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service-military airport planning document.

- G. LANDING AREA means the area of the airport used for the landing, taking off or taxiing of aircraft.
- H. NONCONFORMING USE means any pre-existing structure, tree, natural growth or use of land which is inconsistent with the provisions of this ordinance or an amendment thereto.
- I. VISUAL RUNWAY means a runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on the FAA approved airport layout plan, or by any planning document submitted to the FAA by competent authority.
- J. PERSON means an individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
- K. RUNWAY means the paved surface of an airport landing area.
- L. STRUCTURE means an object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, and overhead transmission lines.
- M. TREE means any object of natural growth.

#### Sec. L-III 2.4 Zones

In order to carry out the provisions of this ordinance, there are hereby created and established certain zones which include all of the land lying within the approach zones, transition zones, horizontal zone and conical zone. Such areas and zones are shown on the Truckee-Tahoe Airport Zoning Map consisting of one (1) sheet, prepared by Reinard W. Brandley, Consulting Civil Engineer, and dated July 20, 1971, revised February 10, 1972, which is attached to this ordinance and made a part hereof. The various zones are hereby established and defined as follows:

- A. NONPRECISION APPROACH ZONE. A nonprecision approach zone is established at each end of all nonprecision runways for nonprecision landings and takeoffs. The nonprecision approach zone shall have a width of 500 feet at a distance of 200 feet beyond each end of the runway, widening thereafter to a width of 3,500 feet at a distance of 10,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway.
- B. VISUAL APPROACH ZONE. A visual approach zone shall have a width of 250 feet at a distance of 200 feet beyond each end of the runway widening thereafter uniformly to a width of 1,250 feet at a distance of 5,200 feet beyond each end of the runway.
- C. TRANSITION ZONES. Transition Zones are hereby established adjacent to each visual and nonprecision runway and approach zone as indicated on the zoning map. Transition zones symmetrically located on either side of runways

have variable widths as shown on the zoning map. Transition zones extend outward from a line 125 feet on either side of the centerline of the visual runway, for the length of such runway plus 200 feet on each end; and 250 feet on either side of the centerline of the nonprecision instrument runway, for the length of such runway plus 200 feet on each end, and are parallel and level with such runway centerlines. The transition zones along such runways slope upward and outward one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the horizontal zone. Further, transition zones are established adjacent to both visual and nonprecision approach zones for the entire length of the approach zones. These transition zones have variable widths, as shown on the zoning map. Such transition zones flare symmetrically with either side of the runway approach zones from the base of such zones and slope upward and outward at the rate of one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surfaces of the horizontal and conical zones.

- D. HORIZONTAL ZONE. A horizontal zone is hereby established as a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of the nonprecision instrument runway (10R-28L) and connecting the adjacent arcs by drawing tangents to those arcs. The horizontal zone does not include the visual and nonprecision approach zones and the transition zones.
- E. CONICAL ZONES. A conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward and upward therefrom a distance of 4,000 feet at a slope of 20 horizontal to 1 vertical. The conical zone does not include the approach zones.

#### Sec. L-III 2.5 Height Limitations

Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or maintained in any zone created by this ordinance to a height in excess of the height limit herein established for such zone. Such height limitations are hereby established for each of the zones in question as follows:

- A. NONPRECISION APPROACH ZONE. One (1) foot in height for each thirty-four (34) feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the nonprecision runway and extending to a point 10,200 feet from the end of the runway.
- B. VISUAL APPROACH ZONES. One (1) foot in height for each twenty (20) feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the runway and extending to a point 5,200 feet from the end of the runway.
- C. TRANSITION ZONES. One (1) foot in height for each seven (7) feet in horizontal distance beginning at any point 125 feet normal to and at the elevation of the centerline of visual runways, extending 200 feet beyond each end thereof, and

250 feet normal to and at the elevation of the centerline of the nonprecision instrument runways, extending 200 feet beyond each end thereof, extending to a height of 150 feet above the airport elevation which is 5,900 feet above mean sea level. In addition to the foregoing, there are established height limits of one (1) foot vertical height for each seven (7) feet horizontal distance measured from the edges of all approach zones for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces.

- D. HORIZONTAL ZONE. One hundred fifty (150) feet above the airport elevation or a height of 6,050 feet above mean sea level.
- E. CONICAL ZONE. One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 6,250 feet above the airport elevation.
- F. EXCEPTED HEIGHT LIMITATIONS. Nothing in this ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 30 feet above the surface of the land.

Where an area is covered by more than one (1) height limitation, the more restrictive limitations shall prevail.

#### Sec. L-III 2.6 Use Restrictions

Notwithstanding any other provisions of this ordinance, no use may be made of land within any zone established by this ordinance in such a manner as to create electrical interference with radio communications between the airport and aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of flyers using the airport, impair visibility in the vicinity of the airport or otherwise endanger the landing, taking off, or maneuvering of aircraft.

#### Sec. L-III 2.7 Non-conforming Uses

- A. LAND USE - EXISTING PRIOR TO ORDINANCE. The lawful use of land existing at the time of this ordinance or amendments thereto takes effect, although such use does not conform to the provisions thereof, may be continued, but if such non-conforming use is discontinued for a period of one hundred eighty (180) days, any future use of said land shall be in conformity with the provisions of this Chapter.
- B. BUILDING USE - EXISTING PRIOR TO ORDINANCE. The lawful use of a building existing at the time this ordinance or amendments thereto take effect, although such use does not conform to the provisions thereof, may be continued, although such use does not conform with the provisions hereof. If such use is discontinued for a period of one hundred eighty (180) days, any future use of said building will require approval in accordance with Section L-III 2.7.D.

- C. ENLARGEMENT OF NON-CONFORMING USE OR BUILDING. No existing building, designed, arranged or intended for or devoted for a use not permitted in the district in which that building is located shall be enlarged, extended, reconstructed, or structurally altered or reoccupied unless a conditional use permit for such work or reoccupation is approved by the Board of Zoning Administration.
- D. INSPECTION OF BUILDING. No licenses or permits of any kind shall be issued by the County for a new use of a non-conforming building unless and until an inspection of such building has been made by the Chief Building Inspector and a new certificate of use and occupancy therefor has been issued.
- E. MARKING AND LIGHTING. Notwithstanding the preceding provision of this Section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Planning Director to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated and maintained at the expense of the Truckee-Tahoe Airport District.

Sec. L-III 2.8 Conditional Use Permit

- A. FUTURE USES. Except as specifically hereinafter provided, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted.
- B. APPLICATION PROCEDURE:
  - 1. Filing: Application for a conditional use permit shall be filed by the owner of the property for which the permit is sought or by the authorized representative of the owner.
  - 2. Application Procedure to Form and Contents. Application shall be made to the Board of Zoning Administration on forms furnished by the Planning Department and shall be full and complete, including such data as may be prescribed by the Commission to assist in determining the validity of the request. The applicant shall verify the petition, and the date of verification shall be shown on the application.
  - 3. Not in Scope: In cases where the Planning Director considers the reasons and conditions as set forth on the application not within the scope of the conditional use permit or that the application is incomplete, the applicant shall be so informed; whereupon, if the application is filed and the fees are accepted, said application shall be signed by the applicant to the effect that he was so informed. Acceptance of an application does not constitute an indication of approval.
- C. DEPARTMENT INVESTIGATION. The Planning Department shall investigate the facts bearing on the case to provide the Board of Zoning Administration with data essential for action consistent with the intent of this section.

D. HEARING - RECOMMENDATION AND NOTICE.

1. The Commission shall, not less than ten nor more than thirty days after the publishing of the legal notice of a public hearing on a conditional use permit application hold said public hearing.
2. The Board of Zoning Administration shall not less than ten or more than thirty days after the mailing of the legal notice of the public hearing on a conditional use permit application hold said public hearing. The Board of Zoning Administration shall announce its decision within thirty days after the conclusion of the public hearing. Said decision shall set forth the findings of the Board of Zoning Administration and any conditions including any time limit deemed necessary to protect the health, safety and welfare of the persons in the neighborhood and in the County as a whole.
3. The decision shall immediately be mailed to the petitioner at the address shown on the application.

E. BOARD OF ZONING ADMINISTRATION FINDINGS AND CONDITIONS

1. The Board of Zoning Administration, in approval of the conditional use permit, shall by affirmative vote of not less than the majority of its members present find as follows:
  - a. In the area lying within the limits of the horizontal zone and the conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour or topographic features such as tree or structure, would extend above the height limits prescribed for such zone.
  - b. In the areas lying within the limits of the approach zones but at a horizontal distance of not less than 3,600 feet from each end of the runways, no permit shall be required for any tree or structure less than 100 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for the approach zone.
  - c. In the areas lying within the limits of the transition zones no permit shall be required for any tree or structure less than 100 feet of vertical height above the ground except when such tree or structure, because of terrain, land contour or topographic features would extend above the height limit prescribed for such transition zones.
  - d. Duration of use.
  - e. And such other conditions as will make possible the development of the County in an orderly and efficient manner and conformity with the intent and purposes set forth in this ordinance.

2. Nothing contained in any of the foregoing shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any height limits established by this ordinance except as set forth in Section L-III 2.5.
- F. EXISTING USES. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation than it was on the effective date of this ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

#### Sec. L-III 2.9 Permits and Stay Periods

##### A. VOIDING

1. The Board of Supervisors, with or without recommendation from the Board of Zoning Administration, may by resolution without the necessity of holding a public hearing for any conditional use permit for non-compliance with the conditions set forth in granting said conditional use permit. Said notice of intention to void shall be mailed to the applicant not less than 30 days before the Board's action. Notice shall be mailed to applicant's address as indicated on the original request for a conditional use permit.
2. If an established time limit for development expires, the conditional use permit shall be void if no extensions of time, from the time specified, have been granted.

B. CONFORMANCE TO REGULATIONS. Any conditional use permit issued pursuant to this ordinance shall conform to all other laws and requirements of this Chapter.

C. CONFORMANCE TO CHAPTER. Any conditional use permit issued pursuant to this ordinance shall conform to the definitions and requirements of this Chapter.

D. STATUTE COMPLIANCE. The Planning Agency for the County shall act in accordance with all ordinances of the County, and all amendments thereto, and any and all State laws.

E. ACTION OF THE PLANNING AGENCY - STAY PERIOD. The action of the Planning Agency shall be by majority vote of the members present for the Planning Commission or Board of Zoning Administration except as otherwise required by the State laws of the State of California. Any such action by the Planning Commission or Board of Zoning Administration shall be final, conclusive and effective except as otherwise required by the State of California fifteen calendar days after the action taken by the Planning Commission or Board of Zoning Administration.

### Section L-III 2.10 Area Variances

- A. AREA VARIANCE PROCEDURE. Any person desiring to increase the height of any structure or permit the growth of any tree not in accordance with the regulations subscribed in this Chapter may apply to the Board of Zoning Administration for a variance from such regulations. Said variances shall be allowed where it is duly found that a literal application or enforcement of the regulations shall result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest, but will do substantial justice and be in accordance with this Chapter.
- B. AREA VARIANCE APPLICATION FILING. Applications for variances solely for the height of building structures shall be filed with the Board of Zoning Administration.
- C. AREA VARIANCE APPROVAL OR DENIAL. Variances shall be approved by the Board of Zoning Administration if the Board makes a decision by the majority vote that the integrity of the character of the district, the utility and value of adjacent property and the general welfare of the neighborhood would be maintained if the variances were granted. If there is no such determination by majority vote, it should be deemed a denial of the application.
- D. PERMIT - ISSUANCE. The Chief Building Inspector shall issue the variance permit only after the conditions upon which such permit was authorized to be issued either have been fulfilled or, if he deems reasonable adequate guarantees that such conditions will be fulfilled have been given to the applicant.
- E. APPEALS AND HEARINGS. Appeals shall follow the same procedure as hereinafter prescribed in Section L-III 2.12.

### Sec. L-III 2.11 Enforcement

It shall be the duty of the Planning Department to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Planning Department upon a form furnished by the Department. Applications required by this Chapter shall be submitted to and approved and reviewed by the Planning Department, and their findings, where required by this Chapter, shall be submitted to the Planning Commission and/or Board of Zoning Administration for their consideration.

### Sec. L-III 2.12 Appeals

- A. PROCEDURE. The following provisions shall apply to all applications which have final action at Planning Commission or Board of Zoning Administration levels including but not limited to variances, conditional use permits, amendments and changes in district boundaries when denied by the Planning Commission:

1. **Appeal by Applicant:** The applicant shall have the right within 15 calendar days from the date of the Planning Commission or Board of Zoning Administration action to appeal in writing by filing a notice of said appeal with the County Clerk. Any applicant who does file such an appeal shall pay to the County Clerk the sum required by Section L-III 2.13.
  2. **Filing of Appeal:** Filing of such an appeal of such a decision within the time limit shall stay the effective date of the Planning Commission's or Board of Zoning Administration's action until the Board of Supervisors has acted upon the appeal.
  3. **Review by the Board of Supervisors:** The Board of Supervisors shall have the right by majority vote within the 15 day stay period to bring before any decision of the Planning Commission or Board of Zoning Administration for review. The action of the Board of Supervisors shall be final.
  4. **Review Stays Effective Date:** All matters that are brought before the Board of Supervisors for review shall stay the effective date of the matter pending until final action of the Board of Supervisors.
  5. **Appeal by Interested and Aggrieved Party:** Any interested and aggrieved party may file an appeal with the Board of Supervisors within the fifteen day period. The person so appealing shall pay to the County Clerk the sum consistent with Section L-III 2.13. Such an appeal shall stay the effective date of the pending matter until the Board of Supervisors has made its determination. The action of the Board of Supervisors shall be final.
- B. **NOTICE OF PUBLIC HEARING.** Notice of public hearings before the Planning Commission, Board of Zoning Administration and Board of Supervisors shall be in accordance with the State Planning Act and as required by the Planning Commission, Board of Zoning Administration and Board of Supervisors.

#### Sec. L-III 2.13 Filing Fees

- A. Applications under the provisions of this Chapter shall be accompanied by a fee in accordance with the latest fee schedule adopted by the Board of Supervisors.
- B. **REFUNDS AND WITHDRAWALS.** Filing fees are utilized to cover costs of public hearings, mailing, posting, transcripts and staff time involved in processing applications. As such, refunds due to a denial are not permitted. In case of withdrawal, the Planning Director shall authorize a refund based upon pro-rated costs and determination of the status of the application at the time of withdrawal.

#### Sec. L-III 2.14 Penalties

Each violation of this Chapter or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than \$500.00 or imprisonment for not more than six months or both such fine and imprisonment, and each day a violation continues to exist shall constitute a separate offense.

### Sec. L-III 2.15 Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirements shall govern and prevail.

### Sec. L-III 2.16 Separability and Repeals

- A. SEPARABILITY CLAUSE. The Board of Supervisors declares that it would have passed this Chapter and each article, section, subsection, paragraph, sentence, clause and phrase thereof, irrespective of the fact that one or more of such articles, sections, subsections, paragraphs, sentences, clauses or phrases might be declared invalid, unconstitutional or void. Should any article, section, subsection, paragraph, sentence, clause or phrase of this chapter be declared invalid, such declaration shall not affect the validity of any other article, section, subsection, paragraph, sentence, clause or phrase; and if this chapter or any portion thereof should be held to be invalid on one ground but valid on another, it shall be construed that the valid ground is the one upon which said chapter or such portion thereof was enacted.
- B. REPEALING CLAUSE. All ordinances or parts of ordinances in conflict with this Chapter, or inconsistent with the provisions of this Chapter are hereby repealed to the extent necessary to give this Chapter full force and effect provided that any use permit or variance issued under the provisions of Ordinance No. 248 or amendments thereto shall be valid in accordance with the ordinance and conditions under which such use permit or variance was approved and issued.

Ord. #424, 2/4/69; Ord. #591, 5/30/72; Ord. #449, 9/2/69; Ord. #949, 3/31/80

ARTICLE 3. NEVADA COUNTY AIR PARK

Sec. L-III 3.1	Purpose of Ordinance
Sec. L-III 3.2	Short Title
Sec. L-III 3.3	Definitions
Sec. L-III 3.4	Zones
Sec. L-III 3.5	Height Limitations
Sec. L-III 3.6	Use Restrictions
Sec. L-III 3.7	Nonconforming Uses
Sec. L-III 3.8	Permits
Sec. L-III 3.9	Enforcement
Sec. L-III 3.10	Appeals
Sec. L-III 3.11	Penalties
Sec. L-III 3.12	Conflicting Regulations
Sec. L-III 3.13	Severability
Sec. L-III 3.14	Effective Date
Sec. L-III 3.15	Effective Date - Emergency
Sec. L-III 3.16	Repeal of Previous Air Park Zoning Ordinance

## ARTICLE 3. NEVADA COUNTY AIR PARK

### Sec. L-III 3.1 Purpose of Ordinance

This Ordinance is adopted pursuant to the authority conferred by the Airport Approach Zoning Law of the State of California and in conformity with Sections 21402 and 21403 of the Public Utility Code and Standards of the Federal Aviation Administration of the United States Department of Transportation. The Board of Supervisors of the County of Nevada, State of California, have hereby found that an airport hazard endangers the lives and property of the users of the Nevada County Air Park and of the occupants of land or to property in its vicinity and also, if of the obstruction type, in effect reduces the size and area available for landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of the Nevada County Air Park and the public investment therein. Accordingly, it is declared:

- A. That the creation or establishment of an airport hazard is a public nuisance and an injury to region served by the Nevada County Air Park;
- B. That it is necessary in the interest of the public health, public safety and general welfare that the creation or establishment of airport hazards be prevented; and
- C. That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation. It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or interest in land.

### Sec. L-III 3.2 Short Title

This Ordinance shall be known and may be cited as "NEVADA COUNTY AIR PARK ZONING ORDINANCE".

### Sec. L-III 3.3 Definitions

As used in this Ordinance, unless the context otherwise requires:

- A AIRPORT - means NEVADA COUNTY AIR PARK.
- B. AIRPORT ELEVATION - means the established elevation of the highest point on the usable landing area.
- C. AIRPORT HAZARD - means any structure, tree or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport.

- D. AIRPORT REFERENCE POINT - means the point established as the approximate geographic center of the airport landing area and so designated.
- E. HEIGHT - for the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
- F. NON-PRECISION INSTRUMENT RUNWAY - means a runway having an existing instrument approach procedure utilizing air navigation, facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service airport planning document.
- G. LANDING AREA - means the area of the Airport used for the landing, taking off or taxiing of aircraft.
- H. NONCONFORMING USE - means any pre-existing structure, tree, natural growth or use of land which is inconsistent with the provisions of this Ordinance or an amendment thereto.
- I. VISUAL RUNWAY - means a runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on the FAA approved airport layout plan, a military service approved military approved airport layout plan, or by any planning document submitted to the FAA by competent authority.
- J. PERSON - means an individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
- K. RUNWAY - means the paved surface of an airport landing area.
- L. STRUCTURE - means an object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, and overhead transmission lines.
- M. TREE - means any object of natural growth.

#### Sec. L-III 3.4 Zones

In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying within the approach zones, transition zones, horizontal zones and conical zones. Such areas and zones are shown on the Nevada County Air Park Zoning Map consisting of 1 sheet, prepared by Reinard W. Brandley, Consulting Civil Engineer, and dated March 24, 1972, which is attached to this Ordinance and made a part hereof. The various zones are hereby established and defined as follows:

- A. VISUAL APPROACH ZONE - A visual approach zone shall have a width of 250 feet at a distance of 200 feet beyond each end of the runway widening thereafter uniformly to a width of 1250 feet at a distance of 5200 feet beyond each end of the runway.
- B. TRANSITION ZONES - Transition zones are hereby established adjacent to each visual runway and approach zone as indicated on the zoning map. Transition zones symmetrically located on either side of runways have widths as shown on the zoning map. Transition zones extend outward from a line 125 feet on either side of the centerline of the visual runway, for the length of such runway plus 200 feet on each end; and are parallel and level with such runway centerlines. The transition zones along such runways slope upward and outward one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the horizontal zone. Further, transition zones are established adjacent to visual approach zones for the entire length of the approach zones. These transition zones have variable widths, as shown on the zoning map. Such transition zones flare symmetrically with either side of the runway approach zones from the base of such zones and slope upward and outward at the rate of one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surfaces of the horizontal and conical zones.
- C. HORIZONTAL ZONE - A horizontal zone is hereby established as a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of the visual runway and connecting the adjacent arcs by drawing tangents to those arcs. The horizontal zone does not include the visual approach zones and the transition zones.
- D. CONICAL ZONE - A conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward and upward therefrom a distance of 4,000 feet at a slope of 20 horizontal to 1 vertical. The conical zone does not include the approach zones.

### Sec. L-III 3.5 Height Limitations

Except as otherwise provided in this Ordinance, no structure or tree shall be erected, altered, allowed to grow, or maintained in any zone created by this Ordinance to a height in excess of the height limit herein established for such zone. Such height limitations are hereby established for each of the zones in question as follows:

- A. VISUAL APPROACH ZONES - One (1) foot in height for each twenty (20) feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the runway, and extending to a point 5,200 feet from the end of the runway.
- B. TRANSITION ZONES - One (1) foot in height for each seven (7) feet in horizontal distance beginning at any point 125 feet normal to and at the elevation of the centerline of visual runways, extending 200 feet beyond each and thereof, extending to a height of 150 feet above the airport elevation which is 3,120 feet above mean sea level. In addition to the foregoing, there are established height

limits of one (1) foot vertical height for each seven (7) feet horizontal distance measured from the edges of all approach zones for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces.

- C. HORIZONTAL ZONE - One hundred fifty (15) feet above the airport elevation or a height of 3,270 feet above mean sea level.
- D. CONICAL ZONE - One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 3,470 feet above mean sea level.
- E. EXCEPTED HEIGHT LIMITATIONS - Nothing in this Ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 30 feet above the surface of the land.

Where an area is covered by more than one (1) height limitation, the more restrictive limitations shall prevail.

#### Sec. L-III 3.6 Use Restrictions

Notwithstanding any other provisions of this Ordinance, no use may be made of land within any zone established by this Ordinance, in such a manner as to create electrical interference with radio communication between the airport and aircraft, make it difficult for flyers to distinguish between airport light and others, result in glare in the eyes of flyers using the airport, impair visibility in the vicinity of the airport or otherwise endanger the landing, taking off, or maneuvering of aircraft.

#### Sec. L-III 3.7 Nonconforming Uses

- A. REGULATIONS NOT RETROACTIVE - The regulations prescribed by this Ordinance shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of any non-conforming use. Nothing herein contained shall require any change in the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently prosecuted.
- B. MARKING AND LIGHTING - Notwithstanding the preceding provisions of this section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Planning Director to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the County of Nevada.

## Sec. L-III 3.8 Permits

- A. **FUTURE USES.** Except as specifically provided in Paragraphs 1, 2, and 3 hereunder no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.
1. In the area lying within the limits of the horizontal zone and the conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.
  2. In the areas lying within the limits of the approach zones but at a horizontal distance of not less than 3,600 feet from each end of the runways, no permit shall be required for any tree or structure less than 100 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for the approach zone.
  3. In the areas lying within the limits of the transition zones no permit shall be required for any tree or structure less than 100 feet of vertical height above the ground except when such tree or structure, because of terrain, land contour or topographic features would extend above the height limit prescribed for such transition zones.
- B. **EXISTING USES.** No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- C. **NON-CONFORMING USES ABANDONED OR DESTROYED.** Whenever the Planning Director determines that a non-conforming structure or tree has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- D. **VARIANCES.** Any person designated to erect or increase the height of any structure or permit the growth of any tree or use his property not in accordance with the regulations prescribed in this ordinance may apply to the Board of Zoning Administration for a variance from such regulations. Such variances shall be allowed where it is found that a literal application or enforcement of such regulations will result in the practical difficulty or unnecessary hardships and the relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this ordinance.

- E. HAZARD MARKING AND LIGHTING. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the Nevada County Air Park, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to fliers the presence of an airport hazard.

#### Sec. L-III 3.9 Enforcement

It shall be the duty of the Planning Department to administer and enforce the regulations described herein. Applications for permits and variances shall be made to the Planning Department on the form furnished by the Department.

#### Sec. L-III 3.10. Appeals

- A. Any person aggrieved, or any taxpayer affected, by any decision of the Planning Director made in his administration of this ordinance, may appeal to the Board of Supervisors.
- B. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Supervisors, by filing with the Planning Director a notice of appeal specifying the grounds thereof. Planning Director shall forthwith transmit to the Board of Supervisors all the papers constituting the record upon which the action appealed from was taken.
- C. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Planning Director certifies to the Board of Supervisors, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board of Supervisors on notice to the Planning Director and on due cause shown.
- D. The Board of Supervisors shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.
- E. The Board of Supervisors may, in conformity with the provisions of this ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from and may make such order, requirement decision, or determination, as may be appropriate under the circumstances.

#### Sec. L-III 3.11 Penalties

Each violation of this ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than \$500.00 or imprisonment for not more than 6 months or both such fine and imprisonment, and each day a violation continues to exist shall constitute a separate offense.

### Sec. L-III 3.12 Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

### Sec. L-III 3.13 Severability

If any of the provisions of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

### Sec. L-III 3.14 Effective Date

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

### Sec. L-III 3.15. Effective Date - EMERGENCY

The immediate operation of the provisions of this ordinance is necessary for the preservation of the public health, public safety, and general welfare, an EMERGENCY is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Board of Supervisors and publication and posting as required by law.

### Sec. L-III 3.16 Repeals Previous Air Park Zoning Ordinance

Upon adoption by the Board of Supervisors of this ordinance, the previous Air Park Zoning Ordinance shall be repealed and declared null and void.

Ord. #686, 10/1/74; Ord. #949, 3/31/80

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**RESOLUTION 14-01  
OF THE  
NEVADA COUNTY AIRPORT LAND USE COMMISSION**

RESOLUTION ADOPTING CONSISTENCY DETERMINATION OF AN AMENDMENT TO THE NEVADA COUNTY GENERAL PLAN SAFETY ELEMENT AND APPROVING REVISIONS TO CHAPTER 3 OF THE NEVADA COUNTY LAND USE DEVELOPMENT CODE

WHEREAS, the Nevada County Transportation Commission (NCTC), in its capacity as the Nevada County Airport Land Use Commission (NCALUC), has adopted the Nevada County Airport Land Use Compatibility Plan (NCALUCP); and

WHEREAS, Section 21676(b) of the California Public Utilities Code requires that prior to amendment of a general plan within the planning boundary established by an airport land use commission, a local agency shall first refer its proposed action to the airport land use commission; and

WHEREAS, Nevada County proposes to amend its General Plan Safety Element to include references to Military Airspace Hazards; and

WHEREAS, NCALUCP Policy 3.2.3 requires local agencies to define the process they will follow when reviewing proposed land use developments within the Airport Influence Area to ensure that developments will be consistent with the policies in the NCALUCP; and

WHEREAS, to fulfill the requirements of NCALUCP Policy 3.2.3, Nevada County proposes to adopt by reference, Sections: 1. General Applicability, 2. Review Process, 3. Compatibility Criteria for Land Use Actions, and 5. Specific Compatibility Criteria, of Chapter 2 of the NCALUCP into Chapter 3 of the Nevada County Land Use Development Code.

NOW THEREFORE BE IT RESOLVED, that the NCALUC finds that the proposed amendment to the Nevada County General Plan Safety Element is consistent with the NCALUCP.

BE IT FURTHER RESOLVED, that the NCALUC approves the adoption by reference of Sections: 1. General Applicability, 2. Review Process, 3. Compatibility Criteria for Land Use Actions, and 5. Specific Compatibility Criteria, of Chapter 2 of the NCALUCP into Chapter 3 of the Nevada County Land Use Development Code.

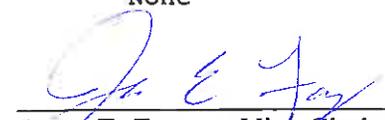
PASSED AND ADOPTED by the Nevada County Airport Land Use Commission on May 21, 2014, by the following vote:

Ayes: Commissioners Dee, Fouyer, Guerra, Harris, and Scofield

Noes: None

Absent: Commissioners Beason and Jostes

Abstain: None

  
\_\_\_\_\_  
Jason E. Fouyer, Vice Chairman  
Nevada County Airport Land Use Commission

Attest:   
\_\_\_\_\_  
Nancy D. Holman  
Administrative Services Officer

**RESOLUTION 14-01  
OF THE  
TRUCKEE TAHOE AIRPORT LAND USE COMMISSION**

RESOLUTION ADOPTING CONSISTENCY DETERMINATION OF AN AMENDMENT TO THE NEVADA COUNTY GENERAL PLAN SAFETY ELEMENT AND APPROVING REVISIONS TO CHAPTER 3 OF THE NEVADA COUNTY LAND USE DEVELOPMENT CODE

WHEREAS, the Truckee Tahoe Airport Land Use Commission (TTALUC), has adopted the Truckee Tahoe Airport Land Use Compatibility Plan (TTALUCP); and

WHEREAS, Section 21676(b) of the California Public Utilities Code requires that prior to amendment of a general plan within the planning boundary established by an airport land use commission, a local agency shall first refer its proposed action to the airport land use commission; and

WHEREAS, Nevada County proposes to amend its General Plan Safety Element to include references to Military Airspace Hazards; and

WHEREAS, TTALUCP Policy 3.2.2 requires local agencies to define the process they will follow when reviewing proposed land use developments within the Airport Influence Area to ensure that developments will be consistent with the policies in the NCALUCP; and

WHEREAS, to fulfill the requirements of TTALUCP Policy 3.2.2, Nevada County proposes to adopt by reference, Sections: 1. General Applicability, 2. Review Process, 3. Basic Compatibility Criteria, and 4. Supporting Compatibility Criteria, of Chapter 2 of the TTALUCP, into Chapter 3 of the Nevada County Land Use Development Code.

NOW THEREFORE BE IT RESOLVED, that the TTALUC finds that the proposed amendment to the Nevada County General Plan Safety Element is consistent with the TTALUCP.

BE IT FURTHER RESOLVED, that the TTALUC approves the adoption by reference of Sections: 1. General Applicability, 2. Review Process, 3. Basic Compatibility Criteria, and 4. Supporting Compatibility Criteria, of Chapter 2 of the TTALUCP into Chapter 3 of the Nevada County Land Use Development Code.

PASSED AND ADOPTED by the Truckee Tahoe Airport Land Use Commission on May 30, 2014, by the following vote:

Ayes: Commissioners Anderson, Brown, Collinson, Foster, Joiner, Montgomery, and Smith

Noes: None

Absent: None

Abstain: None

  
Paul Joiner, Chairman  
Truckee Tahoe Airport Land Use Commission

Attest:   
Daniel B. Landon  
Executive Director

**BOARD OF FORESTRY AND FIRE PROTECTION**

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
Website: [www.bof.fire.ca.gov](http://www.bof.fire.ca.gov)  
(916) 653-8007



Kimberly Hunter, Senior Planner  
Planning Department, Community Development Agency  
County of Nevada  
950 Maidu Avenue  
Nevada City, CA

June 19, 2014

Dear Ms. Hunter:

The State Board of Forestry and Fire Protection (Board) is required to review and provide recommendations to the safety element of county and local government general plans when such plans are being amended. This review is in accordance with Government Code (GC) §65302.5 which requires the Board to review the fire safety elements when the general plans contains State Responsibility Areas or Very High Fire Hazard Severity Zones.

Enclosed is the final review and recommendations titled "*Nevada County Review of the Fire Safety Elements*." The Board has prepared this document in cooperation with members of the Nevada-Yuba-Placer Unit.

Government Code §65302.5 also requires the County of Nevada to consider and accept the recommendations made by the Board and communicate in writing to the Board its reasons for not accepting any recommendations.

Thank you for the opportunity to participate in your planning process and we look forward to working with you on these recommendations. We hope this input leads to greater protection and reduced cost and losses from wildfires to Nevada County and adjacent wildlands.

Sincerely,

Keith Gilless  
Chair, Board of Forestry and Fire Protection

CC: George Gentry, Executive Officer  
Brad Harris, NEU  
Mike Deme, NEU

# Nevada County

NEU

## General Plan Safety Element Assessment Version 1

6/3/14

Board of Forestry and Fire  
Protection



### Contents

**Purpose and Background**

**Methodology for Review and Recommendations**

**Review Process and Timeline**

**Standard List of Recommendations**

**Purpose and Background:** The State Board of Forestry and Fire Protection (BOF/Board) is required to review and make recommendations for the fire safety element of general plan updates in accordance with Government Code (GC) §65302.5. The review and recommendations apply to those general plans with State Responsibility Area (SRA) (Public Resources Code 4125) or Very High Fire Hazard Severity Zones (VHFHSZ) (GC 51175).

The statutory requirements for the Board review and recommendations pursuant to GC 65302.5 (a)(1) and (2), and (b) are as follows:

- *“The draft elements...to the fire safety element of a county’s or a city’s general plan...shall be submitted to the Board at least 90 days prior to... the adoption or amendment to the safety element of its general plan [for each county or city with SRA or VHFHSZ].”*
- *“The Board shall... review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element....”*
- *“Prior to adoption of the draft element..., the Board of Supervisors... shall consider the recommendations made by the Board... If the Board of Supervisors...determines not to accept all or some of the recommendations..., the Board of Supervisors... shall communicate in writing to the Board its reasons for not accepting the recommendations.”*

**Methodology for Review and Recommendations:** The Board established a standardized method to review the safety element of general plans. The methodology includes 1) examining the general plan for inclusion of factors that are important for mitigation of fire hazard and risks, and 2) making recommendations related to these factors. The evaluation factors and recommendations were developed using CAL FIRE technical documents and input from local fire departments.

Enclosed is the most expansive set of recommendations suggested by the Board. These recommendations are directed at communities that include:

- Most counties
- Widespread Very High Fire Hazard Severity Zone acreage and/or State Responsibility Area acreage
- Extensive financial and physical resources
- Broad community support
- Previous wildfire protection planning efforts

The General Plan Safety Element of each jurisdiction that fits those criteria will be assessed based on the recommendations below.

## Review Process and Timeline

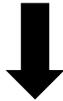
The county, local jurisdiction, and local fire unit will receive and review technical guidance documents, the BOF checklist, and other relevant information from the Governor's Office of Planning and Research and CAL FIRE.



The county or local jurisdiction will work closely with the local fire unit during the development of the general plan and the safety element in particular.



**90 days prior to the adoption or amendment of the General Plan:** The county or local jurisdiction will submit the safety element to the local fire unit for review.



**No more than 30 days later:** The unit will submit to the BOF their findings and recommendations.



**No more than 60 days later:** The Board will consider the fire unit's recommendations and will approve or approve with amendments the recommendations at the next Board meeting.

# Standard List of General Plan Safety Element Recommendations

Please click on the appropriate box to “check” whether the plan satisfies each point. Standard recommendations are included in the checklist but please highlight or add additional comments as necessary.

## 1.0 Wildfire Protection Planning

1.1 General Plan references and incorporates County or Unit Fire Plan.  Yes  Partial  No

**Recommendation:** Identify, reference or create (if necessary) a fire plan for the geographic scope of the General Plan. General Plan should incorporate the general concepts and standards from any county fire plan, fire protection agency (federal or state) fire plan, and local hazard mitigation plan. Identify or reference the local Unit Fire Plan and, if applicable, the Community Wildfire Prevention Plan.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Ensure fire plans incorporated by reference into the contain evaluations of fire hazards, assessment of assets at risk, prioritization of hazard mitigation actions, and implementation and monitoring components.

**Priority:**  High  Medium  Low  N/A

**Additional Wildfire Protection Planning Recommendations:**

## 2.0 Land Use Planning:

2.1 Goals and policies include mitigation of fire hazard for future development.  Yes  Partial  No

**Recommendation:** Establish goals and policies for specific ordinances addressing evacuation and emergency vehicle access; water supplies and fire flow; fuel modification for defensible space; and home addressing and signing.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Specify the local ordinances, code sections, or regulations addressing the above standards, particularly any ordinances that address right-of-way, easement, and other reasonable offsite and onsite improvements for a division of land which qualifies for a Parcel Map rather than a Tentative/Final Map under the Subdivision Map Act.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Develop fire safe development codes used as standards for fire protection for new development in State Responsibility Area (SRA) within the entity’s jurisdiction that meet or exceed statewide standards in Title 14 California Code of Regulations Section 1270 et seq.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Adopt, and have certified by the BOF, local fire safe ordinances which meet or exceed standards in 14 CCR § 1270 for State Responsibility Area.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Consider mitigation of previously developed areas that do not meet Title 14 California Code of Regulations Section 1270 et seq. or equivalent local ordinance.

**Priority:**  High  Medium  Low  N/A

- 2.2 Disclose wildland urban interface hazards, including Fire Hazard Severity Zone designations and other vulnerable areas as determined by CAL FIRE or fire prevention organizations. Describe or map any Firewise Communities or other firesafe communities as determined by the National Fire Protection Association, Fire Safe Council, or other organizations.  Yes  Partial  No

**Recommendation:** Specify whether the entity has a Very High Fire Hazard Severity Zones (VHFHSZ) designation pursuant GC 51175 and include a map of the zones that clearly indicates any area designated VHFHSZ.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Adopt CAL FIRE recommended Fire Hazard Severity Zones including model ordinances developed by the Office of the State Fire Marshal for establishing VHFHSZ areas.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Discuss and/or include local fire hazard maps.

**Priority:**  High  Medium  Low  N/A

- 2.3 The design and location of new development provides for adequate infrastructure for the safe ingress of emergency response vehicles and simultaneously allows civilian egress during an emergency:  Yes  Partial  No

**Recommendation:** Develop a policy that approval of parcel maps and tentative maps is conditional based on meeting regulations adopted pursuant to §4290 and 4291 of the Public Resources Code, particularly those regarding road standards for ingress, egress, and fire equipment access.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Develop pre-plans for fire prone areas that address civilian evacuations to temporary safety locations.

**Priority:**  High  Medium  Low  N/A

- 2.4 When approving parcel maps and use permits, consideration is given to providing adequate water supply infrastructure that meets zoning and fire protection needs.  Yes  Partial  No

**Recommendation:** Develop a policy that approval of parcel maps is conditional based on

meeting zoning requirements and fire safe development codes.

**Priority:**  High  Medium  Low  N/A

**Additional Land Use Planning Recommendations:**

**3.0 Housing/Structures and Neighborhoods:**

3.1 Incorporation of current fire safe building codes.  Yes  Partial  No

**Recommendation:** Adopt building codes for new development in State Responsibility Areas or incorporated areas with VHFHSZ that are based on those established by the Office of the State Fire Marshal in Title 19 and Title 24 CCR, referred to as the “Wildland Urban Interface Building Codes.”

**Priority:**  High  Medium  Low  N/A

3.2 Identification and actions for substandard fire safe housing and neighborhoods relative to fire hazard area.  Yes  Partial  No

**Recommendation:** Identify and map existing housing structures that do not conform to contemporary fire standards in terms of building materials, perimeter access, and vegetative hazards in VHFHSZ or SRA by fire hazard zone designation.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Identify plans and actions to improve substandard housing structures and neighborhoods. Plans and actions should include structural rehabilitation, occupancy reduction, demolition, reconstruction, neighborhood-wide fuels hazard reduction projects, community education, and other community based solutions.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Identify plans and actions for existing residential structures and neighborhoods, and particularly substandard residential structures and neighborhoods, to be improved to meet current fire safe ordinances pertaining to access, water flow, signing, and vegetation clearing.

**Priority:**  High  Medium  Low  N/A

3.3 Consideration of diverse occupancies and their effects on wildfire protection.

Yes  Partial  No

**Recommendation:** Ensure risks to uniquely occupied structures, such as seasonally occupied homes, multiple dwelling structures, or other structures with unique occupancy characteristics, are considered for appropriate and unique wildfire protection needs.

**Priority:**  High  Medium  Low  N/A

3.4 Fire engineering features for structures in VHFHSZ. Yes Partial No

**Recommendation:** Ensure new development proposals contain specific fire protection plans, actions, and codes for fire engineering features for structures in VHFHSZ. Examples include codes requiring automatic sprinklers in VHFHSZ.

**Priority:** High Medium Low N/A

**Additional Housing/Structures and Neighborhoods Recommendations:**

**4.0 Conservation and Open Space:**

4.1 Identification of critical natural resource values relative to fire hazard areas. Yes Partial No

**Recommendation:** Identify critical natural resources and other “open space” values within the geographic scope of the General Plan.

**Priority:** High Medium Low N/A

4.2 Inclusion of resource management activities to enhance protection of open space and natural resource values. Yes Partial No

**Recommendation:** Develop plans and action items for vegetation management that provides fire damage mitigation and protection of open space values. Plans should address protection of natural resource financial values, establishment of fire resilient natural resources, protection of watershed qualities, and protection of endangered species habitats. Actions should consider prescribed burning, fuel breaks, and vegetation thinning and removal

**Priority:** High Medium Low N/A

**Recommendation:** Establish goals and policies for reducing the wildland fire hazards within the entity’s boundaries, especially on vacant residential lots and greenbelts and, with the relevant partners, on adjacent private wildlands or federal lands with fire hazards that threaten the entity’s jurisdiction.

**Priority:** High Medium Low N/A

4.3 Integration of open space into fire safety effectiveness. Yes Partial No

**Recommendation:** Establish goals and policies for incorporating systematic fire protection improvements for open space. Specifics policies should address facilitation of safe fire suppression tactics, standards for adequate access for firefighting, fire mitigation planning with agencies/private landowners managing open space adjacent to the GP area, water sources for fire suppression, and other fire prevention and suppression needs.

**Priority:** High Medium Low N/A

4.4 Urban forestry plans relative to fire protection. Yes Partial No

**Recommendation:** Ensure residential areas have appropriate fire resistant landscapes and discontinuous vegetation adjacent to open space or wildland areas.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Evaluate and resolve existing laws and local ordinances which conflict with fire protection requirements. Examples include conflicts with vegetation hazard reduction ordinances and listed species habitat protection requirements.

**Priority:**  High  Medium  Low  N/A

- 4.5 Mitigation for unique pest, disease and other forest health issues leading to hazardous situations.  Yes  Partial  No

**Recommendation:** Establish goals and policies that address unique pest, disease, exotic species and other forest health issues in open space areas for purposes of reducing fire hazard and supporting ecological integrity.

**Priority:**  High  Medium  Low  N/A

**Additional Conservation and Open Space Recommendations:**

**5.0 Circulation and Access:**

- 5.1 Adequate access to high hazard wildland/open space areas.  Yes  Partial  No

**Recommendation:** Establish goals and policies for adequate access in Very High Fire Hazard Severity Zones that meet or exceed standards in Title 14 CCR 1270 for lands with no structures, and maintain conditions of access in a suitable fashion for suppression access or public evacuation.

**Priority:**  High  Medium  Low  N/A

- 5.2 Standards for evacuation of residential areas in high hazard areas.  Yes  Partial  No

**Recommendation:** Goals and policies should be established to delineate residential evacuation routes and evacuation plans in high or very high fire hazard residential areas.

**Priority:**  High  Medium  Low  N/A

- 5.3 Incorporate a policy that provides for a fuel maintenance program along roadways in the agency having jurisdiction.  Yes  Partial  No

**Recommendation:** Develop an adaptive vegetation management plan that considers fuels, topography, weather (prevailing winds and wind event specific to the area), fire ignitions and

fire history.

**Priority:**  High  Medium  Low  N/A

- 5.4 Adequacy of existing and future transportation system to incorporate fire infrastructure elements.  Yes  Partial  No

**Recommendation:** Establish goals and policies for proposed and existing transportation systems to facilitate fire infrastructure elements such as turnouts, helispots and safety zones.

**Priority:**  High  Medium  Low  N/A

**Additional Circulation and Access Recommendations:**

**6.0 Defensible Space**

- 6.1 Develop geographic specific fire risk reduction mitigation measures using fuel modification.  Yes  Partial  No

**Recommendation:** Include policies and recommendations that incorporate fire safe buffers and greenbelts as part of the development planning. Ensure that land uses designated near very fire hazard severity zones are compatible with wildland fire protection strategies/capabilities.

**Priority:**  High  Medium  Low  N/A

- 6.2 Fuel modification around homes.  Yes  Partial  No

**Recommendation:** Establish ordinances in SRA or VHFHSZ for vegetation fire hazard reduction around structures that meet or exceed the Board of Forestry and Fire Protection's Defensible Space Guidelines for SRA and the Very High Fire Hazard severity zones, including vacant lots.

See [http://www.bof.fire.ca.gov/pdfs/Copyof4291finalguidelines9\\_29\\_06.pdf](http://www.bof.fire.ca.gov/pdfs/Copyof4291finalguidelines9_29_06.pdf)

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Reduce fuel around communities and subdivisions, considering fuels, topography, weather (prevailing winds and wind event specific to the area), fire ignitions and fire history.

**Priority:**  High  Medium  Low  N/A

- 6.3 Fire suppression defense zones.  Yes  Partial  No

**Recommendation:** Establish goals and policies that create wildfire defense zones for emergency services, including fuel breaks or other staging areas where WUI firefighting tactics could be most effectively deployed.

**Priority:**  High  Medium  Low  N/A

**Additional Defensible Space Recommendations:**

**7.0 Emergency Services:**

7.1 Map/describe existing emergency service facilities and areas lacking services, specifically noting any areas in SRA or VHFHSZs. Yes Partial No

**Recommendation:** Include descriptions of emergency services including available equipment, personnel, and maps of facility locations.

**Priority:** High Medium Low N/A

**Recommendation:** Initiate studies and analyses to identify appropriate staffing levels and equipment needs commensurate with the current and projected emergency response environment.

**Priority:** High Medium Low N/A

7.2 Assessment and projection of future emergency service needs. Yes Partial No

**Recommendation:** Ensure new development includes appropriate facilities, equipment, personnel and capacity to assist and support wildfire suppression emergency service needs. Future emergency service needs should be:

- Established consistent with state or national standards.
- Developed based on criteria for determining suppression resource allocation that includes elements such as identified values and assets at risk, ignition density, vegetation type and condition, as well as local weather and topography.
- Local Agency Formation municipal services reviews for evaluating level of service, response times, equipment condition levels and other relevant emergency service information.

**Priority:** High Medium Low N/A

7.3 Adequacy of training. Yes Partial No

**Recommendation:** Establish goals and policies for emergency service training that meets or exceeds state or national standards.

**Priority:** High Medium Low N/A

7.4 Inter-fire service coordination preparedness/mutual aid and multi-jurisdictional fire service agreements. Yes Partial No

**Recommendation:** Adopt the Standardized Emergency Management System for responding to large scale disasters requiring a multi-agency response. Ensure and review mutual aid/automatic aid and other cooperative agreements with adjoining emergency service providers.

Priority:  High  Medium  Low  N/A

<b>Additional Emergency Services Recommendations:</b>
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**8.0 Post Fire Safety, Recovery and Maintenance:**

The post fire recommendations address an opportunity for the community and landowners to re-evaluate land uses and practices that affect future wildfire hazards and risk. They also provide for immediate post-fire life and safety considerations to mitigate potential losses to life, human assets and critical natural resources.

8.1 Evaluation of redevelopment.  Yes  Partial  No

**Recommendation:** In High and Very hazardous areas, ensure redevelopment utilizes state of the art fire resistant building and development standards to improve past ‘substandard’ fire safe conditions.

**Priority:**  High  Medium  Low  N/A

8.2 Long term maintenance of fire hazard reduction mitigation projects.  Yes  Partial  No

**Recommendation:** Provide polices and goals for maintenance of the post-fire-recovery projects, activities, or infrastructure.

**Priority:**  High  Medium  Low  N/A

8.3 Reevaluate hazardous conditions and provide for future fire safe conditions.  Yes  Partial  No

**Recommendation:** Incorporate goals and policies that provide for reassessment of fire hazards following wildfire events. Adjust fire prevention and suppression needs for both short and long term fire protection.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Develop burn area recovery plans that incorporate strategic fire safe measures developed during the fire suppression, such as access roads, fire lines, safety zones, and fuelbreaks, and helispots.

**Priority:**  High  Medium  Low  N/A

8.4 Post fire life and safety assessments.  Yes  Partial  No

**Recommendation:** Develop frameworks for rapid post-fire assessment and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Identity flood and landslide vulnerability areas related to post wildfire conditions.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Establish goals and policies that address the intersection of flood /landslide/post fire burn areas into long term public safety protection plans. These should include treatment assessment of fire related flood risk to life, methods to control storm runoff in burn areas, revegetation of burn areas, and drainage crossing maintenance.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Encourage rapid post-fire assessment, as appropriate, and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

**Priority:**  High  Medium  Low  N/A

8.5 Restore sustainable landscapes and restore functioning ecosystems.  Yes  Partial  No

**Recommendation:** Develop burn area recovery plans, evaluation processes and implementation actions that encourage tree and biomass salvage, reforestation activities, create resilient and sustainable landscapes, and restore functioning ecosystems.

**Priority:**  High  Medium  Low  N/A

8.6 Incorporate wildlife habitat/endangered species considerations.  Yes  Partial  No

**Recommendation:** Establish goals and policies for consideration of wildlife habitat/endangered species into long term fire area recovery and protection plans, including environmental protection agreements such as natural community conservation plans.

**Priority:**  High  Medium  Low  N/A

8.7 Native species reintroduction.  Yes  Partial  No

**Recommendation:** Incorporate native species habitat needs as part of long term fire protection and fire restoration plans.

**Priority:**  High  Medium  Low  N/A

**Additional Post Fire Safety, Recovery and Maintenance Recommendations:**

**9.0 Terrorist and homeland security impacts on wildfire protection:**

These recommendations are included to address fire protection needs related to terrorist acts or other homeland security preparedness and response actions. Both preparedness and incident response can adversely impact fire protection. Adverse effects include substantially decreasing emergency resources' availability, responsiveness and effectiveness by diverting resources, interrupting communications, or restricting emergency access.

9.1 Emergency response barriers.  Yes  Partial  No

**Recommendation:** Identify goals and policies that address vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.). Develop an alternative emergency access plan for these areas.

**Priority:**  High  Medium  Low  N/A

9.2 Prioritizing asset protection from fire when faced with a lack of suppression forces.

Yes  Partial  No

**Recommendation:** Identify and prioritize protection needs for assets at risk in the absence of response forces.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Establish fire defense strategies (such as fire ignition resistant areas) that provide adequate fire protection without dependency on fire resources (both air and ground) and could serve as safety zones for the public or emergency support personnel.

**Priority:**  High  Medium  Low  N/A

9.3 Communication channels during incidents.  Yes  Partial  No

**Recommendation:** Establish goals and policies consistent with the Governor's Blue Ribbon Fire Commission of 2005 for communications and interoperability. Example goals and policies should address fire personnel capability to communicate effectively across multiple frequency bands and update and expansion of current handheld and mobile radios used on major mutual aid incidents.

**Priority:**  High  Medium  Low  N/A

**Additional Terrorist and Homeland Security Recommendations:**

**Additional Recommendations:** County of Nevada has done a great job with their plan. They just passed an ordinance regarding vegetation management on unimproved parcels and have an active Fire Safe Council.